



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

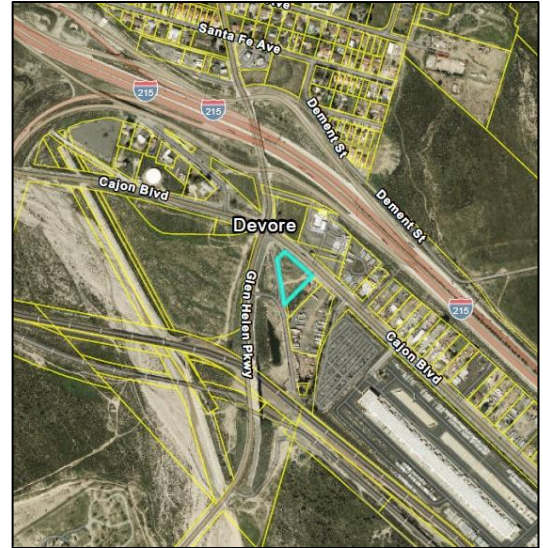
HEARING DATE: October 23, 2025

AGENDA ITEM #2

Project Description:

Project No: PROJ-2022-00213
APNs: 0349-182-110
Applicant: Geo-Cal, Inc.
Community: 5th District
Location: 18545 Cajon Boulevard, Devore
Staff: Maryn Mineo-Wells, Planner III
Rep: Andresen Architecture, Inc.
Proposal: A Conditional Use Permit to construct a gas station with six (6) automobile fueling stations with canopy, six (6) truck fueling stations with canopy, a 1,848-square-foot convenience store, and a 1,057-square-foot drive-thru restaurant, on a 1.40-acre parcel.

Vicinity Map



83 Hearing Notices Sent on August 21, 2025

Report Prepared by: Maryn Mineo-Wells, Planner III

SITE INFORMATION

Parcel Size: 1.40 acres
Vegetation: Grass and shrub vegetation

SURROUNDING LAND DESCRIPTION:

AREA	EXISTING LAND USE	LAND USE CATEGORY	LAND USE ZONING DISTRICT
Site	Vacant	Special Development (SD)	Commercial/Traveler Services (GH/SP-C/TS)
North	Right-of-Way	Special Development (SD)	Commercial/Traveler Services (GH/SP-C/TS)
South	Right-of-Way / Utility Building (Frontier)	Special Development (SD)	Commercial/Traveler Services (GH/SP-C/TS)
East	Right-of-Way / Utility Building (Frontier)	Special Development (SD)	Commercial/Traveler Services (GH/SP-C/TS)
West	Right-of-Way	Special Development (SD)	Commercial/Traveler Services (GH/SP-C/TS)

AGENCY

City Sphere of Influence: N/A
Water Service: Devore Mutual Water Company
Sewer Service: Private (OWTS)

COMMENT

N/A
Will Serve
N/A

STAFF RECOMMENDATION: That the Planning Commission **ADOPT** the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; **ADOPT** the Findings for approval of the Conditional Use Permit; **APPROVE** the Conditional Use Permit, subject to the Conditions of Approval; and **DIRECT** the Land Use Services Department to file a Notice of Determination in accordance with CEQA.¹

¹ In accordance with Section 86.08.010 of the Development Code, the Planning Commission's action may be appealed to the Board of Supervisors.

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FIGURE 1 – VICINITY MAP

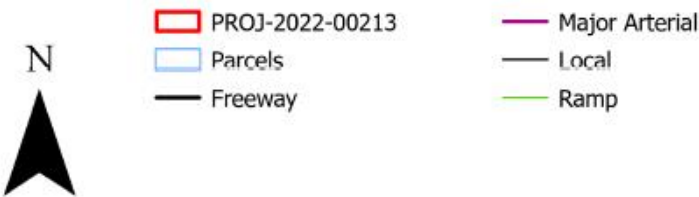
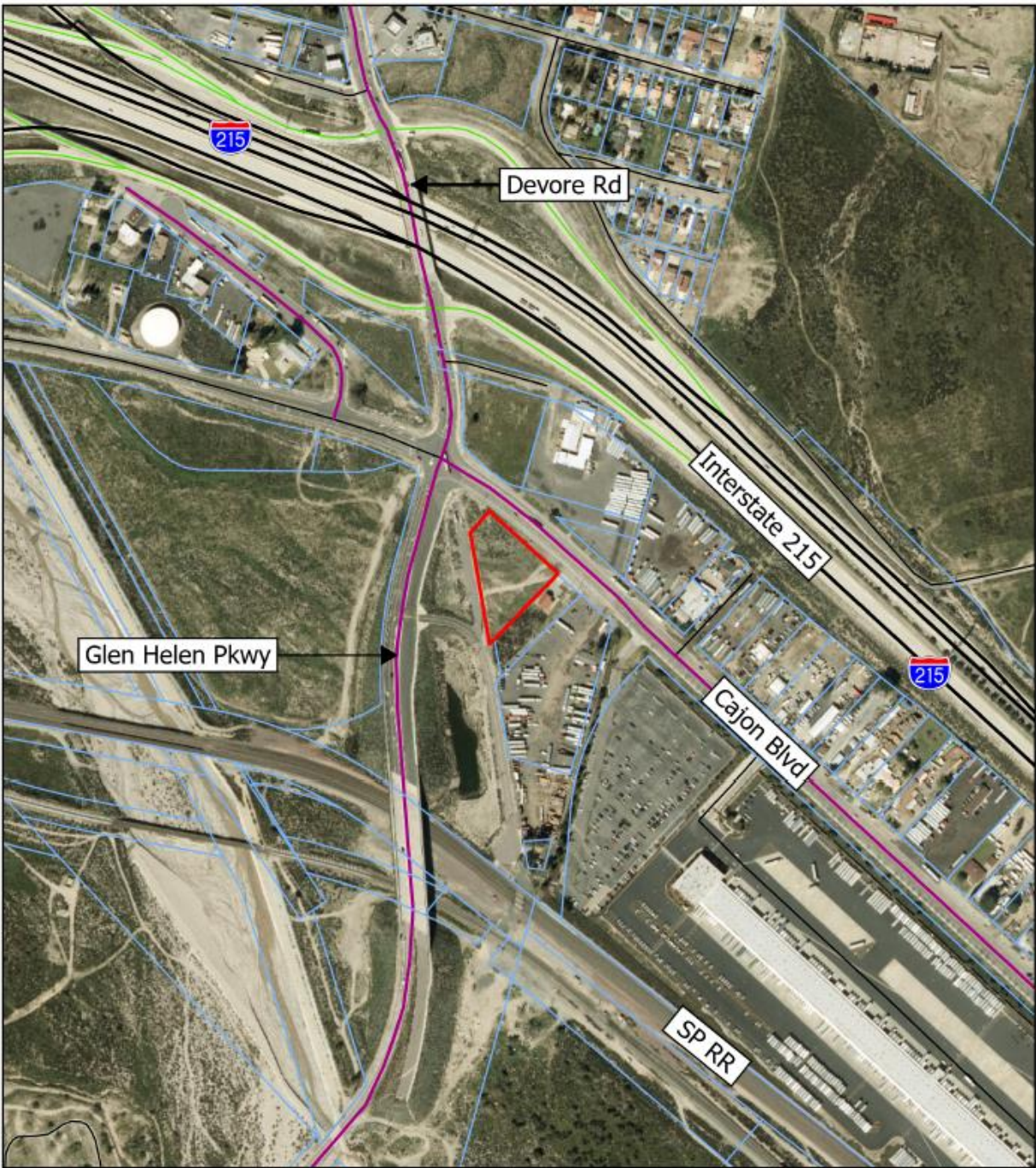
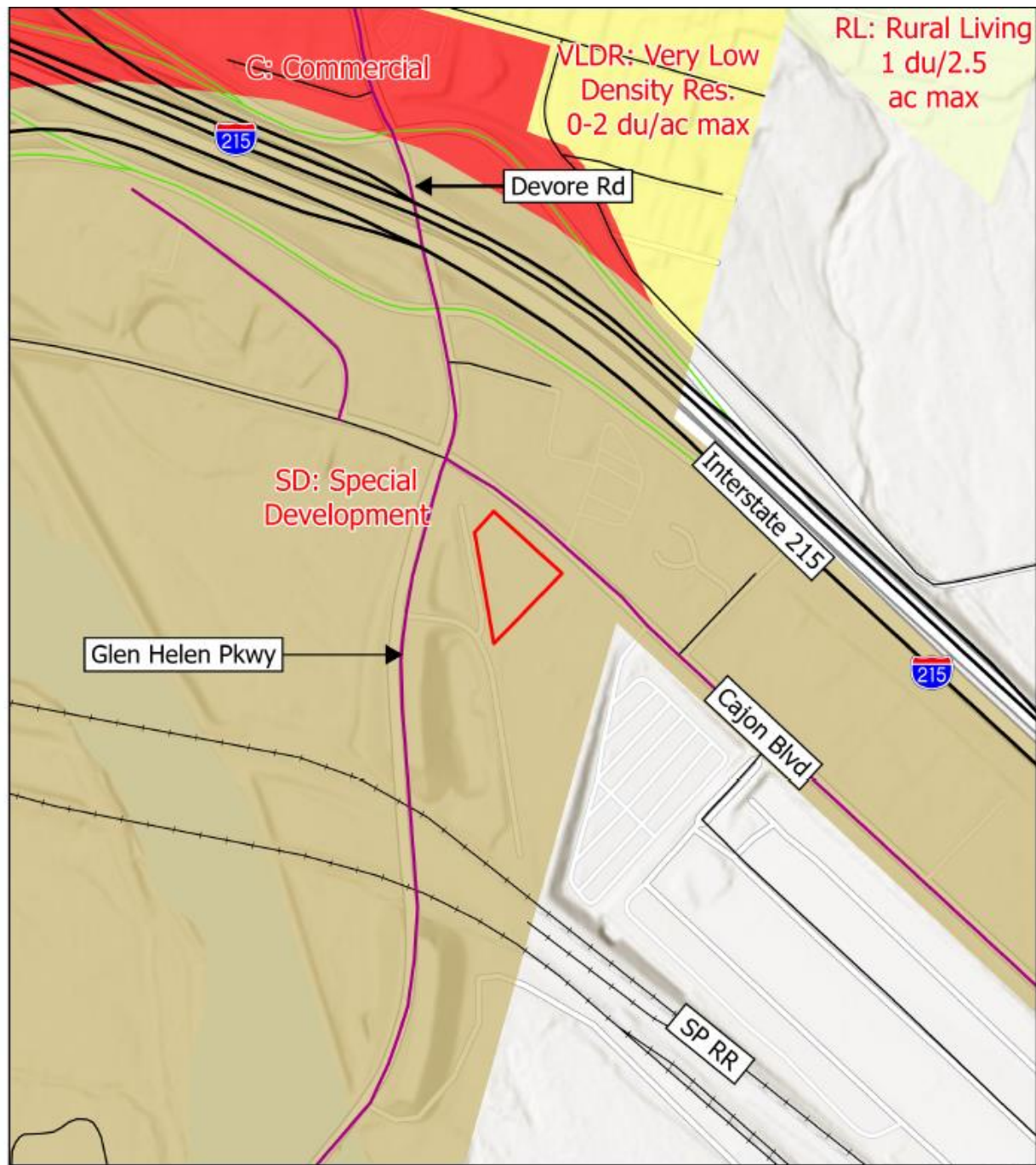


FIGURE 2 – LAND USE CATEGORY MAP



Scale: 1:5,000



FIGURE 3 – ZONING MAP

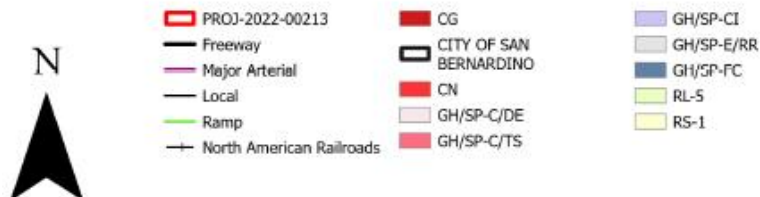
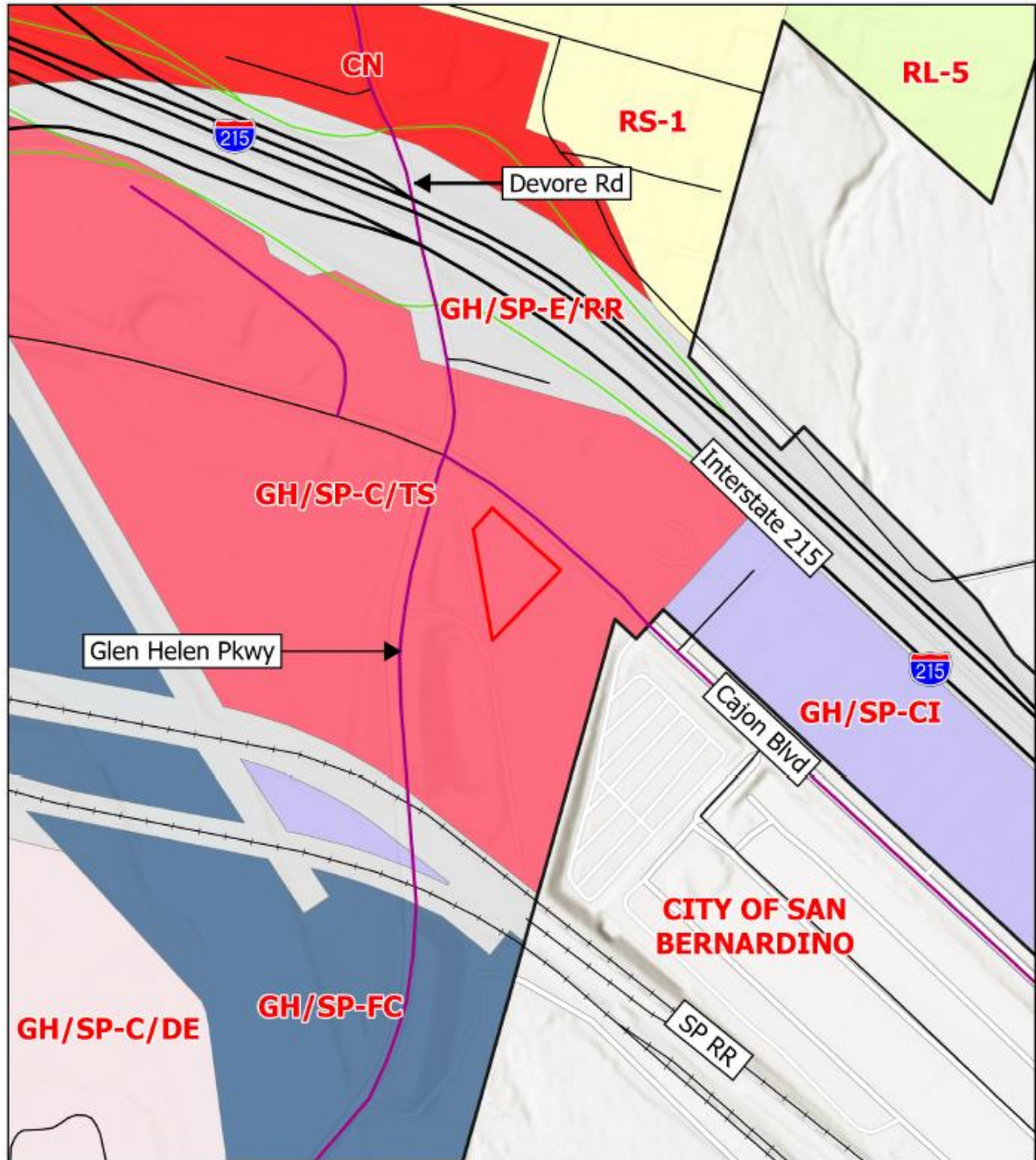


FIGURE 4 – SITE PHOTO
From Cajon Blvd facing south/southwest



FIGURE 5 – SITE PHOTO
From the intersection of Cajon Blvd and Devore Road facing south/southeast



FIGURE 6 – SITE PHOTO
From Glen Helen Parkway Bridge facing east



FIGURE 7 – SITE PHOTO
From Glen Helen Parkway facing north

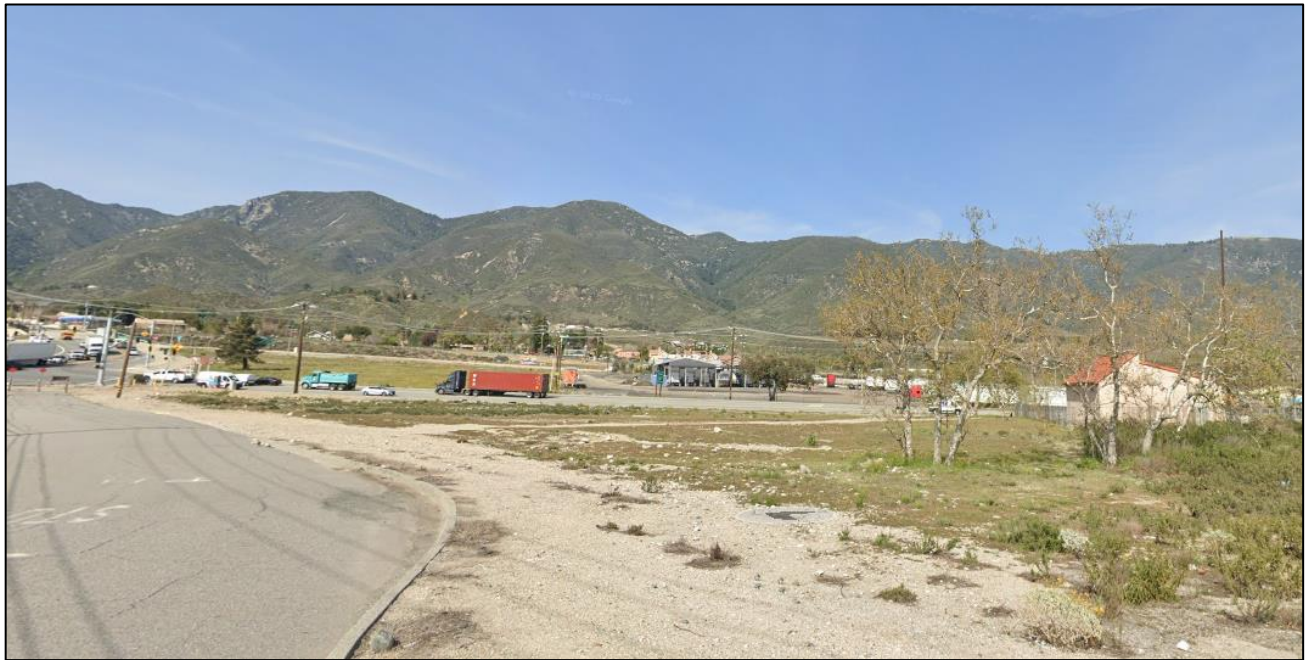


FIGURE 8 – SITE PLAN

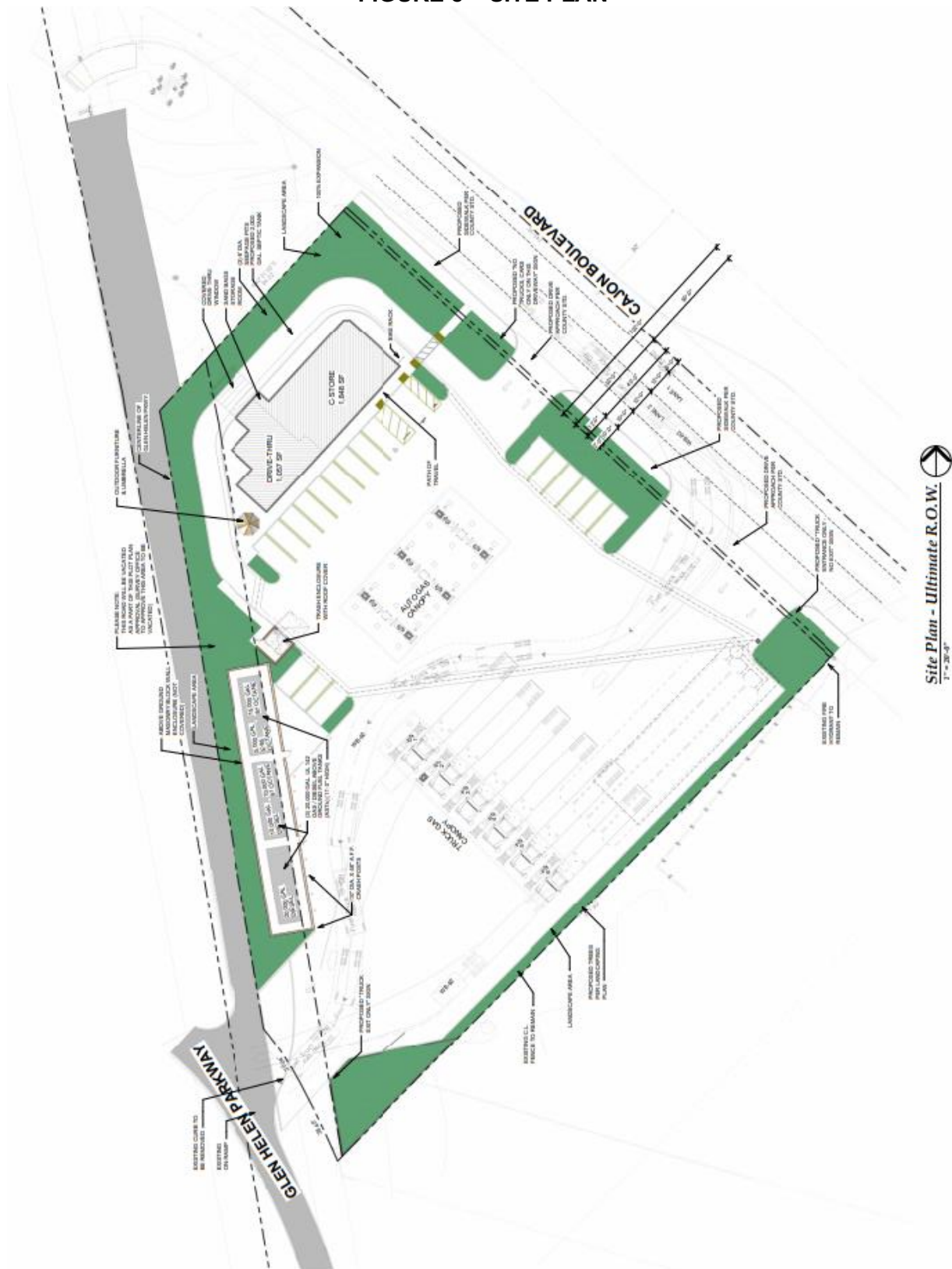


FIGURE 9 – FLOOR PLAN

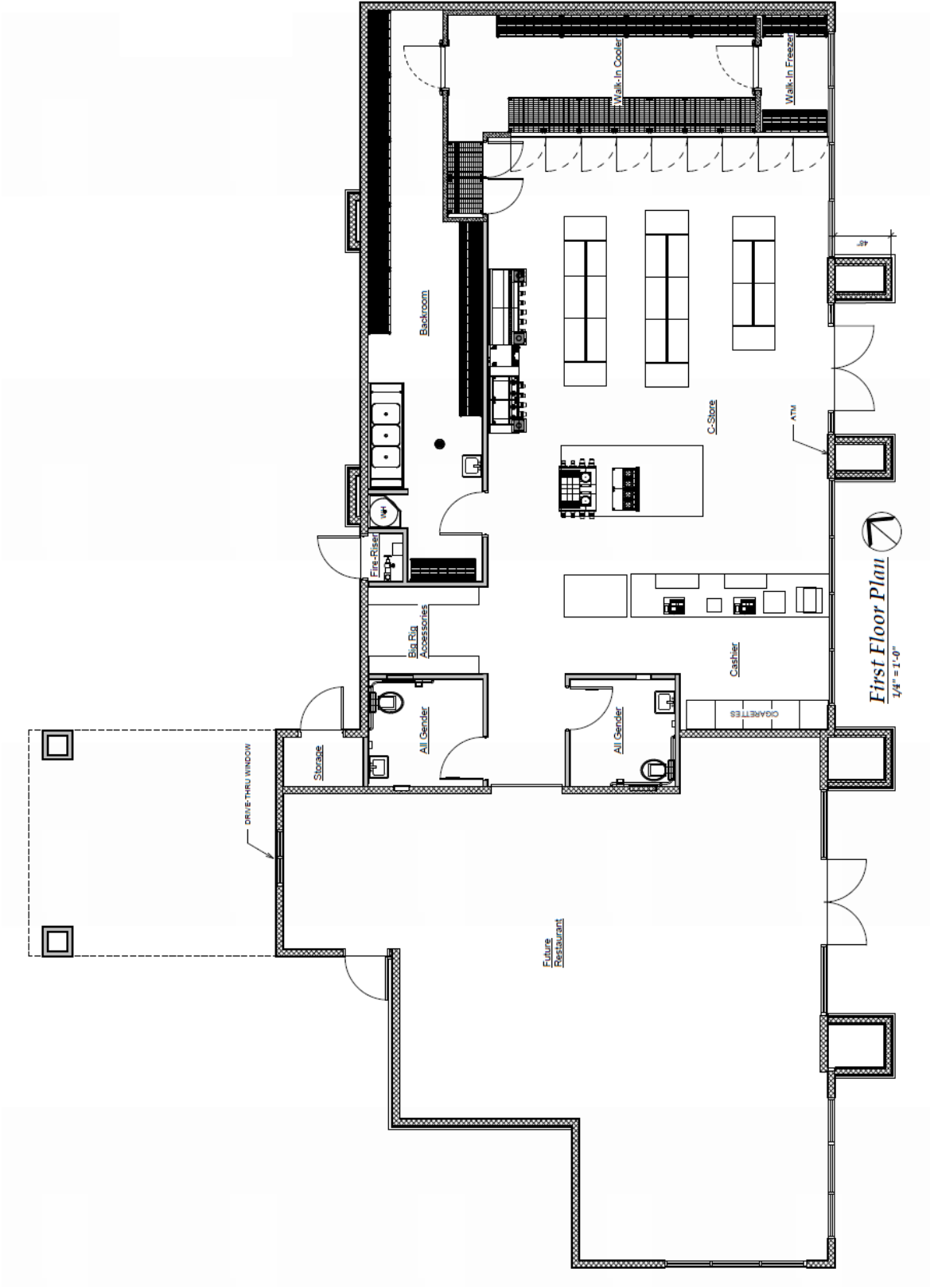
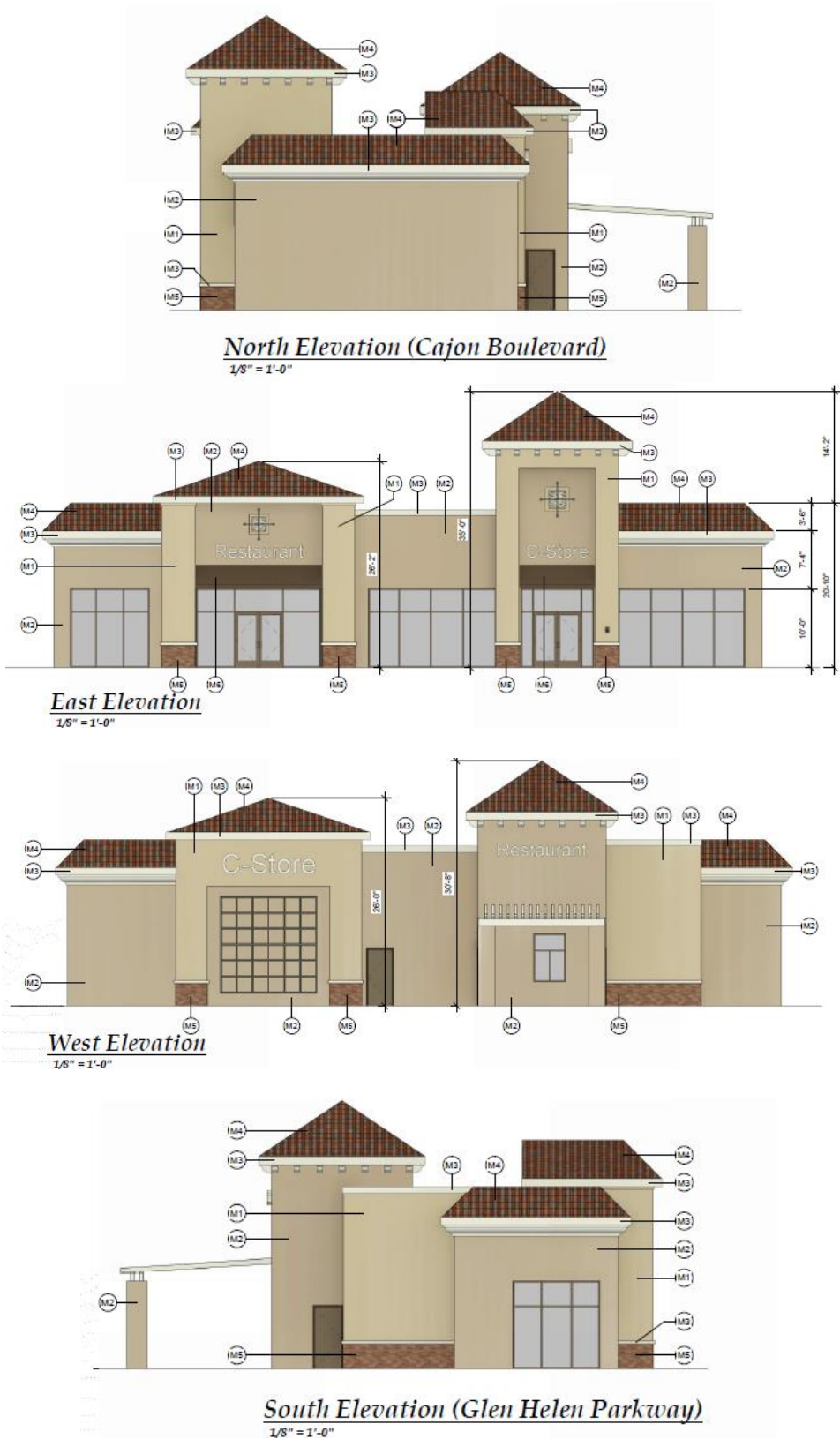


FIGURE 10 – ELEVATIONS



PROJECT DESCRIPTION:

The proposal is a Conditional Use Permit application to construct and operate a gas station with six automobile pumping stations with a canopy, six truck pumping stations with a canopy, an 1,848 sq. ft. convenience store, and a 1,057 sq. ft. drive-thru restaurant (Project). The Project site is a vacant 1.40-acre parcel located at 18545 Cajon Boulevard in the community of Devore, within the Glen Helen Specific Plan Special Development (SD) Land Use Category and Glen Helen Specific Plan-Commercial/Traveler Services (GH/SP-C/TS) Zoning District. The Project includes street and sidewalk improvements, an on-site septic system, and three above-ground storage tanks for storing 87 octane fuel, 5K E-85 diesel, and 91 octane gasoline.

BACKGROUND:

The Commercial/Traveler Services Land Use Zoning District is intended to provide for uses that serve the traveling public, typically during transit from one destination to another outside of the immediate area. Restaurants, convenience services, automobile and truck service stations, lodging, retail goods, and commercial recreation uses are typical uses to be found in this designation. (GH2.0410(a).)

The proposed Project was originally submitted on March 23, 2022, as a Pre-Application (PREA-2022-00117) which resulted in guidance for a Minor Use Permit application in accordance with the requirements of the Commercial/Traveler Services Land Use Zoning District. (GH2.0410(c).) The Project was filed as a Minor Use Permit application (PROJ-2022-00213) on December 9, 2022. Though the proposed uses would ordinarily require review and approval of a Minor Use Permit, the Director in their authority has referred this Project to the Planning Commission for consideration and final action of a Conditional Use Permit due to known Devore community concerns regarding development in this area. (GH4.0225.)

On September 18, 2025, the Planning Commission opened the public hearing and continued the hearing to October 23, 2025, to allow the applicant sufficient time to address comments received on the Initial Study.

PROJECT ANALYSIS:

Consistency with Countywide Plan: The proposed uses are consistent with the uses described for the Commercial/Traveler Services Land Use Zoning District. The following is a list of Countywide Plan policies and how the Project is consistent with those policies:

- Policy LU-1.1 Growth. We support growth and development that is fiscally sustainable for the County. We accommodate growth in the unincorporated county when it benefits existing communities, provides a regional housing option for rural lifestyles, or supports the regional economy.

The proposed Project supports fiscally sustainable growth by generating additional sales tax revenue, creating local employment opportunities, and providing services that benefit the surrounding community.

- Policy LU-2.10 Unincorporated commercial development. We intend that new commercial development in the unincorporated areas serve unincorporated residential areas, tourists, and/or freeway travelers.

The Project is located near freeway interchanges to benefit from freeway visibility and the demands for goods and services that are generated by both travelers passing through the area and visitors to the various attractions.

- 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 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.

The gas station, convenience store, and drive-thru restaurant are allowed uses within the Commercial/Traveler Services zoning with review and approval of a use permit. The Site Plan identifies compliance with setbacks, parking, and landscape design treatments. The Project elevations are consistent with the recommended Spanish/Mission revival architectural style identified in the Glen Helen Specific Plan.

Code Compliance Summary: The Project satisfies all applicable standards of the Glen Helen Specific Plan and the Development Code for development within the Commercial/Traveler Service Zone as illustrated on the site plan and in Table 1.

Table 1: Project Code Compliance

Project Component	Specific Plan Standard		Project Plans
Setbacks	Front	25'	30'
	Interior Side	15'	28.5'
	Interior Side	15'	17.875'
	Rear	10'	10'
Maximum Floor Area Ratio	.4:1		.05:1
Maximum Lot Coverage	85%		85%
Height Limit	35 feet		35 feet
Landscaping	15%		17.7%
Parking	19		19

Parking: Pursuant to Section 83.11.040(c)(1), Table 83-15 of the Development Code, drive-thru food establishments are required to provide parking at a ratio of one space per 100 square feet of Gross Leasable Area (GLA), or one space per three fixed seats, or one space per 50 square feet of floor area where seating may be provided, with a minimum of 10 spaces required. (GH3.0230.) Retail establishments are required to provide one space for each 250 sq. ft. of GLA. The 1,848 sq. ft. convenience store requires a minimum of eight spaces, while the 1,057 sq. ft. drive-thru restaurant requires 11 spaces, for a combined requirement of 19 spaces. The Project proposes 19 parking stalls, including one that is accessible and one that offers EV charging. The Project will also provide

a 2-bike capacity rack for short term bicycle parking and a 1-bike capacity long-term bicycle parking locker.

Landscaping: A landscaping plan will be provided and will be required to comply with the Landscaping Standards provided in the Development Code Section 83.10.060, and Table 83-12 “Minimum Landscaped Area” as well as Glen Helen Specific Plan Sections GH3.0200, GH3.0305, GH3.0310, GH3.0315, GH3.0320, GH3.0330, and GH.0335. The conceptual landscape plan provides 17.7% landscape site coverage with a variety of trees, groundcover, and shrubs. Additionally, the site meets the Cajon Boulevard landscape streetscape requirements with informal clusters of trees and major street trees, providing landscape continuity and screening from the street.

Street Improvements: The Project will be required to make street and sidewalk improvements in accordance with the Glen Helen Specific Plan’s streetscape design for Cajon Boulevard. A portion of Glen Helen Parkway will be vacated to accommodate portions of the drive-thru aisle, the above-ground storage tanks, the truck-only exit, and additional landscaping.

Access & Circulation: The Project will provide site access from two driveway entrances from Cajon Boulevard. One of these driveways will be only for automobile traffic to enter and exit the site near the drive-thru, convenience store and automobile fueling pumps. The automobile driveway will allow right-in/right-out access. The more-southerly driveway access off Cajon Boulevard will be a right-in, truck-only entrance to access the truck fueling pumps. Truck traffic will exit the site through a right-turn-only, exit-only driveway onto Glen Helen Parkway. Traffic signs and striping will be installed on the site to direct circulation.

Architecture: The Project proposes Spanish/Mission revival style architecture, which is consistent with the recommended architectural styles for the Commercial/Traveler Services area. Variations in roofline height provide visual interest and define building entrances.

Hours of Operation: The service station and convenience store will operate seven days a week, 24 hours per day. The restaurant is a speculative building, with estimated operational hours seven days a week, 16 hours per day.

ENVIRONMENTAL REVIEW:

California Environmental Quality Act (CEQA): An initial study and mitigated negative declaration (MND) were prepared and circulated for public review from July 31, 2025, to August 20, 2025, and again from August 23, 2025, through September 12, 2025. The following mitigation measures were identified for the following topics:

- Mitigation measures CR-1, CR-2, TCR-1, TCR-2, TCR-3, TCR-4, TCR-5, TCR-6, and GEO-1 will be implemented for the potential discovery of archaeological and paleontological resources during ground disturbance.
- Mitigation Measure BIO-1 is recommended to reduce potential impacts to nesting birds to less than significant.
- Mitigation Measure GHG-1 shall be implemented to ensure that operational emissions comply with the County’s Greenhouse Gas Reduction Plan.

During public review of the Initial Study, the County received a comment letter from the California Department of Fish and Wildlife (CDFW) related to potential protected species and artificial lighting

(Exhibit D). The applicant's biologist provided responses to these comments (Exhibits E and F) and conducted an updated biological survey (Exhibit G). The Conditions of Approval were updated to include focused surveys and avoidance protocols for special-status plants, nesting birds, and burrowing owls, in line with CDFW recommendations. A qualified biologist determined that small mammal trapping is unnecessary due to low habitat suitability, and nighttime lighting impacts are expected to be minimal due to existing ambient light and compliance with County lighting standards.

The County also received a CEQA comment letter from the South Coast Air Quality Management District (SCAQMD) regarding permitting requirements from SCAQMD (Exhibit H). A memo response to this comment is included as Exhibit I, and the Project's conditions of approval were updated to include the requested SCAQMD permit requirements.

CEQA Guidelines Section 15073.5(c)(3) provides that adding conditions of approval that will not create new significant impacts and that are not necessary to mitigate significant impacts do not trigger recirculation. Since the recommended changes to mitigation by CDFW and SCAQMD will not create a new significant impact, recirculation of the Initial Study is not warranted.

Environmental documents and supporting studies can be found on the County's Environmental webpage for the Valley region: <https://lus.sbcounty.gov/planning-home/environmental/valley-region/>

Tribal Consultation: Pursuant to AB-52, the County mailed notification to the following tribes: Morongo Band of Mission Indians, Yuhaaviatam of San Manuel Nation, Soboba Band of Luiseno Indians, 29-Palms Band of Mission Indians, San Gabriel Band of Mission Indians, Gabrieleno Band of Mission Indians-Kizh Nation. A response was received from Yuhaaviatam of the San Manuel Nation requesting five mitigation measures for Cultural Resources and Tribal Cultural Resources for archaeological and tribal monitoring, worker environmental awareness, and treatment of cultural resources during Project implementation. These mitigation measures were included in the circulated IS/MND.

COMMUNITY MEETING

County staff attended a December 2024 meeting of the Devore Rural Protection Association to provide information about the Project to the local community.

PUBLIC COMMENTS AND NOTICES

Project filing notices were mailed to surrounding property owners on January 21, 2025. The County received two public comments in opposition to the Project, as well as a petition opposing the Project with 105 signatures, citing concerns about water, traffic, and oversaturation of gas stations in the area.

In accordance with Section 86.07.020 of the Development Code, public hearing notices were sent to surrounding property owners within a 300-foot radius and to interested parties on August 23, 2025, and published in local newspapers on August 27, 2025. In response, a comment was received opposing the project citing concerns with the gas station (Exhibit L).

The Santa Ana Regional Water Quality Control Board (SARWQCB) also contacted Land Use Services and Environmental Health Services with questions about conditions of approval regarding the proposed onsite wastewater treatment system and the proposed above-ground fuel tanks. Those

conditions of approval were provided to SARWQCB on October 8 and 9, respectively. No further correspondence has been received from SARWQCB.

The staff report and conditions of approval address project related concerns.

RECOMMENDATION: That the Planning Commission:

- 1) **ADOPT** the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program;
- 2) **ADOPT** the Findings for approval of the Conditional Use Permit;
- 3) **APPROVE** the Conditional Use Permit to construct and operate a gas station with six automobile pumping stations with a canopy, six truck pumping stations with a canopy, an 1,848 sq. ft. convenience store, and a 1,057 sq. ft. drive-thru restaurant on a 1.40-acre parcel, subject to the Conditions of Approval; and
- 4) **DIRECT** the Land Use Services Department to file a Notice of Determination in accordance with the California Environmental Quality Act.

ATTACHMENTS:

- EXHIBIT A:** Findings for the Conditional Use Permit
EXHIBIT B: Conditions of Approval
EXHIBIT C: Initial Study/Mitigated Negative Declaration
EXHIBIT D: CDFW Comment Letter
EXHIBIT E: Responses to CDFW Comments
EXHIBIT F: Crotch's Bumble Bee Memo
EXHIBIT G: Small Mammals Habitat Assessment
EXHIBIT H: SCAQMD Comment Letter
EXHIBIT I: Response to SCAQMD Comments
EXHIBIT J: Mitigation Monitoring and Reporting Program
EXHIBIT K: Site Plan
EXHIBIT L: Public Comment

EXHIBIT A

Findings for the Conditional Use Permit

FINDINGS: CONDITIONAL USE PERMIT. A Conditional Use Permit (PROJ-2022-00213) to construct a gas station with six (6) fueling stations with canopy, six (6) truck fueling stations with canopy, a 1,848-square-foot convenience store, and a 1,057-square-foot drive-thru restaurant (Project) on a vacant 1.40-acre parcel.

The findings, in accordance with Section 85.06.040 of the Development Code, for the Project's Conditional Use Permit are as follows:

1. **The site for the proposed use is adequate in terms of shape and size to accommodate the proposed use and all landscaping, loading areas, open spaces, parking areas, setbacks, walls and fences, yards, and other required features pertaining to the application.**

The 1.40-acre site is adequate in terms of shape and size to accommodate the required landscape standards, streetscape design, and structure setbacks. The size of the parcel is also able to accommodate adequate onsite circulation, two commercial driveways, and 19 parking stalls in accordance with the Glen Helen Specific Plan.

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.**

Access to the Project site will be provided via two driveways from Cajon Boulevard. One of these will be for automobile-only entry and exit, while the other will be a truck-only one-way entry. A truck-only exit-only driveway to Glen Helen Parkway is proposed for trucks to exit the site without requiring turnaround. All driveways will allow right turns in and/or out only. The Project's site plan has also been reviewed by the County's Land Use Services and Public Works Departments and determined to have adequate access to the abutting roadways with the proposed roadway improvements which must be constructed in connection with Project development.

3. **The proposed use will not have a substantial adverse effect on abutting property or the allowed use of the abutting property, which means that the use will not generate excessive noise, traffic, vibration, or other disturbance. In addition, the use will not substantially interfere with the present or future ability to use solar energy systems.**

The Conditions of Approval and the mitigation monitoring reporting program for the Project will ensure that the use will not become a nuisance or have a substantial adverse effect on abutting properties. The Project is conditioned to comply with County performance standards for air quality, fire hazards, noise, vibration, waste disposal, etc.

The installation of light poles, lighted canopy in the fueling station, and lights on the exterior of structures would create a new source of lighting for the property. Conditions of Approval are in place that would require the Project to comply with Section 83.07.030 Glare and Outdoor Lighting for the Valley Region. The structures proposed on the Project site comply with setback and height standards imposed by the Glen Helen Specific Plan and will not substantially interfere with the present or future ability to use solar energy systems.

This Project falls within the Regional Transportation Development Mitigation Fee Plan Area for the Devore/Glen Helen Subarea and has been conditioned to pay the Regional Transportation Development Mitigation Plan Fee, as well as a fair share contribution for improvements at the intersection of Cajon Boulevard and Glen Helen Parkway and the intersection of Devore Road at I-215 SB Ramps.

4. The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the General Plan and any applicable community or specific plan.:

The proposed uses are consistent with Commercial/Traveler Services zoning as described in the Glen Helen Specific Plan. This designation provides for uses that serve the traveling public, typically during transit from one destination to another outside of the immediate area.

The proposed uses are consistent with the following Countywide Plan policies:

Policy LU-1.1 Growth. We support growth and development that is fiscally sustainable for the County. We accommodate growth in the unincorporated county when it benefits existing communities, provides a regional housing option for rural lifestyles, or supports the regional economy.

Policy Implementation: The proposed Project supports fiscally sustainable growth by generating additional sales tax revenue, creating local employment opportunities, and providing services that benefit the surrounding community.

Policy LU-2.10 Unincorporated commercial development. We intend that new commercial development in the unincorporated areas serve unincorporated residential areas, tourists, and/or freeway travelers. We encourage new commercial development to be concentrated to enhance pedestrian circulation and reduce vehicular congestion and vehicle miles traveled, with new development directed into existing centralized areas when possible.

Policy Implementation: The Project is located near freeway interchanges to benefit from freeway visibility and the demands for goods and services that are generated by both travelers passing through the area and visitors to the various attractions.

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 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.

Policy Implementation: The gas station, convenience store, and drive-thru restaurant are allowed uses within the Commercial/Traveler's Services zoning with review and approval of a use permit. The Site Plan identifies compliance with setbacks, parking, and landscape design treatments. The Project elevations are consistent with the recommended Spanish/Mission revival architectural style identified in the Glen Helen Specific Plan.

5. **There is supporting infrastructure, existing or available, consistent with the intensity of the development, to accommodate the proposed development without significantly lowering service levels.**

The developer will be required to construct appropriate road and sidewalk improvements, provide adequate water services from Devore Water Company, and extend adequate utilities to the property in accordance with the Conditions of Approval. The developer will also be required to establish an Onsite Wastewater Treatment System or extend sewer utilities to the site.

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 ensure appropriate site improvements, street design, traffic improvements, and utilities are incorporated into the new development to meet projected needs. The Conditions of Approval will ensure that the overall public health, safety and general welfare are not impacted by the development.

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.**

Findings
Devore Gas Station, C-Store, and Drive-Thru
September 18, 2025
PROJ-2022-00213/CUP
APN: 0349-182-11

EXHIBIT A

The location of the proposed Project was designed in a manner to not interfere with the future ability for the property owner to install a solar energy system. The Project would not impede the development of solar energy generation systems on adjacent parcels.

ENVIRONMENTAL FINDINGS:

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

Pursuant to provisions of the California Environmental Quality Act (CEQA) and the San Bernardino County Environmental Review guidelines, the above referenced Project has been determined to not have a significant adverse impact on the environment with the implementation of all the required Conditions of Approval and Mitigation Measures. A Mitigated Negative Declaration (MND) is recommended. The MND represents the independent judgment and analysis of the County acting as lead agency for the Project.

EXHIBIT B

Conditions of Approval



Conditions of Approval

Record:	PROJ-2022-00213	System Date:	10/16/2025
Record Type:	Project Application	Primary APN:	0349182110000
Record Status:	Decision Pending	Application Name:	CONDITIONAL USE PERMIT
Effective Date:		Expiration Date:	
Description:	Conditional Use Permit (CUP) TO CONSTRUCT A GAS STATION WITH SIX (6) AUTOMOBILE PUMPING STATIONS, SIX (6) TRUCK PUMPING STATIONS, A 1,848 SQ. FT. CONVENIENCE STORE, AND A 1,057 SQ. FT. DRIVE-THRU RESTAURANT, ON A 1.40-ACRE WITHIN THE SPECIAL DEVELOPMENT (SD) LAND USE CATEGORY AND GLEN HELEN SPECIFIC PLAN-COMMERCIAL/TRAVELER SERVICES (GH/SP-C/TS) ZONING DISTRICT; 5TH SUPERVISORIAL DISTRICT; PROJECT NUMBER: APN(S): 0349-182-11; PROJ-2022-00213.		

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 Conditional Use Permit is conditionally approved to construct a gas station with six (6) automobile pumping stations, six (6) truck pumping stations, a 1,848 sq. ft. convenience store, and a 1,057 sq. ft. drive-thru restaurant, 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 18545 Cajon Blvd, Devore, CA 92407.

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.

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 **Continous 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 PROJ2200213. 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 **Performance Standards** - Status: Outstanding

The approved land uses shall operate in compliance with the general performance standards listed in the County Development Code Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration, and the disposal of liquid waste

12 Continous 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.

13 Clear Sight Triangle - Status: Outstanding

Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90 degree angle intersections of public rights-of-way and private driveways. All signs, structures and landscaping located within any clear sight triangle shall comply with the height and location requirements specified by County Development Code (SBCC§ 83.02.030) or as otherwise required by County Traffic

14 Lighting - Status: Outstanding

Lighting shall comply with § 83.07.050 "Valley Requirements" 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.

15 Underground Utilities - Status: Outstanding

No new above-ground power or communication lines shall be extended to the site. All required utilities shall be placed underground in a manner that complies with the California Public Utilities Commission General Order 128, and avoids disturbing any existing/natural vegetation or the site appearance.

16 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.

17 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.

18 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 Services**19 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.

20 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 - Traffic**21 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.

22 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**Land Use Services - Planning****23 Informational Condition - Status: Outstanding**

Department of Public Works, Flood Control Planning/Water Resources/Operations Support Division: The proposed Project may affect storm drains in and around the site. When planning for or altering existing or future storm drains, the Project will be subject to the San Bernardino County Comprehensive Storm Drain Plan (CSDP) No. 7, dated December 1982. It is to be used as a guideline for drainage in the area and is available in the San Bernardino County Department of Public Works, Flood Control Planning Division offices. Any revision to the drainage should be reviewed and approved by the jurisdictional agency in which the revision occurs.

- 24 **Informational Condition** - Status: Outstanding
Department of Public Works, Permits/Operations Support Division: The proposed Project is located adjacent to the San Bernardino County Maintained Road System (CMRS) along Glen Helen Parkway and Cajon Boulevard. Any encroachments on the CMRS including, but not limited to, driveway connection, grading, fence removal and replacement, access for construction purposes or new drainage connection will require a permit from the San Bernardino County Flood Control District. If you have any questions regarding this process, please contact the District's Permit Section at (909) 387-7995.
- 25 **County Agency Condition** - Status: Outstanding
Dept. of Public Works Transportation Operations Permits: If project work involves road improvements or utilities in County-maintained ROW, a permit is required.
- 26 **County Agency Condition** - Status: Outstanding
Dept. of Public Works Transportation Operations Permits: Excavation Permit required for off-site utility work (sewer, water, gas, electric, telecom) involving trenching, boring, or aerial installation.
- 27 **County Agency Condition** - Status: Outstanding
Dept. of Public Works Transportation Operations Permits: Encroachment Permit required if the project connects to existing curb/gutter on County-maintained Road for driveway access.
- 28 **County Agency Condition** - Status: Outstanding
Dept. of Public Works Transportation Operations Permits: Permits are applied for online through EZOP. Transportation fees follow the County fee schedule.

County Fire - Community Safety

- 29 **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.
- 30 **F04 Fire Permit Expiration** - Status: Outstanding
Construction permits shall automatically expire and become invalid unless the work authorized such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred with 180 days of any previous inspection. After a construction permit becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the permit may be made in writing PRIOR TO the expiration date justifying the reason that the permit should be extended.
- 31 **F70 Additional Requirements** - Status: Outstanding
In addition to the Fire requirements stated herein, other onsite and off-site improvements may be required which cannot be determined at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

Land Use Services - Land Development

32 **Additional Drainage Requirements** - Status: Outstanding

In addition to drainage requirements stated herein, other "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

33 **BMP Enforcement** - Status: Outstanding

In the event the property owner/"developer" (including any successors or assigns) fails to accomplish the necessary BMP maintenance within five (5) days of being given written notice by the County Department of Public Works, then the County shall cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or "developer", including administrative costs, attorney's fees, and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.

34 **Erosion Control Installation** - Status: Outstanding

Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.

35 **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

36 **Demolition Debris** - Status: Outstanding

San Bernardino County owned and operated sanitary landfills and transfer stations are not permitted to accept asbestos contaminated wastes, therefore any debris generated by the demolition of structures are subject to asbestos clearance prior to disposal at any San Bernardino County disposal sites. Applicants are required to have a Certified Asbestos Consultant perform testing of all materials to be disposed. Upon receipt of the Consultant's report, indicating that the debris is not contaminated, Solid Waste Management Operations Section will provide applicant with disposal authorization. For more information on Certified Asbestos Consultants please visit <http://www.dir.ca.gov/databases/doshacru/acruList.asp>, or for information on County requirements please contact Solid Waste Operations at 909-386-8701 or solid.wastemail@dpw.sbcounty.gov.

37 **Franchise Hauler Service Area** - Status: Outstanding

This project falls within a County Franchise Area. If subscribing for the collection and removal of construction and demolition waste from the project site, all developers, contractors, and subcontractors shall be required to receive services through the grantee holding a franchise agreement in the corresponding County Franchise Area (Burrtec Waste and Recycling).

38 **Mandatory Trash, Organic Waste, and Recycling Service** - Status: Outstanding

This property falls within a Uniform Handling Service area and is subject to California Senate Bill (SB) 1383. All owners of a dwelling or a commercial or industrial unit within the uniform handling area shall, upon notice thereof, be required to accept uniform handling service from the grantee holding a franchise agreement for trash, recycling, and organic waste (includes green waste and food waste) collection services and pay the rates of such services; or apply to the County for a self-haul exemption from uniform handling service. This requirement is a stipulation of County Code Title 4, Division 6, Chapter 5.

- 39 **Recycling and Organic Waste Collection Container Information** - Status: Outstanding
California Assembly Bill (AB) 827 and Senate Bill (SB) 1383 require businesses that sell products meant for immediate consumption and currently provide trash collection containers for their customers to provide recycling and/or organics collection containers adjacent to trash containers at front-of-house, except in restrooms. Full-service restaurants are exempt from these requirements as long as they provide containers for employees to separate post-consumer recyclables and organic waste purchased on the premise for customers.
- 40 **Recycling Storage Capacity** - Status: Outstanding
The developer shall provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the County in compliance with the recycling requirements of California Assembly Bill (AB) 2176.

PRIOR TO LAND DISTURBANCE

Land Use Services - Planning

- 41 **Grading/Land Disturbance Condition** - Status: Outstanding
Preconstruction surveys for burrowing owl shall be conducted no less than 14 days prior to land disturbance. Should burrowing owls, active burrows, or signs thereof be confirmed during any survey, Project activities shall be immediately halted and coordination with California Department of Fish and Wildlife shall be initiated.
- 42 **Grading/Land Disturbance Condition** - Status: Outstanding
Regardless of time of year, nesting bird surveys shall be performed by a qualified avian biologist, during the appropriate time of day/night and weather conditions, no more than three (3) days prior to all vegetation removal or ground disturbing activities throughout all and any phases of the Project.
- 43 **Grading/Land Disturbance Condition** - Status: Outstanding
If Crotch's Bumble Bee is still a candidate species or becomes a listed species prior to issuance of grading permits, a qualified designated biologist shall conduct active Crotch's bumble bee nest surveys during the typical colony active period (April-August) following survey guidelines provided in the CDFW's Survey Considerations for CESA Candidate Bumble Bee Species within the Project site and areas adjacent to the Project site where suitable habitat exists. The qualified biologist shall be familiar with Crotch's bumble bee identification and life history. Survey results including negative findings shall be submitted to CDFW at least 30 days prior to vegetation removal and/or ground disturbing activities. If suspected or active Crotch's bumble bee nests are present, a qualified biologist shall establish an appropriate non-disturbance buffer around each nest immediately prior to initiation of construction activities using stakes and/or brightly colored flagging to avoid disturbance or incidental take of the species. If avoidance buffers are not feasible, or if complete avoidance of Crotch's bumble bee cannot be achieved, Project activities shall be postponed until appropriate authorization (i.e., a finalized CESA ITP under Fish and Game Code section 2081) is obtained. Within one year prior to ground disturbing activities, the approved designated biologist shall survey suitable nectar plants for foraging Crotch's bumble bee during the typical flight season (February – October), within the Project site and areas adjacent to the Project site where suitable habitat exists, following survey guidelines provided in the CDFW's Survey Considerations for CESA Candidate Bumble Bee Species. The qualified biologist shall be familiar with Crotch's bumble bee identification and life history. Survey results including negative findings shall be submitted to CDFW at least 30 days prior to vegetation removal and/or ground disturbing activities. If Crotch's bumble bee is no longer a candidate or listed species under CESA at the time of project construction, then this Condition of Approval shall not be required.

44 Air Quality - Status: Outstanding

Although the Project does not exceed South Coast Air Quality Management District (SCAQMD) thresholds, the Project proponent is required to comply with all applicable rules and regulations as the SCAQMD 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.

45 Diesel Regulations - Status: Outstanding

The operator shall comply with all existing and future California Air Resources Board and South Coast Air Quality Management District regulations related to diesel-fueled trucks, which among others may include: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment. South Coast Air Quality Management District rules for diesel emissions from equipment and trucks are embedded in the compliance for all diesel fueled engines, trucks, and equipment with the statewide California Air Resources Board Diesel Reduction Plan. These measures will be implemented by the California Air Resources Board in phases with new rules imposed on existing and new diesel-fueled engines.

46 GHG - Construction Standards - Status: Outstanding

The developer shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce GHG emissions and submitting documentation of compliance. The developer/construction contractors shall do the following: a) Implement the approved Coating Restriction Plans. b) Select construction equipment based on low GHG emissions factors and high-energy efficiency. All diesel/gasoline-powered construction equipment shall be replaced, where possible, with equivalent electric or CNG equipment. c) Grading contractor shall provide and implement the following when possible: - training operators to use equipment more efficiently. - identifying the proper size equipment for a task can also provide fuel savings and associated reductions in GHG emissions. - replacing older, less fuel-efficient equipment with newer models. - use GPS for grading to maximize efficiency. d) Grading plans shall include the following statements: - "All construction equipment engines shall be properly tuned and maintained in accordance with the manufacturers specifications prior to arriving on site and throughout construction duration." - "All construction equipment (including electric generators) shall be shut off by work crews when not in use and shall not idle for more than 5 minutes." e) Schedule construction traffic ingress/egress to not interfere with peak-hour traffic and to minimize traffic obstructions. Queuing of trucks on and off site shall be firmly discouraged and not scheduled. A flagperson shall be retained to maintain efficient traffic flow and safety adjacent to existing roadways. f) Recycle and reuse construction and demolition waste (e.g. soil, vegetation, concrete, lumber, metal, and cardboard) per County Solid Waste procedures. g) The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew and educate all construction workers about the required waste reduction and the availability of recycling services.

47 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**48 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.

49 Wall Plans - Status: Outstanding

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

Land Use Services - Land Development**50 FEMA Flood Zone** - Status: Outstanding

The project is located within Flood Zone X Unshaded according to FEMA Panel Number 06071C7910H dated 08/28/2008. No elevation requirements. 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.

51 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.

52 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.

53 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.

54 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

55 WQMP - Status: Outstanding

A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained prior to construction. A \$2,650 deposit for WQMP 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. Review processed on an actual cost basis. Copies of the WQMP guidance and template can be found at: (<https://dpw.sbcounty.gov/wqmp-templates-and-forms/>)

56 WQMP Inspection Fee - Status: Outstanding

The developer shall provide a \$3,600 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

Public Health– Environmental Health Services

57 **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.

Public Works - Surveyor

58 **Corner Records Required Before Grading** - Status: Outstanding

Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances: a. Monuments set to mark property lines or corners; b. Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel; c. Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

59 **Monument Disturbed by Grading** - Status: Outstanding

If any activity on this project will disturb ANY land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying PRIOR to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.

PRIOR TO BUILDING PERMIT ISSUANCE

Land Use Services - Planning

60 **Architecture** - Status: Outstanding

Architectural elevations are considered conceptual. Final details with colors and material samples shall be submitted to the Planning Division for approval prior to building plan check submittal.

61 **Landscape and Irrigation Plan** - Status: Outstanding

Landscape and Irrigation Plans shall be prepared in conformance with Chapter 83.10, Landscaping Standards, of the County Development Code. The developer shall submit four copies of a landscape and irrigation plan to County Planning.

62 **Lighting Plans** - Status: Outstanding

The developer shall submit for review and approval to County Planning a photometric study demonstrating that the project light does not spill onto the adjacent properties, or public streets. Lighting fixtures shall be oriented and focused to the onsite location intended for illumination (e.g. walkways). Lighting shall be shielded away from adjacent sensitive uses, including the adjacent residential development, to minimize light spillover. The glare from any luminous source, including on-site lighting, shall not exceed 0.5 foot-candle at the property line. This shall be done to the satisfaction of County Planning, in coordination with County Building and Safety.

63 **Issuance/Building Permit Condition** - Status: Outstanding

Prior to operational use the applicant will be required to comply with but not limited to the following rules from South Coast Air Quality Management District: • Rule 201 – Permit to Construct • Rule 203 – Permit to Operate

- 64 **Mitigation Measures** - Status: Outstanding
Please see Mitigation Monitoring and Reporting Program for mitigation measures to be completed prior to building permit issuance
- 65 **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

- 66 **F02 Fire Fee** - Status: Outstanding
The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division.
- 67 **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.
- 68 **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.
- 69 **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.
- 70 **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.
- 71 **F23 Secondary Access Paved** - Status: Outstanding
Prior to building permits being issued to any new structure, the secondary 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.
- 72 **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.

73 **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 2,905 sq.ft. structure.

74 **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

75 **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. "Underground storage tank" means any one or combination of tanks, including pipes connected thereto, that is used for the storage of hazardous substances and that is substantially or totally beneath the surface of the ground. "Substantially beneath the surface of the ground" means that at least 10 percent of the underground tank system volume, including the volume of any connected piping, is below the ground surface or enclosed below earthen materials. 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

76 **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.

77 **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

78 **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.

79 **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: Cajon Blvd (Major Highway per Glen Helen Specific Plan – 104 feet) • Road Dedication. An additional 2-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". • Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130. Glen Helen Pkwy (Main Road) (Unclassified Local Street less than 1,000 ADT - 50 feet) • Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130. • Vacate Glen Helen Pkwy (Main Road)/ School Street to receive recommendation for approval of vacation from the Highway Planning Technical Committee (HPTC), County Department of Public Works. A processing fee shall be required prior to vacation and the vacation shall be finalized prior to certificate of occupancy. Contact Transportation Right-of-Way at (909) 387-8279 to obtain additional information.

80 **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 Valley Mountain 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.

81 **Slope Easements** - Status: Outstanding

Slope rights shall be dedicated where necessary.

82 **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.

83 **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.

84 **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.

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

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

86 **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.

87 **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**88 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.

89 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.

90 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.

91 Water Purveyor - Status: Outstanding

Water purveyor shall be Devore Water Company

Public Works - Solid Waste Management**92 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**93 Regional Transportation Fee** - Status: Outstanding

Regional Transportation Fee. This project falls within the Regional Transportation Development Mitigation Fee Plan Area for the Devore/Glen Helen Subarea. The Regional Transportation Development Mitigation Plan Fee (Plan Fee) shall be paid to the Department of Public Works. The Plan Fee shall be computed in accordance with the Plan Fee Schedule in effect as of the date that the building plans are submitted, and the building permit is applied for. The Plan Fee is subject to change periodically. Currently, the fee is \$13.83 per square foot for Commercial Use, which includes the 1,848 square foot C-Store, the 1,057 square foot drive-thru, the 1,975 square foot truck gas canopy, and the 2,480 square foot gas canopy per the site plan provided 07/08/2025. Therefore, the estimated Regional Transportation Fees for the Project is \$101,788.80. The current Regional Transportation Development Mitigation Plan can be found at the following website:

<https://dpw.sbcounty.gov/wp-content/uploads/sites/87/2024/12/Fee-Schedule-Regional-Plan-11-5-24.pdf>

94 Requirement Prior to Issuance - Status: Outstanding

Signage. Install signage to restrict trucks/vehicles to Right In/Right Out on the driveway on Glen Helen Parkway.

95 Street Improvements - Status: Outstanding

The applicant shall design their street improvement plans to include the following: Driveway. The northerly and southerly driveway located on Cajon Boulevard shall be a right in/right out only. The Project shall install the proper signage to reflect these restrictions.

96 **Total Fair Share** - Status: Outstanding

The total fair share contribution for this project is required based on the traffic report dated July 3, 2024 from Ganddini Group, Inc. The fair share breakdown for these improvements is shown below: INTERSECTION: Glen Helen Parkway at Cajon Boulevard ESTIMATED COST: \$705,000 FAIR SHARE PERCENTAGE: 14.6% ESTIMATED CONTRIBUTION: \$103,140 INTERSECTION: Devore Road at I-215 SB Ramps ESTIMATED COST: \$117,500 FAIR SHARE PERCENTAGE: 14.8% ESTIMATED CONTRIBUTION: \$17,367 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 \$120,507. 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

97 **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-2022-00213.

98 **Installation of Improvements** - Status: Outstanding

All required on-site improvements shall be installed per approved plans.

99 **Landscaping/Irrigation** - Status: Outstanding

All landscaping (including parkway 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.

100 **Mitigation Measures** - Status: Outstanding

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

101 **Screen Rooftop** - Status: Outstanding

All roof top mechanical equipment is to be screened from ground vistas.

102 **Shield Lights** - Status: Outstanding

Any lights used to illuminate the site shall include appropriate fixture lamp types as listed in SBCC Table 83-7 and be hooded and designed so as to reflect away from adjoining properties and public thoroughfares and in compliance with SBCC Chapter 83.07, "Glare and Outdoor Lighting" (i.e. "Dark Sky Ordinance).

103 **Condition Compliance** - Status: Outstanding

Prior to occupancy/use, all conditions shall be completed to the satisfaction of County Planning with appropriate authorizing approvals from each reviewing agency.

104 GHG - Installation/Implementation Standards - Status: Outstanding

The developer shall submit for review and obtain approval from County Planning of evidence that all applicable GHG performance standards have been installed, implemented properly and that specified performance objectives are being met to the satisfaction of County Planning and County Building and Safety. These installations/procedures include the following:

a) Design features and/or equipment that cumulatively increases the overall compliance of the project to exceed Title 24 minimum standards by five percent. b) All interior building lighting shall support the use of fluorescent light bulbs or equivalent energy-efficient lighting. c) Installation of both the identified mandatory and optional design features or equipment that have been constructed and incorporated into the facility/structure.

County Fire - Community Safety**105 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**106 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.

107 Petroleum Product Storage - Status: Outstanding

Prior to occupancy, a business or facility handling an aggregate storage capacity of 1,320 gallons or more of petroleum in aboveground storage containers or tanks with a shell capacity equal to or greater than 55 gallons shall prepare and implement a Spill Prevention, Control, and Countermeasure (SPCC) Plan in accordance with 40 CFR 112.3 and CHSC 25270.4.5(a). The SPCC plan shall be maintained on site. Contact the Office of the Fire Marshal, Hazardous Materials Section at (909) 386-8401 or visit <https://sbcfire.org/apsa/> for more information.

County of San Bernardino Special Districts**108 Streetlighting - District** - Status: Outstanding

This project lies within the district boundary of County Service Area 70, Zone GH. Due to your projected use of the property, street lighting may be required. If required, please provide the street lighting plans, plan check fees, and (3) three-year advanced energy charges to the Special Districts Department for review and approval. Development plans are to be submitted to the Special Districts Department at 222 W. Hospitality Lane, 2nd Floor, San Bernardino, CA 92415-0450. For additional information on street light plans, please call Streetlighting Section at (909) 386-8821.

Land Use Services - Building and Safety**109 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

- 110 **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.
- 111 **WQMP Improvements** - Status: Outstanding
All required WQMP improvements shall be completed by the applicant and inspected/approved by the County Department of Public Works. An electronic file of the approved final WQMP shall be submitted to Land Development Division, Drainage Section.
- 112 **LDD Requirements** - Status: Outstanding
All LDD requirements shall be completed by the applicant prior to occupancy.
- 113 **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.
- 114 **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

- 115 **New Alternative Treatment System Permit** - Status: Outstanding
An Alternative Treatment System annual permit shall be required. For information, contact EHS at: (800) 442-2283.
- 116 **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

- 117 **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

- 118 **Improvements** - Status: Outstanding
The applicant shall construct, at 100% cost to the applicant all roadway improvements as shown on their approved street improvement plans.
- 119 **Requirement Prior to Occupancy** - Status: Outstanding
Directional Sign Maintenance. All required directional signage for traffic entering and exiting the site shall be installed.

PRIOR TO RECORDATION

County Fire - Community Safety

120 **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.



Land Use Services - Planning

121 **County Agency Condition** - Status: Outstanding

Transportation Design Division: Glen Helen Parkway Bridge Project (WO H14646) is under construction near the project site, anticipated completion Spring 2027. The timing of construction for the gas station should account for this ongoing project to avoid conflicts.

PRIOR TO FINAL INSPECTION

County Fire - Community Safety

122 **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.

123 **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.

124 **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.

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

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

126 **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.

127 **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.

128 **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.

129 **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.

130 **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/	

APN: 0349182110000

Effective Date:

PROJ-2022-00213

Expiration Date:

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	
<i>External Agencies (Caltrans, U.S. Army, etc.)</i>		<i>See condition text for contact information...</i>

EXHIBIT C

Initial Study/Mitigated Negative Declaration

**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:	0349-182-11	USGS Quad:	Devore Northeast 7.5
Applicant:	Geo-Cal, Inc.	T, R, Section:	T2N R5W Sec. 33
Location	Glen Helen Pkwy & Cajon Blvd, San Bernardino, CA 92410	Thomas Bros	Page 545
Project No:	PROJ-2022-00213	Community Plan:	Community of Devore
Rep	Andresen Architects	LUC: Zone:	Special Development (SD), Glen Helen Specific Plan– Commercial/Traveler Services (GH/SP-C/TS)
Proposal:	Approval of a Minor Use Permit to allow for the development of a gas station (including truck fueling), and convenience store with attached drive-thru restaurant on 1.57 acres.	Overlays:	None

PROJECT CONTACT INFORMATION:

Lead agency: County of San Bernardino
Land Use Services Department
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0182

Contact person: Maryn Mineo-Wells, Senior Planner
Phone No: (909) 387-4738 **Fax No:** (909) 387-3223
E-mail: Maryn.Mineo-Wells@lus.sbcounty.gov

PROJECT DESCRIPTION:

Summary

Geo-Cal, Inc. submitted an Application to the County of San Bernardino (PROJ-2022-00213) for a Minor Use Permit (MUP) for a proposed gas station (including truck fueling), and an 1,848 square-foot (SF) Convenience Store with a connected 1,057 SF Drive-Thru Restaurant. The passenger car fueling area would have six (6) pumps and the truck fueling area would have six (6) pumps; both would be under canopies. A total of nineteen (19) parking stalls would be provided including one handicap accessible and one (1) clean air/vanpool/electric vehicle space for the Convenience Store/Restaurant. Short-term and long-term parking spaces for bicycles would also be provided. Landscaping would be provided primarily along the site perimeters and in parking areas for approximately 15% (10,823 SF) of the site (see Figure 1, Site Plan).

The passenger vehicle fueling area canopy is proposed to be 2,480 SF and 22' in height and would cover three (3) islands (2 pumps per island) with a total of twelve (12) pumping positions

(2 pumping positions per pump). The truck fueling area would provide six (6) pumps under a 1,975 SF canopy which would be a maximum of 22' high. The Convenience Store and Restaurant building would be a maximum height of 35 feet. A parking lot and security lighting would be provided throughout the site. Access to the site would be via a 75-foot-wide driveway and a 26-foot-wide driveway along Cajon Boulevard and one 50-foot-wide driveway on the Glen Helen Parkway (see Figure 1-Site Plan).

The Proposed Project would require an estimated 20 employees in total. Proposed Hours of Operation for each use are:

Fueling Station – 7 days/week 24/7
Convenience Store – 24/7
Drive-Thru – Estimate 16 hours/day.

Project Site

The Project Site is located at 18545 Cajon Boulevard, Devore, California, 92407 on the southeast corner of Cajon Boulevard (Historic Route 66) and Glen Helen Parkway on a 1.57-acre vacant parcel in the unincorporated community of Devore (see Figure 2-Regional Location and Figure 3-Site Vicinity). The property is within the Devore Planning Sub-Area of the Glen Helen Specific Plan. The Assessor's Parcel Number is 0349-182-11. Approximately 0.12 miles to the north is the Interstate 215 (I-215) intersection with Devore Road, and approximately 0.43 miles to the west is Interstate 15 (I-15). The property is currently vacant and surrounded by existing uses as shown in Table 1. The table also includes County land use designations and zoning districts.

Table 1: Existing Land Use and Land Use Category		
Area	Existing Land Use	Land Use Category, Land Use Zoning District
Site	Vacant	Special Development (SD), Glen Helen Specific Plan-Commercial/Traveler Services (GH/SP-C/TS)
North	Vacant lot and Devore Fire Station	Special Development (SD), Glen Helen Specific Plan-Commercial/Traveler Services (GH/SP-C/TS)
South	Utility Building for Frontier Cable and Truck Trailer Parking Facility	Special Development (SD), Glen Helen Specific Plan-Commercial/Traveler Services (GH/SP-C/TS)
East	Truck Trailer Parking Facility	Special Development (SD), Glen Helen Specific Plan-Commercial/Traveler Services (GH/SP-C/TS)
West	Vacant land and a bridge	Special Development (SD), Glen Helen Specific Plan-Commercial/Traveler Services (GH/SP-C/TS)

The nearest sensitive receptors to the Proposed Project are the residences on the north side of Interstate 215, south of Santa Fe Avenue, and east of Dement Street, approximately 0.25 miles to the north of the site.

Project Site Location, Existing Site Land Uses and Conditions

The Project Site is located approximately 0.12 miles south of I-215 in the unincorporated Community of Devore in the County of San Bernardino. It lies at the southeast corner of Cajon

Road (Historic Route 66) and Glen Helen Highway (see Figure 4-Site Vicinity-USGS Devore Quadrangle). The 1.57-acre site is currently vacant, consisting of ruderal grassland. Power poles exist along the northern and western portions of the Project Site boundary. The Project Site is relatively flat and elevation ranges from approximately 1102 feet to 1109 feet. The Project Site occurs in the Land Use Category of Glen Helen Specific Plan-Commercial / Traveler Services (GH/SP-C/TS) and is within the Devore Planning Sub-Area (see Figure 5-General Plan Land Use and Site Zoning). This planning area is at the upper end of the Cajon Corridor Planning Sub-Area and adjacent to the community of Devore Heights. Direct freeway access, linkage to other key portions of the Specific Plan Area, configuration of the area and properties within it, and highly visible location make the planning sub-area a prime candidate as a commercial center reinforcing other uses in the vicinity¹. Surrounding land uses are a vacant lot and Devore Fire Station to the north, a vacant lot and a bridge to the west, an existing utility building for Frontier cable and a truck trailer parking facility to the south, and an existing truck trailer parking facility to the east. The Proposed Project is within an allowable use within the Special Development (SD), Glen Helen Specific Plan-Commercial/Traveler Services as it would provide traveler services for passenger vehicles and trucks traveling the busy I-15 and I-215 corridors.

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Federal: None.

State of California: None.

County of San Bernardino: Land Use Services Department-Building and Safety, Public Health Department-Environmental Health Services, and Public Works.

Regional: South Coast Air Quality Management District.

Local: None

¹ Glen Helen Specific Plan, Revised June 2, 2017, page 2-3.

Proposed Glen Helen Truck & Auto Gas Station For:
Henry Oliver
 18545 Cajon Blvd., San Bernardino, CA 92407



Project Information

OWNER: HENRY OLIVER
 4370 HALLMARK PARKWAY, SUITE 101
 SAN BERNARDINO, CA 92407
 (951) 232-4378
 holiver@gne-cal.com

PROJECT ADDRESS: GLEN HELEN PKWY & CAJON BLVD.
 SAN BERNARDINO, CA 92410

ARCHITECT: ANDRESEN ARCHITECTURE, INC.
 17087 ORANGE WAY
 FONTANA, CA 92335
 (909) 355-6688
 doug.andresen@aallfirm.com

CONTACT: DOUG ANDRESEN
 doug.andresen@aallfirm.com

CIVIL: SAKS ENGINEERING
 405 S. RANCHO AVENUE, STE. 202
 CORONA, CA 92709
 (951) 275-4041
 SAN ANTONIO
 sam@saengineering.com

CONTACT: SAKS ENGINEERING
 (951) 264-4839
 SAKS, DALL
 sarakd@landscape-dynamics.net

MECHANICAL/ELECTRICAL/PLUMBING: RPM ENGINEERING, INC.
 102 DISCOVERY
 SAN BERNARDINO, CA 92408
 (951) 450-1228

MAIN CONTACT: RAYMOND PYLEA, rpyla@rpm.com

MECHANICAL CONTACT: LYDIA M. JAMES@rpm.com

PLUMBING CONTACT: NARDO CASTRO, ncastro@rpm.com

ELECTRICAL CONTACT: LAM NGUYEN, lamnguyen@rpm.com

LANDSCAPE ARCHITECT: LANDSCAPE DYNAMICS
 (951) 264-4839
 SAKS, DALL
 sarakd@landscape-dynamics.net

CONTACT: SAKS, DALL
 sarakd@landscape-dynamics.net

SOILS ENGINEER: GEO-CAL, INC.
 4370 HALLMARK PARKWAY, SUITE 101
 SAN BERNARDINO, CA 92407
 (909) 385-1148
 TODD R. WYLAND
 twyland@geocal.com
 DATED JAN. 30, 2022

APR: BUREAU OF FIRE
 ZONING: GLEN HELEN SPECIFIC PLAN - COMMERCIAL / TRAVELER
 BUREAU OF FIRE (218)

OCCUPANCY: TYPE I, B
 CONSTRUCTION: AUTOMATIC LIFE SAFETY SPRINKLER SYSTEM REQUIRED
 OWNER SHALL SUBMIT DETAIL PLANS AND HYDRAULIC CALCULATIONS TO THE FIRE
 AGENCY FOR APPROVAL. MINIMUM WATER SUPPLY SHALL BE ONE (1) INCH DIAMETER
 OBSTRUCTION BLOCK AS CEILING FURNITURE THAT INTERFERE WITH SPRINKLER
 OPERATION SHALL NOT BE PERMITTED

PROJECT DESCRIPTION: PROPOSED GAS STATION WITH (8) AUTO PUMPING STATIONS, (8) TRUCK PUMPING
 STATIONS WITH CANOPIES, A CONVENIENCE STORE AND A DRIVE THRU RESTAURANT.

LOT AREA: 82,339 SQ. FT.
 VACATED ROAD: 8,180 SQ. FT.
 TOTAL LOT AREA: 90,519 SQ. FT.

BUILDING FOOTPRINT: 7,389 SQ. FT.
 NET LOT AREA: 81,899 SQ. FT. (90.5%)
 LANDSCAPE AREA: 18,822 SQ. FT. (21.7% > 15%)
 HARDSCAPE AREA: 90,276 SQ. FT. (92.3%)
 LOT COVERAGE: (57,826 SF / 90,519 SF) 64.2% < 65% OK

BUILDING DATA:
 C-STORE: 1,848 SQ. FT.
 DRIVE THRU RESTAURANT: 1,862 SQ. FT.
 TOTAL BUILDING DATA: 3,710 SQ. FT.

TRUCK GAS CANOPY: 1,975 SQ. FT.
 GAS CANOPY: 2,485 SQ. FT.

PARKING ANALYSIS:
 C-STORE + 1,848 SQ. FT. 8 SPACES
 DRIVE THRU + 1,862 SQ. FT. 11 SPACES
 TOTAL PARKING SPACES REQUIRED: 19 SPACES
 TOTAL SPACES PROVIDED: 19 SPACES (INCLUDING 1 VAN ACCESSIBLE HANDICAP SPACE)

DESIGNATED PARKING FOR CLEAN AIR VEHICLES:
 NUMBER OF SPACES BASED ON 14 NEW PARKING SPACES
 COMBINATION OF LOW-EMITTING, FUEL EFFICIENT AND CARPOOL:
 REQUIRED: 1 SPACE
 EV CHARGING SPACES: 1 SPACE
 PROVIDED: 1 EVCS
 PROVIDED: 1 EVCS

SHORT-TERM BICYCLE PARKING: 15 PARKING SPACES + 5% + 1-BIKE CAPACITY RACK
 PROVIDED: 15 SPACES
 LONG-TERM BICYCLE PARKING: 15 PARKING SPACES + 5% + 1-BICYCLE
 PROVIDED: 15 SPACES
 PARKING FACILITY PROVIDED: 1 (EXTERIOR LOCKER)

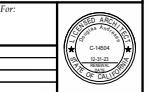
Sequence of Drawings - DR	
Number	Description
PL-1	Site Plan
PL-2	Site Plan
PL-3	Site Plan
PL-4	Site Plan
PL-5	Site Plan
PL-6	Site Plan
PL-7	Site Plan
PL-8	Site Plan
PL-9	Site Plan
PL-10	Site Plan
PL-11	Site Plan
PL-12	Site Plan
PL-13	Site Plan
PL-14	Site Plan
PL-15	Site Plan
PL-16	Site Plan
PL-17	Site Plan
PL-18	Site Plan
PL-19	Site Plan
PL-20	Site Plan
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PL-90	Site Plan
PL-91	Site Plan
PL-92	Site Plan
PL-93	Site Plan
PL-94	Site Plan
PL-95	Site Plan
PL-96	Site Plan
PL-97	Site Plan
PL-98	Site Plan
PL-99	Site Plan
PL-100	Site Plan

Proposed Glen Helen Truck & Auto Gas Station For:
Henry Oliver
 18545 Cajon Blvd., San Bernardino, CA 92407

29 April 2025

22-4398

Site Plan



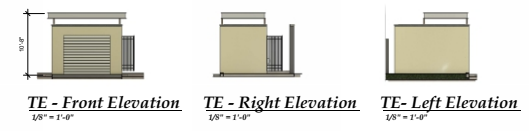
PL-1



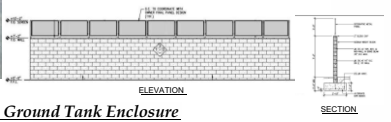
Vicinity Map

Site Plan
 1" = 20'-0"

Trash Enclosure Elevations

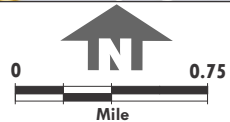
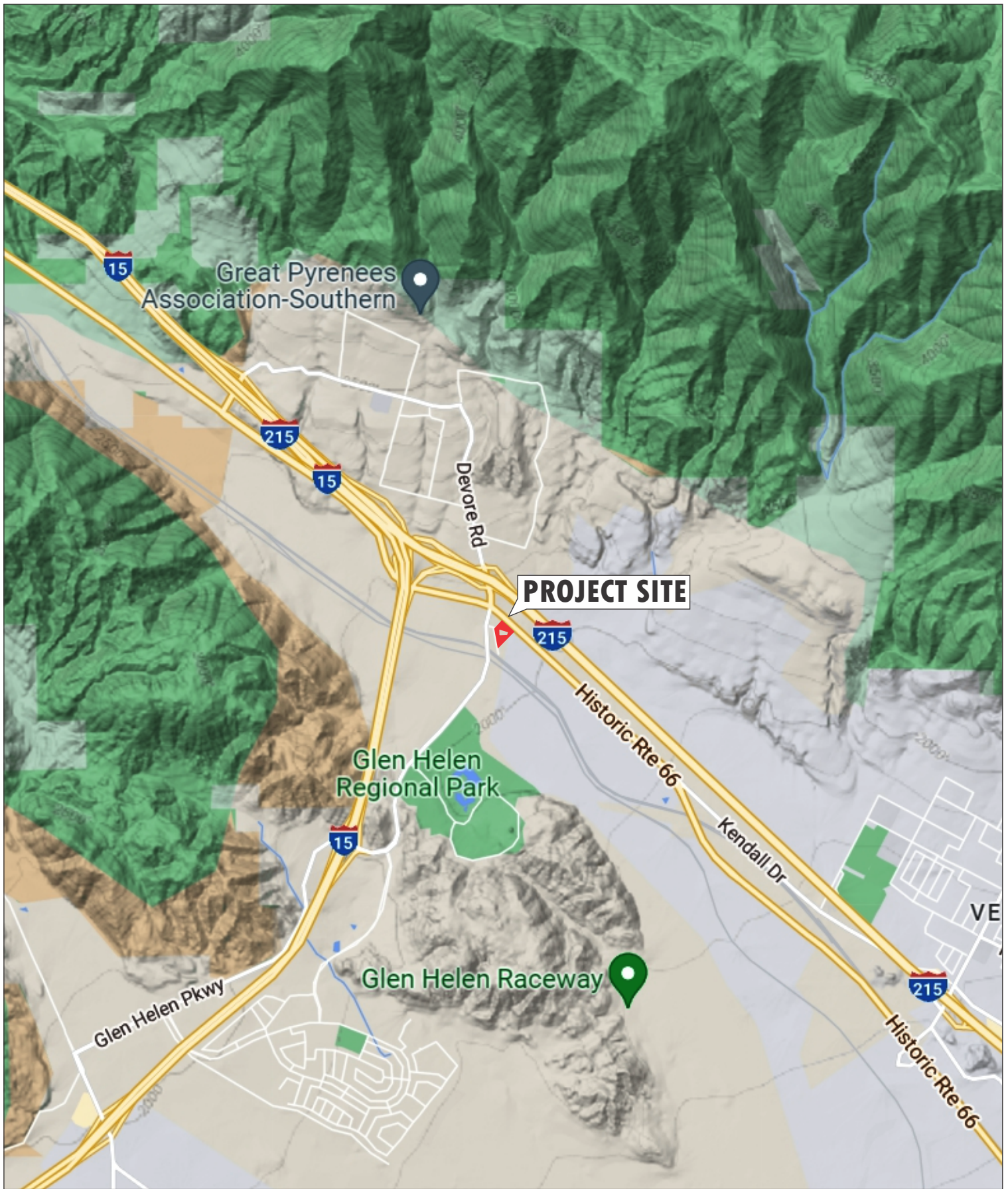


1 Above Ground Tank Enclosure



ELEVATION

SECTION

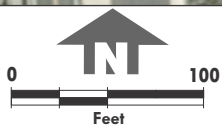


LILBURN
CORPORATION

REGIONAL LOCATION

Devore Gas Station
County of San Bernardino, California

FIGURE 2

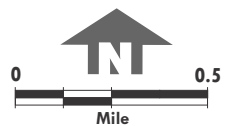


LILBURN
CORPORATION

SITE VICINITY-AERIAL

Devore Gas Station
County of San Bernardino, California

FIGURE 3

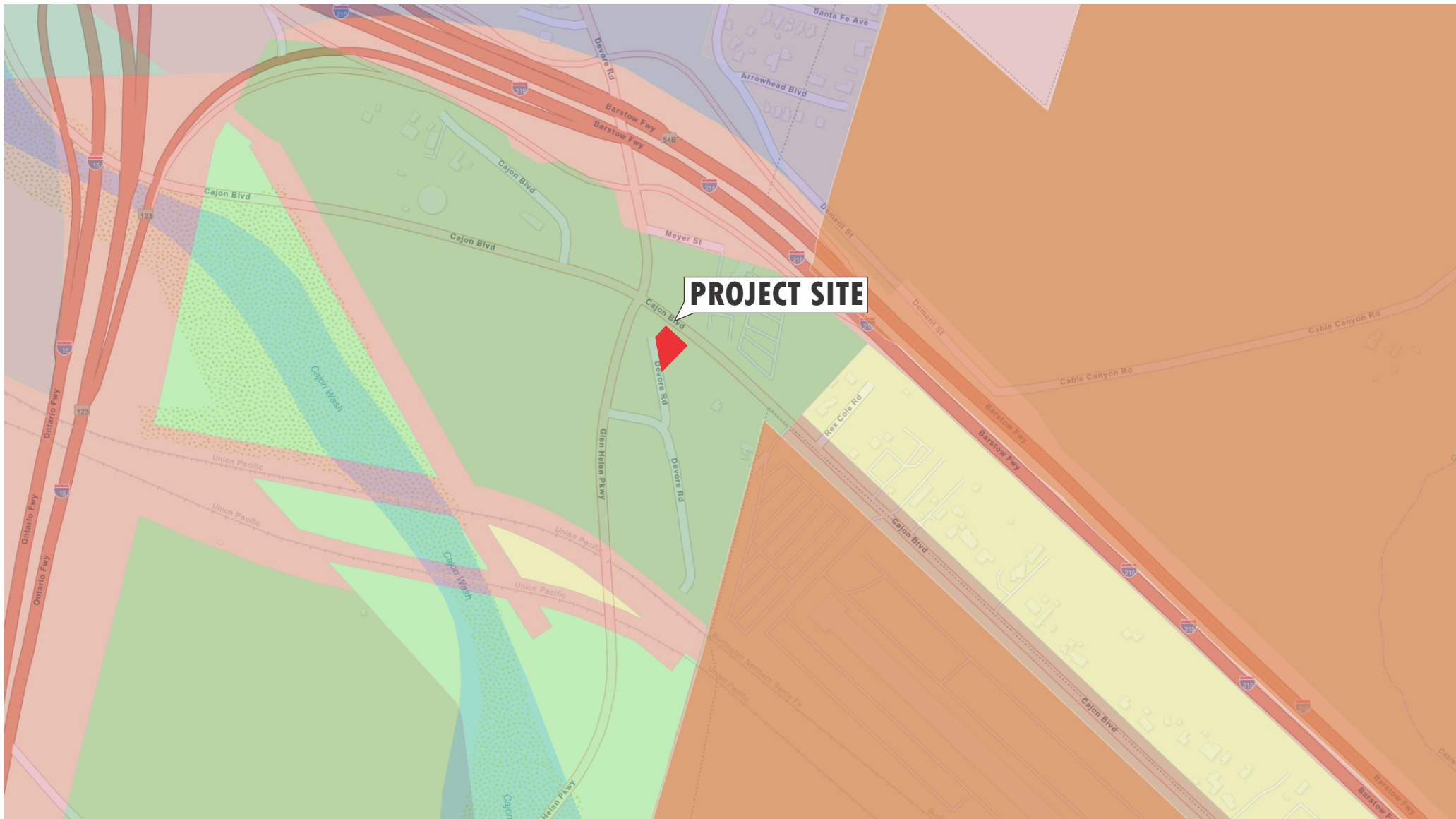


LILBURN
CORPORATION

SITE VICINITY-USGS DEVORE QUADRANGLE

Devore Gas Station
County of San Bernardino, California

FIGURE 4



ZONING LEGEND

	GH/SP-FC		CITY OF SAN BERNARDINO
	GH/SP-C/TS		GH/SP-CI
	GH/SP-E/RR		RS-1

GENERAL PLAN LAND USE AND SITE ZONING

Devore Gas Station
County of San Bernardino, California

FIGURE 5

CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

On June 28, 2024, the County of San Bernardino mailed notification pursuant to AB52 to the following tribes: Twenty-Nine Palms Band of Mission Indians, Soboba Band of Luiseno Indians, San Gabriel Band of Mission Indians, Morongo Band of Mission Indians, and Gabrieleno Band of Mission Indians-Kizh Nation, and Yuhaaviatam of San Manuel Nation. Requests for consultations were due to the County by July 29, 2024. The table below shows a summary of comments and responses.

AB 52 Consultation

Tribe	Comment Letter Sent	Summary of Response	Conclusion
Twenty-Nine Palms Band of Mission Indians	June 28, 2024	No response	Consultation not Requested
Soboba Band of Luiseno Indians	June 28, 2024	No response	Consultation not Requested
San Gabriel Band of Mission Indians	June 28, 2024	No response	Consultation not Requested
Morongo Band of Mission Indians	June 28, 2024	No response	Consultation not Requested
Gabrieleno Band of Mission Indians-Kizh Nation	June 28, 2024	No response	Consultation not Requested
Yuhaaviatam of San Manuel Nation	June 24, 2025	There is potential to encounter Tribal Cultural Resources in the project area; consultation took place via email and concluded June 26, 2025.	Mitigation and monitoring measures have been provided and incorporated herein

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.

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
--------------------------------	--	-----------------------	-----------

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).

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.

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

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

☐	The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION shall be prepared.
☒	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.
☐	The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
☐	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.
☐	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: (Maryn Mineo-Wells, Senior Planner)

_____ Date

Signature: (Planning Manager)

_____ 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?	☐	☐	☒	☐
b)	Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
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?	☐	☐	☒	☐
d)	Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?	☐	☐	☒	☐

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; San Bernardino County Development Code

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

The Project Site is located within the unincorporated community of Devore, San Bernardino County. It is surrounded by a vacant lot and Devore Fire station to the north, a vacant lot and a bridge to the west, an existing utility building for Frontier cable and a truck trailer parking facility to the south, and an existing truck trailer parking facility to the east. The Countywide Plan (adopted November 27, 2020) does not identify a scenic vista within the vicinity of the Project Site.² The Project Site has a land use category of Special Development (SD), Glen Helen Specific Plan–Commercial/Traveler Services

² San Bernardino Countywide Plan. Adopted November 27, 2020
<https://www.arcgis.com/apps/webappviewer/index.html?id=01c32a4480954deba20af965275b81e7>
Accessed July 11, 2022.

(GH/SP-C/TS). The Proposed Project is an allowable use with approval of a Minor Use Permit (MUP). The Proposed Project's canopies for the passenger vehicle fueling pumps and the truck fueling area are both at the maximum height of 22 feet, within the limit of 35 feet, as is allowed within the GH/SP-C/TS Zone.³ Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

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 located at the southeast corner of Cajon Road (Historic Route 66) and less than ½-mile of both I-15 and I-215; none of these state highways are designated a State scenic route or County Scenic Route.⁴ The closest Scenic Highway is Route 138, located approximately seven miles north of the Project Site, beyond the ridgeline of the mountains. The Proposed Project would be required to maintain the maximum height limit of 35 feet, as is allowed within the GH/SP-C/TS Zone. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

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?*

Under the GH/SP-C/TS Zone, structures of the Proposed Project cannot exceed 35 feet. Compliance with this height limit would minimize potential obstruction of views of the surrounding mountains and other public views. Moreover, the Project Site is currently vacant and dominated by ruderal grassland. The Project Applicant would be required to provide a minimum landscape area of 15% of the lot area⁵, which provides for the Project Site to be more aesthetically pleasing (see Figure 6-Landscape Plan). A majority of the landscaped surface has been designed to screen the convenience store with attached drive-thru restaurant and the passenger vehicle fueling area on the north, and the south and west sides of the property. Development of the Proposed Project would remain consistent with the GH/SP-C/TS zoning development standards. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

³San Bernardino County. Glen Helen Specific Plan. <http://www.sbcounty.gov/uploads/lus/specificplans/ghsp.pdf>
Accessed July 11, 2022

⁴ San Bernardino County. San Bernardino Countywide Plan Draft EIR. Figure 5.1-1. Accessed July 11, 2022.

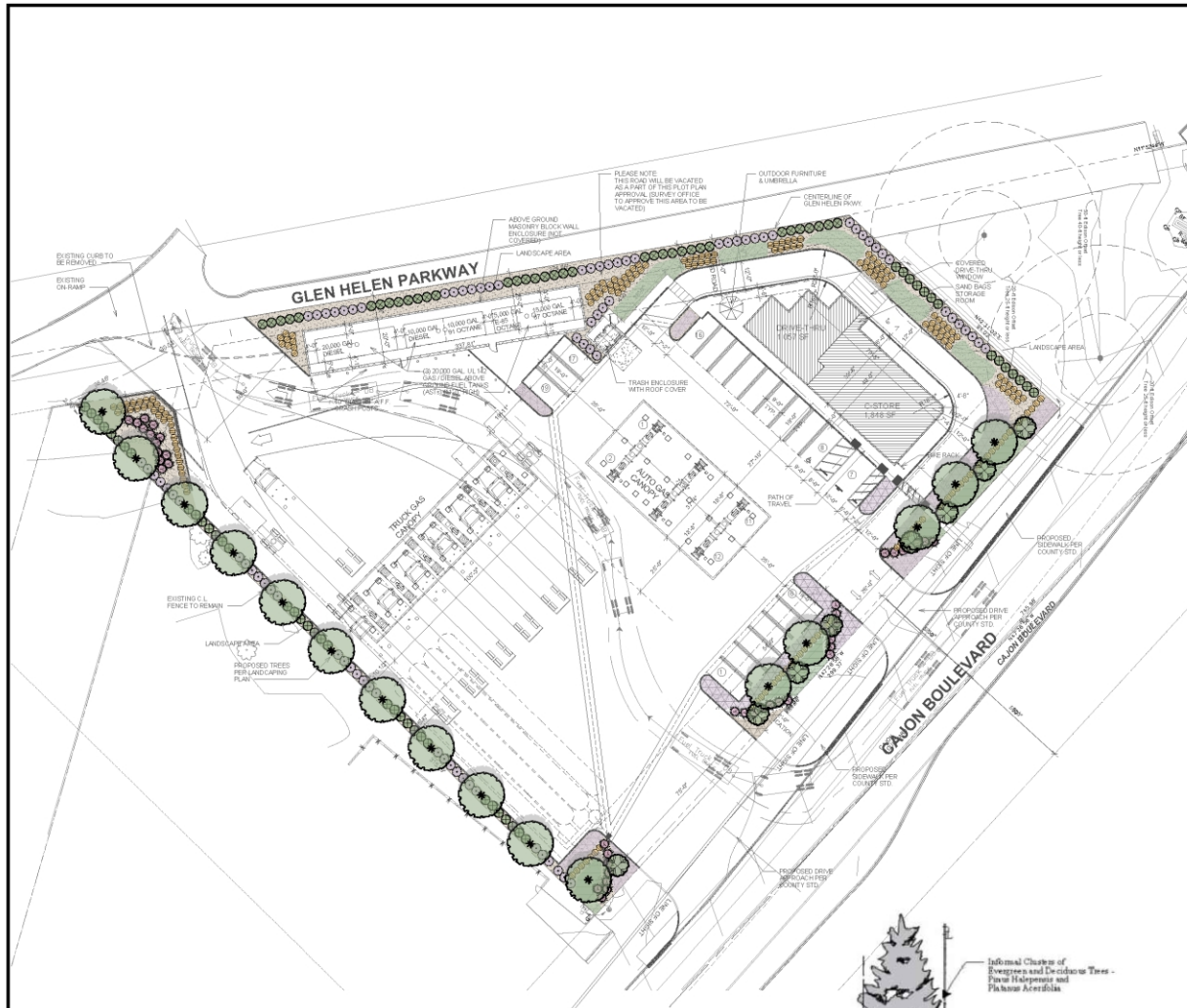
⁵ San Bernardino County. Glen Helen Specific Plan. <http://www.sbcounty.gov/uploads/lus/specificplans/ghsp.pdf>

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

The nearest sensitive receptors to the Project Site are the residences in the neighborhood to the north, across Interstate 215. According to the San Bernardino County Development Code, Section 83.07.030(a) Glare and Outdoor Lighting, outdoor lighting must be fully shielded to preclude light pollution or light trespass on an abutting residential land use zoning district, a residential parcel or public right-of-way. Currently, there are streetlights along Glen Helen Parkway adjacent to the Project Site. The Proposed Project would be designed to adhere to the County lighting standards (see Figure 7-Photometric Plan), and a demonstration of compliance would be required prior to issuance of a building permit. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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



Planting Legend

Botanical / Common Name	Cont.	Water Use / E.C.	Height x Width
Trees			
<i>Pinus contorta</i> Canary Island Pine	24" Box	Low 0.3	80' x 20-35' Evergreen
<i>Prunus caroliniana</i> Carolina Laurel Cherry	24" Box	Mod. 0.4	30' x 15-25' Evergreen
Shrubs and Groundcovers			
<i>Leucophyllum frutescens</i> Texas Ranger	5 gal	Low 0.3	5-8' x 4-6'
<i>Westringia fruticosa</i> 'Blue Gem' Blue Gem Westringia	5 gal	Low 0.3	4-6' x 3-4'
<i>Hesperaloe parviflora</i> Red Yucca	5 gal	Low 0.3	3-4' x 4-6'
<i>Lantana camara</i> 'Gold Mound' Gold Mound Lantana	1 gal	Low 0.3	2-3' x 3-4'
<i>Lantana maritima</i> Trailing Lantana, purple	1 gal	Low 0.3	1-2' x 3-5'
<i>Baccharis pilularis</i> 'Pigeon Point' Dwarf Coyote Bush	1 gal	Low 0.3	1-3' x 5-8'

Limited use area: No visual obstructions including signage, trees and plant material over 30' in height.
 All plantings to receive 3" layer shredded bark mulch.
 Landscape to be installed with low-volume irrigation system and automatic, weather sensing irrigation controller.

PRELIMINARY WATER USE CALCULATIONS

Reference Eto 55.6 Conservation Factor 0.45 (non-residential)

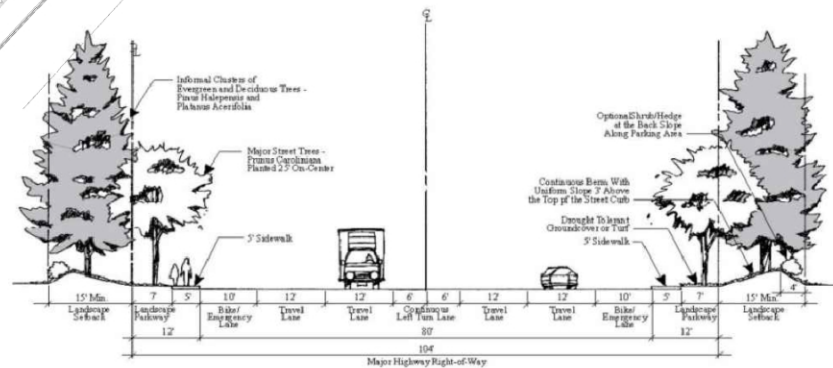
Maximum Allowable Water Allocation Equation:
 $MAWA = (Eto) (0.62) [(ETAF \times LA) + (1-ETAF)SLA]$

Eto	0.62	ETAF	LA	1-ETAF	SLA	MAWA
55.6	0.62	0.45	10823	0.55	0	147,891

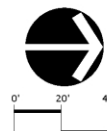
Estimated Total Water Use Equation:
 $ETWU = Eto \times 0.62 \times ETAF \times LA$

HYDROZONE MATRIX												
ZONE	HYDROZONE BASIS	S.F.	%TOTAL	PLANT TYPE	PLANT FACTOR	IRRIGATION EFFICIENCY	Eto	0.62	ETAF	LA	ETWU	IRRIGATION METHOD
LOW / SHRUBS		10567	98%	LOW	0.30	0.81	55.60	0.62	0.37	10567	134,913	Dripline
MODERATE / TREES		736	2%	MODERATE	0.50	0.81	55.60	0.62	0.62	736	5,447	Dripline
TOTAL LANDSCAPE AREA:												ETWU: 140,361

LANDSCAPE TO BE INSTALLED WITH LOW-VOLUME IRRIGATION AND AUTOMATIC WEATHER-SENSING IRRIGATION CONTROLLER

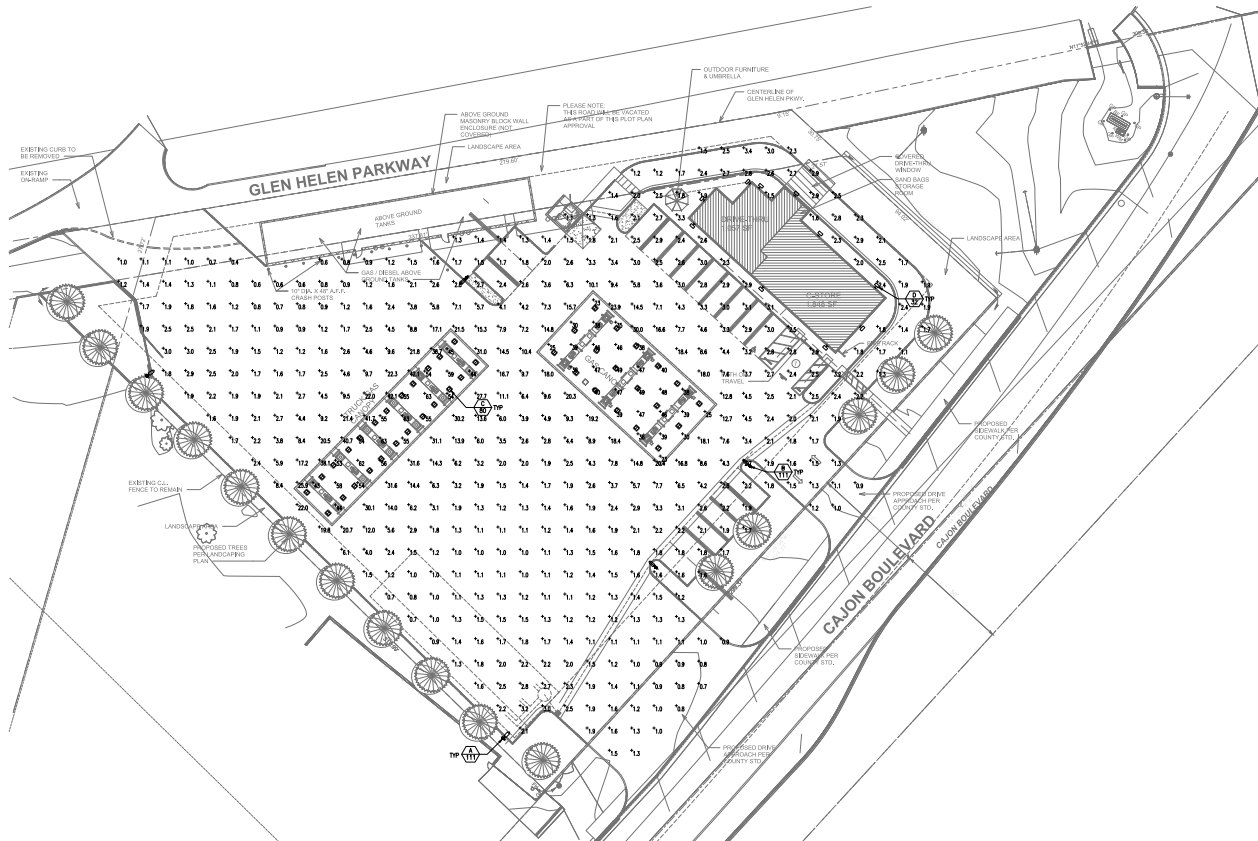


Section F-F'
Cajon Boulevard/Kendall Drive



Schedule						
Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Notes
1	1	2	Urban Lighting	MSD LED P2 40K 84 H5	MSD LED Area Luminaire Size 2 P2 Luminaire Package 4000K CCT Type H5 Distribution 40° Beam 10° Pole	LED 4000K 84 H5 02
2	2	3	Urban Lighting	MSD LED P2 40K 85	MSD Area Fixture Size 2 P2 Luminaire Package 4000K CCT Type H5 Distribution 10° Pole	LED 4000K 85 H5 03
3	3	42	Baylight Lighting	BRANDLEDUPLED H7 L0 84W 120-277V 08	BRANDLEDUPLED HIGH BAY, MET L080L, 84W, 120-277V, 08' HGT	LED 4000K
4	4	10	Urban Lighting	MSD2 LED P3 40K 700N 12M	MSD2 LED WITH P3 - PERFORMANCE PACKAGE, 4000K, 700N, TYPE 3 MEDIUM OPTIC, 10' HGT	LED 4000K

Statistics						
Description	Symbol	Avg	Max	Min	Min/Max	Avg/Min
Site	1	4.7	60.1	16.0	0.4	100.0
Street, Gas Canopy	2	24.1	93.0	43.0	1.0	1.0
Gas Canopy	3	29.0	69.0	23.0	0.1	1.7



SITE LIGHTING PHOTOMETRIC STUDY
SCALE: 1"=20'-0"



TYPE 'A' & 'B' LIGHT FIXTURE - POLE MTD. @ 20'



TYPE 'C' LIGHT FIXTURE - CANOPY MTD. @ 16'



TYPE 'D' LIGHT FIXTURE - WALL MTD. @ 16'



Proposed Glen Helen Gas Station For:
Henry Oliver
Glen Helen Plaza & Canyon Blvd., San Bernardino, CA 92410

29 Sept. 2023
22-4398

SITE LIGHTING
PHOTOMETRIC STUDY



E-1

10/19/23

	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?	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
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))?	☐	☐	☐	☒
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒
SUBSTANTIATION: (Check ☐ if project is located in the Important Farmlands Overlay):					
Countywide Plan; California Department of Conservation Farmland Mapping and Monitoring Program; San Bernardino County Agricultural Resources GIS Map;					

-
- 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 Farmland Mapping and Monitoring Program identifies the Project Site as "Other Land" in its California Important Farmland Finder.⁶ "Other Land" is defined as land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land. The Proposed Project would not convert farmland to a non-agricultural use. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Project Site is not under or adjacent to any lands under a Williamson Contract.⁷ The parcel has a current zoning of Valley Corridor – Commercial (GH/SP-C/TS). With the approval of the CUP, the Proposed Project would be consistent with the Countywide Plan and would not conflict with existing zoning for agricultural uses or a Williamson Contract. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

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))?*

The Project Site is currently zoned Glen Helen Specific Plan-Commercial/Traveler (GH/SP-C/TS). Implementation of the Proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned for Timberland Production. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

⁶ <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed July 11, 2022

⁷ San Bernardino County. San Bernardino Countywide Plan Draft EIR. Figure 5.2-1 "Agricultural Resources." Accessed May 16, 2022.

⁸ <https://www.arcgis.com/apps/webappviewer/index.html?id=fcb9bc427d2a4c5a981f97547a0e3688>. Accessed May 16, 2022.

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

The Project Site is currently vacant and does not support forest land. The Project Site is a vacant parcel and currently supports a ruderal plant habitat encompassing mainly native plants and some non-native grasses. The Project Site has been previously graded and hosts a variety of grass and shrub vegetation. The Countywide Plan does not designate any timberland within the Valley Region. The Proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned for Timberland Production. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

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?*

The Project Site is currently zoned Glen Helen Specific Plan-Commercial / Traveler (GH/SP-C/TS). The Countywide Plan does not designate any timberland within the Valley Region. The California Department of Conservation's Farmland Mapping and Monitoring Program identifies the Project Site as "Other Land" in its California Important Farmland Finder. The Project Site is a vacant parcel and currently supports a ruderal plant habitat encompassing mainly native plants and some non-native grasses. The Project Site has been previously graded and hosts a variety of grass and shrub vegetation. The Proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned for Timberland Production. Implementation of the Proposed Project would not result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. Surrounding land uses include vacant land and other uses as shown in Table 1. All Proposed Project impacts would occur within the property boundaries. No impacts are identified or are anticipated, and no mitigation measures are required.

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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☒	☐

SUBSTANTIATION: *(Discuss conformity with the South Coast Air Quality Management Plan, if applicable):*

Countywide Plan; CalEEMod Output 2022 (Appendix A); SCAQMD Health Risk Tool (Appendix A-1)

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

The Project is located within the South Coast Air Basin (Basin), which is governed by the South Coast Air Quality Management District (SCAQMD). To reduce emissions, the SCAQMD adopted the 2022 Air Quality Management Plan (2022 AQMP), which establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving state and federal air quality standards. The AQMP is a regional and multiagency effort including the SCAQMD, California Air Resources Board (CARB), the Southern California Association of Governments (SCAG), and the US Environmental Protection Agency (EPA).

The 2022 AQMP pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including the 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy (2024-2050 RTP/SCS), updated emission inventory methodologies for various source categories, and SCAG's latest growth forecasts. SCAG's latest growth forecasts were defined in consultation with local governments and with reference to local general plans. The SCAQMD considers projects that are consistent with the AQMP, which is intended to bring the Basin into attainment for all criteria pollutants, to also have less than significant cumulative impacts. Criteria for determining consistency with the AQMP are defined by the following indicators.

A project is inconsistent with the AQMP if: (1) it does not comply with the approved general plan; or (2) it uses a disproportionately large portion of the forecast growth increment (change population or employment levels). The County of San Bernardino currently designates the Project Site as Special Development (SD) under which the Proposed Project is an allowable use.

Additionally, large population or employment increases could affect transportation control strategies, which are among the most important in the air quality plan, since transportation is a major contributor to particulates and ozone for which the SCAB is not in attainment. Because the Proposed Project does not include activities that would substantially change population or employment levels within the air basin, the Proposed Project would not conflict with or obstruct implementation of the applicable air quality plan. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

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?*

Construction and operational emissions were screened using CalEEMod version 2022 (Appendix A). The emissions incorporate Rule 402 and 403 by default as required during construction. The criteria pollutants screened for include reactive organic gases (ROG), nitrous oxides (NO_x), carbon monoxide (CO), sulfur dioxide (SO₂), and particulates (PM₁₀ and PM_{2.5}). Two of the analyzed pollutants, ROG and NO_x, are ozone precursors. Both summer and winter season emission levels were estimated.

The Project Site occurs in the South Coast Air Basin (SCAB). The South Coast Air Quality Management District (SCAQMD) has jurisdiction over air quality issues and regulations within the SCAB. The Air Quality Management Plan (AQMP) for the basin establishes a program of rules and regulations administered by SCAQMD to obtain attainment of the state and federal air quality standards. The most recent AQMP (2022 AQMP) was adopted by the SCAQMD on December 2, 2022. The 2022 AQMP incorporates the latest scientific and technological information and planning assumptions, including transportation control measures developed by the Southern California Association of Governments (SCAG) from the 2020 Regional Transportation Plan/Sustainable Communities Strategy, and updated emission inventory methodologies for various source categories.

Construction Emissions

Construction emissions are considered short-term, temporary emissions and were modeled with the following construction parameters: site preparation, grading (fine and mass grading), building construction, paving, and architectural coating. Construction emissions were modeled with an anticipated beginning date in early 2024 and an estimated completion date in early 2025 and be completed in 2026 operational year. The resulting emissions generated by construction of the Proposed Project are shown in Table 2 and Table 3, which represent summer and winter construction emissions, respectively.

Table 2
CalEEMod2022
Maximum Summer Construction Emissions
(Pounds per Day)

Source/Phase	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
2025	1.0	9.0	10.1	0.0	0.3	0.3
SCAQMD Threshold	75	100	550	150	150	55
Significant	No	No	No	No	No	No

Source: CalEEMod.2022 Summer Emissions.

Phases do not overlap and represent the highest concentration.

Table 3
CalEEMod 2022
Maximum Winter Construction Emissions
(Pounds per Day)

Source/Phase	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
2025	4.4	14.1	15.8	0.0	3.5	2.0
SCAQMD Threshold	75	100	550	150	150	55
Significant	No	No	No	No	No	No

Source: CalEEMod.2022 Winter Emissions.

Phases do not overlap and represent the highest concentration.

Compliance with SCAQMD Rules 402 and 403

Although the Proposed Project does not exceed SCAQMD thresholds for construction emissions, the Project Proponent would be required to comply with all applicable SCAQMD rules and regulations as the SCAB is in non-attainment status for ozone and suspended particulates (PM₁₀ and PM_{2.5}).

The Project Proponent would be required to comply with Rules 402 nuisance, and 403 fugitive dust, which require the implementation of Best Available Control Measures (BACMs) for each fugitive dust source, and the AQMP, which identifies Best Available Control Technologies (BACTs) for area sources and point sources. The BACMs and BACTs would include, but not be limited to the following:

1. 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.
 - (a) 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 activity on the site. Portions of the site that are actively being graded shall be watered regularly (2x daily) to ensure that a crust is formed on the ground surface and shall be watered at the end of each workday.
 - (b) The Project Proponent shall ensure that all disturbed areas are treated to prevent erosion until the site is constructed upon.

- (c) The Project Proponent shall ensure that landscaped areas are installed as soon as possible to reduce the potential for wind erosion.
- (d) The Project Proponent shall ensure that all grading activities are suspended during first and second stage ozone episodes or when winds exceed 25 miles per hour.

During construction, exhaust emissions from construction vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces would increase NO_x and PM₁₀ levels in the area. Although the Proposed Project does not exceed SCAQMD thresholds during construction, the Applicant/Contractor would be required to implement the following conditions as required by SCAQMD:

- 2. To reduce emissions, all equipment used in grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
- 3. The Project Proponent shall ensure that existing power sources are utilized where feasible via temporary power poles to avoid on-site power generation during construction.
- 4. The Project Proponent shall ensure that construction personnel are informed of ride sharing and transit opportunities.
- 5. All buildings on the Project Site shall conform to energy use guidelines in Title 24 of the California Administrative Code.
- 6. The operator shall maintain and effectively utilize and schedule on-site equipment in order to minimize exhaust emissions from truck idling.
- 7. The operator shall comply with all existing and future California Air Resources Board (CARB) and SCAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.

Operational Emissions

The operational mobile source emissions were calculated using the Traffic Analysis prepared by Ganddini Group, Inc (see Appendix I). The Traffic Analysis (TA) determined that the Proposed Project would generate approximately 3,045 daily vehicle trips with a mixture of light-duty vehicles and trucks. Emissions associated with the Proposed Project's estimated total daily trips were modeled using a modified fleet mix that is more representative of the Proposed Project's actual uses, based on data obtained from similar operations. Operational emissions are listed in Table 4 and Table 5, which represent summer and winter operational emissions, respectively.

Table 4
Summer Operational Emissions Summary
(Pounds per Day)

Source	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Mobile	6.3	49.0	102	0.5	32.1	8.7
Area	0.1	0.0	0.1	0.0	0.0	0.0
Energy	0.0	0.0	0.0	0.0	0.0	0.0
Totals (lbs./day)	6.4	49.0	102.1	0.5	32.1	8.7
SCAQMD Threshold	55	55	550	150	150	55
Significance	No	No	No	No	No	No

Source: CalEEMod.2022 Summer Emissions.
Emissions represent the daily maximum emissions.

Table 5
Winter Operational Emissions Summary
(Pounds per Day)

Source	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Mobile	5.9	51.3	85.8	0.5	32.1	8.7
Area	0.0	--	--	--	--	--
Energy	0.0	0.0	0.0	0.0	0.0	0.0
Totals (lbs./day)	5.9	51.3	85.8	0.5	32.1	8.7
SCAQMD Threshold	55	55	550	150	150	55
Significance	No	No	No	No	No	No

Source: CalEEMod.2022 Winter Emissions.
Emissions represent the daily maximum emissions.

As shown, both summer and winter season operational emissions are below SCAQMD thresholds. The Proposed Project does not exceed applicable SCAQMD regional thresholds either during construction or operational activities. Therefore, no significant operational nor cumulative adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

c) Expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors include residential land uses, schools, day care centers, and other places where people reside, including prisons. The nearest sensitive receptors are located more than 25 meters from the Proposed Project. However, a SCAQMD Health Risk Tool - V1.103 screening (Appendix A-1) was assessed based on the gasoline service station use.

Emissions resulting from gasoline service station operations may include toxic air contaminants (TACs) (e.g., benzene, hexane, MTBE, toluene, xylene) and have the potential to contribute to health risk in the Project vicinity. Standard regulatory controls such as the SCAQMD's Rule 461 (Gasoline Transfer and Dispensing) would apply to the Project in addition to any permits required that demonstrate appropriate operational controls. Gasoline dispensing facilities are required to use Phase I/II EVR (enhanced vapor recovery) systems. Phase I EVR has an average efficiency of 98 percent and Phase II EVR

has an average efficiency of 95.1 percent. Therefore, the potential for fugitive VOC or TAC emissions from the gasoline pumps is negligible. Prior to issuance of a Permit to Operate, each individual gasoline dispensing station is required to obtain permits from SCAQMD which identify the maximum annual throughput allowed based on specific fuel storage and dispensing equipment that is proposed by the operator.

The analysis reflects a maximum annual throughput of an estimated 1,000,000 gallons. However, ultimate fuel throughput allowances/requirements would be established by SCAQMD through the fueling station permitting processes. For purposes of this evaluation, cancer risk estimates have been made consistent with the methodology presented in SCAQMD's Risk Assessment Procedures for Rules 1401 & 212 which provide screening-level risk estimates for gasoline dispensing operations. The Project site is located within Source Receptor Area (SRA) 32.

Based on the established SCAQMD procedure outlined in the SCAQMD Permit Application Package "N" it is estimated that the maximum risk attributable to the gasoline dispensing would be 3.306 in one million for the nearest sensitive receptor and the maximum risk to workers would be 0.273 in one million both of which are below the threshold of 10 in one million. SCAQMD Permit Application Package "N" identifies the potential risk per one million gallons of gasoline dispensed at the defined downwind distances. The further the distance from the source the lower the risk. Results of a linear regression risk estimate with distances of 25 and 50 meters from the source are shown in Table 6.

Table 6
Linear Regression Risk Estimate

Residential	
Distance	Risk (in one million)
25 meters	3.306
50 meters	1.254
Worker	
25 meters	0.273
50 meters	0.103

Source: Risk Tool V1.103

As shown in Table 6, no sensitive receptors in the Project vicinity would be exposed to a cancer risk of greater than 10 in one million. The maximum risk estimate for any sensitive land use in the vicinity of the Project would be 3.306 in one million. The Project gas station operations would therefore not generate emissions that would cause or result in an exceedance of the applicable SCAQMD cancer threshold of 10 in one million. Therefore, the Project would not have a significant impact with respect to health risks from the gasoline dispensing stations. No significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Proposed Project includes the development of a gas station facility with a 1,057 SF drive-thru restaurant connected to the 1,848 SF-convenience store. The nearest sensitive receptors to the Project Site are the residences in the neighborhood to the north, across Interstate 215. Potential odor sources associated with the Proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities as well as the temporary storage of domestic solid waste associated with the Proposed Project's long-term operational uses. Standard construction requirements would minimize odor impacts resulting from construction activity. It should be noted that any construction odor emissions generated would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction activity. Potential sources that may emit odors during the on-going operations of the Proposed Project would include short-term odor emissions from the intermittent delivery truck emissions, car and truck idling, food preparation and trash storage areas. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with County of San Bernardino solid waste regulations. The Proposed Project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances related to odors. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

Therefore, no significant adverse 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
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?	☐	☒	☐	☐
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?	☐	☐	☐	☒
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?

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

SUBSTANTIATION: (Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database ☒):

Countywide Plan; General Biological Assessment, RCA, Inc, July 11, 2022 (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 General Biological Resources Assessment (BRA), dated July 11, 2022, was prepared for the Proposed Project by RCA Associates, Inc. (RCA) (Appendix B) and is available for review at County offices. RCA completed a data search for information on common and protected plants and wildlife species known occurrences within the vicinity of the Project Site. The review included biological texts on general and specific biological resources, and those resources considered to be sensitive by various wildlife agencies, local government agencies and interest groups. RCA used the data to focus their survey efforts in the field.

Federal and State Listed Species:

There are seven Federal and/or State listed species which have been documented in the Devore quadrangle. Of these seven listed species, only three of the seven species have the possibility to occur on site due to the disturbed nature of the property. The three species include:

California Glossy Snake: The California glossy snake is a medium sized snake characterized by its glossy scales, faded appearance and short tail. The snake prefers

a grassland habitat; however, it is the opinion of RCA Associates Inc. that the snake will not inhabit the site in the future due to the size of the property and its last known occurrence within the quad over six years ago (CNDDDB 2022). No California glossy snakes were observed during the field survey.

San Bernardino Kangaroo Rat: The San Bernardino Kangaroo Rat is a large headed rodent with large hind feet. The Kangaroo Rat prefers a scrub habitat near alluvial fans or dried riverbeds that contain loamy sand. Although site does not contain habitat for the San Bernardino Kangaroo Rat it is mentioned here due to it being a species of interest within the region. While suitable habitat occurs offsite within the sandy washes located just west of the property, San Bernardino Kangaroo rats are not expected to inhabit the site due to developments and roadways discouraging entry. The two closest occurrences within the Devore quad are 400 yards to the SW within the Cajon Canyon wash and 800 yards to the NE within vacant land across the 215 Freeway (CNDDDB 2022). No San Bernardino kangaroo rats were seen on the June 2022 field survey.

Least Bell's vireo: The Least Bell's vireo are grayish above, whitish below, with faint pale "spectacles" around the eyes and pale wingbars. Least Bell's vireos winter in southern Baja California, Mexico, where they occupy a variety of habitats, including mesquite scrub within arroyos, palm groves, and hedgerows bordering agricultural and residential areas. The last known occurrence within the Devore quad for the bird was reported in 2007 (CNDDDB 2022). The Project Site supports minimal suitable habitat for the species; none were observed during the June 2022 field surveys.

Species of Special Concern:

There are nine wildlife species of special concern which have been documented in the Devore quadrangle. Of these nine listed species, only four of the species have the possibility to occur on site due to the habitat located on the property. The four species include:

Burrowing Owl: The site is located within documented burrowing owl habitat according to CNDDDB (2022). No owls were seen on the property during the survey, and minimal suitable habitat was observed. Burrowing owls are not expected to occur on the site due to lack of suitable vegetation and burrows.

Coast Horned Lizard: The Coast horned lizard is a small but wide flattened lizard that has spiked scales on its rounded body. It frequents a wide variety of different habitats but prefers lowlands along sandy washes with scattered low bushes. The site does contain minimal suitable habitat for the species and its last known occurrence within the quad was over 13 years ago. The Coast horned lizard was not observed during the June 2022 field surveys.

Bells sage sparrow: The Bells sage sparrow is an avian species that nests in chaparral dominated by fairly dense stands of chamise. The Project Site does not contain prime habitat for the avian species due to lack of suitable vegetation. The last known occurrence within the Devore quad was in 1997 and there were none observed during the June 2022 field investigations.

Los Angeles Pocket Mouse: The Los Angeles pocket mouse is a small brown rodent with a grizzly pattern that inhabits lowland grasslands. Although the site contains minimal suitable habitat for the pocket mouse, there has been no reported occurrence in the Devore quad (CNDDB 2022). No Los Angeles pocket mouse were seen on or in the surrounding area of the property.

The plant community on site is a ruderal plant habitat encompassing mainly native plants and some non-native grasses. The site has been previously graded and hosts a variety of vegetation including California sagebrush (*Artemisia californica*), California croton (*Croton californicus*), brittlebrush (*Encelia farinosa*), asian mustard (*Brassica tournefortii*), shortpod mustard (*Hirschfeldia incana*), purple three awn (*Aristida purpurea*) and cheatgrass (*Bromus tectorum*).

Although no amphibians were observed on site, the reptile *Uta stansburiana* (common side blotched lizard) was observed. Mammals that were observed on site include California Ground squirrel (*Otospermophilus beecheyi*). Coyote (*Canis latrans*) scat and tracks were observed during the field investigations and the species is expected to traverse the site during hunting activities. Other wildlife species that may occur on site include brush rabbit (*Sylvilagus bachmani*) and cottontail rabbit (*Sylvilagus*) may also occur on the site given their wide-spread distribution in the region.

All sensitive species were considered as potentially present on the Project Site if their known geographical distribution encompassed all or part of the Project Site or if their distribution was near the site and its general habitat requirements were present. There is no habitat for sensitive plants, fish, amphibians, reptiles, mammals or insects that were listed as potentially present in the vicinity of the Project Site.

Impacts to foraging habitat for sensitive but not formally listed species is generally not addressed except when foraging areas include or are adjacent to nesting sites. Therefore, loss of foraging habitat on this property would not be deemed significant.

The Project Site is located within a Countywide Plan mapped area of the “Biological Resource Overlay” and identified as containing suitable burrowing owl (*Athene cunicularia hypogea*) habitat. This species prefers large flat open areas for nesting and hunting. They live in burrows constructed by other ground-dwelling species in grassy or sparse shrubby habitat. However, the Project Site does not have any potentially suitable soils and plant cover for burrowing owl, due to the heavily impacted soils and the fact that this location is within an urbanized area. The Project Site is subject to disturbance from nearby development and people and is located in a somewhat developed area. As a result, there is no burrowing owl habitat on site.

As a group, raptors are of concern to state and federal agencies. Raptors and all migratory bird species, whether listed or not, receive protection under the Migratory Bird Treaty Act (MBTA) of 1918.⁹ The MBTA prohibits individuals to kill, take, possess or sell any migratory bird and bird parts (including nests and eggs) except per regulations prescribed by the Secretary of the Department (16 U. S. Code 703).¹⁰

⁹ <https://www.fws.gov/birds/policies-and-regulations/laws-legislations/migratory-bird-treaty-act.php>

¹⁰ <https://www.fws.gov/le/USStatutes/MBTA.pdf>

Additional protection is provided to all bald and golden eagles under the Bald and Golden Eagle Protection Act of 1940, as amended.¹¹ State protection is extended to all birds of prey by the California Fish and Game Code, Section 2503.5.¹² No take is allowed under these provisions except through the approval of the agencies or their designated representatives.

At the time of the survey, there was minimal suitable nesting habitat on and around the property for nesting birds. Mitigation Measure BIO-1 is recommended to reduce potential impacts to nesting birds to less than significant.

Mitigation Measure BIO-1: Pre-construction surveys for burrowing owls and nesting birds protected under the Migratory Bird Treaty Act and Section 3503 of the California Fish and Wildlife Code shall be conducted prior to the commencement of Project-related ground disturbance.

- a. Appropriate survey methods and timeframes shall be established, to ensure that chances of detecting the target species are maximized. If nesting birds are detected, avoidance measures shall be implemented to ensure that nests are not disturbed until after young have fledged.
- b. Pre-construction surveys shall encompass all areas within the potential footprint of disturbance for the project, as well as a reasonable buffer around these areas. Focused plant surveys for all special status plant species that have the potential to occur on the site may be considered during the blooming season (April - June) (if warranted by CDFW) to determine the potential environmental effects of the proposed projects on special status plants and sensitive natural communities following recommended protocols by the Department of Fish and Wildlife.

If any sensitive species are observed on the property during future activities, CDFW and USFWS (as applicable) should be contacted to discuss specific mitigation measures which may be required for the individual species. CDFW and USFWS are the only agencies which can grant authorization for the "take" of any sensitive species and can approve the implementation of any applicable mitigation measures.

With implementation of Mitigation Measures BIO-1, the Proposed Project would not have any substantial adverse effects on any species identified as a candidate, sensitive or special status species and potential impacts would be reduced to a less than significant levels 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?*

¹¹ <https://www.fws.gov/le/USStatutes/MBTA.pdf>

¹² <https://www.fws.gov/le/USStatutes/BEPA.pdf>

The plant community on site is a ruderal plant habitat encompassing mainly native plants and some non-native grasses. The site has been previously graded and hosts a variety of vegetation including California sagebrush (*Artemisia californica*), California croton (*Croton californicus*), brittlebrush (*Encelia farinosa*), asian mustard (*Brassica tournefortii*), shortpod mustard (*Hirschfeldia incana*), purple three awn (*Aristida purpurea*) and cheatgrass (*Bromus tectorum*). The estimated loss of 1.57-acres of a relatively disturbed grassland habitat is not expected to have a significant cumulative impact on the overall biological resources in the region given the presence of similar habitat throughout the surrounding area. No sensitive habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were observed on the site during the field investigations. RCA Associates determined that no further surveys for sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service are required. Therefore, less than significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Three key agencies regulate activities within inland streams, wetlands, and riparian areas in California. The U.S. Army Corps of Engineers (ACOE) Regulatory Branch regulates discharge of dredge or fill materials into waters of the United States. These watersheds include wetlands and non-wetland bodies of water that meet specific criteria. The California Department of Fish and Wildlife (CDFW), through provisions of State of California Administrative Code, is empowered to issue agreements for any alteration of a river, stream, or lake where fish or wildlife resources may adversely be affected. Streams (and rivers) are defined by the presence of a channel bed and banks, and at least an intermittent flow of water. The use of a 404 permit in California is regulated by the State Water Resources Control Board (SWRCB) under Section 401 of the Clean Water Act regulations. The Board has authority to issue a 401 permit that allows the use of a 404 permit in the state.

Based on the site visit, the Project Site does not contain any riparian habitat, nor exhibit characteristics of other sensitive habitats. Therefore, the Proposed Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW¹³. No significant adverse impacts are identified or are anticipated, and no mitigation measures are 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 ACOE regulates discharge of dredge or fill materials into waters of the United States. These watersheds include wetlands and non-wetland bodies of water that meet specific criteria. CDFW regulates wetland areas only if those wetlands are part of a river,

¹³ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=24624&inline>

stream or lake as defined by CDFW. The Project Site does not have any drainages or areas that support wetlands, as stated in the BRA. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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?*

Wildlife movement and the fragmentation of wildlife habitat are recognized as critical issues that must be considered in assessing impacts to 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 a vacant lot and Devore Fire Station to the north, a vacant lot and a bridge to the west, an existing utility building for Frontier cable and a truck trailer parking facility to the south, and an existing truck trailer parking facility to the east.

The foothill areas of the San Gabriel and San Bernardino Mountains and associated washes are considered habitat linkage and wildlife corridors in the Valley Region of the County.¹⁴ The Project Site is located within a relatively developed area nearby the foothills and associated wash.¹⁵ Additionally, there was no distinct corridor was identified on the site or in the immediate area. Therefore, the Project Site would not be suitable as a native resident or migratory wildlife corridor or for facilitating the movement of any native resident or migratory wildlife species. No significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project Site is currently vacant and undeveloped. San Bernardino County regulates the removal of trees and plants as specified under Municipal Code Chapter 88.01. The provisions in this Chapter apply to the removal or relocation of regulated trees or plants and to any encroachment (for example, grading) 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. There are no prominent biological features occurring on or near the Project Site. The plant community on site is ruderal grassland. Additionally, there are no trees onsite. The Proposed Project would therefore be in compliance with the County Municipal Code. Implementation of Project

¹⁴ San Bernardino Countywide Plan Draft EIR. Biological Resources.

¹⁵<https://www.arcgis.com/apps/webappviewer/index.html?id=5595acba44fd4509830282e4417f7c9e>
Accessed July 11, 2022.

would have a less than significant impact on local policies or ordinances protecting biological resources.

Less Than Significant Impact

- 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 (April 2019).¹⁶ No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

¹⁶ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline>. Accessed July 11, 2022.

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?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those outside of formal cemeteries?	☐	☒	☐	☐
SUBSTANTIATION: (Check if the project is located in the Cultural ☐ or Paleontologic ☒ Resources overlays or cite results of cultural resource review):				
Cultural Resources Study for the Glen Helen and Cajon Gas Station Project, San Bernardino County, California, Brian F. Smith and Associates, Inc., July 18, 2022 (Appendix C)				

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

A Cultural Resources Study for the Glen Helen and Cajon Gas Station Project, dated July 18, 2022, was prepared for the Proposed Project by Brian F. Smith & Associates (BFSA) (Appendix C) and is available for review at County offices. The purpose of the assessment was to identify and document any cultural resources that may potentially occur within the Project Site. The investigation was completed for compliance with the California Environmental Quality Act (CEQA), as amended, the San Bernardino County policies and guidelines, and the City of San Bernardino policies and guidelines. Historic land use data was compiled by BFSA through research conducted at the Bureau of Land Management General Land Office records (on-line); the San Bernardino County Archives, the San Bernardino County Assessor's Office and Recorder's offices, the San Bernardino County Surveyor's Office, and local historic data from the BFSA in-house library.

BFSA reviewed historic maps and aerial photographs. These sources confirmed the property was in agricultural use from the 1930's to 1980's. A residence was visible as late as 1943 but was removed between 1969 and 1980. According to the aerial photographs, what appears to be a small structure, or foundation, is located within the southeast corner of the subject property by 1953. Other than that, the subject property appears to remain vacant. As indicated in Section 1.3 of Appendix C, the subject property is located within the grounds of the original Devore School. The 1930 aerial photograph (see Appendix C, Figure 1.3-5) depicts a dirt path leading from Devore

Road, through the subject property, to the Devore School. As further noted in Appendix C, an apartment building-turned-commercial structure was constructed between 1968 and 1980 adjacent to the southeast boundary of the property. Between 1995 and 2002, the subject property appeared to have been cleared or graded. The subject property has also been impacted by the improvements made in the early to mid-twentieth century to Cajon Boulevard (Historic Route 66), which bounds the property to the north and east, and Devore Road that bounds the property to the west.

On June 24, 2022, a field survey was conducted, utilizing an intense reconnaissance consisting of a series of transects across the Project. All areas of the property were accessible and subjected to visual examination. The entire property was accessible, and visibility was very good, with 75 percent of the ground surface visible at the time of the survey. Vegetation consisted of inland sage scrub, Yerba Santa, sunflowers, and non-native grasses and weeds were observed throughout the project area.

BFSA found that the Project Site yielded physical evidence of one concrete foundation (Temp-1) located within the south corner of the property. The concrete foundation is first visible on the 1953 aerial photograph but is not depicted on any USGS topographic maps. Archival research indicated that the subject property is situated on the grounds of the Devore School, which was built in 1870 and demolished in the 1950s. According to the aerial photographs, it does not appear that Temp-1 is associated with the Devore School, as the foundation appears to post-date the school's construction. The apartment building-turned-commercial structure that was built between 1968 and 1980 adjacent to the southeast boundary of the property does not appear to be associated with Temp-1 because it post-dates the foundation as well. The survey did not result in the identification of any prehistoric cultural resources within the project. Additionally, property records held online by the San Bernardino County Property Information Management Systems were only available for the subject parcel beginning in 2016 and did not shed additional light on the use or ownership of the property.

Although aerial photographs indicate that the property has been vacant since as early as 1930, the recorded foundation is visible on the 1953 aerial photograph. Additionally, archival research indicates that the subject property is located within an area of high probability for the potential to discover buried historic and prehistoric cultural resources. Therefore, it is recommended that all earthwork required to develop the property be monitored by a qualified archaeologist and a Native American representative.

Mitigation Measure CUL-1:

A qualified archaeologist shall be on-call during ground-disturbing activities. In the event of an archaeological discovery, either historic or prehistoric, the archaeologist shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to, digging, trenching, excavating, or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources. If the discovered resource is associated with the prehistoric Native American occupation of this area, a Native American representative from a local tribe shall be contacted to review and participate in the evolution of the discovered resource. The qualified archaeologist shall notify the County of the discovery.

If the resource is significant, the qualified archaeologist shall submit an Archaeological Data Recovery Program (ADRP) to the County to review and approve. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery would be allowed to resume. If the resource is not significant, the archaeologist shall submit a letter to the County indicating that artifacts would be collected, curated, and documented in the final monitoring report. The letter shall also indicate that no further work is required.

Less than Significant with Mitigation

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

An archaeological records search was completed at the California State University, Fullerton, South Central Coastal Information Center (June 30, 2022). The research confirmed 35 previously recorded resources within a half-mile radius of the Project Site, none of which are located within the project's boundaries. Additionally, the records search results also indicated that a total of 13 cultural resource studies have been conducted within one-half mile of the Project, none of which include the subject property.

The Project Site yielded no physical evidence of prehistoric archaeological resources, historic archaeological resources, built environments (standing structures), or ethnic resources. However, if there remains a possibility of historical or prehistoric archaeological resources to be uncovered during the course of grading. With implementation of Mitigation Measure CR-1, the Proposed Project would not have a significant impact on cultural resources.

Less than Significant with Mitigation

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

Field surveys conducted as part of the Cultural Resource Investigation did not encounter any evidence of human remains. The Project Site is not located on or near a known cemetery. However, construction activities, particularly grading, could potentially disturb human remains interred outside of a formal cemetery. To ensure adequate and compliant management of any buried remains that may be identified during project development, the following mitigation measure is required as a condition of project approval to reduce any potential impacts to a less than significant level.

With implementation of Mitigation Measure CUL-2, the Proposed Project would not have a significant impact on human remains.

Mitigation Measure CUL-2:

If evidence of human remains is identified, the County Coroner would be contacted immediately and permitted to inspect the remains. The County of San Bernardino and the Project Applicant shall also be informed of the discovery. The Coroner would determine if the bones are historic/archaeological or a modern legal case. The

Coroner would immediately contact the Native American Heritage Commission (NAHC) in the event that remains are determined to be human and of Native American origin, in accordance with California Public Resources Code Section § 5097.98.

All discovered human remains shall be treated with respect and dignity. California state law (California Health & Safety Code § 7050.5) and federal law and regulations ([Archaeological Resources Protection Act (ARPA) 16 USC 470 & 43 CFR 7], [Native American Graves Protection & Repatriation Act (NAGPRA) 25 USC 3001 & 43 CFR 10] and [Public Lands, Interior 43 CFR 8365.1-7]) require a defined protocol if human remains are discovered in the State of California regardless if the remains are modern or archaeological.

Less than Significant with Mitigation

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

<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>
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?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

SUBSTANTIATION: San Bernardino County Countywide Plan/Policy Plan 2020; California Energy Consumption Database; Title 24 Building Energy Efficiency Standards;

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

Electricity: The Proposed Project is the development of a gas station (including truck fueling), convenience store with attached drive-thru restaurant. Southern California Edison (SCE) would provide electricity to the Project Site. In 2022, the Commercial Sector of the Southern California Edison planning area consumed 36069.383021 GWh

of electricity.¹⁷ The Project Site is currently vacant and does not use electricity. The implementation of the Proposed Project would result in an increase in electricity demand. The CalEEMod estimated electricity demand for the Proposed Project is 0.146925 GWh per year. The Proposed Project's estimated annual electricity consumption compared to the 2022 annual electricity consumption of the overall Commercial Sector in the SCE Planning Area would account for approximately 0.0004073 percent of total electricity consumption. The existing SCE electrical facilities serving the project area are sufficient to meet this increased demand. Total electricity demand in SCE's service area is estimated to increase by approximately 12,000 GWh between the years 2015 and 2026. The increase in electricity demand from the Proposed Project is insignificant compared to the projected electricity demand for SCE's entire service area. Therefore, projected electrical demand would not significantly impact on SCE's level of service.

The Proposed Project has been designed to comply with the 2022 Building Energy Efficiency Standards. The County of San Bernardino would review and verify that the Proposed Project plans are in compliance with the most current version of the Building and Energy Efficiency Standards. The Proposed Project would also be required to adhere to CALGreen, which establishes planning and design standards for sustainable developments and energy efficiency. The Proposed Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. No significant impacts are identified or required, and no mitigation measures are recommended.

Natural Gas: The Project Site would be serviced by Southern California Gas Company (SoCalGas). The Project Site is currently vacant and has no demand for natural gas. Therefore, the development of the Proposed Project would create a permanent increase demand for natural gas. According to the California Energy Commission's Energy Report, the Commercial Building was responsible for 894.453260 million therms of natural gas consumption in the SoCalGas Planning Area in 2022¹⁸. The Proposed Project's CalEEMod estimated annual natural gas demand is 1,480.31 therms. The Proposed Project's estimated annual gas consumption compared to the 2021 annual natural gas consumption of the overall Commercial Sector in the SoCalGas Planning Area would account for approximately 0.0001655 percent of total natural gas consumption. The Proposed Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Therefore, the existing SoCalGas facilities are expected to meet the increased demand for natural gas.

Less Than Significant Impact

¹⁷ <https://ecdms.energy.ca.gov/Default.aspx>. Accessed July 12, 2024.

¹⁸ <https://ecdms.energy.ca.gov/Default.aspx>. Accessed July 12, 2024.

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). Project development would not cause inefficient, wasteful, and unnecessary energy consumption, and no adverse impacts would occur.

The Proposed Project would not conflict with any applicable plan, policy or regulation of an agency adopted to reduce GHG emissions, including Title 24, AB 32, and SB 32; therefore, the Project is consistent with AB 32, which aims to decrease emissions statewide to 1990 levels by 2020. The Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, no impacts are identified or anticipated, and no mitigation measures are recommended.

No Impact

Therefore, no significant 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>
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.	☐	☐	☒	☐
ii.	Strong seismic ground shaking?	☐	☐	☒	☐
iii.	Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv.	Landslides?	☐	☐	☐	☒
b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
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?

- | | | | | | |
|----|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 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? | ☐ | ☐ | ☒ | ☐ |
| 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? | ☐ | ☐ | ☐ | ☒ |
| f) | Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | ☐ | ☒ | ☐ | ☐ |

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

Countywide Plan; Geotechnical Engineering Report – Proposed Fueling Station and Market Cajon Blvd, Glen Helen, CA, GEO_CAL, Inc., January 30, 2022 (Appendix D); ADDENDUM-1: Pavement Structural Sections Proposed Fueling Station and Market Cajon Blvd., Glen Helen, CA, GEO CAL, Inc., July 18, 2022 (Appendix D-1); Paleontological Assessment for the Glen Helen and Cajon Gas Station Project prepared by Brian F. Smith and Associates, Inc., July 18, 2022 (Appendix E).

- 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

A Geotechnical Engineering Report – Proposed Fueling Station and Market Cajon Blvd, Glen Helen, CA dated January 30, 2022, was prepared for the Proposed Project by Geo-Cal, Inc (Appendix D) and is available for review at County offices. An Addendum to the report was prepared to present pavement structural recommendations (Appendix D-1). The Project Site does not occur within an Alquist-Priolo Earthquake Fault Zone¹⁹ or County Fault Hazard Zone.²⁰ The San Jacinto Fault is approximately less than two miles from the Project Site. Although the potential for rupture on-site cannot be dismissed, it is considered low due to the absence of known faults within the immediate vicinity. Nonetheless, the Proposed Project would be required to comply with

¹⁹Department of Conservation Fault Activity Map of California (2010). <http://maps.conservation.ca.gov/cgs/fam/>. Accessed May 16, 2022.

²⁰ San Bernardino Countywide Plan Draft EIR. Geology and Soils. Figure 5.6-1 “Alquist-Priolo Fault Zones and County Fault Hazard Zones.”

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

Less Than Significant Impact

ii) Strong seismic ground shaking?

No active faults pass through Glen Helen.²¹ As is the case for most areas of Southern California, ground shaking resulting from earthquakes associated with nearby and more distant faults may occur at the Project Site. The design of any structures on-site would incorporate measures to accommodate projected seismic ground shaking in accordance with the California Building Code (CBC) and local building regulations. The CBC is designed to preclude significant adverse effects associated with strong seismic ground shaking. Compliance with the CBC would minimize impacts associated with exposure of people or structures to substantial adverse effects, including loss, injury, or death, involving seismic ground shaking.

Less Than Significant Impact

iii) Seismic-related ground failure, including liquefaction?

Liquefaction is a process in which cohesion-less, saturated, fine-grained sand and silt soils lose shear strength due to ground shaking and behave as fluid. Areas overlying groundwater within 30 to 50 feet of the surface are considered susceptible to liquefaction hazards. Ground failure associated with liquefaction can result in severe damage to structures. The Project Site is not located in an area susceptible to liquefaction.²² As reported in the Geotechnical report, no shallow groundwater was encountered, and the Devore Water Company indicated a depth to groundwater of about 150 feet bgs. The report concluded that the Project Site is considered non-susceptible to seismically induced soils liquefaction and is considered to be low. Therefore, less than significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

iv) Landslides?

Seismically induced landslides and other slope failures are common occurrences during or soon after earthquakes. The Project Site is not located within an area susceptible to landslides.²³ Furthermore, the Project Site is near level with the surrounding area. As

²¹ San Bernardino Countywide Plan Draft EIR. Geology and Soils. Figure 5.6-1 "Alquist-Priolo Fault Zones and County Fault Hazard Zones.

²² San Bernardino Countywide Plan Draft EIR. Geology and Soils. Figure 5.6-3 "Liquefaction and Landslide Susceptibility."

²³ San Bernardino Countywide Plan Draft EIR. Geology and Soils. Figure 5.6-3 "Liquefaction and Landslide Susceptibility."

concluded in the Geotechnical report, the potential for seismically induced landslides to occur is considered low. Therefore, less than impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

Implementation of the Proposed Project would disturb more than one acre of soil. Therefore, the Proposed Project is subject to requirements of the State Water Resources Control Board's General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-2009-DWQ). Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling or excavation. The Construction General Permit requires the development and implementation of a Storm Water Pollution and Prevention Plan (SWPPP). The SWPPP must list Best Management Practices (BMPs) to avoid and minimize soil erosion. Adherence to BMPs would ensure that the Proposed Project does not result in substantial soil erosion or the loss of topsoil. Therefore, less than significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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?

The Project Site is relatively flat with no prominent geologic features occurring on or within the vicinity of the Project Site. The elevation of the Project Site ranges from approximately 1102 feet to 1109 feet. The Project Site is not within an area susceptible to liquefaction or landslides.²⁴ As stated in the Geotechnical report, the proposed structures are expected to withstand predicted vertical and lateral ground spreading/displacements to an acceptable level of risk. Seismically induced lateral spreading involves lateral movement of soils due to ground shaking. Because the Project Site is relatively level, Geo-Cal, Inc. concludes that the potential for seismically induced lateral ground spreading should be considered low. Therefore, less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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?

²⁴ San Bernardino Countywide Plan Draft EIR. Geology and Soils. Figure 5.6-3 "Liquefaction and Landslide Susceptibility."

<https://www.dmaps.arcgis.com/apps/InformationLookup/index.html?appid=ce7206d1a7104c9eafb644e7a7ae7ffd5>

Expansive soils (shrink-swell) are fine-grained clay silts subject to swelling and contracting in relation to the amount of moisture present in the soil. Structures built on expansive soils may incur damage due to differential settlement of the soil as expansion and contraction takes place. A high shrink-swell potential indicates a hazard to structures built on or with material having this rating. According to the Geotechnical Engineering Report by Geo-Cal (Appendix D), the Project Site soils are considered “very low” in expansion characteristics with Expansion Index (EI) less than 10. Therefore, less than significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

- 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?*

The Proposed Project would not require use of a wastewater treatment plant but would utilize an on-site septic system. Since the Proposed Project would not connect to an existing wastewater treatment facility, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

A Paleontological Assessment report, dated July 18, 2022, was prepared for the Proposed Project by Brian F. Smith and Associates, Inc. (Appendix E). The Paleontological records search states that there are no fossil localities that lie directly within the Proposed Project area. The presence of late Holocene alluvial deposits at the Project Site lacked any known fossil specimens or fossil localities within a several-mile radius encompassing the project support and the conclusion that the paleontological monitoring is not recommended during earth disturbance activities at the Glen Helen and Cajon Gas Station Project²⁵. However, if fossils of any sort are discovered during grading and earthmoving activities, a paleontologist must be retained to develop a paleontological monitoring plan consistent with the provisions of CEQA, those of the County of San Bernardino (2019), and those of the guidelines of the Society of Vertebrate Paleontology (2010). The implementation of a Mitigation Measure GEO-1 would mitigate any potentially adverse impacts (loss or destruction) to paleontological resources, if present, to a level below significant.

Mitigation Measure GEO-1:

If paleontological resources are discovered during earth disturbance activities, the discovery shall be cordoned off with a 100-foot radius buffer so as to protect the

²⁵ Paleontological Assessment for The Glen Helen and Cajon Gas Station Project by Brian F. Smith and Associates, Inc.

discovery from further potential damage, and a county-qualified paleontologist shall be consulted to assess the discovery.

Less than Significant with Mitigation

Therefore, potential impacts can be reduced to less than significant level with implementation of mitigation measures above.

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

SUBSTANTIATION: San Bernardino County Countywide Plan, approved October 27, 2020, adopted November 27, 2020; San Bernardino County Regional Greenhouse Gas Reduction Plan, March 2021; GHG Screening Table; CalEEMod Output 2022 (Appendix A); Traffic Analysis prepared by Ganddini Group, Inc.; GHG Screening Table (Appendix A-2)

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

San Bernardino County adopted its "Greenhouse Gas Emissions Reduction Plan" (GHG Reduction Plan, GHGRP) in December 2011. The GHG Reduction Plan was updated in March 2021 (GHGRP Update). A review standard of 3,000 metric tons of carbon dioxide equivalents (MTCO₂e) per year will be used to identify projects that require the use of the Screening Tables or a project-specific technical analysis to quantify and mitigate project emissions. Screening tables are a menu of options of energy efficiency improvements, renewable energy options, water conservation measures, and other options that provide predictable GHG reductions. Projects that result in GHG emissions exceeding the County's screening threshold of 3,000 MTCO₂e per year would require the use of the Screening Tables for emission reduction. Each option within the Screening Tables includes point values based upon the GHG reduction that option would provide to a development project. Developers that choose options from the Screening Tables totaling 100 points or more will be determined to have provided a fair-share contribution of GHG reductions and, therefore, are considered consistent with the GHGRP Update.

The levels of GHG reductions designed into the Screening Tables are consistent with the State goal of achieving 40 percent below 1990 levels of emissions by 2030.

Emissions were estimated using the CalEEMod version 2022. Operational emissions are categorized as area (operational use of the project), energy (generation and distribution of energy to the end use), mobile (vehicle trips), waste (landfill), and water. The operational mobile source emissions were calculated in accordance with the Transportation Study Screening Assessment prepared for the Proposed Project by Gandini Group Inc. in July 2024. The Proposed Project is anticipated to generate approximately 3,045 total daily trips. The modeled emissions anticipated from the Proposed Project compared to the SCAQMD threshold are shown below in Table 7 and Table 8.

Table 7
Greenhouse Gas Construction Emissions
(Metric Tons per Year)

Source/Phase	CO ₂	CH ₄	N ₂ O	R1
2025	203	0.0	0.0	0.0
Total MTCO₂e	203			
Construction Amortized over 30 years	6.8			

Source: CalEEMod.2022.1 Annual Emissions.

Table 8
Greenhouse Gas Operational Emissions
(Metric Tons per Year)

Source/Phase	CO ₂	CH ₄	N ₂ O	R1
Mobile	9,223	0.7	1.0	11.9
Area	0.0	0.0	0.0	--
Energy	31.1	0.0	0.0	--
Water	0.6	0.0	0.0	--
Waste	1.4	0.1	0.0	--
Refrigeration	--	--	--	68.9
Sub-Total MTCO ₂ e	9,672.0			
Construction Amortized 30 Years	6.8			
Total MTCO₂e	9,678.8			
County Screening Threshold	3,000			
Significant	Yes			

Source: CalEEMod.2022.1 Annual Emissions.

As shown in Tables 7 and 8, the Proposed Project would generate approximately 9,678.8 MTCO₂e per year and would exceed the County screening threshold of 3,000 MTCO₂e. Therefore, project operational activities were evaluated compared to the San Bernardino County GHG Reduction Plan Screening Tables. Mitigation Measure GHG-1 shall be implemented to ensure that operational emissions comply with the County's GHG Plan.

Mitigation Measure GHG-1:

The Project Applicant shall incorporate the GHG reduction measures from the GHG Reduction Plan Screening Tables as listed in Appendix A-2 into the project design to reduce GHG emissions to levels considered less than significant.

With implementation of the GHG reduction Measures and design features, the Proposed Project would garner 100 points using the Screening Tables.²⁶ Therefore, it would provide a fair share contribution of reductions and is considered consistent with the County's GHG reduction Plan. Less than significant impact is anticipated.

Less than Significant with Mitigation

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

According to the County of San Bernardino GHG Reduction Plan, all development projects, including those otherwise determined to be exempt from CEQA are subject to applicable Development Code provisions, including the GHG performance standards, and state requirements, such as the California Building Code requirements for energy efficiency. With the application of the GHG performance standards, projects that are exempt from CEQA and small projects that do not exceed 3,000 MTCO₂e per year will be considered consistent with the Plan and determined to have a less than significant individual and cumulative impact for GHG emissions. The GHG Reduction Plan also states that "the 3,000 MTCO₂e per year value was chosen as the medial value and is used in defining small projects that must include the performance standards but do not need to use the screening tables or alternative GHG mitigation analysis.

The Project's total net operational GHG emissions exceed the County's screening threshold of 3,000 MTCO₂e per year. Therefore, the Proposed Project will need to comply with GHG Reduction Plan by accumulating 100 points per the GHG emission screening tables. Mitigation measure **GHG-1** would bring the Project into compliance with the Greenhouse Gas Emissions Reduction Plan and reduce GHG emission impacts to a less than significant level and be in compliance with the GHGRP and AQMP.

Less Than Significant Impact

²⁶ [GHG Reduction Plan Update-Greenhouse Gas Reduction Plan Update - Adopted 9-21-2021.pdf \(sbcounty.gov\)](#)

<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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐
SUBSTANTIATION:				
EnviroStor Database; San Bernardino Countywide Plan Draft EIR: Hazards and Hazardous Materials				

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

The Proposed Project is the development of a gas station (including truck fueling), convenience store with attached drive-thru restaurant, landscaping, and parking for automobiles. Components of the Proposed Project that may involve potential impacts from hazardous materials include the gas station, and three above ground storage tanks (ASTs). The 20,000-gallon storage tank would be a split tank; one compartment with 15,000 gallons of 87 octane fuel and the second with 5,000 gallons of 5K E-85. The other two tanks would be one storing 20,000 gallons of diesel and the other a split AST storing 10,000 gallons of diesel and 10,000 gallons of 91 octane gasoline). The ASTs are regulated under the Aboveground Petroleum Storage Act (APSA). CAL FIRE-Office of the State Fire Marshal (OSFM) is responsible for the implementation of the APSA program element of the Unified Program. Tank facilities with 10,000 gallons or more of total aboveground petroleum storage capacity are inspected at least once every three years by Unified Program Agencies (UPA) and have reporting and fee requirements. With the exception to conditionally exempt tank facilities, all facilities must prepare and implement a Spill Prevention, Control, and Countermeasure (SPCC) Plan that meets current federal SPCC Rule requirements. The United States Department of Transportation, California Department of Transportation, and SCAQMD regulate the transportation and delivery of gasoline and diesel fuel.

The Project Applicant would be required to prepare a Spill Contingency Plan to be filed with the County of San Bernardino Hazardous Materials Department. All operations of the fueling station including storage tanks would be required to comply with all federal, state, and local laws regulating the management and use of hazardous materials.

Development of the Proposed Project would disturb more than one acre and would therefore also be subject to the NPDES permit requirements. Requirements of the permit would include development and implementation of a SWPPP, which is subject to Santa Ana Regional Water Quality Control Board (RWQCB) review and approval. The purpose of an SWPPP is to: 1) identify pollutant sources that may affect the quality of discharges of stormwater associated with construction activities; and 2) identify, construct, and implement stormwater pollution control measures to reduce pollutants in stormwater discharges from the construction site during and after construction. The SWPPP would include BMPs to control and abate pollutants. Examples of BMPs include: sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, sweep roadway from track-out, and rumble strips. BMPs applicable to the Proposed Project would be subject to County approval and provided in contract bid documents. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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?*

Hazardous or toxic materials transported in association with construction of the Proposed Project may include items such as oils, paints, and fuels. All construction materials would be kept in compliance with State and local regulations. Operational activities include (in addition to the discussion above) standard maintenance that would involve the use of commercially available products. The use of maintenance products such as cleaning solvents, degreasers, herbicides and pesticides and other landscaping products would not create significant hazard to the public or the environment through reasonably foreseeable upset and accidental release of hazardous materials into the environment. Additionally, State and federal regulations pertaining to the safety of fueling stations would mitigate the risk of accident conditions. A Spill Contingency Plan is required to be filed with the County Fire Department, Hazardous Materials Division. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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?*

Kimberly Elementary School is the nearest public school to the Project Site. It is located approximately 1.3 miles northeast of the Project Site and north of I-15 and I-215 at 18021 W. Kenwood Avenue. No hazardous materials would be emitted within one-quarter mile of a school as a result of the construction and operation of the Proposed Project. Therefore, no impacts associated with emission of hazardous or acutely hazardous materials, substances, or waste within 0.25-mile of a school are anticipated. No impacts or anticipated and no mitigation measures are required.

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?*

The Project Site was not found on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system.²⁷ 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, and no mitigation measures are required.

No Impact

²⁷California Department of Toxic Substances Control. EnviroStor. Accessed November 28, 2022.

- 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 within an airport safety review area or Airport Runaway Protection Zone.²⁸ The Project Site is not located within the vicinity of a private or public airstrip. The nearest airport to the Project Site is the San Bernardino International Airport, approximately 12.2 miles southeast of the Project Site. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Project Site does not contain any emergency facilities. The Project Site is located between I-15 and I-215 both of which would be evacuation routes during emergencies; I-215 is an evacuation route within the Valley Region of the County.²⁹ Adequate on-site access for emergency vehicles would be verified during the County's plan review process. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

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 Very High Fire Hazard Severity Zone.³⁰ The nearest wildland areas would be the San Gabriel Mountains and the San Bernardino Mountains; both located within one mile of the Project Site. The Proposed Project is subject to review and approval from the San Bernardino County Fire Marshal. All new construction shall comply 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

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

²⁸ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-2 "Airport Safety Zones."

²⁹ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Table 5.8-10 "Evacuation Routes in San Bernardino County."

³⁰ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-4 "Fire Severity and Growth Areas in the Valley and Mountain Regions."

<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?	☐	☐	☒	☐
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
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;	☐	☐	☒	☐
ii.	substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	☐	☐	☒	☐
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	☐	☐	☒	☐
iv.	impede or redirect flood flows?	☐	☐	☒	☐
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

SUBSTANTIATION:

Countywide Plan; Preliminary Hydrology and Hydraulic Report for Glen Helen Gas Station, Sake Engineers, Inc., June 2022 (Appendix F); Water Quality Management Plan, Sake Engineers, Inc. June 30, 2022 (Appendix G); Will Serve Letter dated September 19, 2023 by Devore Water Company (Appendix H)

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

The Proposed Project would disturb approximately 1.57 acres and would therefore be subject to the National Pollutant Discharge Elimination System (NPDES) permit. The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State's General Construction permit include the removal of vegetation, grading, excavating, or any other activity that causes the disturbance of one acre or more. The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into stormwater systems, and to develop and implement a SWPPP. The SWPPP is based on the principles of Best Management Practices (BMPs) to control and abate pollutants. The SWPPP must include BMPs to prevent project-related pollutants from impacting surface waters. Examples of BMPs include i.e., sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, sweep roadway from track-out, and rumble strips. BMPs applicable to the Proposed Project would be subject to County approval and provided in contract bid documents.

The RWQCB has issued an area wide NPDES Storm Water Permit for the County of San Bernardino, the San Bernardino County Flood Control District, and the unincorporated areas of San Bernardino County. The implementation of NPDES permits ensures that the State and Federal mandatory standards for the maintenance of clean water are met.

In addition, the County requires the preparation of a Water Quality Management Plan (WQMP) for development projects that involve the creation of 10,000 ft² or more of impervious surface collectively over the entire site and parking lots of 5,000 ft² or more exposed to storm water. A preliminary WQMP, dated June 30, 2022, was prepared for the Proposed Project by Sake Engineers, Inc. The WQMP is intended to comply with the requirements of the County of San Bernardino and the NPDES Area wide Stormwater Program requiring the preparation of a WQMP. Implementation of Best Management Practices (BMPs) and the Proposed Project's underground Infiltration Chamber would collect storm water runoff from the Project Site and thereby prevent off-site flows into surface water and would treat flows prior to infiltration into the groundwater. All BMPs included as part of the project WQMP to be approved by the County are required to be maintained through regularly scheduled inspection and maintenance. Review and approval of the WQMP by the County would ensure that all potential pollutants of concern are minimized or otherwise appropriately treated prior to being discharged from the Project Site. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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?*

Water supply to the Project Site would be provided by the Devore Water Company³¹. The Devore Water Company covers about 1.5 square miles in southwestern San Bernardino

³¹Upper Santa Ana River Watershed Integrated Regional Urban Water Management Plan. Accessed February 15, 2023.

County³². The Devore Water Company is within the San Bernardino Valley Municipal Water District (SBVMWD) service area³³. San Bernardino Municipal Water Department (SBMWD) potable water service area encompasses approximately 45-square miles of the City's 62 square miles and serves water to approximately 200,000 individuals throughout both the City of San Bernardino and the unincorporated areas of San Bernardino County³⁴. The SBVMWD water supply is comprised entirely of ground water from the Bunker Hill Basin (part of the San Bernardino Basin Area)³⁵. The 2020 San Bernardino Valley Regional Urban Water Management Plan (UWMP), in compliance with the UWMP Act, compares the total projected water use with the projected water supply over the next twenty years³⁶. The SBVMWD has developed a cooperative recharge program that is being successfully implemented to help replenish groundwater, using the State Water Project and local runoff.³⁷

Implementation of the Proposed Project's underground Infiltration Chamber would collect storm water runoff from the Project Site to be utilized as a resource as it would infiltrate into the groundwater basin. Therefore, the Proposed Project is not anticipated to have a substantial impact on groundwater supplies or interfere substantially with groundwater recharge. No significant impacts are identified or anticipated, and no mitigation measures are required.

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;*

Erosion is the wearing away of the ground surface as a result of the movement of wind or water, and siltation is the process by which water becomes dirty due to fine mineral particles in the water. Soil erosion could occur due to a storm event. Thus, the Proposed Project is subject to the requirements of the State Water Resources Control Board General Permit for Discharges of Storm Water Associated with Construction Activity. The Construction General Permit requires the development and implementation of a Storm Water Pollution and Prevention Plan (SWPPP) for construction activities. The SWPPP must list BMPs to avoid and minimize soil erosion. Examples of BMPs include i.e., sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, sweep roadway from track-out, and rumble strips. BMPs applicable to the Proposed Project would be subject to County approval and provided in contract bid documents. Adherence to BMPs by the contractor would prevent substantial soil erosion or the loss of topsoil. Any disturbed areas would be re-vegetated where possible. An underground infiltration chamber is also proposed to treat the onsite runoff during operations before draining into the County's storm drain system.

³⁴ San Bernardino Municipal Water Department. 2019 Sewer Master Plan-Main Report. Final Report. Accessed February 15, 2023.

According to the Project's Preliminary Hydrology and Hydraulics Study (Sake Engineers, Inc., June 2022), (Appendix F), storm runoff would flow away from the proposed on-site structures and thru vee gutters towards the southwest corner of the Project Site, perpetuating the existing drainage pattern. The Project Site would be designed to maintain the historic storm water drainage path of travel. Drainage Area 1 identified in the Hydrology and Hydraulics analysis would discharge to a proposed Storm Tech System. Therefore, the Proposed Project would not result in significant impacts to the existing drainage pattern from erosion and no mitigation measures are required.

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;*

According to the Water Quality Management Plan, prepared by Sake Engineers, Inc, the Project Site's impervious area would be minimized as much as possible under proposed conditions (Appendix G). The Project Site has one drainage area identified for purposes of evaluating on-site hydrology and developing the WQMP, that would discharge to a proposed Storm Tech System for storm flow retention . The Proposed Project is anticipated to increase peak flows and runoff volumes due to the proposed paving and increased impervious area. The Proposed Project includes an estimated 58,902SF of impervious surface³⁸. The increase in flow rate would be mitigated onsite to reduce the total site discharge to 90% of the pre-development conditions per the San Bernardino County Hydrology Manual. Because there are no storm drain facilities adjacent to the Project Site and there is no sufficient elevation to accommodate an outlet for an onsite detention basin, the only option to mitigate storm water flow is an underground infiltration/retention system. This system has been designed to be capable of capturing storm flows from the 100-year event and provide enough capacity in order to reduce the total site discharge to 90% of the predeveloped condition. The WQMP calculations compare pre- and post-development unit hydrographs, showing a volume of 0.3796 ac-ft or 16,535 cf additional volume after development. The on-site detention/infiltration basins would have a total volume of 16,586 cf.

Pre-development storm runoff sheet flows towards Southeast. Post-Development storm runoff flows away from structures and through vee gutters towards the southwest corner, perpetuating the existing drainage pattern.

The WQMP is subject to final approval by the County prior to issuance of grading permits. The Proposed Project would therefore not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Impacts would be less than significant.

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*

³⁸ Water Quality Management Plan by Sake Engineers Inc. June 30, 2022.

The Proposed Project would increase the Project Site impervious surfaces, thereby increasing the peak runoff flow rate and reducing the time of concentration. The Hydrology and Hydraulics calculations compare pre- and post-development unit hydrographs, showing a volume of 16,535 cf additional volume after development. The on-site detention/infiltration basins have therefore been designed to capture a total volume of 16,586 cf. (refer to Appendix G)

The increase in runoff and flow rates as a result of project development will be mitigated by implementing the infiltration basins as designed in the WQMP and as approved by the County. With incorporation of an infiltration system into the site design, the Proposed Project would not create or contribute runoff water or provide substantial additional sources of runoff to any planned or existing off-site drainage facilities. Therefore, no significant impacts would occur, and no mitigation measures are required.

Less Than Significant Impact

iv) Impede or redirect flood flows?

The Project Site is not within a 100-Year Federal Emergency Management Agency (FEMA) flood zone, 100-year Department of Water Resources Awareness Zone, or a 500-year FEMA flood zone.³⁹ Under existing conditions, the site generally flows to the southeast, discharging onto the adjacent southern properties. Under proposed conditions, water would flow northwesterly, southwesterly, and southeasterly from near the center of the Project Site. Water flowing northwesterly would be conveyed to high density polyethylene (HDPE) pipes and rerouted south to the underground storm infiltration chamber. Stormwater flowing southwesterly and southeasterly would eventually drain into the infiltration chamber. Development of the Proposed Project would not substantially impede or redirect flood flows. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Due to the inland distance from the Pacific Ocean and any other significant body of water, tsunamis and seiches are not potential hazards in the vicinity of the Project Site. The closest body of water to the Project Site is Silverwood Lake, located approximately 6.7 miles northeast of the site and approximately 2,147 feet higher in elevation, but is separated from the Project by mountainous peaks 5,000 and greater in height. The Project Site is neither located within a Federal Emergency Management Agency (FEMA) 100-year floodplain nor a 500-year floodplain. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

³⁹ San Bernardino Countywide Plan Draft EIR. Hydrology and Water Quality. Figure 5.9-2 "Flood Hazard Zones in the Valley and Mountain Regions."

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

The Proposed Project would disturb approximately 1.57 acres; therefore, it is subject to the Statewide NPDES permit managed by the Regional Water Quality Control Board. Requirements of the permit would include development and implementation of a SWPPP prior to construction, which is subject to RWQCB review and approval. The SWPPP would include BMPs to control and abate pollutants and treat runoff that can then be used for groundwater recharge. The Proposed Project would not otherwise substantially degrade water quality as appropriate measures relating to water quality protection would be implemented as approved by the County.

California's Sustainable Groundwater Management Act (SGMA) requires State-designated medium-and high-priority basins to develop groundwater sustainability agencies (GSAs), development groundwater sustainability plans (GSPs) and manage groundwater for long-term sustainability. The SGMA 2019 Basin Prioritization identified ninety-four basins and/or sub-basins as medium or high priority and are required to form GSAs and develop GSPs. These 94 basins, in combination with adjudicated areas which have existing governance and oversight in place, account for over 98 percent of the pumping (20 million acre-feet), 83 percent of the population (25 million Californians), and 88 percent of all irrigated acres (6.7 million acres) within the state's groundwater basins.⁴⁰ The Project Site overlies the Bunker Hill Sub-basin which is not a basin required to develop a GSP. . Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

⁴⁰ <https://water.ca.gov/Programs/Groundwater-Management/Basin-Prioritization>

<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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

SUBSTANTIATION:

Countywide Plan;

a) Physically divide an established community?

The Proposed Project is the development of a gas station (including truck fueling), convenience store with attached drive-thru restaurant on a 1.57-acre vacant property. The Project Site is located on Cajon Boulevard and Glen Helen Parkway. A vacant lot and Devore Fire Station to the north, a vacant lot and a bridge to the west, an existing utility building for Frontier cable and a truck trailer parking facility to the south, and an existing truck trailer parking facility to the east.

The physical division of an established community is typically associated with construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility in an existing community or between a community and an outlying area. The Proposed Project does not include the construction of a linear feature. Therefore, the Proposed Project would not physically divide an established community and significant impacts are identified or anticipated; no mitigation measures are required.

Less Than Significant 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 Project Site is located within the unincorporated community of Devore and is designated Commercial /Traveler Services in the Glen Helen Specific Plan (GH/SP-C/TS). The GH/SP-C/TS zone and the Proposed Project are appropriate for the Project Site because it is located on Cajon Boulevard (Historic Route 66), a major arterial roadway and directly accessible to two major freeways.

The nearest sensitive receptors to the Proposed Project are the residences on the north side of Interstate 215, south of Santa Fe Avene, and east of Dement Street, approximately 0.25 miles to the north of the Project Site.

The Applicant has completed a Community Outreach effort to comply with a Project Notice. An outreach meeting was held by the Devore Rural Protection Association (DRPA) on December 2, 2024. San Bernardino County staff attended to inform the residences about the Proposed Project. Two public comments, and 105 signatures on a petition were received requesting the County to deny the Proposed Project.

The Proposed Project would comply with San Bernardino Countywide Plan Hazards Element policies HZ-3.1 Health Risk Assessment and Policy HZ-3.5 Hazardous waste facilities. Additional requirements addressing how air quality and noise issues impact sensitive areas can be found in the respective sections of this Initial Study. Therefore, the Proposed Project would not cause a significant environmental impact due to conflict with any land use plans or policies. No significant impacts are identified or anticipated, and no mitigation measures are required.

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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
SUBSTANTIATION: (Check ☐ if project is located within the Mineral Resource Zone Overlay):				
Countywide Plan; 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?*

According to the California Department of Conservation, Mineral Land Classification map, the Project Site occurs in the southwestern region of San Bernardino County, specifically in the 2008 Open File Report (OFR) SR143 Plate 3-1 and the 1995 OFR 94 08 (west).⁴¹ The Project Site occurs within Mineral Resource Zone 2 (MRZ-2)⁴². An MRZ-2 zone is an area where geologic data indicate that significant Portland Cement Concrete (PCC)-Grade aggregate resources are present. The entirety of the Project Site is an MRZ-2 zone; an MRZ-2 zone of this size would not be economically viable to mine. Moreover, the Proposed Project's demand for mineral resources would be considered less than significant due to the abundance of available aggregate resources in the Southern California region. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

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?*

The Project Site has a current land use zoning of Valley Corridor –Commercial/Traveler Services. With the approval of the MUP, the Proposed Project would be consistent with the Countywide Plan. Although the Project Site is within MRZ-2 zones, the size of the property and surrounding uses make the site unsuitable for mineral resources extraction. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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>
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?	☐	☐	☒	☐

⁴¹ Mineral Land Classification of a Part of Southwestern San Bernardino County: Open-File Report 94-08 (west) and SR206 Plate 1. Accessed May 15, 2022.

⁴² County of San Bernardino. NR-4 Mineral Resources Zones web map. Accessed July 12, 2022.

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) | Generation of excessive groundborne vibration or groundborne noise levels? | ☐ | ☐ | ☒ | ☐ |
| 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? | ☐ | ☐ | ☐ | ☒ |

SUBSTANTIATION: (Check if the project is located in the Noise Hazard Overlay District ☐ or is subject to severe noise levels according to the General Plan Noise Element ☐):

San Bernardino Countywide Plan Draft EIR- 5.12 Noise; Glen Helen Specific Plan

- 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?*

Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). The predominant rating scales for noise in the State of California are the Equivalent-Continuous Sound Level (Leq) and the Community Noise Equivalent Level (CNEL). Both are based on the A-weighted decibel (dBA) which approximate the subjective response of the human ear to broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum. The Leq is defined as the total sound energy of time-varying noise over a sample period. The CNEL is defined as time-varying noise over a 24-hour period with a weighted factor of 5 dBA applied to the hourly Leq for noise occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and 10 dBA applied to events occurring between (10:00 p.m. and 7:00 a.m. defined as sleeping hours). The State of California's Office of Noise Control has established standards and guidelines for acceptable community noise levels based on the CNEL and day-night average sound level (Ldn) rating scales. The purpose of these standards and guidelines is to provide a framework for setting local standards for human exposure to noise.

In the unincorporated Community of Devore in the County of San Bernardino, the sheriff's facilities, Glen Helen Amphitheater, freeways, and mining operations are existing noise generators that would likely affect noise sensitive land uses with the Specific Plan Area, and on adjacent properties⁴³. Other significant sources of noise include the railroad operations, the Raceway Park, the driver-training course and firing range operated by the Sheriff's Department, and the animal shelter adjacent to the closed County of San Bernardino disposal site. Residential properties along Cajon Boulevard are particularly affected by noise and vibration from the railroad and the I-215 freeway.

The dominant noise source within the vicinity of the Project Site is from vehicles traveling on I-15 which is located directly west of the Project Site. The other dominant noise

⁴³ Glen Helen Specific Plan.

source within the vicinity of the Project Site is from the I-215 which is located directly west of the Project Site. Construction activities would generate noise associated with the transport of workers and movement of construction materials to and from the area, from ground clearing/excavation, grading, and building activities. Construction activities would be short-term and would occur within the daytime hours permitted Provisions of Section 83.01.080 of the County of San Bernardino County Development Code.

Operational Impacts:

According to the Glen Helen Specific Plan, Future business operations and activities within or adjacent to visitor serving designations shall be conducted to comply with the following noise standards, measures at the site property line:

1. Industrial and commercial operations and activities shall not create any noise that would exceed an exterior noise level of 55dBA during the hours of 10:00 p.m. to 7:00 a.m. and 60dBA during the hours of 7:00 a.m. to 10:00 p.m.
2. No loading or unloading operation, handling of containers or materials, or moving of items in a manner that would disturb occupants of nearby lodgings shall be conducted between the hours of 10:00 p.m. to 7:00 a.m.
3. No repair, rebuilding, modifying or testing of any type of equipment or vehicle, including their engines, shall be conducted in such a manner as to increase a noise disturbance for occupants of nearby lodgings between the hours of 10:00 p.m. and 7:00 a.m.

Operational noise associated with the Proposed Project would be project-generated traffic. As depicted in the San Bernardino Countywide Plan, Table 5.12-5 shows the normal compatible community sound levels and shall not exceed a Leg of 60⁴⁴. The Countywide Plan Draft EIR includes the Project Site within an existing noise level of 60 Leq and a projected future noise level of 60 Leq⁴⁵. Provisions of Section 83.01.080 of the County of San Bernardino County Development Code state that normally acceptable noise ranges at Industrial and Commercial operations and activities shall not create any noise that would exceed an exterior noise level of 60dBA during the hours of 10:00 p.m. to 7:00 a.m. and 60dBA during the hours of 7:00 a.m. to 10:00 p.m. of the Proposed Project.

Therefore, a substantial change in the noise levels at the Project Site is not anticipated. The Proposed Project is near existing freeways, other major roadways, and a rail line and is an acceptable use within the Glen Helen Specific Plan-Commercial / Traveler Services (GH/SP-C/TS) and land use category⁴⁶. Therefore, it is anticipated that the Proposed Project would not result in a production of operational noise levels that would exceed those anticipated by the Glen Helen Specific Plan. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

⁴⁴ San Bernardino Countywide Plan. HZ-7(A-C) Existing Noise Contour. January 24, 2023.

⁴⁵ San Bernardino Countywide Plan. Draft EIR. Noise. Table 5.125.

⁴⁶ Glen Helen Specific Plan. Page 2-28.

Less Than Significant Impact

- b) *Generation of excessive groundborne vibration or groundborne noise levels?*

Construction of the Proposed Project is not anticipated to require the use of equipment that would generate excessive ground borne vibration or groundborne noise levels. It is likely that minor vibration would result from construction and grading activities. Construction equipment may result in vibration levels that are considered annoying at nearby sensitive receptors when vibration causing equipment is within 100 feet of a receptor. However, since the nearest sensitive receptor is residential development which is located approximately 1,220 feet east of the Project Site, no significant impacts are anticipated to occur. Construction hours are limited per the County's Section 83.01.080 of the Development Code. As such, with adherence to the San Bernardino County Development Code, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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. The Project Site is not located within the vicinity of a private or public airstrip. The nearest airport is San Bernardino Airport, which is approximately 12 miles southeast of the Project Site. Therefore, no impacts are identified or anticipated, and no mitigation measures are 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>
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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)? | ☐ | ☐ | ☒ | ☐ |
| b) | Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ |

SUBSTANTIATION:

Countywide Plan;

- 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 is the development of a gas station (including truck fueling), convenience store with attached drive-thru restaurant. The Proposed Project would require 20 employees in total, who would come from the local labor pool. According to the Federal Reserve Economic Data (FRED), the unemployment rate as of December 2022, for the City of San Bernardino is approximately 3.6%⁴⁷. Construction activities would be temporary and are not anticipated to attract new employees to the area. The Project Site has a current zoning of Commercial/Traveler Services (GH/SP-C/TS). The Proposed Project does not involve construction of new homes, nor would it induce unplanned population growth by creating a substantial number of new jobs. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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 and does not contain any residential housing. Implementation of the Proposed Project would not remove housing or require construction of replacement housing elsewhere. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

⁴⁷ <https://fred.stlouisfed.org/> Accessed January 23, 2022

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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:				
Fire Protection?	☐	☐	☒	☐
Police Protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☐	☒
Other Public Facilities?	☐	☐	☐	☒

SUBSTANTIATION:

Countywide Plan

- 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:*

Fire Protection?

There are two fire stations located within the Project's vicinity. San Bernardino County Fire Protection District (SBCFD) is located at 18365 Cajon Boulevard and is approximately 0.5 miles northeast of the Project Site. Fire Station 2 address is located at 1511 Devore Road and is approximately 0.1 miles north of the Project Site⁴⁸. Both Fire Stations are a part of Division 2, Battalion 2 of the San Bernardino County Fire Department.

The Proposed Project would be required to comply with County fire suppression standards and provide adequate fire access subject to County Fire Marshal approval. The SBCFD reviews staffing needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection. Property tax revenues provide funding to offset potential increases in the demand for fire services. The Proposed Project would receive adequate fire protection services and would not result in the need for new or physically altered fire protection facilities. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

⁴⁸ <https://sbcfire.org/SanBernardinoCountyFireProtectionDistrict>. Accessed November 28, 2022.

Police Protection?

The San Bernardino County Sheriff's Department (SBCSD) serves the Community of Devore and other unincorporated portions of the County. The nearest police station to the Project Site is the SBCSD station located at 1584 W Base Line Street #6 and is approximately 8.3 miles southwest of the Project Site. The SBCSD reviews staffing needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection. Increased property and sale tax associated with the direct and indirect improvement of the property would provide funding for necessary service increases pertaining to growth and development. Additionally, the Proposed Project is within the Devore Planning Sub-Area of the Glen Helen Specific Plan zoned Special Development (SD), Glen Helen Specific Plan-Commercial/Traveler Services (GH/SP-C/TS) and is therefore would not result in the requirement of police protection services that is not already anticipated by the Glen Helen Specific Plan and County General Plan. . Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Schools?

The Project Site is served by the San Bernardino City Unified School District. Construction activities would be temporary and would not result in substantial population growth. Employees required for operations are expected to come from the local labor force. The Proposed Project is not expected to draw any new residents to the region that would require expansion of existing schools or additional schools. With the collection of development impact fees, impacts related to school facilities are expected to be less than significant. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Parks?

The Proposed Project would not induce residential development nor significantly increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of any facilities would result. Operation of the Proposed Project would place no demands on parks because it would not involve the construction of housing and would not involve the introduction of a permanent human population into the area. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Other Public Facilities?

The Proposed Project would not result in an increased residential population or a significant increase in the work force. The Proposed Project is not expected to result in a demand for other public facilities/services, such as libraries, community recreation

centers, and/or animal shelters. Implementation of the Proposed Project would not adversely affect other public facilities or require the construction of new or modified facilities. Therefore, no impacts are identified or anticipated, and no mitigation measures are 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>
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
SUBSTANTIATION:					
Countywide Plan					

- 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 Proposed Project requires 20 employees in various shifts. Employees are expected to come from the local labor force. It does not include development of residential housing or other uses that would lead to substantial population growth. Therefore, the Proposed Project would not result in an increase in the use of existing neighborhood or regional parks, or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. The Project Applicant's payment of required fees would serve to mitigate any potential impacts related to the use of existing parks and other recreational facilities from the Proposed Project. No impacts are identified or anticipated, and no mitigation measures are required.

No 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 Proposed Project does not include the construction or expansion of recreational facilities. The employees required for the operations of the Proposed Project would come from the local labor force. No recreational facilities would be removed, and the addition of employees would not create the need for additional facilities. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Therefore, no 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?	☐	☐	☒	☐
b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	☐	☐	☒	☐
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d)	Result in inadequate emergency access?	☐	☐	☒	☐

SUBSTANTIATION:

Countywide Plan; Glen Helen & Cajon Gas Station Traffic Impact Analysis, Ganddini Group, revised July 3, 2024 (Appendix I)

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

A Traffic Impact Analysis (TIA) revised July 3, 2024, was prepared for the Proposed Project by Ganddini Group, Inc. (Appendix I) and is available for review at County

offices. The Site Plan used for the analysis included a convenience store 158 square-feet more than the current Site Plan, and a drive-thru 57 square-feet less than the current Site Plan. The July 2024 analysis is therefore considered adequate for the CEQA (including VMT) analysis. The project evaluated is forecast to generate a total of approximately 3,045 daily vehicle trips, including 114 vehicle trips during the AM peak hour and 122 vehicle trips during the PM peak hour. The passenger car equivalent (PCE) trips would be 4,800 PCE daily trips, including 232 PCE trips during the AM peak hour and 254 PCE trips during the PM peak hour. Regional access to the Project Site is provided by Interstate 215 approximately 0.12 miles north of the Project Site and Interstate 15 approximately 0.43 miles to the west. Local north-south circulation is provided by Glen Helen Parkway and Clearwater Parkway, and east-west circulation is provided by Cajon Boulevard, Kendall Drive, and Glen Helen Spur. The purpose of the TIA is to evaluate the potential circulation system deficiencies that may result from the development of the Proposed Project, and where necessary, recommend improvements to achieve acceptable operations consistent with General Plan level of service goals and policies. The TIA has been prepared in accordance with the San Bernardino County Congestion Management Program (CMP) Guidelines for CMP Traffic Impact Analysis Reports, the County of San Bernardino Transportation Impact Study Guidelines (dated July 9, 2019, the California Department of Transportation (Caltrans) Guide for the Preparation of Traffic Impact Studies (December 2002), and consultation with County staff during the TIA scoping process. Caltrans has reviewed and states that issuance of a Caltrans Encroachment Permit would be required prior to any construction within State R/W. The Project does not encroach onto any State R/W and Caltrans provided no other comments as of October 23, 2024.

Glen Helen Parkway: This two-undivided to four-lane divided (two-way left-turn lane) roadway trends in a north-south direction and is classified as a Major Highway (four-lane divided roadway with 10-foot shoulders) south of Cajon Boulevard and classified as a Secondary Highway (four-lane undivided roadway with 8-foot shoulders) north of Cajon Boulevard on the County of San Bernardino General Plan Circulation Element in the study area. On-street parking is prohibited on both sides of the roadway. There are currently no designated bicycle facilities in the project vicinity. Sidewalks are provided on the east side of the roadway from the I-215 southbound ramp to the Glen Helen bridge south of the Glen Helen Spur.

Clearwater Parkway: This four-lane divided (two-way left-turn lane) roadway trends in a north-south direction and is classified as a Major Highway (four-lane divided roadway with 10-foot shoulders) on the County of San Bernardino General Plan Circulation Element in the study area. On-street parking is prohibited on both sides of the roadway. There are currently no designated bicycle facilities in the project vicinity. Sidewalks are not provided on either side of the roadway.

Cajon Boulevard: This two-undivided to four-lane divided (two-way left-turn lane) roadway trends in an east west direction and is classified as a Major Highway (four-lane divided roadway with 10-foot shoulders) on the County of San Bernardino General Plan Circulation Element in the study area. On-street parking is prohibited on both sides of the roadway. There are currently no designated bicycle facilities in the project vicinity; however, Class II bike lanes are proposed for this roadway. Sidewalks are provided on the south side of the roadway adjacent to the developed frontage.

Kendall Drive: This two-lane undivided roadway trends in an east-west direction and is classified as a Secondary Highway (four-lane undivided roadway with 8-foot shoulders) on the County of San Bernardino General Plan Circulation Element in the study area. On-street parking does not appear to be restricted on either side of the roadway. There are currently no designated bicycle facilities in the project vicinity. Sidewalks are not provided on either side of the roadway.

Glen Helen Spur: This two-undivided roadway trends in an east-west direction and is unclassified on the County of San Bernardino General Plan Circulation Element in the study area. On-street parking does not appear to be restricted. There are currently no designated bicycle facilities in the project vicinity. Sidewalks are not provided on either side of the roadway.

Transit Facilities: The Project Site is within the service area of Omnitrans, but there are no services in the study area. The Victor Valley Transit (VVTa) runs along the I-15, I-10, and the I-215. These routes could serve the Proposed Project's employees and customers in the future. Transit service is reviewed and updated by Omnitrans periodically to address ridership, budget, and community demand needs. Changes in land use can affect these periodic adjustments which may lead to either enhanced or reduced service where appropriate. Omnitrans Route 11 runs in two loops, crossing the I-10 Freeway. Route 11 could serve the Proposed Project's employees and customers in the future.

Bicycle Facilities Master Plan: According to the County of San Bernardino Bicycle Master Plan, there are proposed Class II bike lines on Cajon Boulevard.

Designated Truck Routes: According to the County of San Bernardino Truck Routes, the I-215 and the I-15 are designated truck routes in the Countywide Plan.

Pedestrian Facilities: There are no current or planned bicycle pathways in the project vicinity. There are also no sidewalks on the Project Site. However, the Project would be installing sidewalks along the north and east borders of the Project Site. These pathways would connect to existing sidewalks to the east across Cajon Boulevard (Historic Route 66). The County of San Bernardino General Plan does not include an exhibit showing bikeways and trails. Therefore, no conflict with a program plan, ordinance or policy addressing the circulation system, including bicycle and pedestrian facilities, are anticipated.

Level of Service

The TIA states that the study intersections are forecast to operate within acceptable Levels of Service (D or better) during the peak hours for all analysis scenarios. Therefore, the Proposed Project is forecast to result in no substantial transportation effects relating to Level of Service operations for all analysis scenarios.

Countywide Plan Consistency

The Transportation and Mobility Element of the Countywide Plan:

- Establishes the location and operational conditions of the roadway network.
- Coordinates the transportation and mobility system with future land use patterns and projected growth.
- Provides guidance for the County's responsibility to satisfy the local and subregional mobility needs of residents, visitors and businesses in unincorporated areas.
- Addresses access and connectivity among the various communities, cities, towns, and regions, as well as the range and suitability of mobility options: vehicular, trucking, freight and passenger rail, air, pedestrian, bicycle, and transit.

The Proposed Project consists of the construction of an 1,848 square foot convenience market with gas station (12-fueling positions for passenger vehicles, 6-fueling positions for trucks) and a 1,057 square foot fast-food restaurant with a drive-thru window on a currently vacant parcel. The Proposed Project is anticipated to generate 3,045 daily vehicle trips per day, with 114 AM peak hour trips and 122 PM peak hour trips during the PM peak hour; and 4,800 PCE daily trips, including 232 PCE trips during the AM peak hour and 254 PCE trips during the PM peak hour. The following details how the Proposed Project would be consistent with the Countywide Plan goals and policies:

Goal TM 1: Unincorporated areas served by roads with capacity that is adequate for residents, businesses, tourists and emergency services.

Policy-1.7: We require new developments to pay its fair share contribution towards off-site transportation improvements.

Consistent: Prior to the issuance of building permits, the Project Applicant shall pay the Project's fair share contribution, as detailed in the Traffic Study.

Goal TM-2: Roads designed and built to standards in the unincorporated areas that reflect the rural, suburban, and urban context as well as the regional (valley, mountain, and desert) context.

Policy TM-2.2: We require roadway improvements that reinforce the character of the area, such as curbs and gutters, sidewalks, landscaping, street lighting, and pedestrian and bicycle facilities. We require fewer improvements in rural areas and more improvements in urbanized areas, consistent with the Development Code. Additional standards may be required in municipal spheres of influence.

Consistent: The Proposed Project would include landscaping within the Project Site and in the public right-of-way. The Project Site is currently not surrounded by existing curbs, gutters, and sidewalks; the installation of these improvements are proposed for the Project. The County of San Bernardino does have regional trails and bicycle lanes within the community of Devore.

Policy TM-2.3: We require new development to mitigate project transportation impacts no later than prior to occupancy of the development to ensure transportation improvements are delivered concurrent with future development.

Consistent: Fair-share contributions would be paid prior to the issuance of building permits.

Policy TM-2.6: We promote shared/central access points for direct access to roads in unincorporated areas to minimize vehicle conflict points and improve safety, especially access points for commercial uses on adjacent properties.

Consistent: The Project would have three shared driveways, two driveways on Cajon Boulevard (Route 66) and one driveway on Glen Helen Parkway. Each building would have equal access to these driveways.

Goal TM-3: A pattern of development and transportation system that minimizes vehicle miles traveled (VMT).

Policy TM-3.1: We promote new development that would reduce household and employment VMT relative to existing conditions.

Consistent: The Proposed Project resides within a traffic analysis zone (TAZ) that generates VMT per employee 35.78% below the County existing VMT per employee threshold.

Policy TM-3.2: We support the implementation of transportation demand management techniques, mixed use strategies, and the placement of development in proximity to job and activity centers to reduce the number and length of vehicular trips.

Consistent: The Project Site is located within an undeveloped area and is nearby two major Interstate Highways. To the north is the main residential area of Devore and few job-creating uses exist. The Proposed Project would therefore provide jobs as well as commercial services in close proximity to the local community, thereby reducing the number and distance of vehicular trips.

The Proposed Project would be consistent with the Transportation and Mobility Element of the Countywide Plan. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Senate Bill 743 (SB 743), approved in 2013, endeavors to change the way transportation impacts would be determined according to the California Environmental Quality Act (CEQA). In December 2018, the Natural Resources Agency finalized updates to CEQA Guidelines to incorporate SB 743 (i.e., Vehicle Miles Traveled [VMT]).

The VMT thresholds and methodology outlined in the County's July 2019 TA guidelines were utilized to conduct the VMT screening analysis for the Project.

The San Bernardino County Transportation Authority (SBCTA) VMT Screening Tool (Screening Tool) allows users to input an assessor's parcel number (APN) to determine if a project's location meets one or more of the screening thresholds for land use projects identified in the Governor's Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory). The County Guidelines provides details on appropriate "screening thresholds" that can be used to identify when a proposed land use project is anticipated to result in a less-than-significant impact without conducting a more detailed analysis.

According to the Screening Tool, there are several screening criteria that can be applied to effectively screen projects from VMT project-level assessments. The purpose is to screen out projects that are presumed to have a non-significant transportation impact based on facts of a project and to avoid unnecessary analysis and findings that would be inconsistent with the intent of SB 743. The following lists the screening criteria:

1. Transit Priority Area (TPA) Screening
2. Low VMT Area Screening
3. Project Type Screening

If the project meets any of the screening criteria above, they are presumed to not have a significant impact and are screened out from completing additional VMT analysis.

TPA Screening

As described in the County Guidelines, projects located within a TPA (i.e., within 0.5 miles of an existing major transit stop or an existing stop along a high-quality transit corridor) may be presumed to have a less than significant impact absent substantial evidence to the contrary. The San Bernardino County Transportation Authority (SBCTA) VMT Screening Tool was used for this screening. The Project Site is not located within 0.5 miles of an existing major transit stop or along a high-quality transit corridor. As a result, the TPA screening threshold is not met.

Projects located within a TPA, defined as within one-half mile of a major transit stop or high-quality transit corridor, may be presumed to result in a less than significant VMT impact absent substantial evidence to the contrary. This presumption may not apply, however, if the project:

1. Has a Floor Area Ratio (FAR) of less than 0.75.
2. Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking)
3. Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the County with input from the Metropolitan Planning Organization):
or

4. Replaces affordable residential units with a smaller number of moderate or high-income residential units.

Based on a review of the San Bernardino County Transportation Authority (SBCTA) VMT Screening Tool, the Proposed Project is not located within a TPA; therefore, the Project does not satisfy the TPA screening criteria.

Low VMT Area Screening

As described in the County Guidelines, residential and office projects located within a low VMT-generating area may be presumed to have a less than significant impact absent substantial evidence to the contrary. A low VMT area is defined as an individual traffic analysis zone (TAZ) where the total daily VMT per person/employee is greater than four percent below the existing VMT per person/employee baseline level for the unincorporated County. The SBCTA VMT Screening Tool was used for this screening. The project is located in TAZ53747305. The County's VMT per service population is 86.0, which exceeds four percent (4%) below the County baseline (32.1 average daily VMT per service population). Therefore, the Proposed Project does not satisfy the County-established screening criteria for projects located in a low VMT area.

Project Type Screening

As described in the County Guidelines, projects generating less than 110 daily vehicle trips may be presumed to have a less than significant impact as their uses are often local serving in nature.

The County TIA Guidelines identify the several types of projects that may be presumed to have a less than significant VMT impact as they are local serving and thus can be expected to reduce VMT or they are small enough to have a negligible impact:

- Projects consisting of local servicing land use:
 - Local-serving K-12 schools
 - Local parks
 - Day care centers
 - Local-serving retail less than 50,000 square feet
 - Local gas stations
 - Local banks
 - Student housing projects
 - Local serving community colleges that are consistent with the assumptions noted in the RTP/SCS
- Trip Screening
 - Existing facilities
 - Redevelopment with less than 10,000 square foot increase
 - Projects generating with less than 110 daily passenger vehicle trips (ADT)
 - 11 single-family residential dwelling units
 - 16 multi-family residential dwelling units

- 10,000 square feet of office
- 15, 000 square feet of light industrial
- 63,000 square feet of warehousing
- 79,000 square feet of high cube transload and short-term storage warehouse
- 12 hotel rooms

Based on review of the proposed development and location as a local gas station serving an existing community and consisting of less than 50,000 square feet of local-serving retail, the project satisfies the County-established VMT screening criteria. for projects that are located in a low VMT. Therefore, preparation of a transportation impact study with vehicle miles traveled (VMT) analysis is not warranted and the Proposed Project may be presumed to result in a less than significant VMT impact. The project VMT assessment is documented in the Vehicle Miles Traveled Analysis of this report.

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)?*

This section evaluates the Project Site access and on-site circulation. Vehicular access for the Project Site is proposed to be provided by three full access driveways. One project driveway is on Glen Helen Spur, and two project driveways are on Cajon Boulevard (refer to Figure 1).

Project Design Features:

This analysis assumes the following improvements would be constructed by the project to provide Project Site access:

7. Project East Driveway (NS) at Cajon Boulevard (EW)
 - Install outbound stop control.
 - Construct the project driveway to provide one inbound land and one outbound lane.
8. Project West Driveway (NS) at Cajon Boulevard (EW)
 - Install outbound stop control.
 - Construct the project driveway to provide one inbound land and one outbound lane.
9. Project Driveway (NS) at Glen Helen Spur (EW)
 - Install outbound stop control.
 - Construct the project driveway to provide one inbound land and one outbound lane.

This analysis also assumes the project shall comply with the following conditions as part of the County of San Bernardino standard development review process to ensure adequate geometric design and emergency access:

- Site-adjacent roadways shall be constructed or repaired at their ultimate half-section width, including landscaping and parkway improvements in conjunction with development, or as otherwise required by the County of San Bernardino.
- All on-site and off-site roadway design, signing/striping, and traffic control improvements relating to the Proposed Project shall be submitted to the County for review and constructed following applicable State/Federal engineering standards to the satisfaction of the County of San Bernardino.
- The final grading, landscaping, and street improvement plans shall demonstrate that applicable sight distance requirements are met.
- The project shall comply with the County of San Bernardino municipal parking requirements which would be reviewed as a part of the standard development review process.
- Final project plans shall demonstrate adequate emergency vehicle access and circulation to the satisfaction of the County of San Bernardino Public Works and Fire Departments.
- A construction worksite traffic control plan shall comply with applicable engineering standards outlined in the California Manual of Uniform Traffic Control Devices and shall be submitted to the County for review and approval before the issuance of a grading permit or start of construction. The plan shall identify any roadway, sidewalk, bike route, or bus stop closures and detours as well as haul routes and hours of operation. All construction-related trips shall be restricted to off-peak hours to the extent possible.

For the “With Improvements” analysis scenarios, the future lane configurations for Glen Helen Parkway between the Glen Helen Railway Bridge to Cajon Boulevard are included in the analysis. The Glen Helen Cajon Creek Bridge Project is in the final design, approval and permitting process with an anticipated construction start date in late 2024. Therefore, the bridge and Glen Helen Parkway should be open with two lanes in each direction in Year 2040.

Project design features, as detailed in the Site Access & On-Site Circulation, involve improvements necessary to provide Project Site access.

The Project Site is not adjacent to windy roads. Moreover, the Proposed Project is the development of a gas station (including truck fueling), convenience store with attached drive-thru restaurant at an intersection already served by a signalized traffic intersection. It does not include a geometric design or incompatible uses that would substantially increase hazards. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

- d) *Result in inadequate emergency access?*

Vehicle access to the Proposed Project would be provided via a 75-foot-wide driveway and a 26-foot-wide driveway along Cajon Boulevard and one 50-foot-wide driveway on the Glen Helen Parkway. Regional access to the Project Site is approximately 0.12 miles to the north is the Interstate 215 (I-215) intersection with Devore Road and approximately 0.43 miles to the west is Interstate 15 (I-15). Emergency vehicle access would be available at both Glen Helen Parkway and Cajon Boulevard. The Project would be accessible to emergency responders during operation of the Project. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

<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	☐	☐	☒	☐
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?	☐	☒	☐	☐

SUBSTANTIATION:

Cultural Resources Study for the Glen Helen and Cajon Gas Station Project, San Bernardino County, California, Brian F. Smith and Associates, Inc., July 18, 2022

- 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;*

Brian F. Smith and Associates, Inc. prepared a Phase I Cultural Resources Investigation that confirmed that the Project Site does not contain any features or

resources listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources. The project area is located in an area known to have been occupied and exploited by Native American populations, including Luiseno, Cahuilla, Serrano, and, less likely, Gabrielino. To date, only a single prehistoric archaeological site has been identified within one mile of the current project area. BFSa also contacted the Native American Heritage Commission and requested a Sacred Land Search for identifying sacred or religious sites within or in the vicinity of the current project area. The Commission's response was negative. They had no data on any known sites in the area. Therefore, less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- 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?*

California Assembly Bill 52 (AB52) was approved by Governor Brown on September 25, 2014. AB52 specifies that CEQA projects with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource may have a significant effect on the environment. As such, the bill requires lead agency consultation with California Native American tribes traditionally and culturally affiliated with the geographic area of a Proposed Project, if the tribe requested to the lead agency, in writing, to be informed of Proposed Projects in that geographic area. The legislation further requires that the tribe-requested consultation be completed prior to determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project.

The County, as lead agency, is required to coordinate with Native American tribes through the Assembly Bill 52 Tribal Consultation process. The County provided notification to the local American Tribal representatives which are Twenty-Nine Palms Band of Mission Indians, Soboba Band of Luiseno Indians, San Gabriel Band of Mission Indians, Morongo Band of Mission Indians, and Gabrieleno Band of Mission Indians-Kizh Nation in accordance with AB 52 on June 28, 2024. The County did not receive any comments from the local tribal representatives at that time. Yuhaaviatam of San Manuel Nation was consulted on June 24, 2025, and requested six mitigation measures due to the potential to encounter Tribal Cultural Resources in the project area.

As previously noted, no prehistoric resources were identified from the archaeological investigation. As such, no historical resources that would require further consideration as defined under CEQA were identified within the project vicinity.

Mitigation measures are proposed to address historical and archaeological resources (possibly human remains) potentially discovered during construction. Implementation of Mitigation Measures CR-1 and CR-2 under environmental issue

Cultural Resources and Mitigation Measures TCR-1 and TCR-6 below would reduce potentially significant impacts on Tribal Cultural Resources to a less than significant level.

Mitigation Measures

TCR-1 Monitoring and Treatment Plan: A Monitoring and Treatment Plan that is reflective of the project mitigation (“Cultural Resources” and “Tribal Cultural Resources”) shall be completed by the archaeologist and submitted to the Lead Agency for dissemination to the Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN, also known as San Manuel Band of Mission Indians). Once all parties review and approve the plan, it shall be adopted by the Lead Agency – the plan must be adopted prior to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring and Treatment Plan.

TCR-2 Archaeological Monitoring: Due to the heightened cultural sensitivity of the proposed project area, an archaeological monitor with at least 3 years of regional experience in archaeology shall be present for all ground-disturbing activities that occur within the proposed project area (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work). A sufficient number of archaeological monitors shall be present each work day to ensure that simultaneously occurring ground disturbing activities receive thorough levels of monitoring coverage.

TCR-3 Worker Environmental Awareness Program: Prior to project initiation, a qualified archaeologist should be retained to conduct a Worker's Environmental Awareness Program (WEAP) training on archaeological sensitivity for all construction personnel prior to the commencement of any ground-disturbing activities. The training should be conducted by an archaeologist who meets or exceeds the Secretary of Interior's Professional Qualification Standards for archaeology. Tribal representatives from the Consulting Tribes, such as Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN, also known as San Manuel Band of Mission Indians) will be allowed to attend and/or participate in the WEAP training should they elect to and will be given ten days' notice prior to the training. Archaeological sensitivity training should include a description of the types of cultural material that may be encountered, cultural sensitivity issues, regulatory issues, and the proper protocol for treatment of the materials in the event of a find.

TCR-4 Tribal Monitoring: Due to the heightened cultural sensitivity of the proposed project area, at the discretion of the consulting tribe(s), Tribal monitor(s) authorized to represent YSMN shall be present for all ground-disturbing activities that occur within the proposed project area (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing,

grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work). At the discretion of the consulting tribes, a sufficient number of Tribal monitors shall be present each work day to ensure that simultaneously occurring ground disturbing activities receive thorough levels of monitoring coverage. A Monitoring and Treatment Plan that is reflective of the project mitigation ("Cultural Resources" and "Tribal Cultural Resources") shall be completed by the archaeologist and submitted to the Lead Agency for dissemination to the Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN). Once all parties review and agree to the plan, it shall be adopted by the Lead Agency – the plan must be adopted prior to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring and Treatment Plan.

TCR-5 Treatment of Cultural Resources During Project Implementation: If a pre-contact cultural resource is discovered during project implementation, ground-disturbing activities shall be suspended 60 feet around the resource(s), and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed.

The Project Archaeologist shall develop a research design that shall include a plan to evaluate the resource for significance under CEQA criteria. Representatives from YSMN, the Archaeologist, and the Lead Agency shall confer regarding the research design, as well as any testing efforts needed to delineate the resource boundary. Following the completion of evaluation efforts, all parties shall confer regarding the resource's archaeological significance, its potential as a Tribal Cultural Resource (TCR), and avoidance (or other appropriate treatment) of the discovered resource. Removal of any cultural resource(s) shall be conducted with the presence of a Tribal monitor representing the Tribe, unless otherwise decided by YSMN. All plans for analysis shall be reviewed and approved by the applicant and YSMN prior to implementation, and all removed material shall be temporarily curated on-site.

It is the preference of YSMN that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during project implementation not be feasible, then a reburial location for future reburial shall be decided upon by YSMN, the landowner, and the Lead Agency, and all finds shall be reburied within this location. Additionally, in this case, reburial shall not occur until all ground-disturbing activities associated with the project have been completed, all monitoring has ceased, all cataloguing and basic recordation of cultural resources have been completed, and a final monitoring report has been issued to Lead Agency, CHRIS, and YSMN. All reburials are subject to a reburial agreement that shall be developed between the landowner and YSMN outlining the determined reburial process/location, and shall include measures and provisions to protect the reburial area from any future impacts.

Should it occur that avoidance, preservation in place, and on-site reburial are not an option for treatment, the landowner shall relinquish all ownership and

rights to this material and confer with YSMN to identify an American Association of Museums (AAM)-accredited facility within the County that can accession the materials into their permanent collections and provide for the proper care of these objects in accordance with the 1993 CA Curation Guidelines. A curation agreement with an appropriate qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project developer/applicant to pay for those fees.

All draft records/reports containing the significance and treatment findings and data recovery results shall be prepared by the archaeologist and submitted to the Lead Agency and YSMN for their review and comment. After approval from all parties, the final reports and site/isolate records are to be submitted to the local CHRIS Information Center, the Lead Agency, and YSMN.

TCR-6 Inadvertent Discoveries of Human Remains: If human remains are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

Less than Significant with Mitigation

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

<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?	☐	☐	☒	☐
b)	Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

SUBSTANTIATION:

Countywide Plan; California Energy Commission Energy Report

- 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?*

Water service to the Glen Helen Parkway and Cajon Boulevard (Historic Route 66) planning sub-areas is provided by the City of San Bernardino and appears to be

adequate to support future development⁴⁹. The Devore Mutual Water Company serves properties in the Devore planning sub-area. (Note: a description and exhibit of the “planning sub-areas” noted here can be found in Division 2, Chapter 2 of the Specific Plan). The Glen Helen Parkway and Cajon Boulevard (Historic Route 66) Corridor is serviced by sewer provided by the City of San Bernardino. Wastewater generated in the North Glen Helen and Devore planning sub-areas is disposed of by means of septic systems.

The Proposed Project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. There are existing water lines adjacent to the Project Site along Cajon Boulevard (Historic Route 66). Devore Water Company has indicated their ability to provide potable water to the Project Site to satisfy the domestic water service requirements of the Proposed Project.

The Project Site is serviced by Southern California Edison (SCE), which provides electrical service to the general area. The Proposed Project would receive electrical power by connecting to existing power lines along Cajon Boulevard (Historic Route 66). The increased demand is expected to be sufficiently served by the existing SCE electrical facilities. Total electricity demand in SCE’s service area is estimated to increase by approximately 12,000 Gigawatt hours between the years 2015 and 2026. In 2020, the Commercial sector of the Southern California Edison planning area consumed 34087.01931 GWh of electricity.⁵⁰ The Project Site is currently vacant and does not use electricity. The implementation of the Proposed Project would result in an increase in electricity demand. The estimated electricity demand for the Proposed Project is 0.064554 GWh per year. The Proposed Project’s estimated annual electricity consumption compared to the 2021 annual electricity consumption of the overall Commercial Building in the SCE Planning Area would account for approximately 0.00001894percent of total electricity consumption. The existing SCE electrical facilities are sufficient to meet this increased demand. Total electricity demand in SCE’s service area is estimated to increase by approximately 12,000 GWh between the years 2015 and 2026. The increase in electricity demand from the Proposed Project is insignificant compared to the projected electricity demand for SCE’s entire service area. Therefore, projected electrical demand would not significantly impact on SCE’s level of service.

The Proposed Project has been designed to comply with the 2021 Building Energy Efficiency Standards. The County of San Bernardino would review and verify that the Proposed Project plans would be in compliance with the most current version of the Building and Energy Efficiency Standards. The Proposed Project would also be required to adhere to CALGreen, which establishes planning and design standards for sustainable developments and energy efficiency. The Proposed Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. No significant impacts are identified or required, and no mitigation measures are recommended.

⁴⁹ Glen Helen Specific Plan. Page I-20. “Water Service”

⁵⁰ <https://ecdms.energy.ca.gov/Default.aspx>. Accessed January 25, 2023.

The Project Site would be serviced by Southern California Gas Company (SoCalGas). The Project Site is currently vacant and has no demand for natural gas. Therefore, the development of the Proposed Project would create a permanent increase demand for natural gas. According to the California Energy Commission's Energy Report, the Commercial Building was responsible for 871.416674 million therms of natural gas consumption in the SoCalGas Planning Area in 2021.⁵¹ Despite the ever-growing demand for electric power, the overall gas demand for electric generation is expected to decline at 1.4 percent per year for the next 17 years due to more efficient power plants, statewide efforts to reduce GHG emissions, and use of power generation resources that produce little to no carbon emissions. The Proposed Project's CALEEMod estimated annual gas demand is 337.60 therms, The Proposed Project's estimated annual gas consumption compared to the 2021 annual natural gas consumption of the overall Commercial Sector in the SoCalGas Planning Area would account for approximately 0.0000387% percent of total natural gas consumption. The Proposed Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Therefore, the existing SoCalGas facilities are expected to meet the increased demand for natural gas.

The Proposed Project would be serviced by AT&T for cable and Verizon for landline requirements. The Proposed Project is not anticipated to require the expansion or construction of new communication systems facilities. Furthermore, the telecommunication lines would be joint trenches with the electricity and natural gas lines.

The Proposed Project is not anticipated to require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electrical power, natural gas or telecommunications facilities that could cause significant environmental effects. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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?*

Water supply to the Project Site would be provided by the Devore Water Company⁵². The Devore Water Company covers about 1.5 square miles in southwestern San Bernardino County. The Devore Water Company is within the San Bernardino Valley Municipal Water District (SBVMWD) service area. The 2020 San Bernardino Valley Regional Urban Water Management Plan (UWMP), in compliance with the UMWP Act, compares the total projected water use with the projected water supply over the next twenty years.⁵³ According to the UWMP, water supplies are expected to exceed water demand for the next twenty years during normal, dry and multiple dry years.

⁵¹ <https://ecdms.energy.ca.gov/Default.aspx>. Accessed January 25, 2023

⁵² <https://www.sbcounty.gov/>. Accessed December 15, 2022.

⁵³ <https://specialdistricts.sbcounty.gov/> Accessed December 15, 2022.

The Project Site's current designation is Valley Corridor-Commercial (GH/SP-C/TS). The GH/SP-C/TS land use zone provides sites for retail trade and personal services, recreation and entertainment services, wholesaling and warehousing, contract/construction services, transportation services, open lot services, and similar and compatible uses. Development of the Project Site for these general commercial uses would be accounted for in SBVMWD's projected water demand.

Therefore, the expected water demand for the Proposed Project would be as expected SBVMWD's projected water demand for the Project Site. Water supplies would be sufficient to serve the Proposed Project and reasonably foreseeable future development. No significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant 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 not require use of a wastewater treatment plant but would utilize an on-site septic system. Since the Proposed Project would not connect to an existing wastewater treatment facility, no impacts are identified or anticipated, and no mitigation measures are required.

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?*

The Mid-Valley Sanitary Landfill is located at 2390 Alder Avenue, Rialto and encompasses 498 acres, and its maximum permitted capacity is 101.3 million cubic yards. It has a maximum permitted throughput of 7,500 tons per day. As of June 30, 2019, it has a remaining capacity of 61,219,377 cubic yards. The Proposed Project is approximately 5.3 miles north of the Mid-Valley Landfill. The Proposed Project includes an 1,848 square foot convenience store with a connected 1,057 square foot drive-thru restaurant. According to CalRecycle's estimated solid waste generation rates for commercial projects, the Proposed Project would generate approximately 210.6 pounds of solid waste per day, or approximately 0.1053 tons per day, based on 10.53 pounds per employee per day which accounts for customers and employees of the establishment.⁵⁴

Waste generated from the Proposed Project is not expected to significantly impact solid waste collection systems. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

⁵⁴ <https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates> Accessed April 25, 2025.

Less Than Significant Impact

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

Burrtec is the franchise waste hauler for the general area. The purpose of California Assembly Bill 341 is to reduce greenhouse gas emissions by diverting commercial solid waste from landfills by recycling. It mandates businesses and public entities generating 4-cubic yards or more of trash to establish and maintain recycling services. County of San Bernardino, Department of Public Works, Solid Waste Management Division reviews and approves all new construction projects which are required to submit a Construction and Demolition Solid Waste Management Plan (waste management plan).

A project's waste management plan is to consist of two parts which are incorporated into the Conditions of Approval (COA's) by the County of San Bernardino Planning and Building & Safety divisions. As part of the plan, projects are required to estimate the amount of tonnage to be disposed and diverted during construction. Additionally, projects must provide the amount of waste that would be diverted and disposed of. Disposal/diversion receipts or certifications are required as a part of that summary.

The mandatory requirement to prepare a Construction and Demolition Solid Waste Management Plan would ensure that impacts related to construction waste would be less than significant. The Proposed Project would comply with all federal, State, and local statutes and regulations related to solid waste. Solid waste produced during the construction phase or operational phase of the Proposed Project would be disposed of in accordance with all applicable statutes and regulations. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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>
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? | ☐ | ☐ | ☒ | ☐ |
| 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? | ☐ | ☐ | ☒ | ☐ |

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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? | ☐ | ☐ | ☐ | ☒ |
| 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? | ☐ | ☐ | ☒ | ☐ |

SUBSTANTIATION:

County of San Bernardino Countywide Plan; CalFire VHFHSZ in LRA

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

The Project Site does not contain any emergency facilities.⁵⁵ It is located within a Very High Fire Hazard Severity Zone.⁵⁶ The I-215 and the I-15 freeway are both evacuation routes within the Valley Region of the County.⁵⁷ The Project Site is adjacent to Cajon Boulevard (Historic Route 66) and approximately 0.12 miles north of the I-215. The Project Site is adjacent to Glen Helen Parkway and is approximately 0.43 miles west from the I-15. The Proposed Project is the development of a gas station (including truck fueling), convenience store with attached drive-thru restaurant. As part of the development of the Project, improvements to Glen Helen Parkway and Cajon Boulevard (Historic Route 66) would be installed. Therefore, it would facilitate, rather than interfere with, the use of evacuation routes. Furthermore, adequate on-site access for emergency vehicles would be verified during the County's plan review process. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. Operations at the site would not interfere with an adopted emergency response or evacuation plan. Therefore, no impacts are identified or 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?*

With no major slopes, elevation on-site ranges from approximately 1,102 feet and 1,109 feet. Therefore, the Project Site is relatively level and approximately ½-mile from the mountain foothills to the north and the south. The Project Site is located within a

⁵⁵ San Bernardino County. Countywide Policy Plan web maps: PP-1 "Critical Facilities." Accessed January 20, 2023.

⁵⁶ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-4 "Fire Severity and Growth Areas in the Valley and Mountain Regions."

⁵⁷ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Table 5.8-10 "Evacuation Routes in San Bernardino County."

Very High Fire Hazard Severity Zone⁵⁸. The Project Site is currently vacant and is surrounded by a vacant lot and Devore Fire Station to the north, a vacant lot and a bridge to the west, an existing utility building for Frontier cable and a truck trailer parking facility to the south, and an existing truck trailer parking facility to the east. It is at the intersection of two major interstates. The Proposed Project does not include the installation or maintenance of associated infrastructure that would exacerbate fire risk more than any other commercial use which is allowable for the Project Site. Due to the high risk of wildfire within the Project Site due to its location, the Proposed Project is subject to review and approval from the San Bernardino County Fire Marshal. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Therefore, less than significant impacts are identified or anticipated, and mitigation measures are required.

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 Proposed Project is the development of a gas station (including truck fueling), convenience store with attached drive-thru restaurant, landscaping, and passenger vehicle parking spaces. It does not include the installation or maintenance of associated infrastructure that would exacerbate fire risk. Implementation of the Proposed Project would reduce the risk of wildfires by eliminating ruderal grasses and providing hardscape. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No 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?*

Elevations on the Project Site range from 1102 feet to 1109 feet. Therefore, the Project Site is not subject to post-fire slope instability. The Project Site is not within a 100-Year Federal Emergency Management Agency (FEMA) flood zone, 100-year Department of Water Resources Awareness Zone, or a 500-year FEMA flood zone.⁵⁹ Moreover, there are no dams, reservoirs, or large bodies of water near the Project Site. Therefore, the Proposed Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope

⁵⁸ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-4 "Fire Severity and Growth Areas in the Valley and Mountain Regions." Accessed January 20, 2023.

⁵⁹ San Bernardino Countywide Plan Draft EIR. Hydrology and Water Quality. Figure 5.9-2 "Flood Hazard Zones in the Valley and Mountain Regions."

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instability, or drainage changes. No significant impacts are identified or anticipated, and no mitigation measures are required.

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

A General Biological Resources Assessment (BRA), dated July 11, 2022, was prepared for the Proposed Project by RCA Associates, Inc. No State and/or federally listed threatened or endangered species or other sensitive species were observed on-site during the field investigations. In addition, there are no documented observations of these species either on the Project Site or in the immediate area. The Project Site is not expected to support populations of the Burrowing owl or San Bernardino Kangaroo rat based on the absence of habitat, suitable burrows, or signs. According to the California Natural Diversity Database (CNDDDB 2022), no sensitive habitats (e.g., sensitive species, critical habitats, etc.) have been documented in the immediate area and none

were observed during the field investigation. No sensitive habitats (wetlands, vernal pools, critical habitats for sensitive species) were observed on the site during the field investigation. At the time of the field investigation, there was minimal suitable nesting habitat on and around the property for nesting birds. Implementation of Mitigation Measures BIO-1 is recommended to reduce potential impacts to nesting birds to less than significant.

A Phase I Cultural Resources Survey, dated July 18, 2022, was prepared for the Proposed Project by Brian F. Smith and Associates, Inc. (BFSA). An archaeological records search was completed by California State University, Fullerton, and South-Central Coastal information Center (June 20, 2022). The Project Site yielded no physical evidence of prehistoric archaeological resources, historic archaeological resources, built environments (standing structures), or ethnic resources. However, cultural resources have the potential to occur anywhere. Implementation of Mitigation Measures CR-1 and CR-2 would ensure that the Proposed Project would not result in a significant impact.

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 are defined as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor but collectively significant, developments taking place over a period. The CEQA Guidelines, Section 15130 (a) and (b), states:

- (a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.
- (b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

The Proposed Project would generate approximately 9,678.8 MTCO₂e per year and would exceed the County screening threshold of 3,000 MTCO₂e. Therefore, project operational activities were evaluated compared to the San Bernardino County GHG Reduction Plan Screening Tables. Mitigation Measure GHG-1 shall be implemented to ensure that operational emissions comply with the County's GHG Plan.

Impacts identified in this Initial Study can be reduced to a less than significant impact. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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?*

The development of the Proposed Project would not cause adverse impacts on humans, either directly or indirectly. Devore, as is the case for most of Southern California, is located within a seismically active region. As stated in the soils report, the San Jacinto Fault is approximately less than two miles from the Project Site. Although the potential for rupture on-site cannot be dismissed, it is considered low 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.

All potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable in terms of any adverse effects upon the region, the local community, or its inhabitants. At a minimum, the project would be required to meet the conditions of approval for the project to be implemented. It is anticipated that all such conditions of approval would further ensure that no potential for adverse impacts would be introduced by construction activities, initial or future land uses authorized by the project approval.

The incorporation of design measures, County of San Bernardino policies, standards, and guidelines and proposed mitigation measures as identified within this Initial Study would ensure that the Proposed Project would have no significant adverse effects on human beings, either directly or indirectly on an individual or cumulative basis.

Less Than Significant Impact

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

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APN 0349-182-11
July 2025

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Cultural Resources Study for the Glen Helen and Cajon Gas Station Project, San Bernardino County, California APN 349-182-11, Brian F. Smith and Associates, Inc., July 18, 2022, rev. July 8, 2025 (Appendix C)

Geotechnical Engineering Report Proposed Fueling Station and Market Cajon Blvd, Glen Helen, CA APN: 0349-182-11-0000, January 30, 2022. (Appendix D)

Addendum-1: Pavement Structural Sections Proposed Fueling Station and Market, Cajon Blvd., Glen Helen, CA APN 0349-181-11-0000, Geo-Cal, Inc., July 18, 2022 (Appendix D-1)

Paleontological Assessment for the Glen Helen and Cajon Gas Station Project, San Bernardino County, California APN 349-182-11, Brian F. Smith and Associates, Inc., July 18, 2022 (Appendix E)

Preliminary Hydrology and Hydraulic Report for Glen Helen Gas Station South of Intersection of Glen Helen Parkway and Cajon Blvd San Bernardino, CA 92410 APN 0349-182-11, Sake Engineers, Inc., June 2022 (Appendix F)

Water Quality Management Plan for APN 0349-182-11, Sake Engineers Inc., June 30, 2022 (Appendix G)

Water Will Serve Letter by Devore Water Company dated September 19, 2023 (Appendix H)

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APN 0349-182-11
July 2025

Glen Helen & Cajon Gas Station Traffic Impact Analysis, Ganddini Group, April 21, 2023, updated
July 3, 2024. (Appendix I)

EXHIBIT D

CDFW Comment Letter



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 91764
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



August 26, 2025

Maryn Mineo-Wells, Senior Planner
San Bernardino County
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415
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Devore Gas Station, Convenience Store, and Drive-Thru Restaurant (PROJECT)
MITIGATED NEGATIVE DECLARATION (MND)
SCH# 2025080303

Dear Maryn Mineo-Wells:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt a MND from the County of San Bernardino for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: Geo-Cal, Inc.

Objective: The Project proponent has submitted a Minor Use Permit (MUP) application to the County of San Bernardino for the development of a gas station (including truck fueling), and an 1,848 square foot (sqft) convenience store with a connected 1,057 sqft drive-thru restaurant. The fueling area would feature six pump stations designated for passenger vehicles, and an additional six pump stations for trucking vehicles, all located beneath canopies with a maximum height of 22 feet and a combined footprint of approximately

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

4,455 square feet. The convenience store and restaurant buildings will have a maximum height of 35 feet. The site will include a parking lot and security lighting distributed throughout the property. Landscaping will be primarily installed along the perimeter and parking areas, covering approximately 15% of the site. Vehicular access will be provided via two driveways on Cajon Boulevard, measuring 75 ft and 26 ft in width respectively, and one 50 ft-wide driveway on Glen Helen Parkway.

Location: The 1.57 acre Project site is located at 18545 Cajon Boulevard, Devore, California, 92407 on the southeast corner of Cajon Boulevard and Glen Helen Parkway; Assessor's Parcel Number [APN] 0349-182-11.

Timeframe: Not Available.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County of San Bernardino in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

COMMENT 1: Inadequacy of General Reconnaissance Surveys and Presence/Absence Surveys for Special Status Species

MND Page 27

Issue: The MND analysis and conclusion relies on the General Biological Resources Assessment (BRA), Appendix B, prepared by RCA Associates, Inc. (July 2022) to identify special status species, vegetation communities, and habitats that could support sensitive species. CDFW is concerned that the general biological survey conducted on June 17, 2022, and the BRA provided, were insufficient in timing, duration, survey methodology, and information provided.

Specific impact: Per the *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW, March 2018)², botanical field survey visits should be spaced throughout the growing season and multiple visits to the project area are usually required to capture the floristic diversity at a level necessary to determine the presence of special-status plant species. Usually this is during flowering or fruiting. The general reconnaissance biological survey performed on June 17, 2022 is outside the bloom period for 3 of the 12 special-status plant species. Additionally, surveys were conducted either at the beginning or late end of bloom for 5 of the 12 plant species. It is also unacceptable to conduct presence/absence surveys using "meandering" transects throughout the site, as this does not provide 100 percent coverage, and multiple plant and wildlife species have protocol survey methods to determine presence. A focused plant survey should be conducted separately from a general biological survey to evaluate presence of special-status plant species. Wildlife species with specific survey protocols should also be surveyed separately and independently to ensure that impacts to the species are minimized.

CDFW notes that the general biological assessment survey was not carried out during the peak spring season, which is a peak time for blooming native vegetation and increased wildlife activity, such as migratory stopover for avian species, nesting/breeding season activities, and foraging. Nor was it surveyed during the winter to determine if any species utilize the site as it's wintering grounds. Given the proximity to the Cajon Wash, nighttime surveys are strongly recommended due to multiple nocturnal special-status species.

² California Department of Fish and Wildlife. March 20, 2018. *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*. [Special Status Native Plant Populations and Sensitive Natural Communities \(ca.gov\)](https://www.cdffw.org/Portals/0/Protocols/Special_Status_Native_Plant_Populations_and_Sensitive_Natural_Communities.pdf).

CDFW considers surveys to be valid for one year, an updated biological survey(s) is strongly recommended and should be performed during the appropriate times, throughout the year, to better assess how the Project site is being utilized. Survey information should include the survey(s) start and end time, and how long the survey occurred. If, for example, a survey was conducted for one hour during the hottest time of the day, very little wildlife activity is expected to occur or be seen. Surveys should be performed in the early morning and allow for multiple hours of observation/documentation.

Why impact would occur: The lack of spring and winter surveys may result in an inadequate biological baseline for the MND. Potential missing information from the lack of variable surveys includes: an accurate plant inventory, migratory bird observations, nesting, wintering, and breeding observations, and complete identification and evaluation of impacts to special-status species. The MND also lacks information on nighttime surveys and nocturnal species, such as bats and small mammals, that have the potential to utilize the site at night, which limits our understanding if bats or small mammals may possibly use or occupy the site. General resource assessment surveys can be used to gather general information about habitat, but it should not be used to determine the presence or absence of candidate, sensitive, or special status species.

Evidence impact would be significant: Impacts to special status species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Without an accurate environmental baseline of present candidate, sensitive, or special status species and the delay in development of species avoidance, minimization, and mitigation measures, it is unclear if the mitigation measures proposed to be implemented by the Project Proponent will avoid, minimize, or mitigate the impacts to a level below significant adverse effect. Inadequate avoidance, minimization, and mitigation measures could result in substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status species by CDFW.

Recommended Potentially Feasible Mitigation Measure to reduce impacts to less than significant: The IS/MND should include the presence/absence results from focused surveys for special status plants and wildlife species. With such information, the County of San Bernardino can identify and analyze the potential impacts to candidate, sensitive, or special status species in or adjacent to the Project area and develop mitigation measure that can avoid, minimize, or mitigate impacts to the species to less than significant with mitigation incorporated. CDFW recommends replacing Mitigation Measures BIO-1 with the recommended new BIO-1 mitigation measure (edits are in ~~striketrough~~ and **bold**), for inclusion in the MND:

Mitigation Measure BIO-1: Biological Resource Surveys

Prior to Project construction activities, a complete and recent inventory, including rare, threatened, endangered, and other sensitive species, located within the Project footprint with the potential to be affected, including Species of Special Concern (SSC) and California Fully Protected Species (Fish and Game Code § 3511), will be completed. Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380) for which suitable habitat is present within or adjacent to the Project. The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.

COMMENT 2: Burrowing Owls

MND Section 5.3, Page 28-29

Issue: Western burrowing owl is a candidate species protected under CESA, and as such is granted the full protection of a threatened or endangered species under CESA. The Project has the potential to result in permanent and temporary loss and degradation of burrowing owl habitat and take of the species. CDFW is concerned that impacts to burrowing owls and how they utilize the Project site are not adequately identified nor fully defined in the MND.

Specific impact: The MND and BRA assert that the Project site lacks suitable habitat for burrowing owls, based on a single assessment indicating the absence of burrows, nesting signs, and adequate soil or vegetation. However, CDFW disagrees with this conclusion. Burrowing owls are notably adaptable and often utilize highly degraded or marginal habitats, even those with minimal vegetation and situated within urbanized areas, such as airports, vacant lots, and road embankments. Given that California ground squirrels were observed on-site, and the Project is located within the Burrowing Owl Predicted Habitat (CDFW 2025)³ high potential of presence, this contradicts the MND's basis that burrowing owl habitat and presence is absent. This is further supported by the observation of burrowing owls as close as 0.60 miles of the Project site. It is important to recognize that much of the Inland Empire is comprised of habitat with some degree of disturbance, this does not equate that site no longer provides suitable habitat for burrowing owls or other sensitive species and should not be used as a concluding factor in determining species occupancy.

While the single survey conducted on June 17, 2022, did not detect any sign of burrowing owl, the survey was not performed in accordance with the protocols outlined in the *Staff Report on Burrowing Owl Mitigation* (Department of Fish and Game, March 2012)⁴. As stated in the BRA, the survey was conducted as a habitat assessment and not a focused presence/absence survey designed to detect burrowing owls. As such, the results of this survey are not reliable indicators of burrowing owl presence or absence and should not be considered conclusive evidence of how the site is currently being used by the species. It is important to note that burrowing owls can remain within their burrows for extended periods of time, especially during the summer months, making them difficult to detect during a single survey, hence why one survey is not reliable in detecting presence.

Furthermore, site occupancy can vary annually, and the conditions observed during the 2022 survey may not accurately reflect current site usage. Project implementation, including grading, vegetation clearing and construction, may result in direct mortality, population declines, or local extirpation of burrowing owl not previously identified due to lack of sufficient surveys and habitat assessment. To properly detect presence or absence of burrowing owls, assess site usage, and determine scope of impacts, multiple focused surveys should be conducted during both the breeding and non-breeding seasons as outlined in the 2012 Staff Report.

Lastly, CDFW recommends updating the MND and BRA to reflect the recent change in status to burrowing owls. As of October 2024, burrowing owls have been uplisted as a candidate endangered species and are afforded protection under CESA.

Why impact would occur: According to the BRA, focused burrowing owl surveys were not conducted on the Project site. Burrowing owls are well-adapted to open, relatively flat expanses and vacant lots and prefer habitats with generally short sparse vegetation with few shrubs such as those occurring on the Project site. If burrowing owl burrows are not properly detected, prior to ground disturbance, site preparation, and grading could destroy habitat and result in take of burrowing owls.

³ California Natural Diversity Database (CNDDDB) [ds2184]. Calif. Dept. of Fish and Wildlife. Biogeographic Information and Observation System. [Burrowing Owl Predicted Habitat](#).

⁴ California Department of Fish and Game(CDFG). 2012 Staff report on burrowing owl mitigation. State of California, Natural Resource Agency. [BUOW Staff Report Final 030712.pdf](#).

Evidence impact would be significant: Habitat loss is a threat to burrowing owls (CDFG 2012). Burrowing owls are dependent on burrows at all times of the year for survival and/or reproduction. Evicting them from nesting, roosting, and satellite burrows may lead to indirect impacts or take. Loss of access to burrows will likely result in varying levels of increased stress on burrowing owls and could depress reproduction, increase predation, increase energetic costs, and introduce risks posed by having to find and compete for available burrows (CDFG, 2012). Burrowing owls are also dependent on adjacent habitat, and forage within 600 meters of nest burrows⁵.

CEQA also provides protection for CESA-listed species. As of October 10, 2024, the California Fish and Game Commission accepted a petition to list Western Burrowing Owl as endangered under CESA, determining the listing “may be warranted” and advancing the species to the candidacy stage of the CESA listing process. As a candidate species, Western Burrowing Owl is granted full protection of a threatened species under CESA. If Project activities could result in take, appropriate CESA authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081) should be obtained prior to commencement of Project activities. Take of any endangered, threatened, or candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). Take of individual burrowing owls and their nests is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5 and 3513.

Recommended Potentially Feasible Mitigation Measure to reduce impacts to less than significant: The general meandering survey that was conducted during the BRA for the Project is not sufficient to provide a complete analysis of potential impacts to burrowing owls. CDFW recommends that prior to commencing Project activities, focused and preconstruction surveys for burrowing owls be conducted by a qualified biologist in accordance with the 2012 Staff Report (or most recent version). CDFW recommends removing Mitigation Measures BIO-1, and requests providing a separate and independent mitigation measure dedicated to burrowing owls, for inclusion in the final MND, that includes specific avoidance and minimization measures to ensure that impacts to are reduced to less than significant with mitigation.

Mitigation Measure BIO- 1 2: Burrowing Owl

~~Pre-Construction surveys for burrowing owls and nesting birds protected under the Migratory Bird Treaty Act and Section 3503 of the California Fish and Wildlife Code shall be conducted prior to the commencement of Project related ground disturbance.~~

- ~~a. Appropriate survey methods and timeframes shall be established, to ensure that chances of detecting the target species are maximized. If nesting birds are detected, avoidance measures shall be implemented to ensure that nests are not disturbed until after young have fledged.~~
- ~~b. Pre-construction surveys shall encompass all areas within the potential footprint of disturbance for the project, as well as a reasonable buffer around these areas. Focused plant surveys for all special status plant species that have the potential to occur on the site may be considered during the blooming season (April – June) (if warranted by CDFW) to determine the potential environmental effects of the proposed projects on special status plants and sensitive natural communities following recommended protocols by the Department of Fish and Wildlife.~~

~~If any sensitive species are observed on the property during future activities, CDFW and USFWS (as applicable) should be contacted to discuss specific mitigation measures which may be required for the individual species. CDFW and USFWS are the only agencies which can grant authorization for the “take” of any sensitive species and can approve the implementation of any applicable mitigation measures.~~

⁵ Rosenberg, D. K., and K. L. Haley. 2004. The ecology of burrowing owls in the agroecosystem of the Imperial Valley, California. Studies in Avian Biology 27: 120-135.

Suitable burrowing owl habitat has been confirmed on site; therefore focused burrowing owl surveys shall be conducted by a qualified biologist, familiar and experienced in burrowing owls, in accordance with the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012 or most recent version) prior to vegetation removal or ground-disturbing activities for all phases of Project construction and surrounding 500 ft radius.

Take avoidance surveys shall be conducted no less than 14 days prior to initiation of Project-related activities. Burrowing owls may re-colonize a site after only a few days. Time lapses between Project activities trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance, in accordance with the *Staff Report on Burrowing Owl Mitigation* (2012 or most recent version). Upon beginning ground-disturbing activities or vegetation removal, a biologist shall be on hand to perform monitoring during all construction activities every day to ensure no impacts occur to burrowing owls as a result of the Project.

Should burrowing owls, active burrows, or signs thereof be confirmed during any survey or biological monitoring, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance and monitoring actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures, if avoidance is proposed. Project activities shall not occur within 1000 feet of an active burrow until CDFW approves the Burrowing Owl Plan.

If Project activities, including burrow exclusion and closure, could result in take of burrowing owl, the Project Proponent shall begin early coordination with CDFW for appropriate CESA authorization (i.e., Incidental Take Permit (ITP) under Fish and Game Code section 2081) prior to commencement of Project activities. Any request for consultation shall describe, at a minimum, project activities and equipment, proposed avoidance/buffers, temporary and permanent impacts, monitoring, relocation and/or translocation, and minimization and compensatory mitigation actions. ITP compensatory mitigation will be fulfilled by one or more of following options: 1) Conservation or Mitigation Bank credits (if available) or 2) Permittee-responsible mitigation land acquisition.

COMMENT 3: Nesting Birds

MND Section 5.3, Page 30

Issue: CDFW is concerned that Mitigation Measure BIO-3, as currently written, is not sufficient in timing or scope to prevent impacts to nesting birds and raptors. The Project may have impacts on nesting birds, including CESA-listed birds, Species of Special Concern, and common birds that are subject to Fish and Game Code sections 3503, 3503.5, and 3513, and the Migratory Bird Treaty Act of 1918.

Specific impact: The Project, as described, could result in direct take of avian species through vehicle and equipment strike, and indirect take associated with Project operations such as attracting predators, displacement, loss of habitat and reduction of habitat quality associated with Project implementation. Furthermore, the single survey performed on the site was conducted during a time of year characterized with low bird activity, and neither the timing nor the duration of survey is specified. This raises concerns regarding sufficiency of survey efforts to accurately assess the Project site, as avian activity peaks during specific seasons and times of day. The Project area has the potential to be foraging ground for raptors, wintering grounds for migrating bird species, and nesting habitat for ground avian species such as horned lark and western meadowlark.

Why impact would occur: Mitigation measure BIO-1 does not adequately outline nesting bird pre-construction surveys to minimize and avoid impacts to nesting birds. It is important to remember that the timing of the nesting season varies greatly depending on several factors, such as the bird species, weather conditions in any given year, and long-term climate changes (e.g., drought, warming, etc.). CDFW staff have observed that changing climate conditions may result in the nesting bird season occurring earlier and later in the year than historical nesting season dates. Species that nest outside the peak breeding season should also be considered (e.g., hummingbirds may nest year-round, and raptors may nest outside the peak breeding season). To adequately identify nesting bird presence in the Project area, nesting pre-construction surveys should be conducted by a qualified biologist no more than three (3) days prior to the initiation of project activities, at the appropriate time of day/night, during appropriate weather conditions regardless of the time of the year. If nesting birds are detected during surveys, CDFW recommends that buffers be established around nest sites with the following distances: a minimum of 300 feet for songbirds, and 500 feet for raptors. Reductions in buffers may be appropriate based on screening vegetation, ambient levels of human activities, or other factors.

Evidence impact would be significant: The biggest threat to birds includes habitat loss and the conversion of natural vegetation into commercial, residential, and industrial land uses. The Project will involve grading and removal of existing vegetation to make way for the development. In addition to direct removal of habitat, construction noise, vibration, dust, or human disturbance could result in temporary or long-term disturbance of nesting birds on the Project site. Fish and Game Code section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by the rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.). Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto.

Recommended potentially feasible mitigation measure to reduce impacts to less than significant: To adequately address minimizations and avoidance measures and help the Project applicant avoid unlawfully taking of nests and eggs, CDFW recommends removal of Mitigation Measure BIO-1 and offers the following new mitigation measure (BIO-3) for inclusion in the final MND.

Mitigation Measure ~~BIO-1~~ BIO-3: Nesting Birds

~~Pre-Construction surveys for burrowing owls and nesting birds protected under the Migratory Bird Treaty Act and Section 3503 of the California Fish and Wildlife Code shall be conducted prior to the commencement of Project related ground disturbance.~~

- ~~c. Appropriate survey methods and timeframes shall be established, to ensure that chances of detecting the target species are maximized. If nesting birds are detected, avoidance measures shall be implemented to ensure that nests are not disturbed until after young have fledged.~~
- ~~d. Pre-construction surveys shall encompass all areas within the potential footprint of disturbance for the project, as well as a reasonable buffer around these areas. Focused plant surveys for all special status plant species that have the potential to occur on the site may be considered during the blooming season (April – June) (if warranted by CDFW) to determine the potential environmental effects of the proposed projects on special status plants and sensitive natural communities following recommended protocols by the Department of Fish and Wildlife.~~

~~If any sensitive species are observed on the property during future activities, CDFW and USFWS (as applicable) should be contacted to discuss specific mitigation measures which may be required for the individual species. CDFW and USFWS are the only agencies which can grant authorization for the "take" of any sensitive species and can approve the implementation of any applicable mitigation measures.~~

All Project related activities shall be conducted outside of the typical nesting bird season (January 15 through September 15) to the maximum extent feasible. Regardless of the time of year, nesting bird surveys shall be performed by a qualified avian biologist, during the appropriate time of day/night and weather conditions, no more than 3 days prior to all vegetation removal or ground disturbing activities throughout all and any phases of the Project. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations, nesting behavior, and all suitable nesting areas such as, but not limited to: trees, shrubs, bare ground, burrows, cavities, and structures. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a qualified biologist shall establish an appropriate buffer to be marked on the ground. Nest buffers are species specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and based on nest and buffer monitoring results. The buffer shall be delineated to ensure that its location is known by all persons working within the vicinity but shall not be marked in such a way that attracts predators. Construction activities may not occur inside the established buffers, which shall remain on-site until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the fledglings become independent or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance. Documentation of surveys and findings should be submitted to the CDFW within 10 days of the last survey.

COMMENT 4: Small Mammals

MND Section 5.3, Page 27-29

Issue: The Project may result in take of listed and sensitive small mammals, given its proximity to the Cajon Wash.

Specific impact: The Project site is located adjacent to known occurrences of the state endangered San Bernardino kangaroo rat (SBKR), and two species of special concern - Los Angeles pocket mouse (LAPM) and northwestern San Diego pocket mouse (NSDPM). The Project site is largely disturbed with non-natives plant species being the dominant vegetation, so although presence of the SBKR and LAPM would be rare, it is not impossible, and of the three species, NSDPM has the highest probability of being located within the Project site. All three small mammals are nocturnal, therefore none would be observed during the habitat assessment survey. Small mammal trapping should be performed to determine which small mammals, if any, occupy the site and to better identify the total scope of impacts the Project would create.

CDFW is also concerned about the potential effects of new nighttime lighting the Project may create on small mammals occupying areas adjacent to the site. Artificial lighting risks disrupting behavioral functions such as movement, foraging, hormones, breeding, and increase risk of predation.

Why impact would occur: No detailed nocturnal small mammal analysis was performed on site to determine if any sensitive species occur on site. The MND provides no mitigation measures to minimize and or avoid impacts to small mammals.

Evidence impact would be significant: The Project, as described, may result in injury, direct mortality, indirect mortality, disruption of breeding behavior, and/or may reduce reproductive capacity of the small mammal species.

Recommended potentially feasible mitigation measure(s) to reduce impacts to less than significant: To minimize and avoid impacts to small mammals species, CDFW strongly encourages the adoption of BIO-4 for inclusion in the final MND.

Mitigation Measure BIO-4: Small Mammal Surveys

The Applicant shall ensure that impacts to small mammals are avoided and/or minimized through the implementation of pre-project surveys, ongoing monitoring, and establishment of minimization measures if small mammals are present. The Applicant, within 12 months prior to the start of project activities, shall designate a small mammal biologist (Designated Biologist) to conduct small mammal trapping for San Bernardino kangaroo rat (SBKR) and other small mammal species of special concern likely to inhabit the site (e.g., Los Angeles pocket mice (LAPM)) within the project area.

If LAPM are present, the Applicant shall prepare a small mammal relocation/translocation plan for CDFW review and approval. The Designated Biologists(s) shall relocate/translocate all captured LAPM to a CDFW-approved site(s). In addition, appropriate, permanent mitigation shall be provided by the Applicant within 6 months of initiating project activities, in coordination with CDFW, to offset the loss of occupied LAPM habitat.

If SBKR are present, the Applicant shall suspend all project activities within areas potentially occupied by SBKR and shall seek appropriate authorization prior to project implementation. This includes an incidental take permit (ITP) or other CESA authorization.

COMMENT 5: Crotch's Bumble Bee

MND Section 5.3

Issue: The MND and BRA fail to address and analyze direct and indirect impacts the Project may create to Crotch's Bumble Bee. The Project has the potential to result in permanent and temporary loss, degradation of, and impact Crotch's bumble bee and Crotch's bumble bee habitat. The Project may result in take of Crotch's bumble bee, a candidate status species for listing under CESA, during the construction and life of the Project.

Specific impact: The Project is located within Crotch's bumble bee habitat range and has the potential for take of the species due to collapsing burrows, entombment, displacement, dust from Project operations, and vegetation removal that reduces foraging and nesting habitat and habitat quality. No habitat assessment or survey efforts were conducted for Crotch's bumble bee nor is the species discussed in the MND. To identify for presence, multiple Crotch's bumble bee nesting survey should be conducted during the appropriate time of year (April through August), by a qualified biologist familiar with the species, following the guidelines provided in CDFW's *Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species*⁶.

Why impact would occur: Crotch's bumble bee occurs primarily in California, including the Mediterranean region, Pacific Coast, Western Desert, Great Valley and adjacent to foothills through most of southwestern California⁷ (Williams et. al 2014). Crotch's bumble bee are generalist foragers and have been reported visiting a wide

⁶ California Department of Fish and Wildlife (CDFW). 2023. Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species. [Survey Considerations for Candidate Bumble Bee Species](#).

⁷ Williams, P. H., et al. 2014. The Bumble Bees of North America: An Identification Guide. Princeton University Press, Princeton.

variety of flower plants. The plant families most commonly associated with Crotch's bumble bee observations or collections from California include Fabaceae, Apocynaceae, Asteraceae, Lamiaceae, Boraginaceae and Asclepiadaceae. This is not a comprehensive list, and the species has been observed foraging and utilizing areas with high amounts of disturbance and non-natives plant species. Failure to properly analyze and detect the species could result in take.

Evidence impact would be significant: Crotch's bumble bee is a candidate species for listing under CESA; therefore, it receives the same legal protection afforded to endangered or threatened species under CESA pursuant to Fish & Game Code §§ 2074.2 & 2085. If found on-site, the Project could result in crushing or killing Crotch's bumble bees, reduction in sufficient food resources such as nectar and pollen, and/or removal of nesting and overwintering sites. Many bumble bees are threatened with extinction due primarily to reductions in habitat from urbanization, intensive agriculture, and invasive species introductions. If Crotch's bumble bee occurs at the Project site and Project impacts to Crotch's bumble bee occur, this could result in a substantial reduction in the species' population, which would be a significant impact.

Recommended potentially feasible mitigation measure(s) to reduce impacts to less than significant: To address minimization and avoidance measures for Crotch's bumble bee, CDFW strongly recommends the adoption of BIO-4 for inclusion in the final MND.

Mitigation Measure BIO-5: Crotch's Bumble Bee

BIO-5A: If Crotch's bumble bee is no longer a candidate or listed species under CESA at the time of project construction, then these mitigation measures shall not be required. Within one year prior to ground disturbing activities an approved qualified Designated biologist shall conduct active Crotch's bumble bee nest surveys during the typical colony active period (April – August) following survey guidelines provided in the CDFW's Survey Considerations for CESA Candidate Bumble Bee Species within the Project site and areas adjacent to the Project site where suitable habitat exists. The qualified biologist shall be familiar with Crotch's bumble bee identification and life history. Survey results including negative findings shall be submitted to CDFW at least 30 days prior to vegetation removal and/or ground disturbing activities.

BIO-5B: If suspected or active Crotch's bumble bee nests are present, a qualified biologist shall establish an appropriate non-disturbance buffer around each nest immediately prior to initiation of construction activities using stakes and/or brightly colored flagging to avoid disturbance or incidental take of the species. If avoidance buffers are not feasible, or if complete avoidance of Crotch's bumble bee cannot be achieved, Project activities shall be postponed until appropriate authorization (i.e., a finalized CESA ITP under Fish and Game Code section 2081) is obtained.

BIO-5C: Within one year prior to ground disturbing activities, the approved designated biologist shall survey suitable nectar plants for foraging Crotch's bumble bee during the typical flight season (February – October), within the Project site and areas adjacent to the Project site where suitable habitat exists, following survey guidelines provided in the CDFW's Survey Considerations for CESA Candidate Bumble Bee Species. The qualified biologist shall be familiar with Crotch's bumble bee identification and life history. Survey results including negative findings shall be submitted to CDFW at least 30 days prior to vegetation removal and/or ground disturbing activities.

COMMENT 6: Artificial Nighttime Lighting

Issue: The MND does not mention in the Project description or analyze impacts to biological resources from artificial nighttime lighting and includes no mitigation measures to avoid or reduce impacts to biological resources.

Specific impact: The proposed Project is situated adjacent to the Cajon Wash and intact Riversidian alluvial fan sage scrub habitat, areas that support several sensitive species. The Project would introduce new sources of artificial nighttime illumination, which may potentially cause both direct and indirect impacts on wildlife. The MND lacks specifics regarding the type of lighting to be used, number of lighting fixtures, and whether any shielding will be implemented. It does not assess potential impacts to biological resources during either construction (including any nighttime work) or operational phases, and no mitigation strategies are identified.

To address these issues, the MND should be revised to include detailed lighting plans for both the construction and operational phases, specifying fixture types, shielding approaches, intensity levels, and timing controls. The revised MND should include an analysis that evaluates potential effects of artificial lighting on wildlife, such as migratory birds, bats, and other nocturnal and crepuscular species, and appropriate avoidance and minimization measures to reduce impacts to less than significant with mitigation, such as light shielding, wildlife-friendly color temperature, dimming schedule, and other adaptive lighting controls.

Evidence impact would be significant: Artificial nighttime lighting often results in light pollution, which has the potential to significantly and adversely affect fish and wildlife⁸. Artificial lighting alters ecological processes including, but not limited to, the temporal niches of species; the repair and recovery of physiological function; the measurement of time through interference with the detection of circadian and lunar and seasonal cycles; the detection of resources and natural enemies; and navigation⁹. Many species use photoperiod cues for communication (e.g., bird song¹⁰), determining when to begin foraging¹¹, behavior thermoregulation¹², and migration¹³. Phototaxis, a phenomenon which results in attraction and movement towards light, can disorient, entrap, and temporarily blind wildlife species that experience it.

Recommended Potentially Feasible Mitigation Measure: Due to the potential for artificial nighttime light to adversely affect wildlife, CDFW recommends that the MND includes detailed specifications of proposed lighting measures for both construction and operation of the Project. It is further advised that Project implements a timer-controlled dimming mechanism during periods of infrequent use to reduce wattage. The MND should also incorporate an analysis of wildlife impacts and identify specific avoidance and minimization strategies to ensure that, with mitigation, impacts to biological resources are reduced to less-than-significant levels with mitigation. CDFW recommends that the County include the following mitigation measure in a revised MND:

Mitigation Measure BIO-5: Artificial Nighttime Lighting Plan

During Project construction and the lifetime operations of the Project, the County and Project proponent shall eliminate all nonessential lighting throughout the Project area and avoid or limit the use of artificial light at night during the hours of dawn and dusk when many wildlife species are most active. The County and Project proponent shall ensure that lighting for Project operations and construction activities utilizes wildlife friendly LED lighting/luminaires with a color correlated temperature between 570 Kelvin (K) and 1700K. Lighting shall be shielded, cast downward, and directed away from surrounding open-space and

⁸ Longcore, T. 2023. Effects of LED Lighting on Terrestrial Wildlife. Prepared under Contract #65A0766 between California Department of Transportation and Regents of the University of California. UCLA Institute of the Environment and Sustainability.

⁹ Gatson, K. J., Bennie, J., Davies, T., Hopkins, J. 2013. The ecological impacts of nighttime light pollution: a mechanistic appraisal. *Biological Reviews*.

¹⁰ Miller, M. W. 2006. Apparent effects of light pollution on singing behavior of American robins. *The Condor* 108:130–139.

¹¹ Stone, E. L., G. Jones, and S. Harris. 2009. Street lighting disturbs commuting bats. *Current Biology* 19:1123–1127. Elsevier Ltd.

¹² Beiswenger, R. E. 1977. Diet patterns of aggregative behavior in tadpoles of *Bufo americanus*, in relation to light and temperature. *Ecology* 58:98–108.

¹³ Longcore, T., and C. Rich. 2004. Ecological light pollution – Review. *Frontiers in Ecology and the Environment* 2:191–198.

sensitive areas, reduced in intensity to the greatest extent possible, and does not result in lighting trespass including glare (sidelight) into surrounding areas or upward into the night sky (see the International Dark-Sky Association standards at <http://darksky.org/>). The County and Project proponent shall ensure use of LED lighting with a correlated color temperature of 3,000 Kelvins or less, proper disposal of hazardous waste, and recycling of lighting that contains toxic compounds with a qualified recycler.

ADDITIONAL COMMENTS AND RECOMMENDATIONS

Native Landscaping

To ameliorate the water demands of this Project, CDFW recommends incorporation of water-wise concepts in Project landscape design plans. In particular, CDFW recommends xeriscaping with locally native California species, and installing water efficient and targeted irrigation systems (such as drip irrigation). Native plants support butterflies, birds, reptiles, amphibians, small mammals, bees, and other pollinators that evolved with those plants, more information on native plants suitable for the Project location and nearby nurseries is available at: [Calscape](#). Water agencies/districts and resource conservation districts in your area may be able to provide information on plant nurseries that carry locally native species. Additionally, some facilities display drought tolerant locally native species demonstration gardens. Information on drought-tolerant landscaping and water-efficient irrigation systems is available on California's [Save our Water website](#).

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDB/Submitting-Data>. The types of information reported to CNDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist the County of San Bernardino in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Lisa Cardoso, Environmental Scientist, at (805) 712-0346 or Lisa.Cardoso@Wildlife.ca.gov.

Sincerely,

DocuSigned by:

84F92FFEEFD24C8...
Kim Freeburn
Environmental Program Manager

Maryn Mineo-Wells, Senior Planner
County of San Bernardino
August 26, 2025
Page 13

ec:

Eric Kawamura-Chan, Senior Environmental Scientist Supervisor, CDFW
Eric.Chan@Wildlife.ca.gov

Office of Planning and Research, State Clearinghouse, Sacramento
State.Clearinghouse@opr.ca.gov

Attachments

Attachment A: MMRP for CDFW – Proposed Mitigation Measures



Attachment A

Draft Mitigation Monitoring and Reporting Program and Draft Recommendations

Draft Mitigation Monitoring and Reporting Program (MMRP)

CDFW provides the following language to be incorporated into the MMRP for the Project.

Biological Resources (BIO)		
Mitigation Measure (MM) Description	Implementation Schedule	Responsible Party
MM-BIO-1: Biological Resource Surveys Prior to Project construction activities, a complete and recent inventory, including rare, threatened, endangered, and other sensitive species, located within the Project footprint with the potential to be affected, including Species of Special Concern (SSC) and California Fully Protected Species (Fish and Game Code § 3511), will be completed. Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380) for which suitable habitat is present within or adjacent to the Project. The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.	Timing: Prior to vegetation removal or ground disturbing activities.	Implementation: Project Proponent and Qualified Biologist
MM-BIO-2: Burrowing Owls Suitable burrowing owl habitat has been confirmed on site; therefore focused burrowing owl surveys shall be conducted by a qualified biologist, familiar and experienced in burrowing owls, in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG 2012 or most recent version) prior to vegetation removal or ground-disturbing activities for all phases of Project construction and surrounding 500 ft radius. Take avoidance surveys shall be conducted no less than 14 days prior to initiation of Project-related activities. Burrowing owls may re-colonize a site after only a few days. Time lapses between Project activities trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance, in accordance with the Staff Report on Burrowing Owl Mitigation (2012 or most recent version). Upon beginning ground-disturbing activities or vegetation removal, a biologist shall be on hand to perform monitoring during all construction activities every day to ensure no impacts occur to burrowing owls as a result of the Project. Should burrowing owls, active burrows, or signs thereof be confirmed during any survey or biological monitoring, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed	Timing: Focused Survey: Prior to vegetation removal or ground disturbing activities. Pre-Construction Surveys: No less than 14 days prior to start of Project-related activities and withing 24 hours prior to ground disturbance.	Implementation: Project Proponent and Qualified Biologist

avoidance and monitoring actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. Project activities shall not occur within 1000 feet of an active burrow until CDFW approves the Burrowing Owl Plan. If Project activities, including burrow exclusion and closure, could result in take of burrowing owl, the Project Proponent shall begin early coordination with CDFW for appropriate CESA authorization (i.e., Incidental Take Permit (ITP) under Fish and Game Code section 2081) prior to commencement of Project activities. Any request for consultation shall describe, at a minimum, project activities and equipment, proposed avoidance/buffers, temporary and permanent impacts, monitoring, relocation and/or translocation, and minimization and compensatory mitigation actions. ITP compensatory mitigation will be fulfilled by one or more of following options: 1) Conservation or Mitigation Bank credits (if available), or2) Permittee-responsible mitigation land acquisition.		
MM-BIO-3: Nesting Birds All Project related activities shall be conducted outside of the typical nesting bird season (January 15 through September 15) to the maximum extent feasible. Regardless of the time of year, nesting bird surveys shall be performed by a qualified avian biologist, during the appropriate time of day/night and weather conditions, no more than 3 days prior to all vegetation removal or ground disturbing activities throughout all and any phases of the Project. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations, nesting behavior, and all suitable nesting areas such as, but not limited to: trees, shrubs, bare ground, burrows, cavities, and structures. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a qualified biologist shall establish an appropriate buffer to be marked on the ground. Nest buffers are species specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and based on nest and buffer monitoring results. The buffer shall be delineated to ensure that its location is known by all persons working within the vicinity but shall not be marked in such a way that attracts predators. Construction activities may not occur inside the established buffers, which shall remain on-site until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the fledglings become independent or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance. Documentation of surveys and findings should be submitted to the CDFW within 10 days of the last survey.	Timing: Prior to commencing ground or vegetation disturbing activities	Implementation: Project Proponent and Qualified Biologist
MM-BIO-4: Small Mammals The Applicant shall ensure that impacts to small mammals are avoided and/or minimized through the implementation of pre-project surveys, ongoing monitoring, and establishment of minimization measures if small mammals are present. The Applicant, within 12 months prior to the start of project activities, shall designate a small mammal biologist (Designated Biologist) to	Timing: Prior to commencing ground or vegetation disturbing activities	Implementation:

conduct small mammal trapping for San Bernardino kangaroo rat (SBKR) and other small mammal species of special concern likely to inhabit the site (e.g., Los Angeles pocket mice (LAPM)) within the project area. If LAPM are present, the Applicant shall prepare a small mammal relocation/translocation plan for CDFW review and approval. The Designated Biologists(s) shall relocate/translocate all captured LAPM to a CDFW-approved site(s). In addition, appropriate, permanent mitigation shall be provided by the Applicant within 6 months of initiating project activities, in coordination with CDFW, to offset the loss of occupied LAPM habitat. If SBKR are present, the Applicant shall suspend all project activities within areas potentially occupied by SBKR and shall seek appropriate authorization prior to project implementation. This includes an incidental take permit (ITP) or other CESA authorization.		Project Proponent and Qualified Biologist
MM-BIO-5: Crotch’s Bumble Bee BIO-5A: If Crotch’s bumble bee is no longer a candidate or listed species under CESA at the time of project construction, then these mitigation measures shall not be required. Within one year prior to ground disturbing activities an approved qualified Designated biologist shall conduct active Crotch’s bumble bee nest surveys during the typical colony active period (April – August) following survey guidelines provided in the CDFW’s Survey Considerations for CESA Candidate Bumble Bee Species within the Project site and areas adjacent to the Project site where suitable habitat exists. The qualified biologist shall be familiar with Crotch’s bumble bee identification and life history. Survey results including negative findings shall be submitted to CDFW at least 30 days prior to vegetation removal and/or ground disturbing activities. BIO-5B: If suspected or active Crotch’s bumble bee nests are present, a qualified biologist shall establish an appropriate non-disturbance buffer around each nest immediately prior to initiation of construction activities using stakes and/or brightly colored flagging to avoid disturbance or incidental take of the species. If avoidance buffers are not feasible, or if complete avoidance of Crotch’s bumble bee cannot be achieved, Project activities shall be postponed until appropriate authorization (i.e., a finalized CESA ITP under Fish and Game Code section 2081) is obtained. BIO-5C: Within one year prior to ground disturbing activities, the approved designated biologist shall survey suitable nectar plants for foraging Crotch’s bumble bee during the typical flight season (February – October), within the Project site and areas adjacent to the Project site where suitable habitat exists, following survey guidelines provided in the CDFW’s Survey Considerations for CESA Candidate Bumble Bee Species. The qualified biologist shall be familiar with Crotch’s bumble bee identification and life history. Survey results including negative findings shall be submitted to CDFW at least 30 days prior to vegetation removal and/or ground disturbing activities.	Timing: Prior to commencing ground or vegetation disturbing activities.	Implementation: Project Proponent and Qualified Biologist
MM-BIO-6: Artificial Nighttime Lighting Plan During Project construction and the lifetime operations of the Project, the County and Project proponent shall eliminate all nonessential lighting throughout the Project area and avoid or limit the use of artificial light at night during the hours of dawn and dusk when many wildlife species are most active. The County and Project	Timing: Prior to commencing ground	Implementation: Project Proponent

proponent shall ensure that lighting for Project operations and construction activities utilizes wildlife friendly LED lighting/luminaires with a color correlated temperature between 570 Kelvin (K) and 1700K. Lighting shall be shielded, cast downward, and directed away from surrounding open-space and sensitive areas, reduced in intensity to the greatest extent possible, and does not result in lighting trespass including glare (sidelight) into surrounding areas or upward into the night sky (see the International Dark-Sky Association standards at http://darksky.org/). The County and Project proponent shall ensure use of LED lighting with a correlated color temperature of 3,000 Kelvins or less, proper disposal of hazardous waste, and recycling of lighting that contains toxic compounds with a qualified recycler.		
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EXHIBIT E

Responses to CDFW Comments

Responses to CDFW Letter Dated August 26, 2025

Responses prepared for LUSD Staff Report to Planning Commission

By: Cheryl A. Tubbs, VP, Lilburn Corporation, September 5, 2025

Response to Comment 1 (Special Status Species & Protected Plant Surveys)

Regarding inventory of species with potential to be affected, the General Biological Resources Assessment (updated July 2022) included the CNDDB (2022) list of all endangered, threatened, and other sensitive species from the Devore Quadrangle that the project is located within. The report was included as Appendix B to the IS/MND. Because time has passed between the survey date and now this list has been updated; primary changes are that the Burrowing owl has been listed as a candidate species and the Crotch's Bumble Bee was relisted as a candidate species in 2022.

Mitigation Measure BIO-1 clearly states that focused plant surveys for all special status plant species that have the potential to occur on the site may be considered during the blooming season (April - June) (if warranted by CDFW) to determine the potential environmental effects of the proposed projects on special status plants and sensitive natural communities following recommended protocols by the Department of Fish and Wildlife.

Response to Comment 2 (Burrowing Owls)

Pre-construction surveys for BUOW were also included in the IS/MND as Mitigation Measure BIO-1. As the species is now listed as a candidate species, the Mitigation Measure will be revised and adopted as a Condition of Approval (COA) to include CDFW's additional language requiring protocol surveys no less than 14 days prior to ground disturbance.

Response to Comment 3 (Nesting Birds)

Appropriate surveys for Nesting Birds were also included in the IS/MND as Mitigation Measure BIO-1. The Mitigation Measure will be revised and adopted as a Condition of Approval (COA) to include CDFW's additional language requiring minimization measures and avoidance measures for construction activities occurring within the nesting bird season of January 15 through September 15.

Response to Comment 4 (Small Mammals)

Based on advise from qualified biologists, the County respectfully disagrees that small mammal trapping should be required as an adopted mitigation measure without the benefit of a focused site assessment conducted by a qualified biologist to determine the potential for species to occupy the site. The Applicant contracted with a qualified biologist (Mr. Phillipe Vergne) to conduct a focused small mammal habitat assessment. The field survey was conducted on September 6, 2025. Mr. Vergne's report states there is low to no potential for the state endangered San Bernardino kangaroo rat (SBKR), or the two species of special concern - Los Angeles pocket mouse (LAPM) and northwestern San Diego pocket mouse (NSDPM). Based on his survey findings, he does not recommend any small mammal trapping. The report is attached to this Staff Report.

Regarding Effects of New Nighttime Lighting on Small Mammals. The Project Site is located on the southeast corner of Cajon Boulevard (Historic Route 66) and Glen Helen. Approximately 0.12 miles to the north is the Interstate 215 (I-215) intersection with Devore Road, and approximately 0.43 miles to the west is Interstate 15 (I-15). From the site, traffic signal lighting and nighttime vehicle lights from I-15, I-215, and Route 66, as well as occasional train lights from the BNSF railway as it crosses Cajon Wash to the south can be seen.

The project is a fueling station/convenience store with drive-thru and the proposed operating hours are:

Fueling Station – 7 days/week 24/7
Convenience Store – 24/7
Drive-Thru – Estimate 16 hours/day.

Nighttime lighting is required for public safety. According to the San Bernardino County Development Code, Section 83.07.030(a) Glare and Outdoor Lighting, outdoor lighting must be fully shielded to preclude light pollution or light trespass on an abutting residential land use zoning district, a residential parcel, or public right-of-way. Currently, there are streetlights along Glen Helen Parkway adjacent to the Project Site. The Proposed Project would be designed to adhere to the County lighting standards.

Response to Comment 5: Crotch's Bumble Bee

The Crotch's Bumble Bee was listed as a candidate species after completion of the Biological Assessment and the IS/MND. During the habitat assessment conducted September 6, 2025, the only plant food for bumble bee found on-site is sparse buckwheat.



If the species is still a candidate species or becomes a listed species prior to issuance of grading permits the County shall require as a COA the Mitigation Measure recommended by CDFW in the comment letter.

Response to Comment 6: Artificial Nighttime Lighting

Please refer to Response to Comment 4.

EXHIBIT F

Crotch's Bumble Bee Memo

Updated September 8, 2025

Crotch's Bumble Bee: The Crotch's bumble bee is a state candidate endangered species as of September 30, 2022, that can be distinguished by its square-shaped face and rounded ankle on the midleg. Females have a black head and face and display black color on their mid and bottom thorax. Males display yellow hair on their face, a black stripe mid-thorax, and the abdomen should have a yellow coloring. They are active from April to August, with nests located underground in abandoned rodent nests or above ground in tufts of grass or old bird nests and rely almost exclusively on milkweed to complete their life cycle. They inhabit grasslands and shrublands in hotter and drier areas of California's Mediterranean region, Pacific coast, western desert, and adjacent foothills throughout southwestern region. They prefer milkweed and buckwheat or other small flowering plants due to their short tongues. The site contains marginal suitable habitat for the species but due to it having been partially cleared in the past most vegetation has been removed. It is RCA Associates professional opinion that the species is not likely to occur on the site given that it has not occurred within vicinity of the site in over 20 years.

4.0 LITERATURE SEARCH

As part of the environmental process, a search of the California Natural Diversity Database (CNDDDB) search was performed. Based on this review, it was determined that 12 special status plant species and 19 wildlife and insect species have been documented within the Devore quad of the property. The following tables provide data on each special status species which has been documented in the area.

Table 4-1: Federal and State Listed Species and State Species of Special Concern.

E = Endangered; T = Threatened; WL = Watchlist; SSC = Species of special concern; CNPS = California Native Plant Society; CNDDDB = California Natural Diversity Data Base; CDFW = California Department of Fish and Wildlife

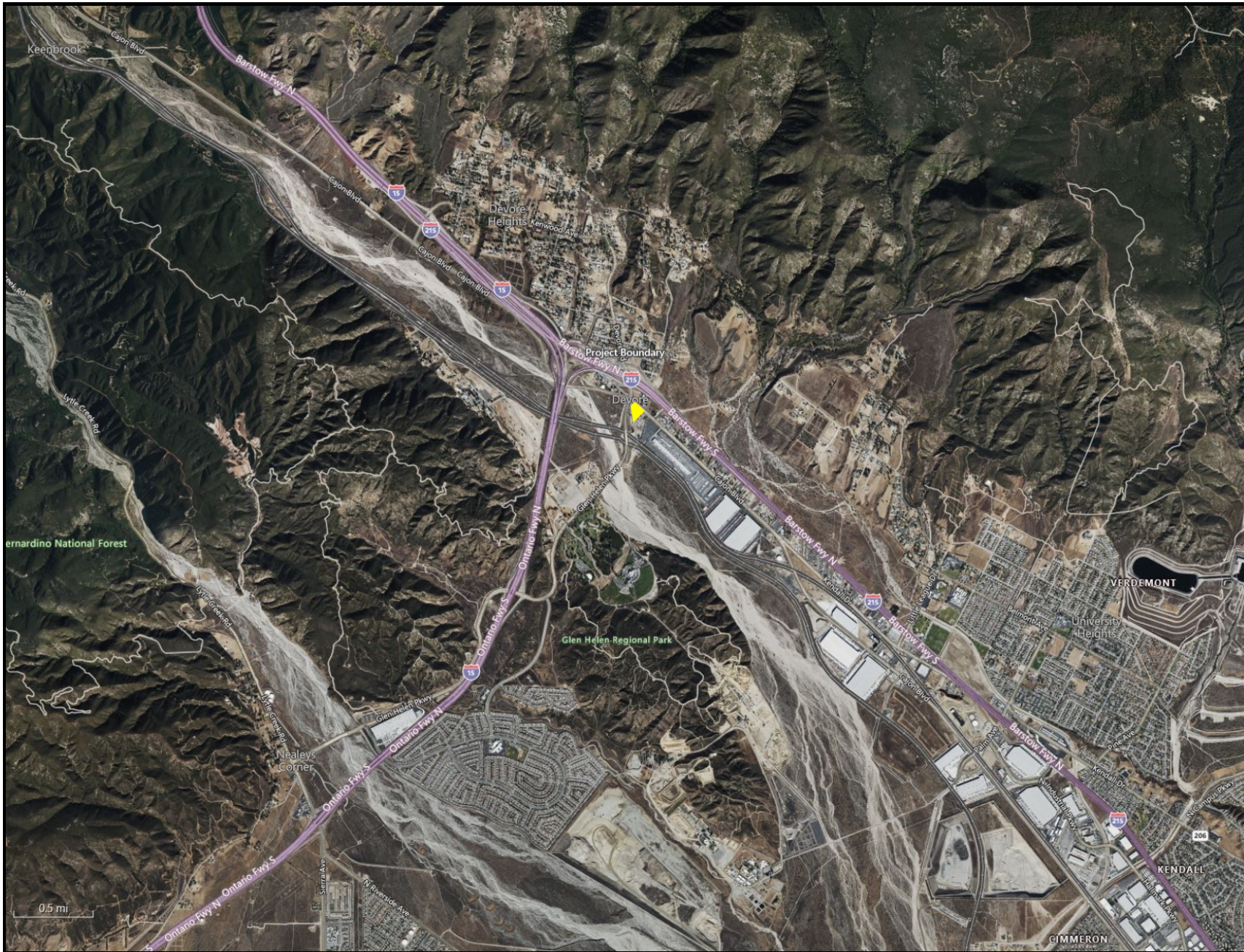
NAME	STATUS	HABITAT REQUIREMENTS	PRESENCE/ ABSENCE ON PROPERTY
Plant Species			
Within Devore Quadrangle			
Plummer's mariposa-lily (<i>Calochortus plummerae</i>)	Federal: None State: None CNPS: 4.2	Coast and inland hills.	Site does not support suitable habitat for the species; and none were observed during the field survey.
white-bracted spineflower (<i>Chorizanthe xanti</i> var. <i>leucotheca</i>)	Federal: None State: None CNPS: 1B.2	Creosote bush scrub	Site does not support minimal suitable habitat for the species; and none were observed during the field survey.
Mesa horkelia (<i>Horkelia cuneata</i> var. <i>puberula</i>)	Federal: None State: None CNPS: 1B.1	Chaparral, cismontane woodland, coastal scrub.	Site does not support suitable habitat for the species; and none were observed during the field survey.
Lemon lily (<i>Lilium parryi</i>)	Federal: None State: None CNPS: 1B.2	Lower montane coniferous forest, meadows and seeps, riparian forest, upper montane coniferous forest.	Site does not support suitable habitat for the species; and none were observed during the field survey.
Parish's desert thorn (<i>Lycium parishii</i>)	Federal: None State: None CNPS: 2B.3	Coastal sage scrub and creosote bush scrub.	Site does not support suitable habitat for the species; and none were observed during the field survey.
Santa Ana River woollystar (<i>Eriastrum densifolium</i> ssp. <i>Sanctorum</i>)	Federal: E State: E CNPS: 1B.1	Alluvial fans within the Santa Ana river system.	Site does support minimal suitable habitat for the species; but none were observed during the field survey.
Short-joint beavertail (<i>Opuntia basilaris</i> var. <i>brachyclada</i>)	Federal: None State: None CNPS: 1B.2	Desert scrub and Joshua tree woodland.	Site does not support suitable habitat for the species; and none were observed during the field survey.
Parry's spineflower (<i>Chorizanthe parryi</i> var. <i>parryi</i>)	Federal: None State: None CNPS: 1B.1	Coastal Sage Scrub and Chaparral.	The site does not support suitable habitat for the species, and none were present during the survey.
slender-horned spineflower (<i>Dodecahema leptoceras</i>)	Federal: E State: E CNPS: 1B.1	Alluvial-fans.	No suitable habitat for the species and none were seen on the field survey.

Parish's bushmallow (<i>Malacothamnus parishii</i>)	Federal: None State: None CNPS:1A	Coastal Sage Scrub and chaparral.	Site does not support suitable habitat for the species; and none were observed during the field survey.
Singlewhorl burrobrush (<i>Ambrosia monogyra</i>)	Federal: None State: None CNPS:2B.2	Deserts, adjacent mountains and dry valleys.	Site does support minimal suitable habitat for the species; but none were observed during the field survey.
Laguna mountains jewelflower (<i>Streptanthus bernardinus</i>)	Federal: None State: None CNPS: 4.3	Yellow Pine Forest and chaparral.	Site does not support suitable habitat for the species, and none were observed during the field survey.

Table 4-2: Special status wildlife and insects documented in the region (Source: CNDDb, 2025).

NAME	STATUS	HABITAT REQUIREMENTS	PRESENCE/ ABSENCE ON PROPERTY
Wildlife Species			
Within Devore Quadrangle			
Burrowing owl (<i>Athene cunicularia</i>)	Federal: None State: Candidate Endangered CDFW: SSC	Grasslands and desert habitats. Can occur in many developed and undeveloped habitats.	The site does support minimal suitable habitat for the species; however, no owls, owl sign, or suitable burrows, were observed during field surveys.
California glossy snake (<i>Arizona elegans occidentalis</i>)	Federal: None State: None CDFW: SSC	Inhabits arid scrub, rocky washes, grasslands, chaparral	Site does not support suitable habitat for the species, and none were observed during the field survey.
San Diego black-tailed jackrabbit (<i>Lepus californicus bennettii</i>)	Federal: None State: None	Preferred habitats include open grasslands, agricultural fields, and sparse coastal scrub.	Site does not support suitable habitat for the species, and none were observed during the field survey.
Coast horned lizard (<i>Phrynosoma blainvillii</i>)	Federal: None State: None CDFW: SSC	Found in grasslands, coniferous forests, woodlands, and chaparral, with open areas and patches of loose soil.	Site does support minimal suitable habitat for the species; but none were observed during the field survey.
Northwestern San Diego pocket mouse (<i>Chaetodipus fallax fallax</i>)	Federal: None State: None	Sandy, herbaceous areas, usually in association with rocks or coarse gravel.	Site does not support suitable habitat for the species; and no pocket mouse were observed during the field survey.
pallid San Diego pocket mouse (<i>Chaetodipus fallax pallidus</i>)	Federal: None State: None	Desert wash Pinon & juniper woodlands Sonoran desert scrub	Site does not support suitable habitat for the species; and none were observed during the field survey.
San Bernardino kangaroo rat (<i>Dipodomys merriami parvus</i>)	Federal: Endangered State: Endangered CDFW: SSC	Foothills, scrublands and alluvial plains containing sand and loam.	Site Supports very marginal suitable habitat for the species, none were observed during the field survey.
coastal California gnatcatcher (<i>Poliophtila californica californica</i>)	Federal: Threatened State: None CDFW: SSC	Coastal sage scrub habitat.	Site does not support suitable habitat for the species, and none were observed during the field survey.
least Bell's vireo (<i>Vireo bellii pusillus</i>)	Federal: E State: E	Riverine scrub, coastal chaparral, scrub oak, mottes (isolated patches) of shrubs and trees in prairies	Site does not support suitable habitat for the species, none were observed during the field survey
Southern California legless lizard (<i>Anniella stebbinsi</i>)	Federal: None State: None CDFW: SSC	Coastal sand dunes and a variety of interior habitats.	Site does not support suitable habitat for the species; and the species was not observed during the field surveys.
Pocketed free-tailed bat (<i>Nyctinomops femorosaccus</i>)	Federal: None State: None CDFW: SSC	Rugged cliffs, high rocky outcrops and slopes	Site does not support suitable habitat for the species; and none were observed during the field survey.
Los Angeles pocket mouse (<i>Perognathus longimembris brevinasus</i>)	Federal: None State: None CDFW: SSC	Lowland grasslands.	Site does not support suitable habitat for the species; and none were observed during the field survey.
Southern mountain yellow-legged frog (<i>Rana muscosa</i>)	Federal: E State: E CDFW: WL	Found in higher elevations riparian habitats within rivers and streams.	Site does not support suitable habitat for the species; and none were observed during the field survey.

Santa Ana speckled dace (<i>Rhinichthys gabrielino</i>)	Federal: Proposed Threatened State: None CDFW: SSC	Tributaries, rivers and streams	Site does not support suitable habitat for the species; and none were observed during the field survey.
Bell's sparrow (<i>Artemisiospiza belli belli</i>)	Federal: None State: None CDFW: WL	Coastal sagebrush, chaparral, and other open, scrub habitats.	Site does support minimal suitable habitat for the species; but no Bells's sparrow's were observed during the field survey.
San Gabriel slender salamander (<i>Batrachoseps gabrieli</i>)	Federal: None State: None	Known only from the San Gabriel Mtns. Found under rocks, wood, and fern fronds, and on soil at the base of talus slopes.	Site does not support suitable habitat for the species; and none were observed during the field survey.
Crotch's Bumble Bee (<i>Bombus crotchii</i>)	Federal: None State: Candidate Endangered	Coastal California east to the Sierra-Cascade crest and south into Mexico. Food plant genera include Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia, and Eriogonum.	Site does support marginal suitable habitat for the species; but no Crotch's bumble bees were observed during the field survey.
American Bumble Bee (<i>Bombus pensylvanicus</i>)	Federal: None State: None	Long-tongued; forages on a wide variety of flowers including vetches (Vicia), clovers (Trifolium), thistles (Cirsium), sunflowers (Helianthus), etc. Nests above ground under long grass or underground. Queens overwinter in rotten wood or underground. Coastal prairie, Great Basin grassland, Valley & foothill grassland.	Site does support marginal suitable habitat for the species; but no American bumble bees were observed during the field survey.
White cuckoo bee (<i>Neolara alba</i>)	Federal: None State: None	Known only from localities in Southern California. Cleptoparasitic in the nests of perdita bees.	Site does not support suitable habitat for the species; and none were observed during the field survey.



Legend

 Project Boundary



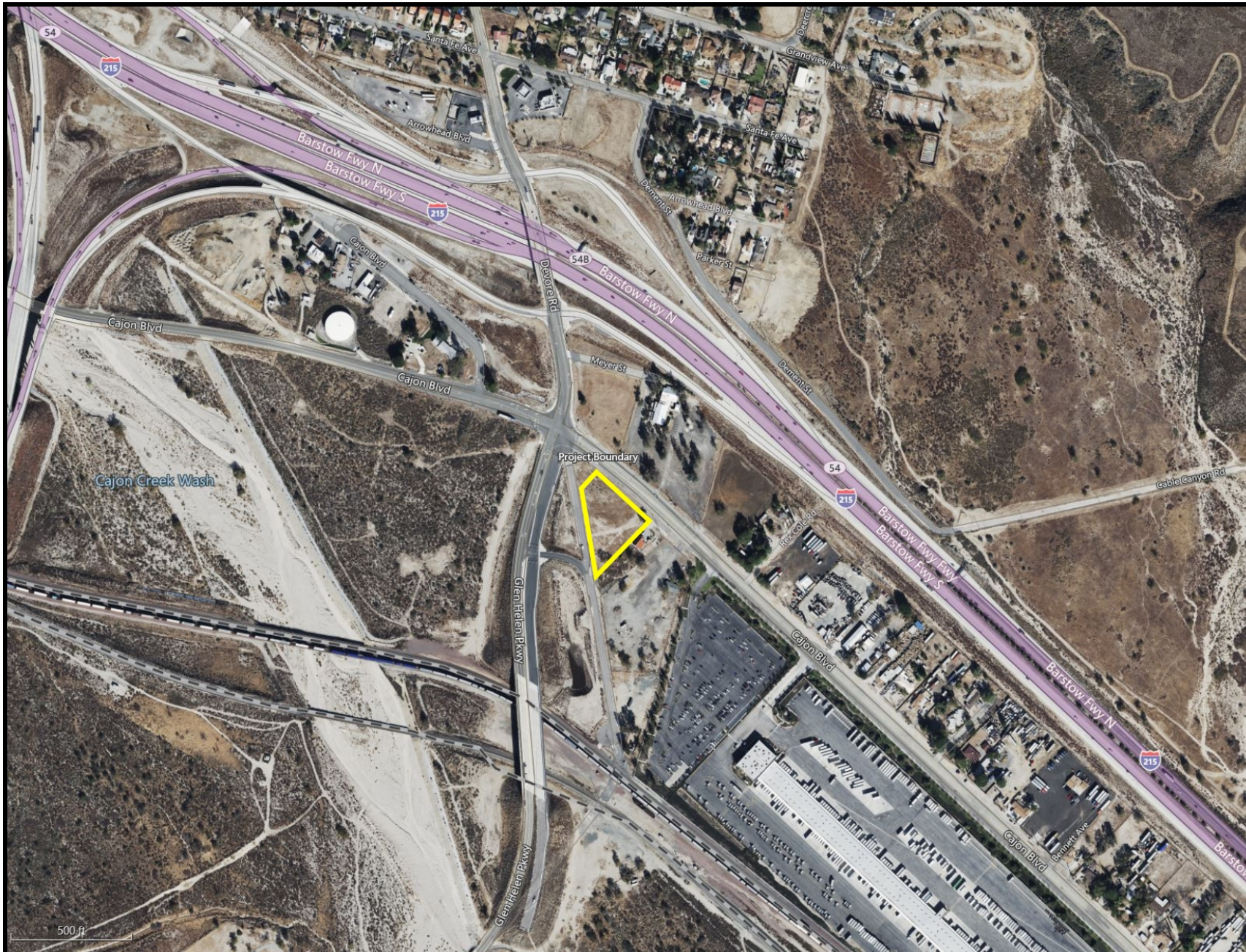
Figure 1: Regional Exhibit

Produced By: RCA Associates, Inc.

SE of the Intersection of Devore Rd. and Cajon Blvd.

Date	Uinta Software
Acreage:	1.57 Acres (Approximately)
Project #:	2022-85





Legend

 Project Boundary



Figure 2: Vicinity Exhibit

Produced By: RCA Associates, Inc.

SE of the Intersection of Devore Rd. and Cajon Blvd.

Date	Uinta Software
Acreage:	1.57 Acres (Approximately)
Project #:	2022-85



CENTER OF SITE LOOKING NORTH



CENTER OF SITE LOOKING EAST



FIGURE 3: PHOTOGRAPHS OF SITE

CENTER OF SITE LOOKING SOUTH



CENTER OF SITE LOOKING WEST



FIGURE 3, cont: PHOTOGRAPHS OF SITE

Figure 4: Site Plans

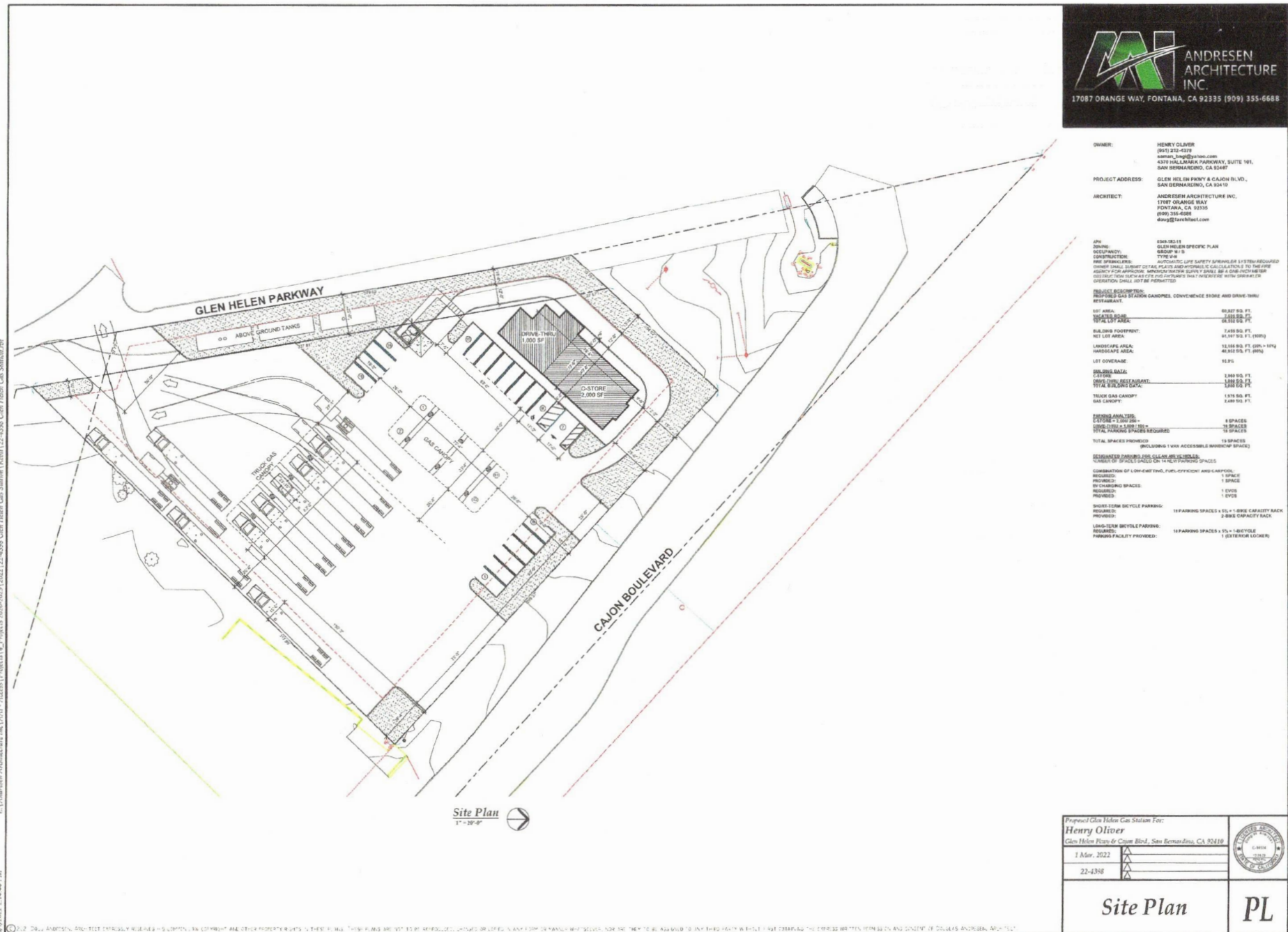


EXHIBIT G

Small Mammals Habitat Assessment

Summary of Mammal Habitat Assessment Surveys for Los Angeles Pocket Mouse, San Bernardino kangaroo rat (*Dipodomys merriami parvus*) and other potentially sensitive small mammal species on for the Devore Gas Station Site



Surveys conducted by Philippe Vergne

Field surveys and focused trapping for SBKR were performed by Mr. Philippe Vergne of ENVIRA who holds a U.S. Fish and Wildlife Service (USFWS) permit to trap and handle of Stephens's and San Bernardino Kangaroo rats, Pacific Pocket mouse, and to conduct field studies on sensitive small mammals in Southern California (TE-068072-5), a CDFW Memorandum of Understanding for above mentioned species and LAPM, Mohave ground squirrel, Palms Springs pocket mouse, Palm Springs ground squirrel, white-eared pocket mouse, Jacumba pocket mouse, CHFA, and Dulzura pocket mouse , and a CDFW scientific collection permit.

Mr. Vergne also conducted a general biological assessment of the plant and wildlife species on site. In addition, he noted site characteristics such as soils, topography, the condition of the plant communities, and evidence of human use of the site.

Survey Date

September 5 between 0930 AM and 1230 PM.

Weather Conditions

Clear skies, moderate 3MPH winds, temperatures high 88 degree F.

Survey Targeted Species Background

Based on literature search, one endangered and four sensitive species were identified as potentially occurring on the project site.

San Bernardino Kangaroo Rat

The SBKR is one of several kangaroo rat species in its range. The Dulzura kangaroo rat (*Dipodomys simulans*), the Pacific kangaroo rat (*Dipodomys agilis*) and the Stephens kangaroo rat (*Dipodomys stephensi*) occur in areas occupied by the SBKR, but these other species have a wider habitat range. The habitat of the SBKR is described as being confined to primary and secondary alluvial fan scrub habitats, with sandy soils deposited by fluvial (water) rather than aeolian (wind) processes. Burrows are dug in loose soil, usually near or beneath shrubs.

The SBKR (*Dipodomys merriami parvus*) is one of three subspecies of the Merriam's kangaroo rat. The Merriam's kangaroo rat is a widespread species that can be found from the inland valleys to the deserts. The subspecies known as the SBKR, however, is confined to inland valley scrub communities, and more particularly, to scrub communities occurring along rivers, streams and drainage. Most of these drainages have been historically altered as a result of flood control efforts and the resulting increased use of river resources, including mining, off-road vehicle use and road and housing development. This increased use of river resources has resulted in a reduction in both the amount and quality of habitat available for the SBKR. The past habitat losses and potential future losses prompted the emergency listing of the SBKR as an endangered species (U.S. Fish and Wildlife Service, 1998a).

Los Angeles Pocket Mouse

The LAPM (*Perognathus longimembris brevinasus*) is one of several pocket mice found in San Bernardino County. The SBKR, the LAPM and the SDPM occupy similar habitats, but the northwestern SDPM has a wider range extending south into San Diego County. The habitat of the LAPM is described as being confined to lower elevation grasslands and coast sage scrub habitats, in areas with soils composed of fine sands (Williams, 1986). The present known distribution of this species extends from Rancho Cucamonga east to Morongo and south to the San Diego County border.

LAPM forages in open ground and underneath shrubs. Pocket mice in general dig burrows in loose soil, although this has not been completely documented for this subspecies.

The LAPM is listed as a California Species of Special Concern (CSSC) by the CDFW.

Northwestern San Diego Pocket Mouse

The Northwestern San Diego Pocket Mouse prefers habitat similar to that preferred by the San Bernardino Kangaroo Rat (*Dipodomys merriami parvus*), a species closely related to the SKR. The Northwestern San Diego Pocket Mouse occurs in open, sandy areas in the valleys and foothills of

southwestern California. The range of this species extends from Orange County to San Diego County, and includes Riverside and San Bernardino counties. This species is a (CSSC); its historical range has been reduced by urban development and agriculture.

San Diego Desert Woodrat

The Desert Woodrat (*Neotoma lepida*) is a relatively wide-ranging species, with a range extending along the coast of California from south of San Francisco through to the border with Baja California, Mexico. This species also occurs in the Central Valley and in the deserts of southern California, and occurs along the desert side of the Sierra Nevada into southeastern Oregon.

The coastal subspecies of the Desert Woodrat, the San Diego Desert Woodrat, prefers scrub habitats such as Coastal Sage Scrub, Chaparral, and Alluvial Fan Sage Scrub. It is more common in areas with rock piles and coarse sandy to rocky soils throughout coastal southern California.

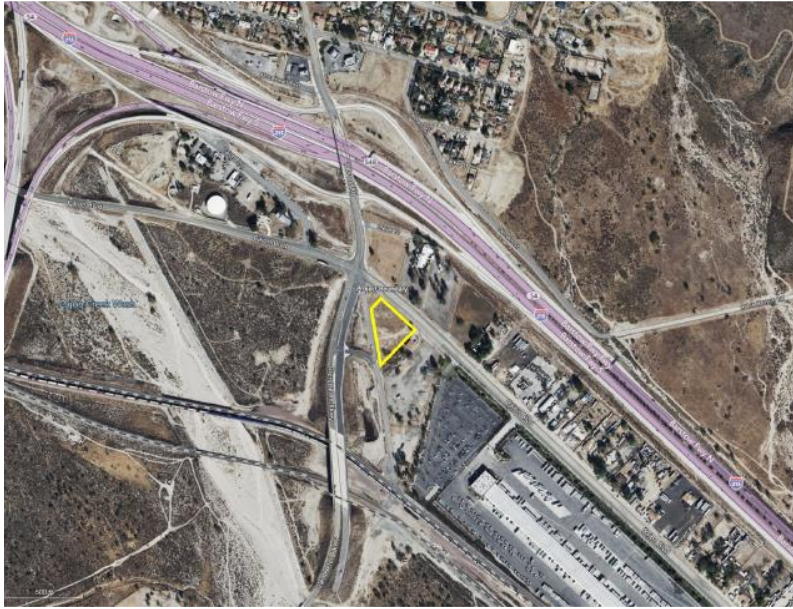
The range of this species extends from just south of Sacramento and the San Francisco area to the border of Baja California. The coastal subspecies of the widespread *Neotoma lepida* is listed as a CSC; its historic range has been impacted by the conversion of scrub habitats into residential, commercial, and industrial use.

SURVEY METHODOLOGY

Surveys consisted of walking transects across the entire alignment and adjacent habitat (Figure 1. Property Boundaries).

Sign looked for included burrows, dust bath, scatt, skeletal remains, tracks and tail drags and other visual observations.

Figure 1. Property Boundaries



RESULTS

Soil conditions and topography on site are marginal for occupancy by the targeted species.

Vegetation consists of ruderal species with remnant/emergent scrub species such as Yerba Santa, flat-top buckwheat, graceful buckwheat, California croton, annual sunflower, telegraph weed, Spanish broom, and disturbed annual grasslands species such as filaree, mediterranean grass and brome. A complete list of species observed is given in appendix A.



Site Vegetation Looking Northwest

The adjacent property is covered in dense scrub made up of Yerba Santa and flat top buckwheat.

Soils on site are Soboba stony loamy sand and conditions are suitable for occupancy by the targeted species although some areas have been impacted by imports of gravel and road base; mostly around the property boundaries with active roads.

Focused trapping surveys immediately to the west have not resulted in LAPM Capture (Dana McLaughlin 2021). Surveys by Vergne in the wash to the south and west did not capture LAPM but capture San Bernardino kangaroo rat (2020). The property is located at the northern edge of critical habitat area 2 for the San Bernardino kangaroo rat.

LAPM burrows and sign are easy to discern in the open habitat on site. No suitable size burrows, scat nor dust-bath were observed and we do not believe the species occurs on site.

Several kangaroo rat burrows and scat were observed on site. Due to size and location of burrows and associated vegetation we believe these belong to the Dulzura kangaroo rat (*Dipodomys simulans*). Trapping results on adjacent property supports those findings (Dana McLaughlin 2021). Furthermore connectivity to the SBKR occupied Cajon Wash has been compromised by freeway offramp addition, railroad projects and berm constructions.

Habitat and sign occur on site for the Northern San Diego pocket mouse. Based on sign probably less than 5 animals occur or forage on the site. A take of so few individuals compared to regional population is not significant under CEQA.

No habitat occurs on the property for desert woodrat and no sign was observed.

Although no focused surveys were performed numerous ground squirrel and cottontail burrows occur on site. No sign of whitewash, feathers, casting or any other sign of current or past burrowing owl presence was observed.



Chaetodipus size burrow on site



K Rat Burrow with scat



Emergent scrub vegetation on site



K rat dust bowl on site

Flora and Fauna Observed

ANGIOSPERMAE: DICOTYLEDONES

Asteraceae

Ambrosia psilostachya
Chrysothamnus nauseosus
Helianthus annuus
Hemizonia fasciculata
Heterotheca grandiflora

Boraginaceae

Amsinckia menziesii

Brassicaceae

Hirschfeldia incana
Sisymbrium irio

Cactaceae

Opuntia basilaris

Euphorbiaceae

Croton californica
Eremocarpus setigerus

Geraniaceae

Erodium cicutarium

Platanaceae

Platanus racemosa

Polygonaceae

Eriogonum fasciculatum
Eriogonum gracile

Poaceae

Bromus carinatus
Bromus diandrus
**Schismus barbatus*

DICOT FLOWERING PLANTS

Sunflower family

Western ragweed
Rabbit brush
Annual sunflower
Fascicled tarweed
Telegraph weed

Borage family

Fiddleneck

Mustard family

Short-podded mustard
London rocket

Cactus family

Beavertail cactus

Spurge family

Croton
Doveweed

Geranium family

Red-stemmed filaree

Sycamore family

Sycamore

Buckwheat family

California buckwheat
Graceful buckwheat

Grass family

California brome
Ripgut brome
Mediterranean grass

Taxonomy and nomenclature follow Hickman 1993 and Munz 1974.

FAUNA

INSECTA

Acrididae

Trimerotropis pallidipennis

Apidae

Apis mellifera

Pieridae

Artogeia rapae

Pompilidae

Pepsis mildei

REPTILIA

Iguanidae

Uta stansburiana

AVES

Accipitridae

Buteo jamaicensis

Falconidae

Falco sparverius

Columbidae

Columba livia

Zenaida macroura

Tytonidae

Tyto alba

Corvidae

Corvus corax

INSECTS

Grasshoppers

Pallid-winged grasshopper

Bees

Honey bee

Whites and sulfur butterflies

Cabbage white

Spider wasps

Tarantula hawk

REPTILES

Iguanas and their allies

Side-blotched lizard

BIRDS

Kites, hawks and eagles

Red-tailed hawk

Caracaras and falcons

American kestrel

Pigeons and doves

Rock dove

Mourning dove

Barn owl

Barn owl

Crows and ravens

Common raven

MAMMALIA

Leporidae

Sylvilagus audubonii

Sciuridae

Spermophilus beecheyi

Geomyidae

Thomomys bottae

Heteromyidae

Chaetodippus fallax fallax

Dipodomys simulans

Cricetidae

Peromyscus maniculatus

Canidae

Canis latrans

MAMMALS

Rabbits and hares

Audubon's cottontail

Squirrels, chipmunks and marmots

California ground squirrel

Pocket gophers

Botta's pocket gopher

Pocket mice and kangaroo rats

Northwestern San Diego pocket mouse

Dulzura kangaroo rat (likely)

Cricetine mice and rats

Deer mouse

Foxes, wolves and relatives

Coyote

Nomenclature follows Garth & Tilden 1986, Hall 1981, Laudenslayer et al. 1991, and Stebbins 1966.

EXHIBIT H

SCAQMD Comment Letter



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

August 21, 2025

Maryn.Mineo-Wells@lus.sbcounty.gov

Maryn Mineo-Wells, Planner III

Land Use Services Department

385 N. Arrowhead Avenue, 1st Floor

San Bernardino, CA 92415-0187

**Initial Study/Mitigated Negative Declaration (IS/MND) for the
Devore Gas Station, Convenience Store, and Drive-Thru Restaurant Project
(Proposed Project) (SCH No: 2025080303)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciate the opportunity to review the above-mentioned document. The County of San Bernardino is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments which are organized by topic of concern.

Summary of Proposed Project Information in the IS/MND

Based on the IS/MND, the Proposed Project consists of a conditional use permit for constructing 1) a gas station with six automobile fueling stations with canopy, 2) six truck fueling stations with canopy, 3) 2,000-square-foot convenience store, and 4) 1,000-square-foot drive-thru restaurant, on 1.40 acres.¹ Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., residential development) is located The nearest sensitive receptors to the Proposed Project are the residences on the north side of Interstate 215, south of Santa Fe Avenue, and east of Dement Street, approximately 0.25 miles to the north of the site.² Construction of the Proposed Project is anticipated to occur in in early 2025 and be completed in 2026 operational year.³ The Proposed Project is located at 18545 Cajon Boulevard, near the southeast corner of Cajon Boulevard and Devore Road in the City of Devore.

South Coast AQMD Comments

South Coast AQMD Air Permits and Role as a Responsible Agency

If implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, etc., air permits from South Coast AQMD will be required. The final CEQA document, an IS/MND, should include a discussion about the potentially applicable rules that the Proposed Project needs to comply with. Those rules may include, for example, Rule 201 – Permit to Construct,⁴ Rule

¹ IS/MND, page. 1.

² *Ibid.* page 2.

³ *Ibid.* page 21.

⁴ South Coast AQMD. Rule 201 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf>

203 – Permit to Operate,⁵ Rule 401 – Visible Emissions,⁶ Rule 402 – Nuisance,⁷ Rule 403 – Fugitive Dust,⁸ Rule 1110.2 – Emissions from Gaseous and Liquid Fueled Engines,⁹ Rule 1113 – Architectural Coating,¹⁰ Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil,¹¹ Regulation XIII – New Source Review,¹² Rule 1401 – New Source Review of Toxic Air Contaminants,¹³ Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants,¹⁴ Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines,¹⁵ etc. It is important to note that when air permits from South Coast AQMD are required, the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections 15086, the Lead Agency is required to consult with South Coast AQMD.

CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of the process for conducting a review of the Proposed Project and issuing discretionary approvals. Moreover, it is important to note that if a Responsible Agency determines that a CEQA document is not adequate to rely upon for its discretionary approvals, the Responsible Agency must take further actions listed in CEQA Guideline Section 15096(e), which could have the effect of delaying the implementation of the Proposed Project. In its role as CEQA Responsible Agency, the South Coast AQMD is obligated to ensure that the CEQA document prepared for this Proposed Project contains a sufficient project description and analysis to be relied upon in order to issue any discretionary approvals that may be needed for air permits. South Coast AQMD is concerned that the project description and analysis in its current form in the IS/MND is inadequate to be relied upon for this purpose.

For these reasons, the final CEQA document should be revised to include a discussion about any and all new stationary and portable equipment requiring South Coast AQMD air permits, provide the evaluation of their air quality and greenhouse gas impacts, and identify South Coast AQMD as a Responsible Agency for the Proposed Project as this information will be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at <https://www.aqmd.gov/home/permits>.

Conclusion

The Lead Agency is recommended to revise the CEQA analysis to address the aforementioned comments and provide the necessary evidence to sufficiently support the conclusions reached. If

⁵ South Coast AQMD. Rule 203 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf>

⁶ South Coast AQMD. Rule 401 available at: <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-401.pdf>

⁷ South Coast AQMD. Rule 402 available at: <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf>

⁸ South Coast AQMD. Rule 403 available at: <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403>

⁹ South Coast AQMD. Rule 1110.2 available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1110_2.pdf

¹⁰ South Coast AQMD. Rule 1113 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf>

¹¹ South Coast AQMD. Rule 1166 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf>

¹² South Coast AQMD. Regulation XIII available at: <https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/regulation-xiii>

¹³ South Coast AQMD. Rule 1401 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf>

¹⁴ South Coast AQMD. Rule 1466 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1466.pdf>

¹⁵ South Coast AQMD. Rule 1470 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf>

the requested information and analysis are not included in the final CEQA document, either the Final IS/MND or other type of CEQA document, the Lead Agency should provide reasons for not doing so. Pursuant to California Public Resources Code Section 21092.5(b) and CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the IS/MND for adoption together with any comments received during the public review process and notify each public agency when any public hearings are scheduled. Please provide South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final IS/MND. When responding to issues raised in the comments, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided. In addition, if the Lead Agency decides to adopt the Final IS/MND, please provide South Coast AQMD with a notice of any scheduled public hearing(s).

Thank you for the opportunity to provide comments. South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Sahar Ghadimi, Air Quality Specialist, at sghadimi@aqmd.gov or myself at swang1@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang

Program Supervisor, CEQA IGR

Planning, Rule Development & Implementation

SW:SG

SBC250807-03

Control Number

EXHIBIT I

Response to SCAQMD Comments

MEMORANDUM

DATE: September 2, 2025 **LC PROJECT NO.** 1494

TO: Maryn Wells, Senior Planner
San Bernardino County Land Use Services - Planning

FROM: Frank Amendola, Lilburn Corporation

SUBJECT: SCAQMD Comment Letter for Devore Gas Station Project

The County of San Bernardino received a comment letter from South Coast Air Quality Management District (SCAQMD) dated August 21, 2025, on the Initial Study/Mitigated Negative Declaration - Devore Gas Station Project (SCH No: 2025080303).

We agree with SCAQMD comments, and the following is recommended to be included as a Condition of Approval as part of the action approving the project and the Initial Study/Mitigated Negative Declaration:

Prior to operational use the applicant will be required to comply with but not limited to the following rules from SCAQMD:

- Rule 201 – Permit to Construct
- Rule 203 – Permit to Operate

**Mitigation
Monitoring and
Reporting Program**

Mitigation Monitoring and Reporting Program
Devore Gas Station, C-Store, and Drive-Thru
PROJ-2022-00213

Mitigation Measure		Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
4. Biological Resources					
BIO-1	Pre-construction surveys for burrowing owls and nesting birds protected under the Migratory Bird Treaty Act and Section 3503 of the California Fish and Wildlife Code shall be conducted prior to the commencement of Project related ground disturbance. a. Appropriate survey methods and timeframes shall be established, to ensure that chances of detecting the target species are maximized. If nesting birds are detected, avoidance measures shall be implemented to ensure that nests are not disturbed until after young have fledged. b. Pre-construction surveys shall encompass all areas within the potential footprint of disturbance for the project, as well as a reasonable buffer around these areas. Focused plant surveys for all special status plant species that have the potential to occur on the site may be considered during the blooming season (April - June) (if warranted by CDFW) to determine the potential environmental effects of the proposed projects on special status plants and sensitive natural communities following recommended protocols by the Department of Fish and Wildlife. If any sensitive species are observed on the property during future activities, CDFW and USFWS (as applicable) should be contacted to discuss specific mitigation measures which may be required for the individual species. CDFW and USFWS are the only agencies which can grant authorization for the "take" of any sensitive species and can approve the implementation of any applicable mitigation measures.	Project applicant	Prior to ground disturbance	San Bernardino County Land Use Services Department	
5. Cultural Resources					
CUL-1	A qualified archaeologist shall be on-call during ground-disturbing activities. In the event of an archaeological discovery, either historic or prehistoric, the archaeologist shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to, digging, trenching, excavating, or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources. If the	Project applicant	During ground disturbance	San Bernardino County Land Use Services Department	

	discovered resource is associated with the prehistoric Native American occupation of this area, a Native American representative from a local tribe shall be contacted to review and participate in the evolution of the discovered resource. The qualified archaeologist shall notify the County of the discovery. If the resource is significant, the qualified archaeologist shall submit an Archaeological Data Recovery Program (ADRP) to the County to review and approve. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery would be allowed to resume. If the resource is not significant, the archaeologist shall submit a letter to the County indicating that artifacts would be collected, curated, and documented in the final monitoring report. The letter shall also indicate that no further work is required.				
CUL-2	If evidence of human remains is identified, the County Coroner would be contacted immediately and permitted to inspect the remains. The County of San Bernardino and the Project Applicant shall also be informed of the discovery. The Coroner would determine if the bones are historic/archaeological or a modern legal case. The Coroner would immediately contact the Native American Heritage Commission (NAHC) in the event that remains are determined to be human and of Native American origin, in accordance with California Public Resources Code Section § 5097.98. All discovered human remains shall be treated with respect and dignity. California state law (California Health & Safety Code § 7050.5) and federal law and regulations ([Archaeological Resources Protection Act (ARPA) 16 USC 470 & 43 CFR 7], [Native American Graves Protection & Repatriation Act (NAGPRA) 25 USC 3001 & 43 CFR 10] and [Public Lands, Interior 43 CFR 8365.1-7]) require a defined protocol if human remains are discovered in the State of California regardless if the remains are modern or archaeological.	Project applicant	During ground disturbance	San Bernardino County Land Use Services Department	
7. Geology and Soils					
GEO-1	If paleontological resources are discovered during earth disturbance activities, the discovery shall be cordoned off with a 100-foot radius buffer so as to protect the discovery from further potential damage, and a county-qualified paleontologist shall be consulted to assess the discovery.	Project applicant	Prior to construction activities	San Bernardino County Land Use Services Department	
8. Greenhouse Gas Emissions					

GHG-1	The Project Applicant shall incorporate the GHG reduction measures from the GHG Reduction Plan Screening Tables as listed in Appendix A-2 into the project design to reduce GHG emissions to levels considered less than significant.	Project applicant	Prior to building permit issuance	San Bernardino County Land Use Services Department	
18. Tribal Cultural Resources					
TCR-1	A Monitoring and Treatment Plan: A Monitoring and Treatment Plan that is reflective of the project mitigation ("Cultural Resources" and "Tribal Cultural Resources") shall be completed by the archaeologist and submitted to the Lead Agency for dissemination to the Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN, also known as San Manuel Band of Mission Indians). Once all parties review and approve the plan, it shall be adopted by the Lead Agency – the plan must be adopted prior to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring and Treatment Plan.	Project applicant	Prior to ground disturbance	San Bernardino County Land Use Services Department	
TCR-2	Archaeological Monitoring: Due to the heightened cultural sensitivity of the proposed project area, an archaeological monitor with at least 3 years of regional experience in archaeology shall be present for all ground-disturbing activities that occur within the proposed project area (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work). A sufficient number of archaeological monitors shall be present each work day to ensure that simultaneously occurring ground disturbing activities receive thorough levels of monitoring coverage.	Project applicant	During ground disturbance	San Bernardino County Land Use Services Department	
TCR-3	Worker Environmental Awareness Program: Prior to project initiation, a qualified archaeologist should be retained to conduct a Worker's Environmental Awareness Program (WEAP) training on archaeological sensitivity for all construction personnel prior to the commencement of any ground-disturbing activities. The training should be conducted by an archaeologist who meets or exceeds the Secretary of Interior's Professional Qualification Standards for archaeology. Tribal representatives from the Consulting Tribes, such as Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN, also known as San Manuel Band of Mission Indians) will be	Project applicant	Prior to ground disturbance	San Bernardino County Land Use Services Department	

	allowed to attend and/or participate in the WEAP training should they elect to and will be given ten days' notice prior to the training. Archaeological sensitivity training should include a description of the types of cultural material that may be encountered, cultural sensitivity issues, regulatory issues, and the proper protocol for treatment of the materials in the event of a find.				
TCR-4	Tribal Monitoring: Due to the heightened cultural sensitivity of the proposed project area, at the discretion of the consulting tribe(s), Tribal monitor(s) authorized to represent YSMN shall be present for all ground disturbing activities that occur within the proposed project area (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work). At the discretion of the consulting tribes, a sufficient number of Tribal monitors shall be present each work day to ensure that simultaneously occurring ground disturbing activities receive thorough levels of monitoring coverage. A Monitoring and Treatment Plan that is reflective of the project mitigation ("Cultural Resources" and "Tribal Cultural Resources") shall be completed by the archaeologist and submitted to the Lead Agency for dissemination to the Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN). Once all parties review and agree to the plan, it shall be adopted by the Lead Agency – the plan must be adopted prior to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring and Treatment Plan.	Project applicant	During ground disturbance	San Bernardino County Land Use Services Department	
TCR-5	Treatment of Cultural Resources During Project Implementation: If a pre-contact cultural resource is discovered during project implementation, ground-disturbing activities shall be suspended 60 feet around the resource(s), and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. The Project Archaeologist shall develop a research design that shall include a plan to evaluate the resource for significance under CEQA criteria. Representatives from YSMN, the Archaeologist, and the Lead Agency shall confer regarding the research design, as well as any testing efforts needed to delineate the resource boundary. Following the completion of evaluation efforts, all parties shall confer regarding the resource's archaeological significance, its potential as a Tribal Cultural Resource (TCR), and avoidance (or other appropriate treatment) of the discovered resource. Removal of any cultural resource(s) shall be	Project applicant	During ground disturbance	San Bernardino County Land Use Services Department	

conducted with the presence of a Tribal monitor representing the Tribe, unless otherwise decided by YSMN. All plans for analysis shall be reviewed and approved by the applicant and YSMN prior to implementation, and all removed material shall be temporarily curated on-site. It is the preference of YSMN that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during project implementation not be feasible, then a reburial location for future reburial shall be decided upon by YSMN, the landowner, and the Lead Agency, and all finds shall be reburied within this location. Additionally, in this case, reburial shall not occur until all ground disturbing activities associated with the project have been completed, all monitoring has ceased, all cataloguing and basic recordation of cultural resources have been completed, and a final monitoring report has been issued to Lead Agency, CHRIS, and YSMN. All reburials are subject to a reburial agreement that shall be developed between the landowner and YSMN outlining the determined reburial process/location, and shall include measures and provisions to protect the reburial area from any future impacts. Should it occur that avoidance, preservation in place, and on-site reburial are not an option for treatment, the landowner shall relinquish all ownership and rights to this material and confer with YSMN to identify an American Association of Museums (AAM)-accredited facility within the County that can accession the materials into their permanent collections and provide for the proper care of these objects in accordance with the 1993 CA Curation Guidelines. A curation agreement with an appropriate qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project developer/applicant to pay for those fees. All draft records/reports containing the significance and treatment findings and data recovery results shall be prepared by the archaeologist and submitted to the Lead Agency and YSMN for their review and comment. After approval from all parties, the final reports and site/isolate records are to be submitted to the local CHRIS Information Center, the Lead Agency, and YSMN.				
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TCR-6	If human remains are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.	Project applicant	During ground disturbance	San Bernardino County Land Use Services Department	
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EXHIBIT K

Site Plan

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Proposed Glen Helen Truck & Auto Gas Station For:
Henry Oliver
18545 Cajon Blvd., San Bernardino, CA 92407



Project Information

OWNER: HENRY OLIVER
4370 HALLMARK PARKWAY, SUITE 101
SAN BERNARDINO, CA 92407
(951) 232-4378
holivier@geo-cal.com

PROJECT ADDRESS: GLEN HELEN PKWY. & CAJON BLVD.
SAN BERNARDINO, CA 92410

ARCHITECT: ANDRESEN ARCHITECTURE, INC.
17087 ORANGE WAY
FONTANA, CA 92335
(909) 355-6688

CONTACT: DOUG ANDRESEN
doug.andresen@aafirm.com

CIVIL: SAKI ENGINEERING
400 S. RAMONA AVENUE STE. 202
CORONA, CA 92679
(951) 279-4041
SAM AKBARPOUR
sam@sakeengineers.com

MECHANICAL/
ELECTRICAL/
PLUMBING: RPM ENGINEERING, INC.
102 DISCOVERY
SAN BERNARDINO, CA 92408
(949) 450-1229

MAIN CONTACT: RAYMOND PHUA, rayp@rpmpe.com
MECHANICAL CONTACT: LYDIA MA, lydiam@rpmpe.com
PLUMBING CONTACT: MARIO CASTRO, mario@rpmpe.com
ELECTRICAL CONTACT: LAN NGUYEN, lann@rpmpe.com

LANDSCAPE ARCHITECT: LANDSCAPE DYNAMICS
(951) 264-4839
SARA ZOLL
sarazoll@landscapedynamics.net

CONTACT:

SOILS ENGINEER: GEO-CAL, INC.
4370 HALLMARK PARKWAY, SUITE 101
SAN BERNARDINO, CA 92407
(909) 880-1146
TODD R. WYLAND
info@geo-cal.com
DATED JAN. 30, 2022

APN: 0349-182-11
ZONING: GLEN HELEN SPECIFIC PLAN - COMMERCIAL / TRAVELER SERVICES (GH/SP-C/T/S)
OCCUPANCY: GROUP M / B
CONSTRUCTION: TYPE V-N
FIRE SPRINKLERS: AUTOMATIC LIFE SAFETY SPRINKLER SYSTEM REQUIRED.
OWNER SHALL SUBMIT DETAIL PLANS AND HYDRAULIC CALCULATIONS TO THE FIRE AGENCY FOR APPROVAL. MINIMUM WATER SUPPLY SHALL BE A ONE-INCH METER. OBSTRUCTION SUCH AS CEILING FIXTURES THAT INTERFERE WITH SPRINKLER OPERATION SHALL NOT BE PERMITTED.

PROJECT DESCRIPTION:
PROPOSED GAS STATION WITH (6) AUTO PUMPING STATIONS, (6) TRUCK PUMPING STATIONS WITH CANOPIES, A CONVENIENCE STORE AND A DRIVE-THRU RESTAURANT.

LOT AREA: 60,399 SQ. FT.
VACATED ROAD: 8,100 SQ. FT.
TOTAL LOT AREA: 68,499 SQ. FT.

BUILDING FOOTPRINT: 7,360 SQ. FT.
NET LOT AREA: 61,099 SQ. FT. (100%)

LANDSCAPE AREA: 10,823 SQ. FT. (17.7% > 15%)
HARDSCAPE AREA: 50,276 SQ. FT. (82.3%)

LOT COVERAGE: (57,636 SF / 68,499 SF) 84.2% < 85% OK!

BUILDING DATA:
C-STORE: 1,848 SQ. FT.
DRIVE-THRU RESTAURANT: 1,057 SQ. FT.
TOTAL BUILDING DATA: 2,905 SQ. FT.

TRUCK GAS CANOPY: 1,975 SQ. FT.
GAS CANOPY: 2,480 SQ. FT.

PARKING ANALYSIS:
C-STORE = 1,848 / 250 = 8 SPACES
DRIVE-THRU = 1,057 / 100 = 11 SPACES
TOTAL PARKING SPACES REQUIRED: 19 SPACES

TOTAL SPACES PROVIDED: 19 SPACES
(INCLUDING 1 VAN ACCESSIBLE HANDICAP SPACE)

DESIGNATED PARKING FOR CLEAN AIR VEHICLES:
NUMBER OF SPACES BASED ON 14 NEW PARKING SPACES

COMBINATION OF LOW-EMITTING, FUEL-EFFICIENT AND CARPOOL:
REQUIRED: 1 SPACE
PROVIDED: 1 SPACE

EV CHARGING SPACES:
REQUIRED: 1 EVCS
PROVIDED: 1 EVCS

SHORT-TERM BICYCLE PARKING:
REQUIRED: 18 PARKING SPACES x 5% = 1-BIKE CAPACITY RACK
PROVIDED: 2-BIKE CAPACITY RACK

LONG-TERM BICYCLE PARKING:
REQUIRED: 18 PARKING SPACES x 5% = 1-BICYCLE
PARKING FACILITY PROVIDED: 1 (EXTERIOR LOCKER)

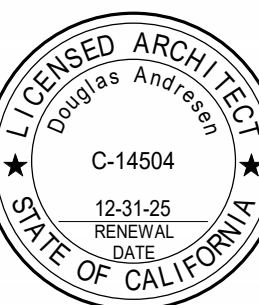
Sequence of Drawings - DR

Number	Description
PL-4	Canopy Plans
PL-1	Site Plan
PL-1.1	Site Plan - Ultimate R.O.W.
PL-2	Floor Plan & Ext. Elevation
PL-3	3D Views
1 OF 1	Conceptual Grading Plan
E-1	Site Lighting Photometric Study
L-1	Preliminary Landscaping Plan

Proposed Glen Helen Truck & Auto Gas Station For:
Henry Oliver
18545 Cajon Blvd., San Bernardino, CA 92407

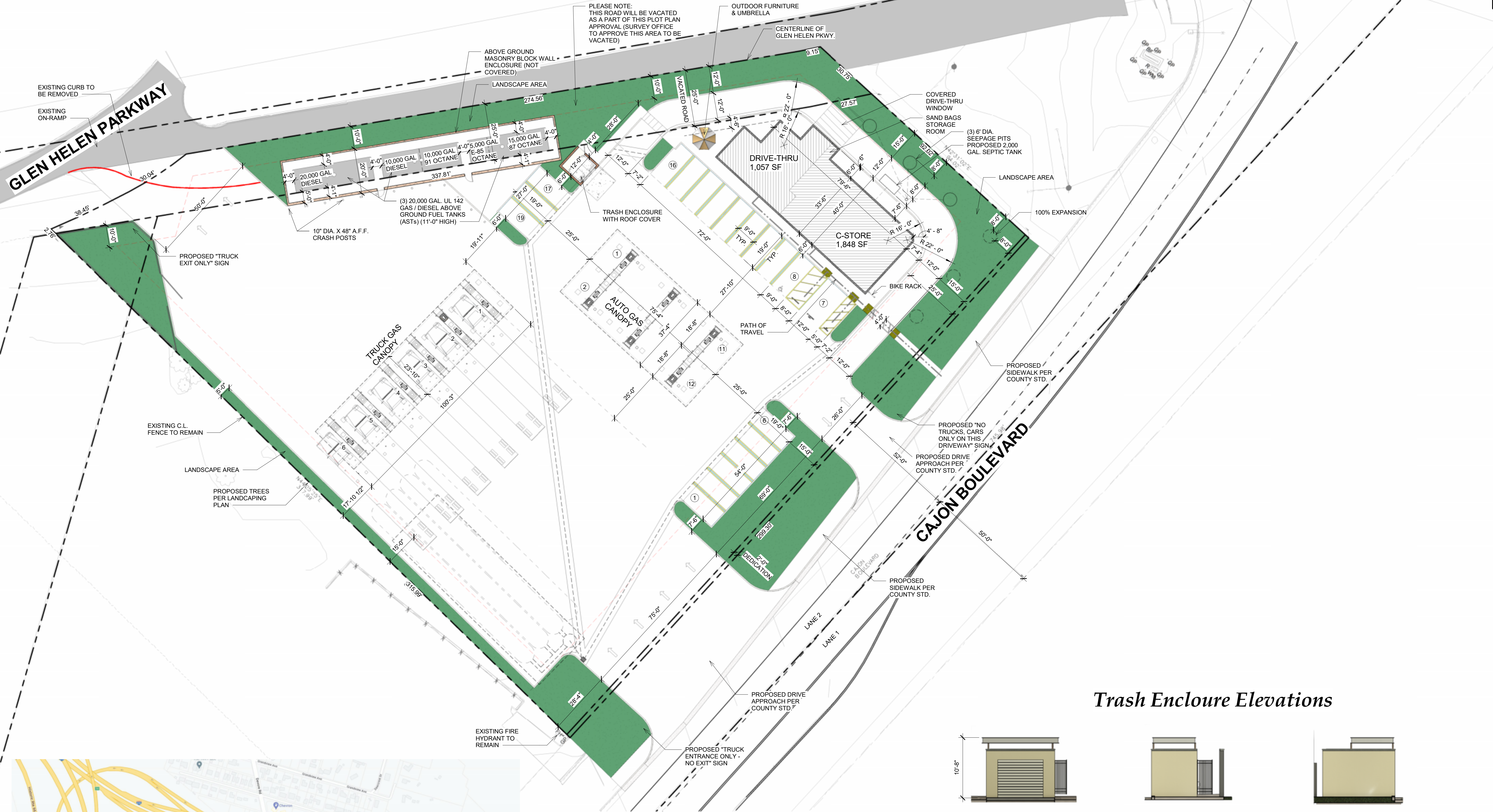
2 July 2025

22-4398



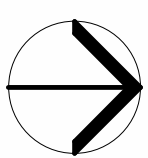
Site Plan

PL-1

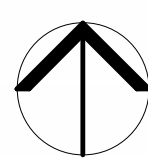


Site Plan

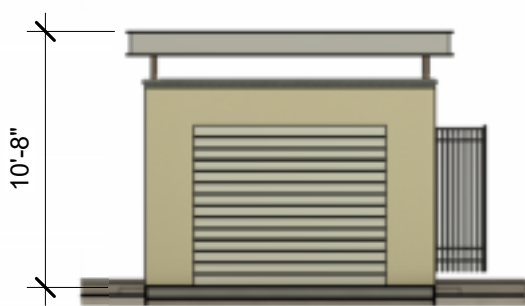
1" = 20'-0"



Vicinity Map

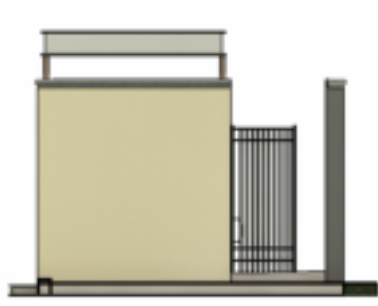


Trash Enclosure Elevations



TE - Front Elevation

1/8" = 1'-0"



TE - Right Elevation

1/8" = 1'-0"

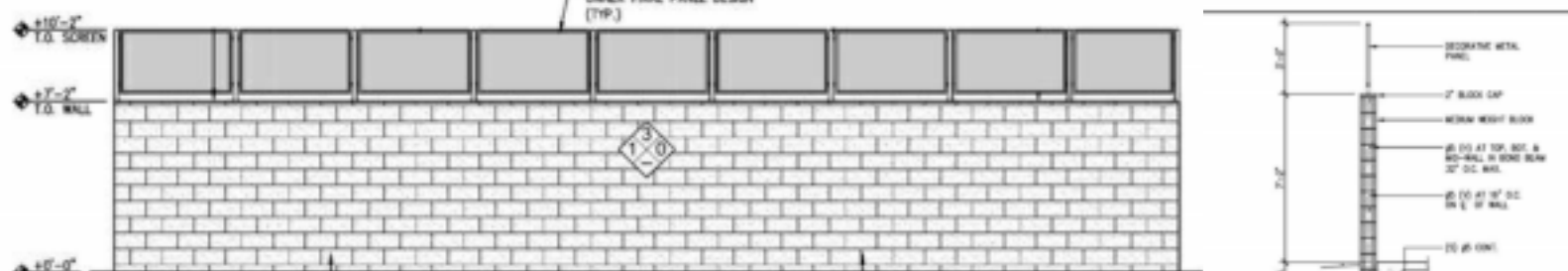


TE - Left Elevation

1/8" = 1'-0"

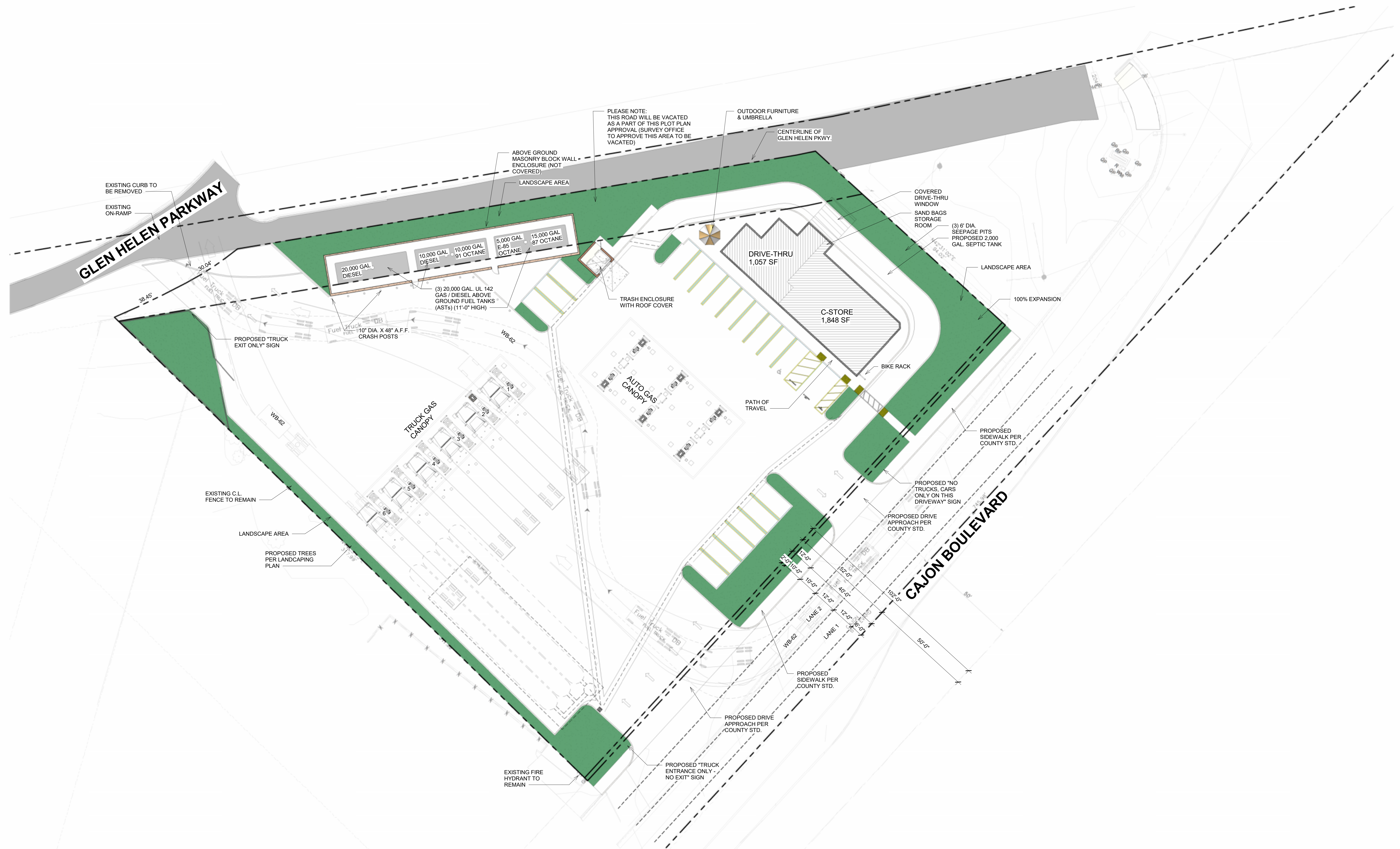


1 Above Ground Tank Enclosure



ELEVATION

SECTION



Site Plan - Ultimate R.O.W.
1" = 20'-0"

Proposed Glen Helen Truck & Auto Gas Station For: Henry Oliver 18545 Cajon Blvd., San Bernardino, CA 92407		
2 July 2025		
22-4398		
Site Plan - Ultimate R.O.W.		PL-1.1

EXHIBIT L

Public Comment

Mineo-Wells, Maryn

From: Fred Bibayan <fbibayan1@gmail.com>
Sent: Monday, August 25, 2025 3:34 PM
To: Macias, Ivonne
Cc: Mineo-Wells, Maryn
Subject: Re: Project Notice PROJ-2022-00213

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Good evening All,

We are COMPLETELY opposed to this project, we already have a gas station coming on the corner of Devore/Cajon right across this and DO NOT need another gas station. This is an ENVIRONMENTAL liability, traffic liability. We already have 2 existing gas stations on the corner with ONE more in permitting. With the Oasis center coming along as well, we DO NOT need one.

This corner should be ALLOWED for a drive through only with NO GAS. Also this property is going through the Devore Water Company line and should not be allowed to sell fuel as it can contaminate the water!

We need SB County to go back and work with the owner and re-develop this to a different use.

WE DO NOT NEED THIS PROJECT TO BE APPROVED.

On Thu, Aug 21, 2025 at 1:37 PM Macias, Ivonne <Ivonne.Macias@lus.sbcounty.gov> wrote:

Attached to this email is the official **Notice of Public Hearing and Notice of Availability/Notice of Intent to Adopt a Mitigated Negative Declaration San Bernardino County**

The comment period for the Mitigated Negative Declaration is **August 23, 2025, to September 12, 2025.**

Please submit comments to Maryn Mineo-Wells at maryn.mineo-wells@lus.sbcounty.gov

Thank you for your attention to this notice.

Land Use Services Department



Our job is to create a county in which those who reside and invest can prosper and achieve well-being.

www.SBCounty.gov

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