



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

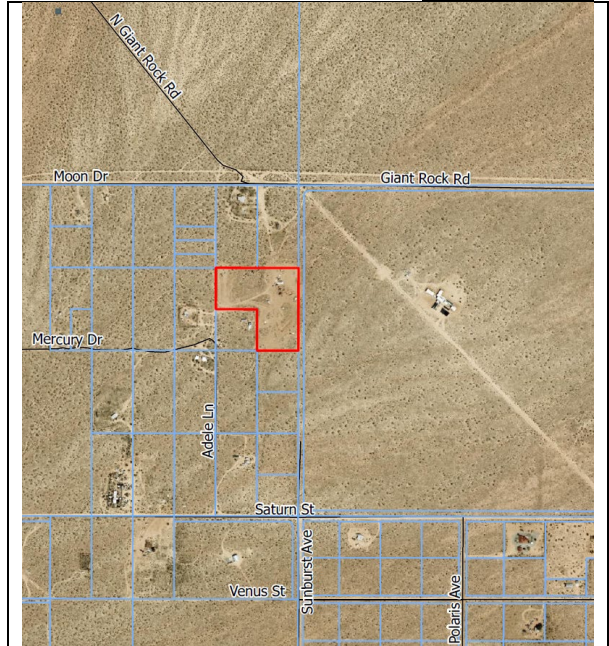
HEARING DATE: April 9, 2026

AGENDA ITEM 2

Project Description

Vicinity Map

Project No: PROJ-2023-00023
APN: 0631-201-68
Applicant: David Lee and Joseph Milburn
Community: Homestead Valley
Location: 62076 Mercury Drive
County:
Supervisor: Dawn Rowe, 3rd District
Staff: Luis Rodriguez, Contract Planner
Rep: Joseph Milburn and David Lee
Proposal: A Conditional Use Permit to establish a 12-site dry campground facility on a 7.5-acre parcel.



40 Hearing Notices were sent on: March 25, 2026

SITE INFORMATION:

Project Size: 7.5 Acres
 Terrain: Flat
 Vegetation: Existing desertscape with 2 Joshua Trees

TABLE 1 – SITE AND SURROUNDING LAND USES AND ZONING:

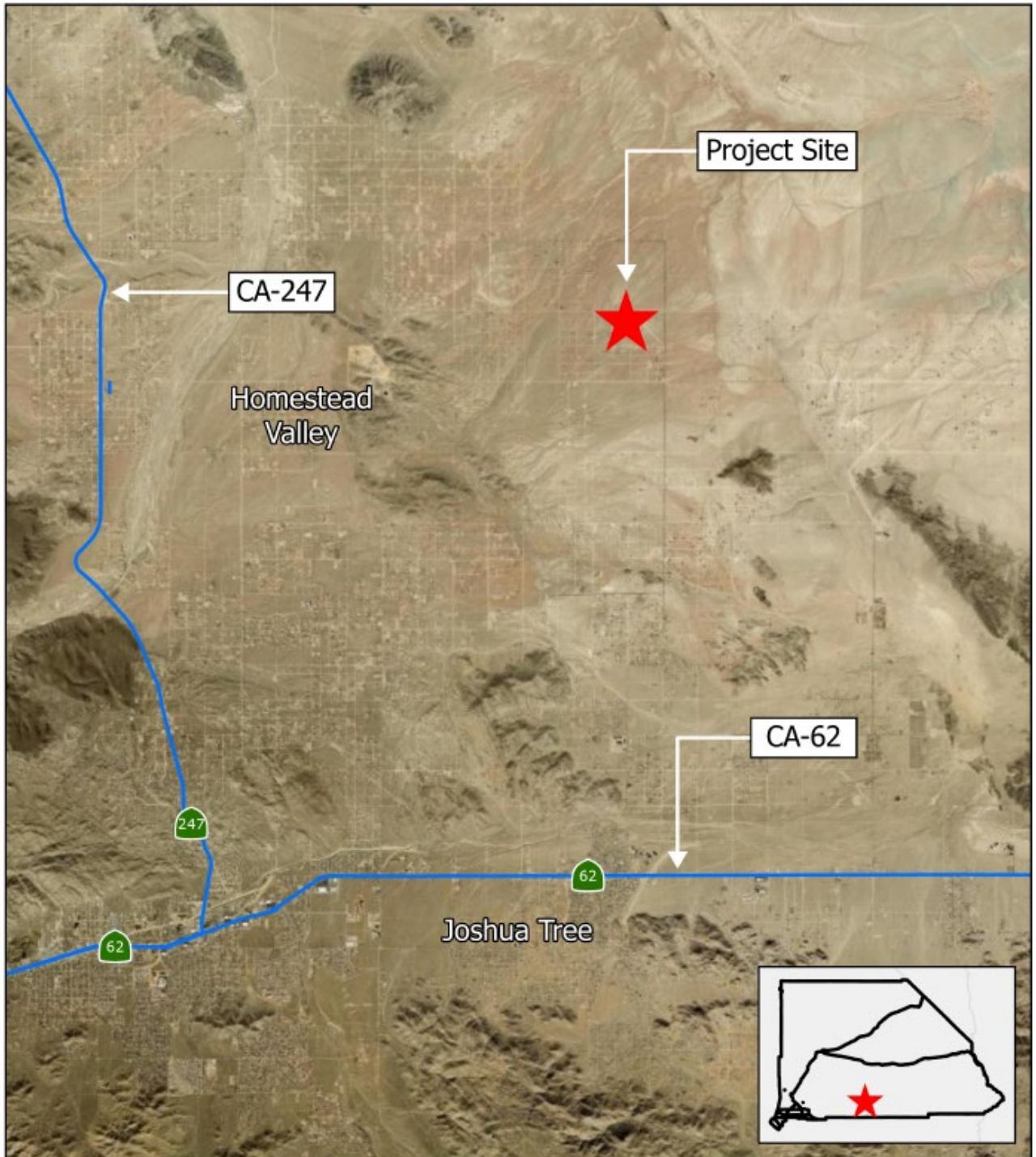
ARE A	EXISTING LAND USE	LAND USE CATEGORY	ZONING DISTRICT
SITE	Accessory Structures (2)	Rural Living (RL)	Homestead-Rural Living (HV/RL)
North	Single-Family Residential	Rural Living (RL)	Homestead-Rural Living (HV/RL)
South	Single-Family Residential and Vacant Land	Rural Living (RL)	Homestead-Rural Living (HV/RL)
East	Single-Family Residential	Rural Living (RL)	Homestead-Rural Living (HV/RL)
West	Single-Family Residential	Rural Living (RL)	Homestead-Rural Living (HV/RL)

	Agency	Comment
City Sphere of Influence:	N/A	None received
Water Service:	N/A	None received
Sewer Service:	N/A (Portable bathrooms)	None received

STAFF RECOMMENDS: The Planning Commission **ADOPT** the Mitigated Negative Declaration, **ADOPT** the Findings for approval of the Conditional Use Permit, **APPROVE** the Conditional Use Permit to establish a 12-site dry campground facility, subject to the Conditions of Approval, and **DIRECT** the Land Use Services Department to file a Notice of Determination in accordance with the California Environmental Quality Act.

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

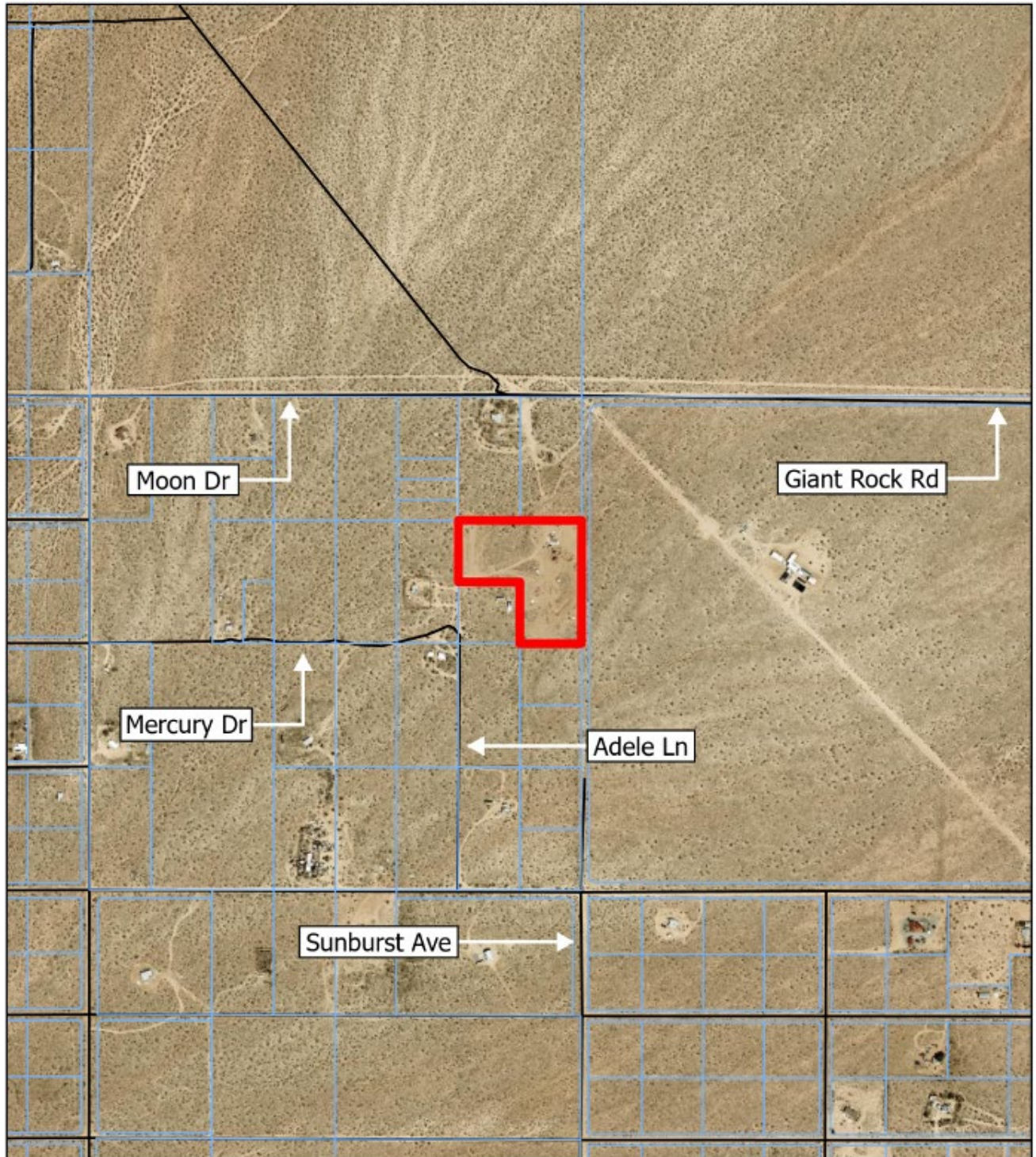
Figure 1 - Regional Vicinity Map



Scale: 1:140,000



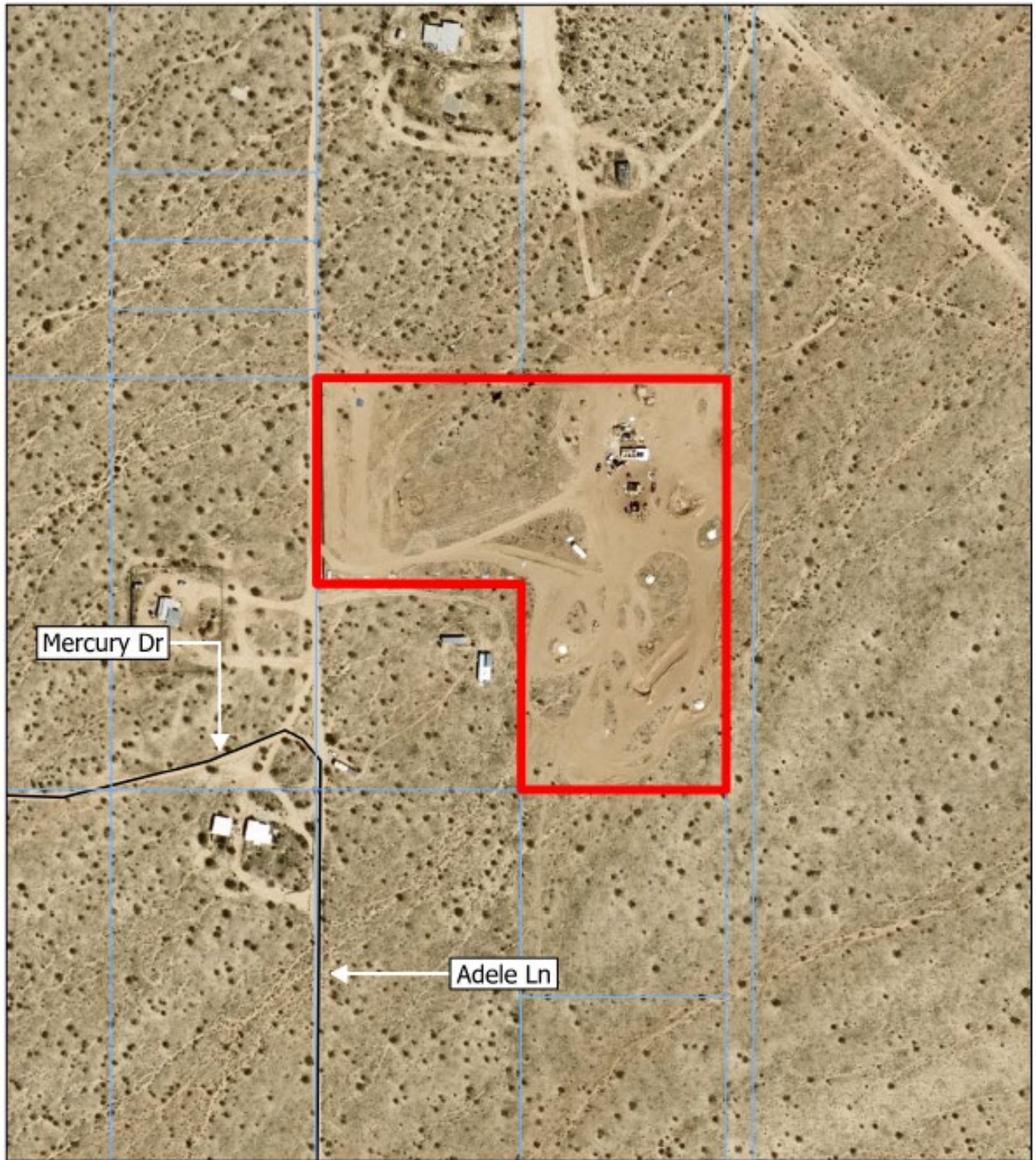
Figure 2 – Vicinity Aerial Map



Scale: 1:10,000



Figure 3 - Aerial Map

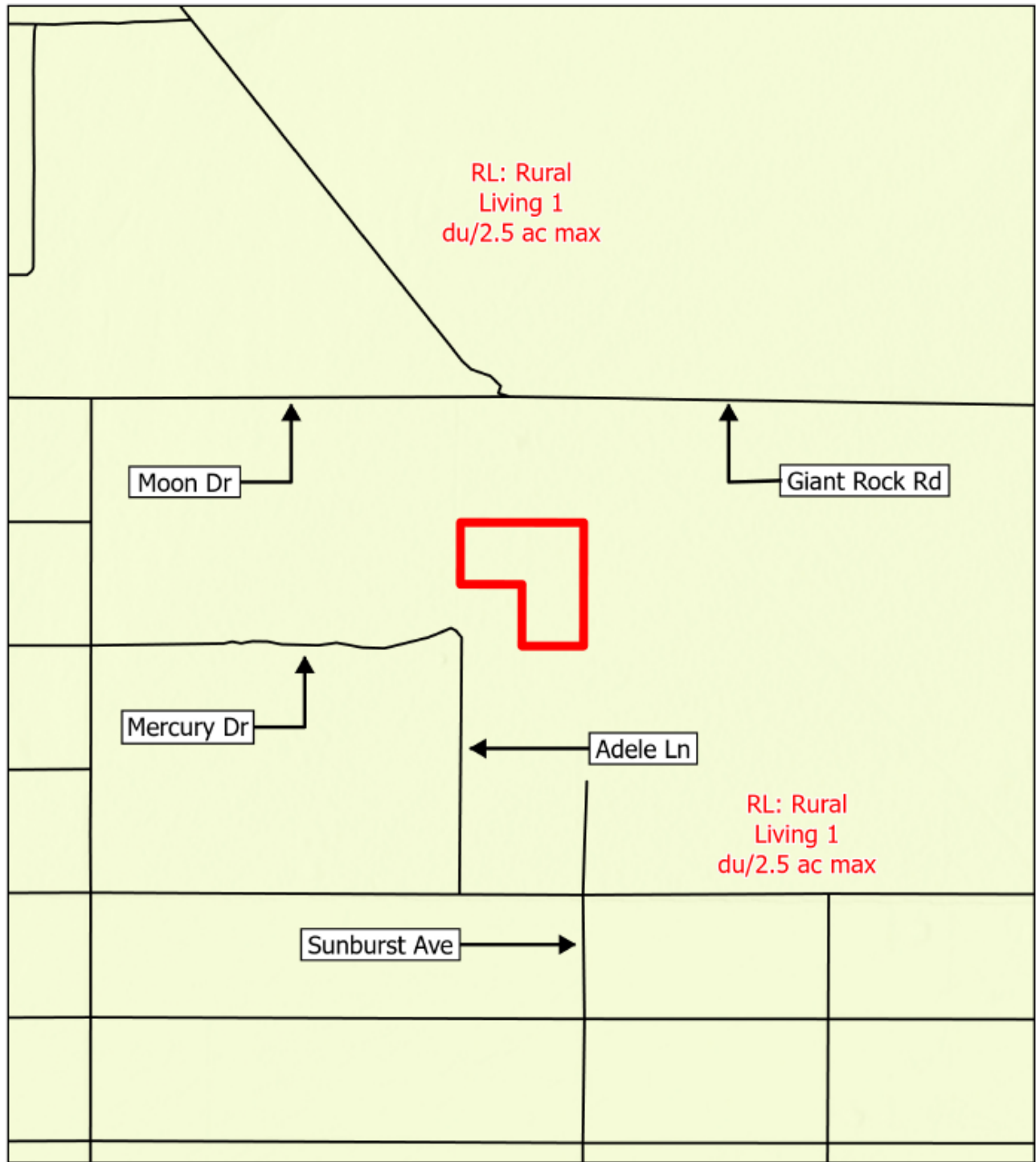


Scale: 1:3,000



-  PROJ-2023-00023
-  Parcels
-  Local

Figure 4 - Land Use Category Map



Scale: 1:10,000

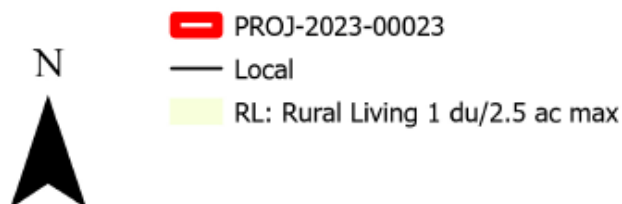
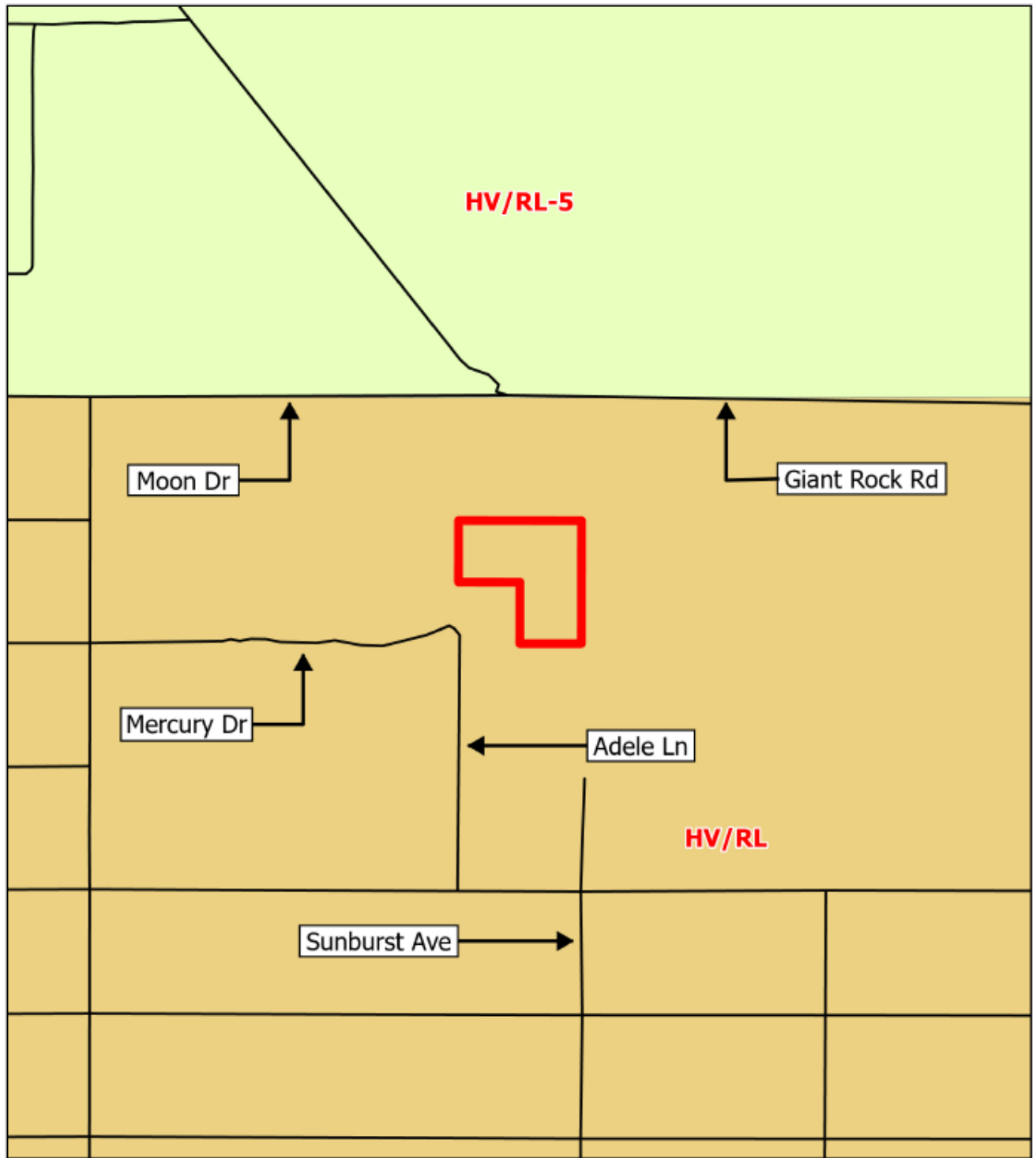


Figure 5 - Official Zoning District Maps



Scale: 1:10,000

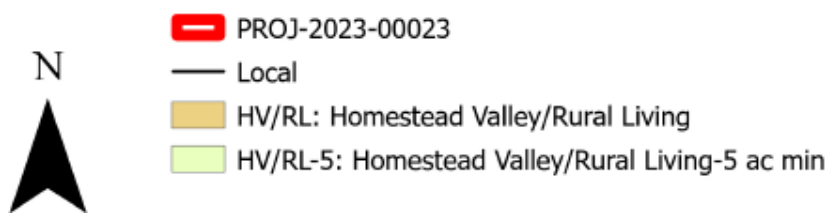


Figure 6 - Site Plan

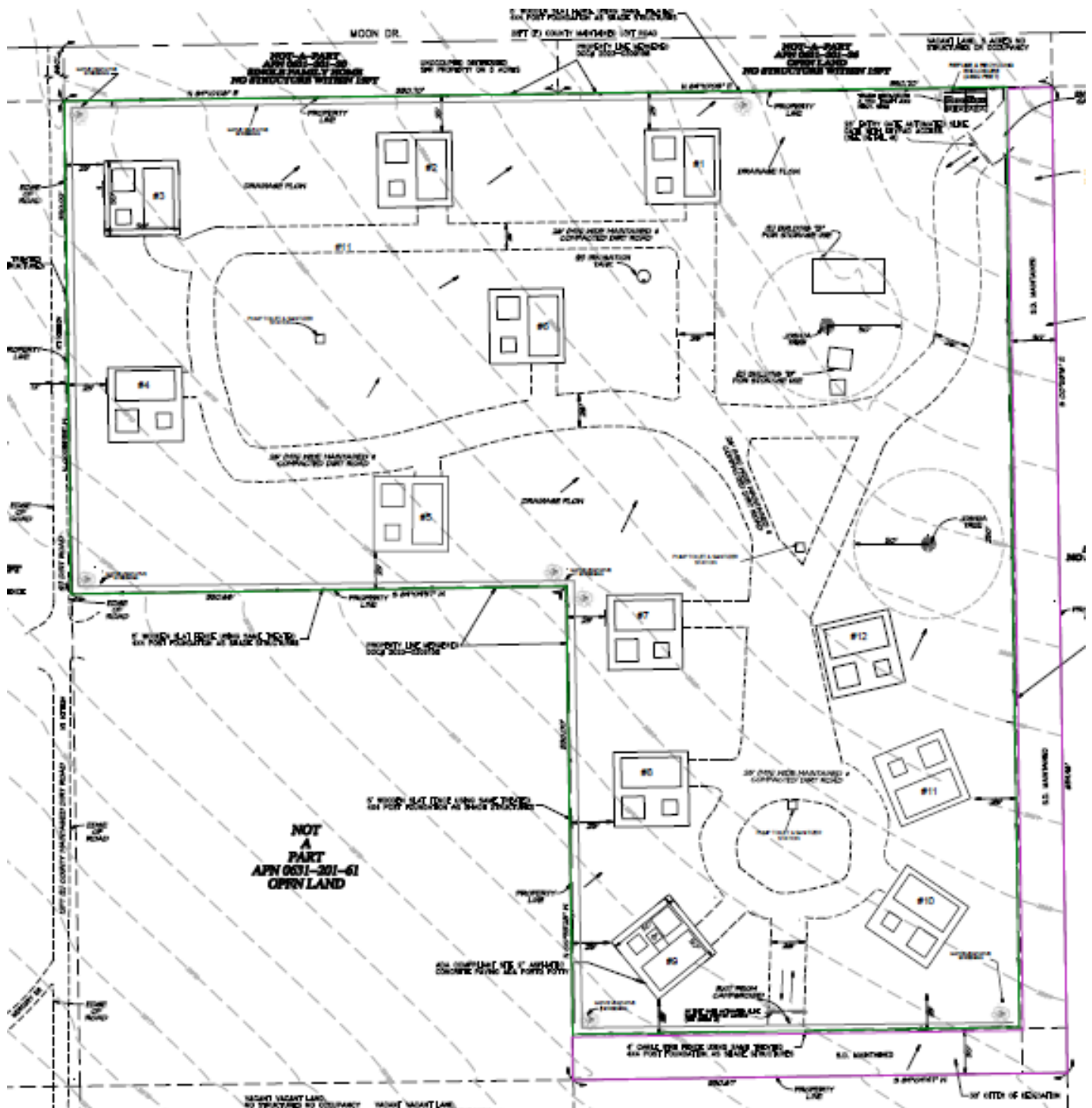
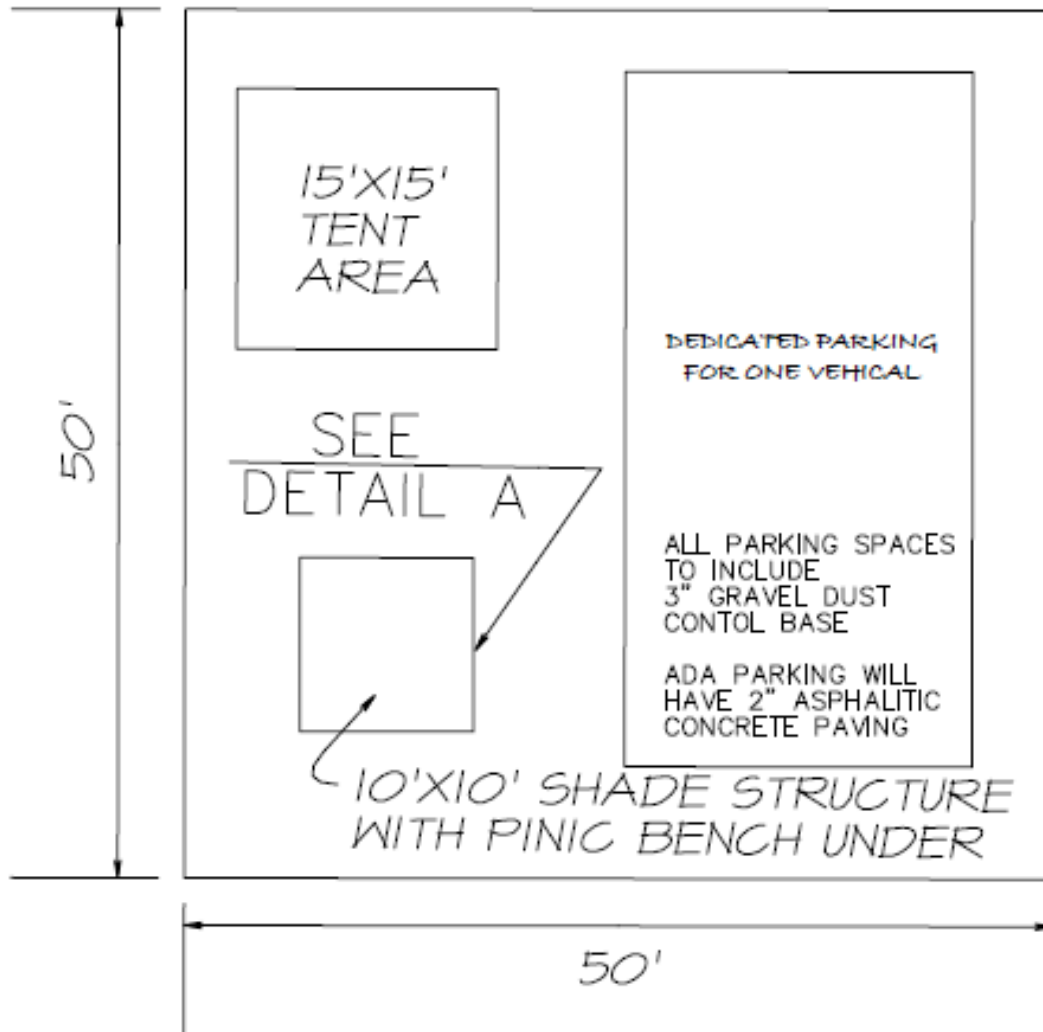


Figure 7 – Standard Camp Site



DETAIL A
PROGOLA POST
N.T.S

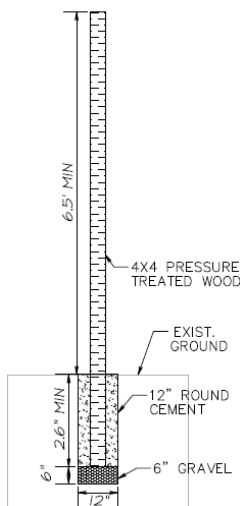
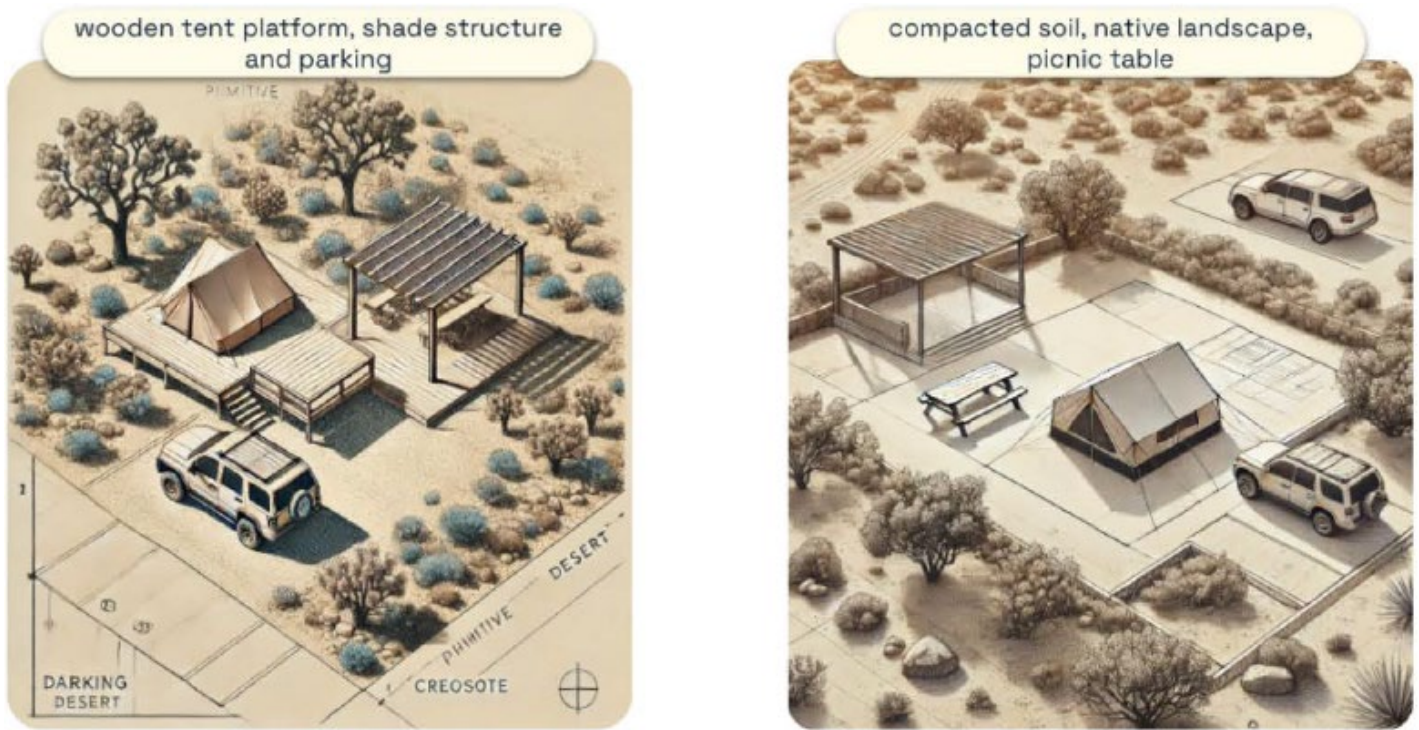


Figure 8 – Primitive Campsite Design Renderings



Primitive, dry campsite design featuring flat compacted native soil, dedicated tent pad/deck, shade structure and picnic table as well as space for parking.

Figures 9 - Photos of Existing Site Conditions



Photo 1: Looking northeast from the southeast corner of site.



Photo 2 : View from southeast corner looking northwest.



Photo 3: View of “yurt” style tents on site.



Photo 4: View of existing structures near the northeast corner of the site.



Photo 5: View of the existing structures near the northeast corner of the site.



Photo 6: View of Creosote brush present on the northwest portion of the site.



Photo 7: Exterior improvements of existing accessory structure.

PROJECT DESCRIPTION

The proposed application is for the development of campground consisting of twelve (12) dry, primitive campsites for tent camping (Project). The “dry” designation indicates that the campground will not be providing water for public or sanitation use and will require guests bring their own drinking water. The proposed Project is on a 7.5-acre project site located at 62076 Mercury Drive, within the Homestead Community planning area (Project Site). The Project Site has a Rural Living (RL) land use designation and is zoned Rural Living (RL-2.5 ac. minimum lot size).

The applicants, Joseph Milburn and David Lee, have submitted a detailed Project description in a Letter of Intent along with the Rules and Regulation submitted and dated, October 2024 (Exhibit E).

BACKGROUND

Pursuant to Subsection 82.01.020(c)(2)(A) of the San Bernardino County Development Code (Development Code), the purpose of the RL Land Use Zoning District is to “provide sites for rural residential uses, incidental agricultural uses, and similar and compatible uses.” “Campgrounds” are an allowed use in the RL Land Use Zoning District with a Conditional Use Permit. Subsection 810.01.050(e) of the Development Code defines campground as “[a] site used or intended for use for temporary occupancy by campers traveling by automobiles or otherwise, which may include individual campsites, but where utility hookups for recreational vehicles are typically not provided.”

The primary land use compatibility issues between campgrounds and residential uses are noise, light/glare, and traffic. Traffic impacts are related to the number of campsites allowed on a site, or density. Light and glare issues are primarily managed through the County’s Light Trespass Ordinance and dark skies development standards and requirements. Other than performance standards contained in the Development Code, campground-related noise impacts require specific requirements to effectively address mitigation measures.

The construction and operation of campgrounds are subject to California Code Regulations, Title 25, Special Occupancy Parks. State authority functions within the boundaries of the campground wherein the State permits and regulates campground and RV park operations according to the Special Occupancy Parks Act. Moreover, the State defines campground types and management practices that local jurisdictions must enforce such as stay limits and noise restrictions. In contrast, the County’s authority lies outside of a campground project. The County responsibilities include but are not limited to regulating land use restrictions, access roads, zoning compatibility, setback requirements, density and upholding state classifications. Once approvals for all County and State requirements are met, the State issues a “Permit to Operate” to allow the campground to open.

PROJECT SETTING

The Project site is located in the eastern portion of the Homestead Valley Community, as shown in Figure 1. The parcel abuts Sunburst Avenue (a partial dirt road) to the east and will serve as the access point for the main entrance. Adjacent to the east is a single-family residence about 1,000 feet from Project entrance. Adele Lane abuts the site on the west, and vacant residential structures are situated about 400 and 500 feet from the nearest campsites, respectively. A vacant single-family residential dilapidated structure and a vacant recreational cabin are situated about

580 feet and 350 feet respectively to the north. The property abutting the west side of the southern portion of the Project site has only metal storage containers on site. The containers are about 125 feet from the nearest campsite.

The site is currently developed with two accessory storage buildings. Building "A" totals 400 sq. ft. of floor area used mainly for storage of equipment and materials, and Building "B" is a 120 sq. ft. shed used as an onsite office when a manager is present. There is also an existing 2,500-gallon irrigation water tank. The Project site has disturbed vegetation with sparse ornamental and native vegetation and creosote bush scrub on the northern portion of the site. The areas of disturbed land are primarily the result of internal circulation of vehicles on established paths, and there are other areas of existing undisturbed native vegetation, which includes two (2) Joshua Trees near the proposed entrance to the campground shown on the site plan, Exhibit A.

PROJECT ANALYSIS

The Project is a new campground development that does not propose construction of any new buildings. Construction is limited to installation of perimeter fencing and minor grading to improve the internal driveways to provide access to each of the campsites and to create level tent pads.

Each campsite includes an area of approximately 250 sq ft, with a graded dirt parking area designated for no more than two (2) vehicles and adequate area to accommodate a tent structure, either provided by the guest or as a rental option provided during booking. Each site will also include a single 10x10' wooden shade structure and picnic table. Dedicated trash receptacles will be placed throughout the property and regularly serviced by Burrtec Waste (waste management company).

The configuration of the camp sites is compatible in scale to the surrounding area and designed to minimize impacts to the natural features of the site. Screening and buffering from adjacent properties are accomplished by using wood fencing and native vegetation, which will lessen noise travel while providing privacy to the subject site as well as the neighboring properties.

Access: The Project has been reviewed by the County's Land Use Services and Public Works departments and conditioned to provide adequate access to the abutting local street and to the nearest County maintained road. On-site circulation drive aisles meet San Bernardino County Fire Protection District (Fire Department) standards. A Condition of Approval (COA) requires that fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus. Road surface is approved to be native soil and shall be designed to 85% compaction and/or paving and hold the weight of fire apparatus at a minimum of 80,000 pounds. (See Exhibit C). The regular maintenance of the access road will be accomplished through annexation into Special Districts to extend road district maintenance service to the Project site as required in the COA document (Exhibit C).




Operations: The Campground Rules and Regulations, as described in Exhibit E established by the applicants, require that all camping guests are to bring drinking water and water for sanitary purposes (washing hands & dishes, brushing teeth, etc.). Additional regulations include rules for quiet hours, waste disposal, and wildlife interaction. Guests are provided with a list of prohibited items and activities during booking intended to minimize noise and disruption, especially during quiet nighttime hours, all intended to preserve the rural lifestyle characteristics of the neighborhood. Additionally, individual fire rings at each site are not provided and the rules clearly

state that no individual fires will be permitted at the sites, however fire extinguishers and first aid kits will be provided in case of emergency. All guests are required to read and acknowledge the Campground Rules and Regulations by signing the agreement document. While the applicant enforces the Campground Rules and Regulations, the California Department Housing and Community Development (HCD) enforces the operational provisions in Title 25 regulations.

The campsite is a 24/7 operation with reservations processed in advance through an on-line reservation system. Quiet hours will be strictly enforced from 9:00 PM to 7:00 AM to minimize disruption to wildlife, neighbors, and fellow campers.

Landscaping: The landscaping throughout the Project site is provided through a combination of the existing native vegetation that will be maintained and preserved and new native vegetation at each campsite. The landscape design incorporates new and existing vegetation to create a natural boundary at each campsite that provides additional privacy and noise buffering, as shown in Figure 7 – Primitive Design Camp Renderings. The proposed landscape plan’s consistency with the required coverage percentage is described in Table 2-Project Code Compliance. The table describes existing and additional native vegetation being used because of the nature of the operation as a dry-camp site. The Project preserves the existing vegetation that includes two (2) Joshua Trees, Creosote Bush, American Century Plant, Saguaro, and Senita Cactus. The predominant plant species on site is the Creosote Bush which encompasses about 1.6 acres of the site per the aerial diagram below, which accounts for about 16% of the lot. With the preservation of the rest of the vegetation and the Joshua Trees, and added native vegetation around the 12 campsites, 80% landscape coverage of the Project site can be achieved.



- Legend**
-  Project site (7.5 acres)
 -  Creosote bush habitat (1.2 acres)
 -  Disturbed habitat (6.3 acres)



Fencing: The property will be fenced along the perimeter of the Project and adhere to the 5-foot fence height limit in the front setback per the Development Code and 6 feet on the interior side yards. The proposed wood fence sections with the proposed native vegetation will provide privacy and noise buffering. The fencing along the front of the property along Sunburst Avenue will be designed and constructed as a 4-foot cable fence with native vegetation on both sides for a visual transition into the campground. The purpose of the cable fencing at the front of the Project site is to allow guests and visitors to see the campsite facility from and near the front entrance. Below is an example of the proposed wood and cable fencing options similarly offered by the applicant:

Fence & Screening Designs



General Plan Consistency and Code Compliance: The Project has been evaluated and determined by the Land Use Services Department to be consistent with the Countywide Policy Plan (General Plan), as identified in the Findings, Exhibit B. The Project satisfies all applicable standards of the Development Code for development within the Homestead Valley/Rural Living (HV/RL) Land Use Zoning District, as illustrated in Table 2:

TABLE 2: PROJECT CODE COMPLIANCE

Project Component	HV/RL Development Code		Project Plans
Parking	N/A		Project Specific Parking: 1 vehicle parking space per camp site. (2 additional for maintenance staff)
Landscaping	Minimum Landscaping	20%	80% (Native Plants to remain, additional native vegetation to be installed at each campsite to match desertscape.)
Building Setbacks	Front Street Side Interior Side Rear	25' 25' 15' 15'	25' 25' 25' 25'
Building Height	35 feet maximum		16' est. (For existing accessory buildings and proposed Yurts)
Maximum Lot Coverage	20%		10% (12 camp sites and 2 accessory buildings)
Drive Aisles	26'		26'

California Environmental Quality Act Compliance:

An Initial Study (IS) has been completed in compliance with the California Environmental Quality Act (CEQA) (Exhibit D-1). The IS concludes that the Project will have a less than significant adverse impact on the environment with the implementation of recommended mitigation measures contained in the IS, which have been incorporated in the Mitigation Monitoring & Reporting Program (MMRP) (Exhibit D-2). A Notice of Availability/Notice of Intent (NOA/NOI) to adopt a Mitigated Negative Declaration (MND) was advertised and distributed to initiate a 30-day public comment period, which concluded on March 14, 2025. One comment letter to the NOA/NOI was received for the 30-day public review period from the California Department of Fish and Wildlife (CDFW), dated March 12, 2025, expressing concerns of additional concerns of the existing Joshua Trees, and potential impacts on the habitat of the Desert Kit Fox, Crotch's Bumble Bee, and Nesting Birds. A response to comment letter was prepared to CDFW (See Exhibit D-4) and an Errata to the MND has been prepared. The Errata updates the Project description correcting the number of campsites from 15 to 12 and incorporating edits to Mitigation Measure (MM) BIO-1 (related to Joshua trees) and addition of MM BIO-3 (related to Desert Kit Fox), BIO-4 (related to Crotch's Bumble Bee Habitat Assessment) and BIO-5 (related to nesting birds).

New mitigation measures may be adopted without triggering recirculation of the MND if they are added in response to comments on environmental impacts already identified in the negative declaration. Section IV of the MND previously determined that the Project would have a less than significant impact with mitigation incorporated on species identified as a candidate, sensitive or special status species and conflicting with local policies on protecting biological resources. A lead agency may also change or substitute a mitigation measure without recirculating the negative declaration when it concludes as a result of the public review process that a proposed mitigation measure is infeasible or otherwise undesirable and finds that the revised mitigation

measure is equivalent or more effective in mitigating environmental impacts than the original measure.

The modification of MM BIO-1 and addition of BIO-3 through BIO-5 recommended by CDFW are on environmental impacts previously identified as potentially significant and/or are equivalent or more effective in mitigating environmental impacts than previously identified, and therefore incorporating the mitigation into the final MND does not trigger recirculation.

Tribal Cultural Resources: On July 2, 2024, the County sent project notification letters to California Native American tribes per AB 52 which requires a lead agency to make its best efforts to avoid, preserve, and protect tribal cultural resources. As a result of consultation, MM CR-1 through CR-8 have been incorporated into the MND.

PUBLIC COMMENTS:

On October 24, 2023, a Project Notice was sent to surrounding property owners within 300 feet of the Project site, as required by Development Code Section 85.03.080. In response to the project notice, staff received two (2) emails from nearby residents expressing noise and trespassing concerns about the Project and five (5) emails from nearby residents and business owners have been submitted to demonstrate support for the Project. The Applicants have responded with adding and incorporating a set of Rules and Regulations (Exhibit E) for guests of the “dry camp” to acknowledge and sign at time of booking. The rules are intended to be adhered and “respect: quiet hours from 9:00PM to 7:AM to mitigate noise.” The proposed fencing will diminish trespass concerns and occurrences as there are no visible boundaries currently at the Project site.

On March 25, 2026, the Notice of Hearing (NOH) was delivered to all property owners within a 300-foot radius of the Project site, listed interested parties, and relevant agencies announcing the public hearing with the Planning Commission for April 9, 2026. As of this staff report preparation, no further comments were received. Staff will alert the Planning Commission if comments are received between the NOH send-out date and the public hearing.

RECOMMENDATIONS: That Planning Commission:

- 1) **ADOPT** the Mitigated Negative Declaration and Mitigation and Monitoring Program (Exhibits D-1 thru D-4).
- 2) **ADOPT** the Findings for approval of the Conditional Use Permit (Exhibit B).
- 3) **APPROVE** the Conditional Use Permit to establish a 12-site dry campground facility on a 7.5-acre parcel, subject to Conditions of Approval (Exhibit C).
- 4) **DIRECT** the Land Use Services Department to file a Notice of Determination in accordance with the California Environmental Quality Act.

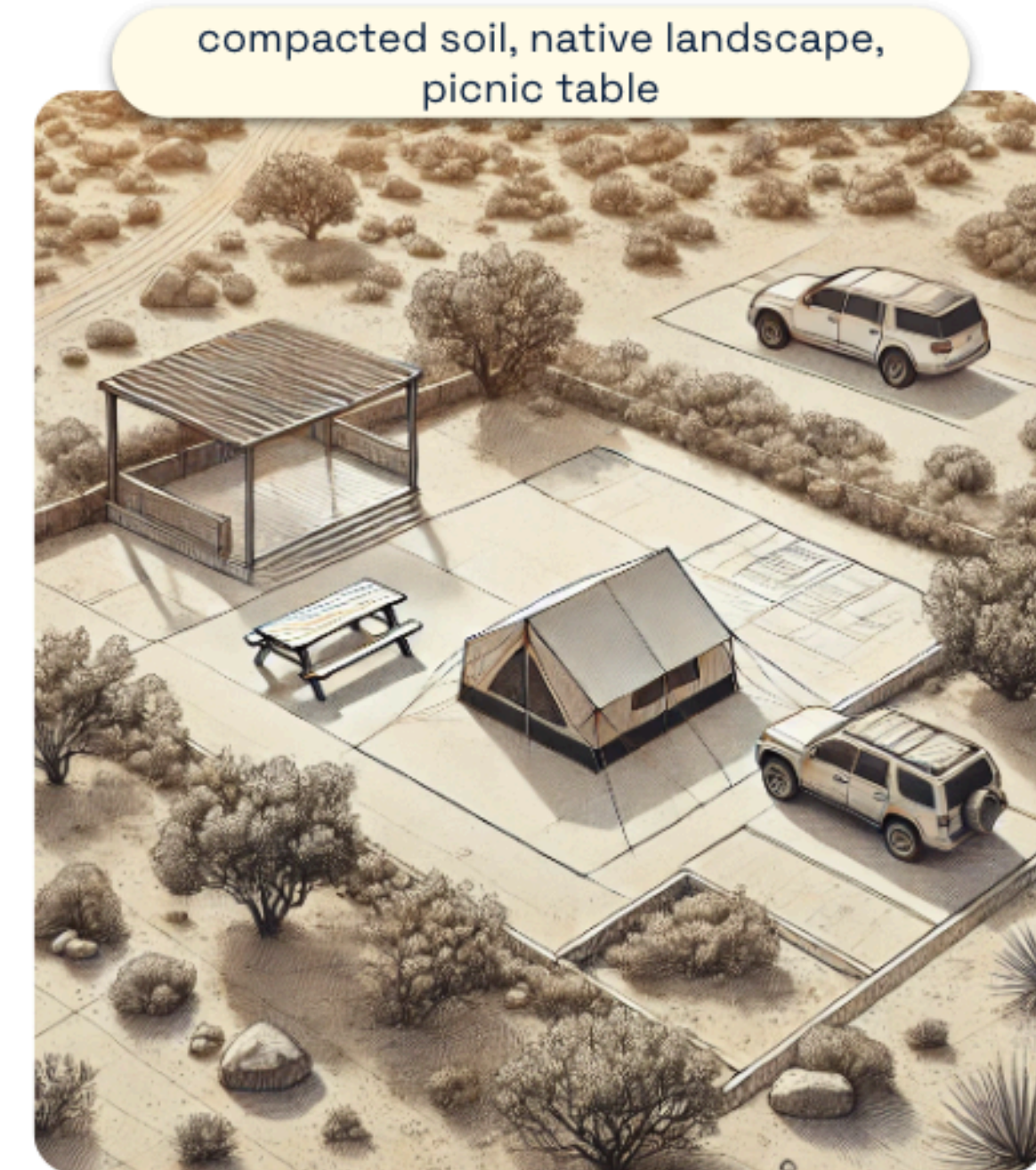
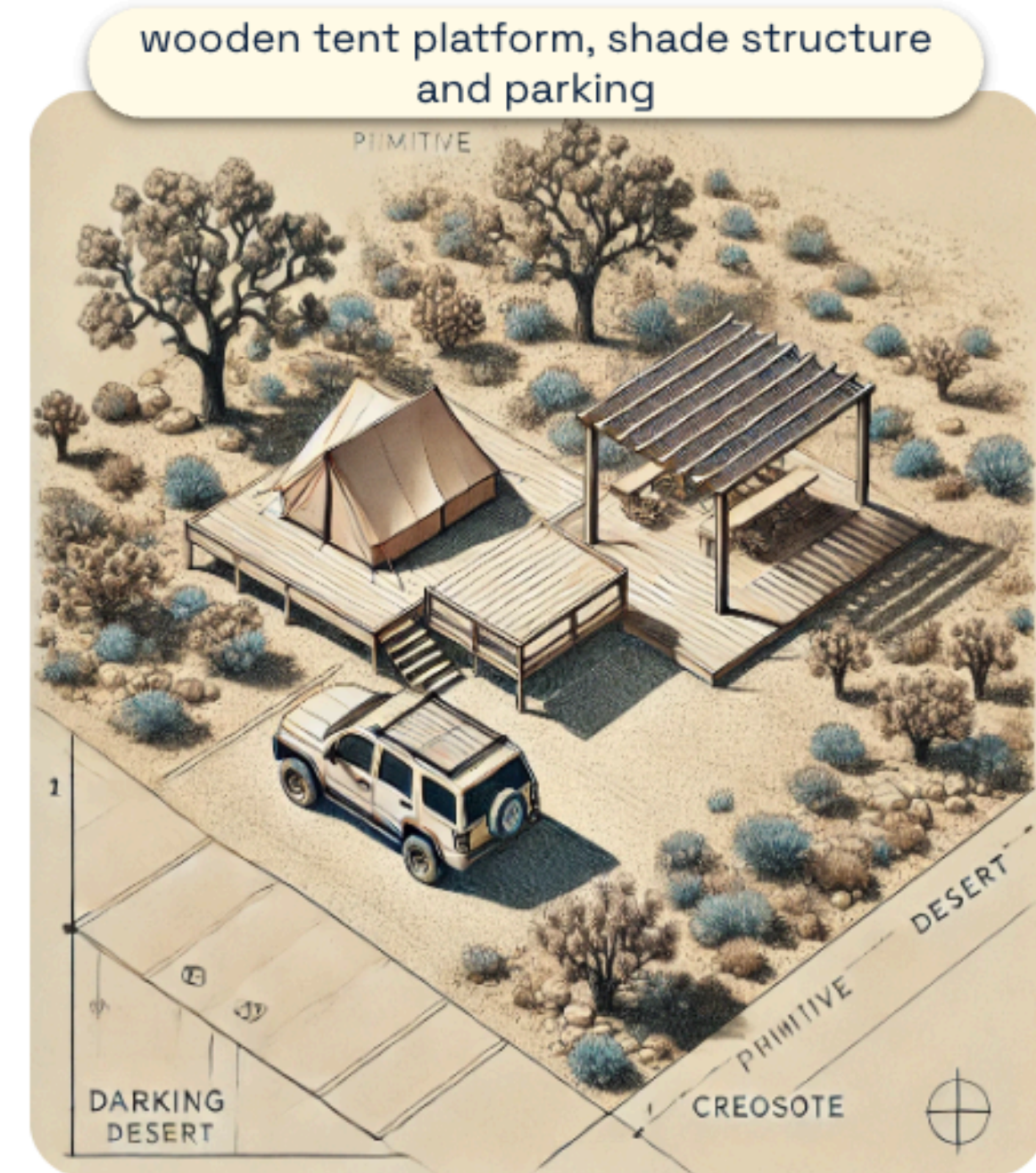
ATTACHMENTS:

- EXHIBIT A: Site Plan
- EXHIBIT B Findings
- EXHIBIT C: Conditions of approval
- EXHIBIT D-1: Initial Study/Mitigated Negative Declaration
- EXHIBIT D-2: Mitigation Monitoring & Reporting Program (MMRP)
- EXHIBIT D-3: Errata to Initial Study
- EXHIBIT D-4: CEQA 30-Day Public Review Comment Letters and Response to Comments
- EXHIBIT E: Letter of Intent and Rules & Regulations
- EXHIBIT F: General Public Comments

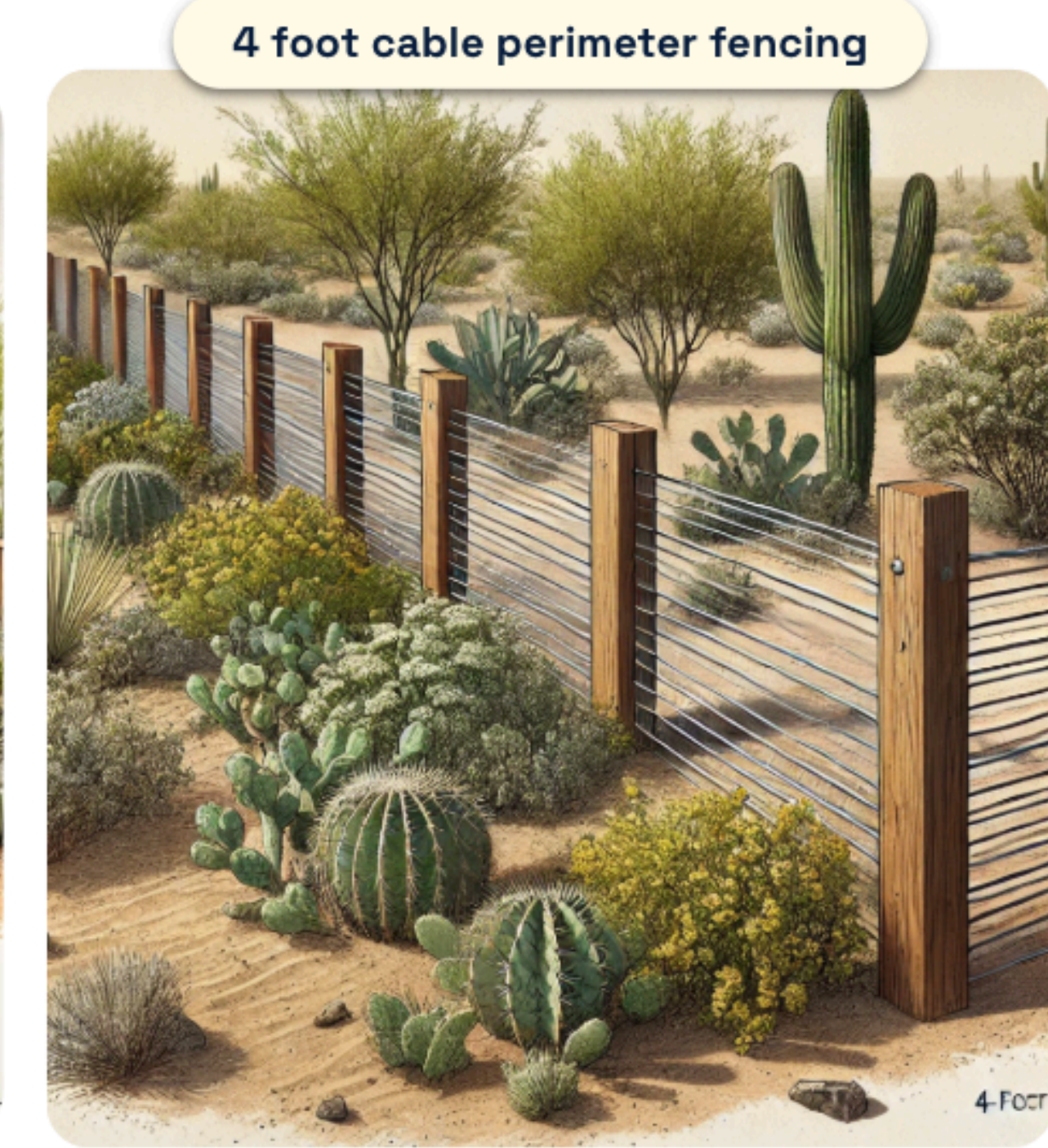
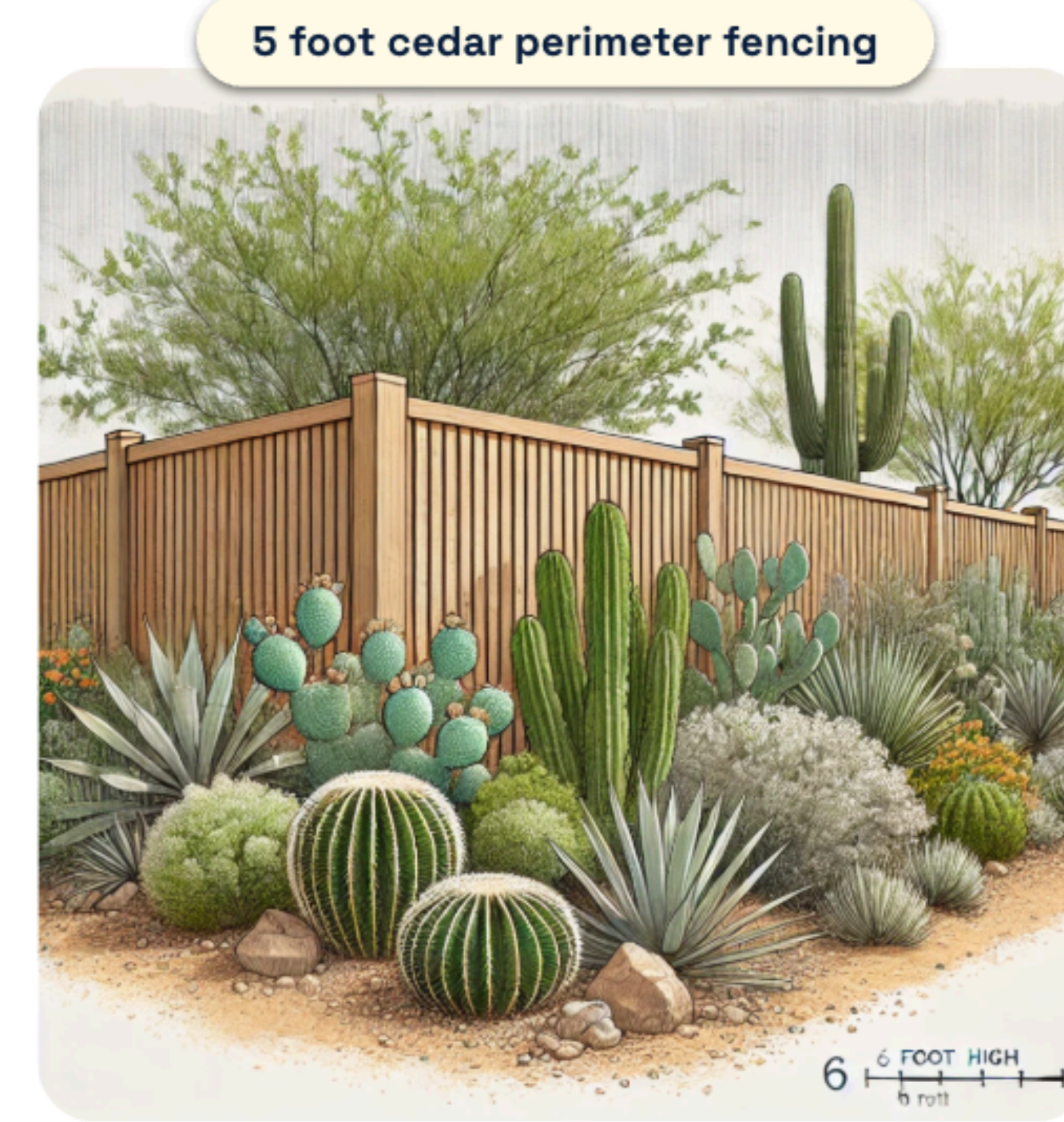
EXHIBIT A

primitive campsite design

primitive, dry campsite design featuring flat compacted native soil, dedicated tent pad/deck, shade structure and picnic table as well as space for parking

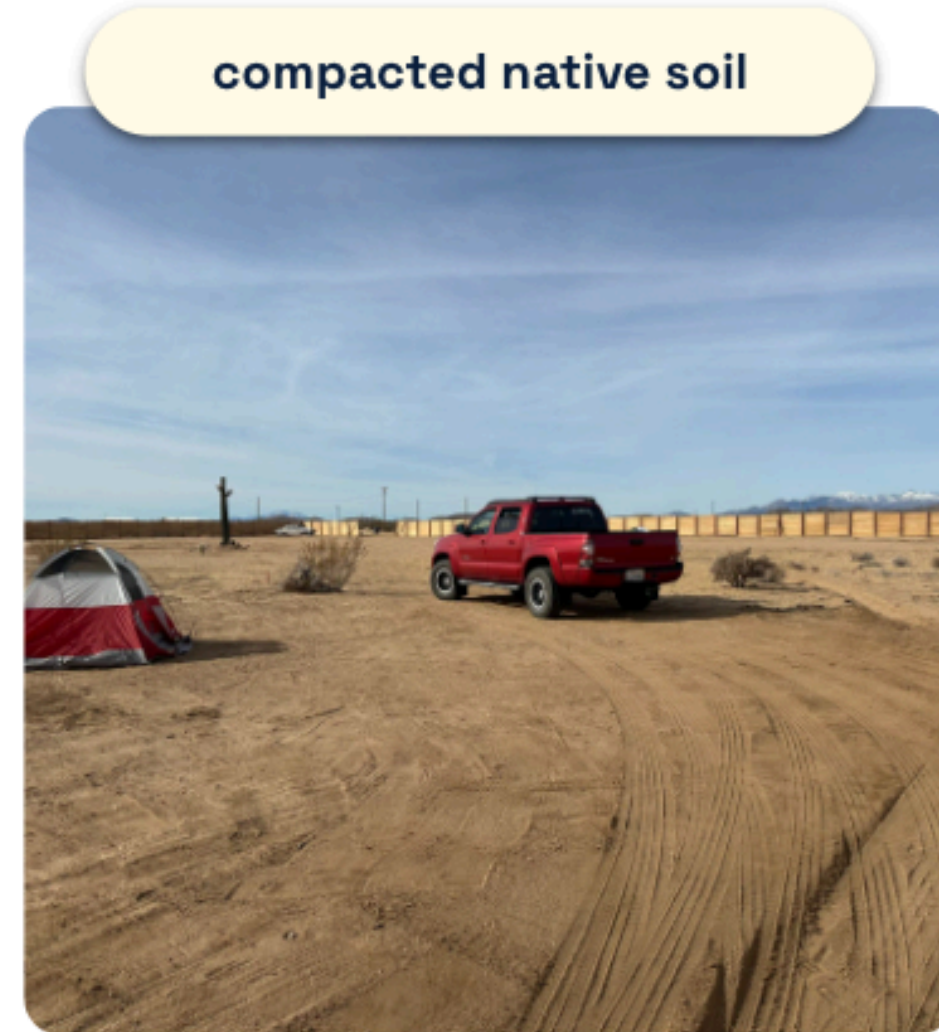
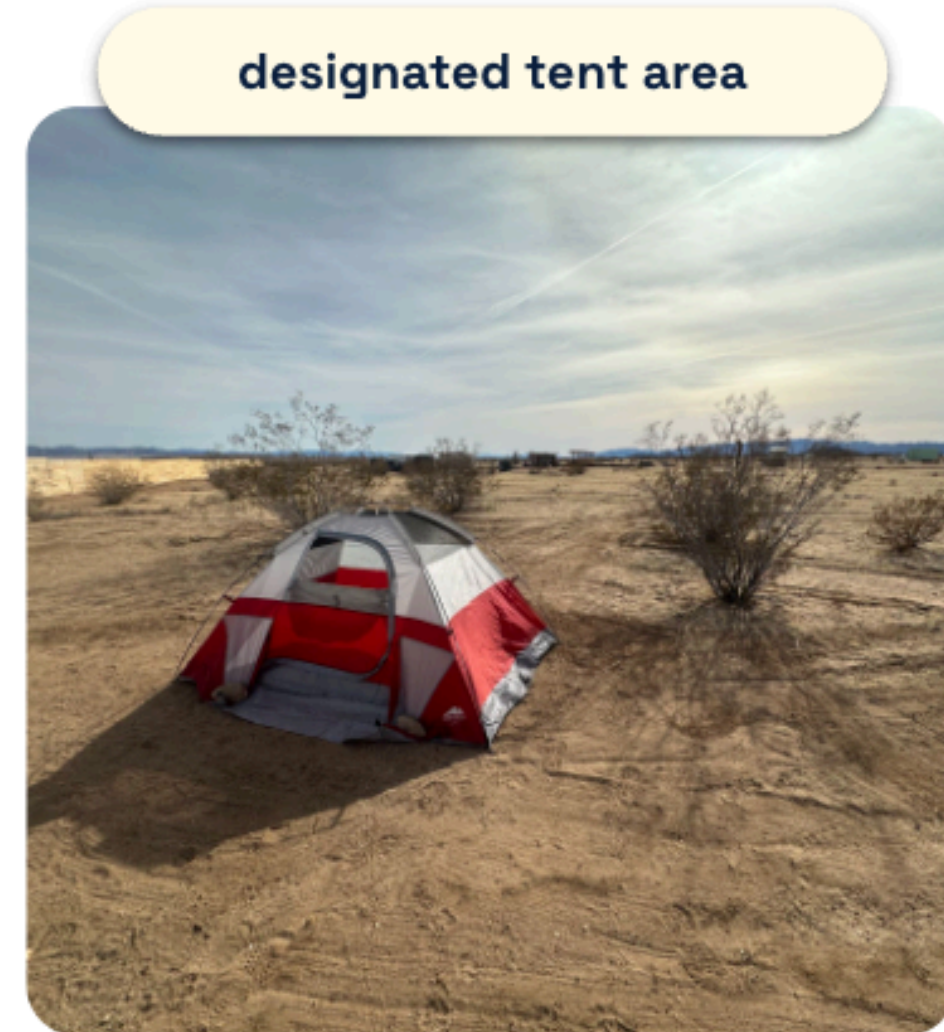


fence and screening design

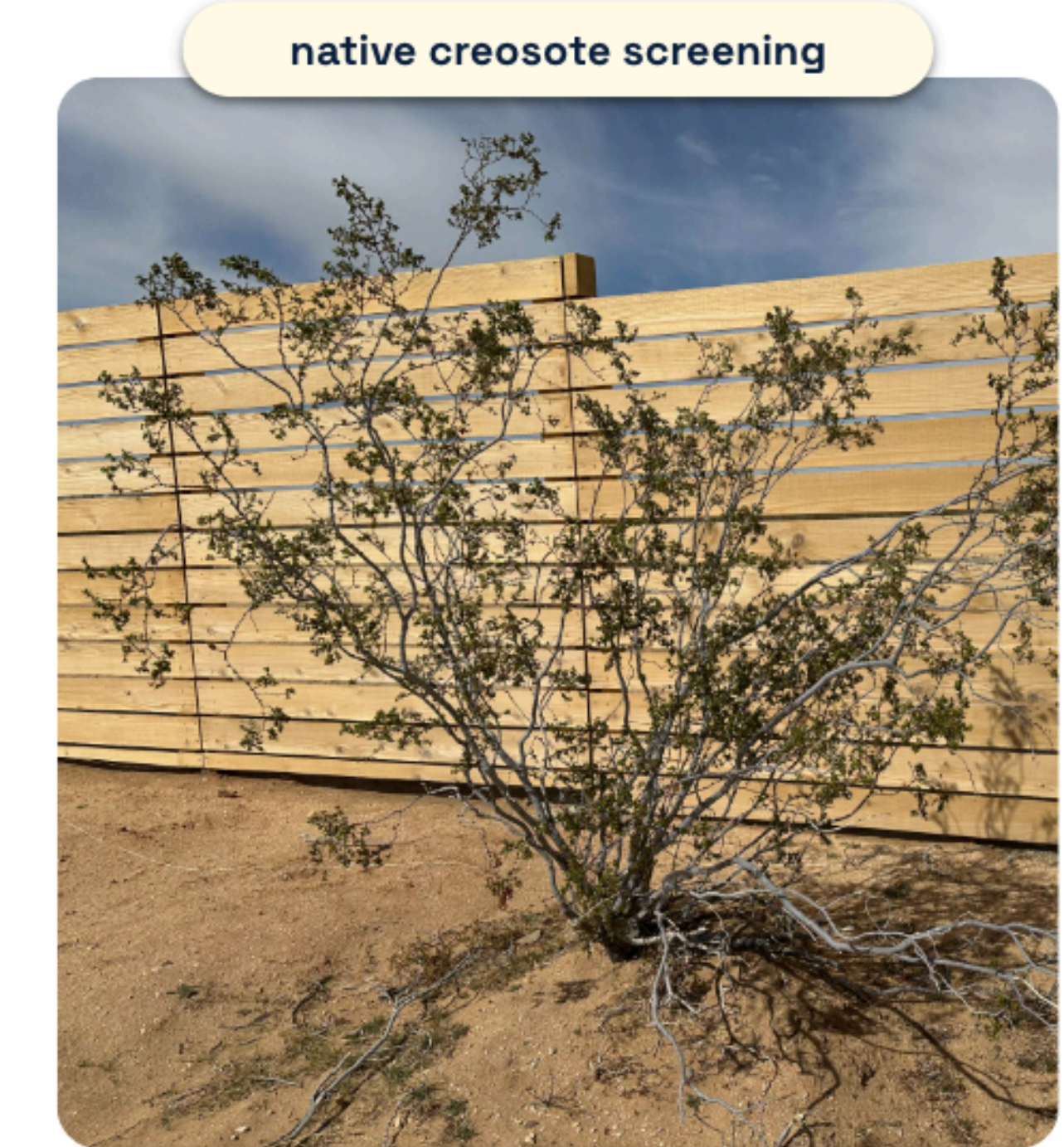
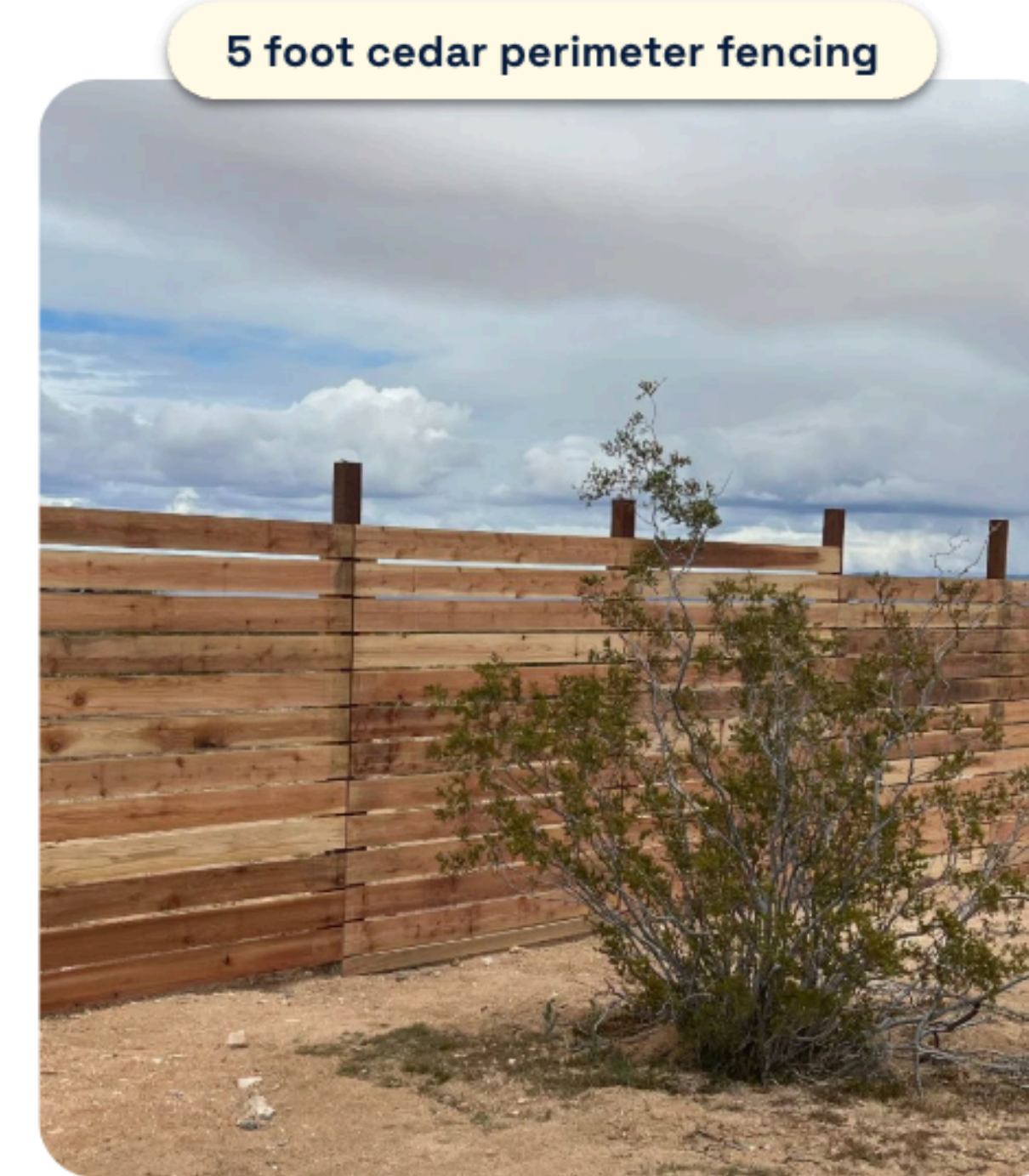


dispersed camping experience

project location is flat land requiring minimal disturbance for approach,, compacted parking and dedicated tent pad

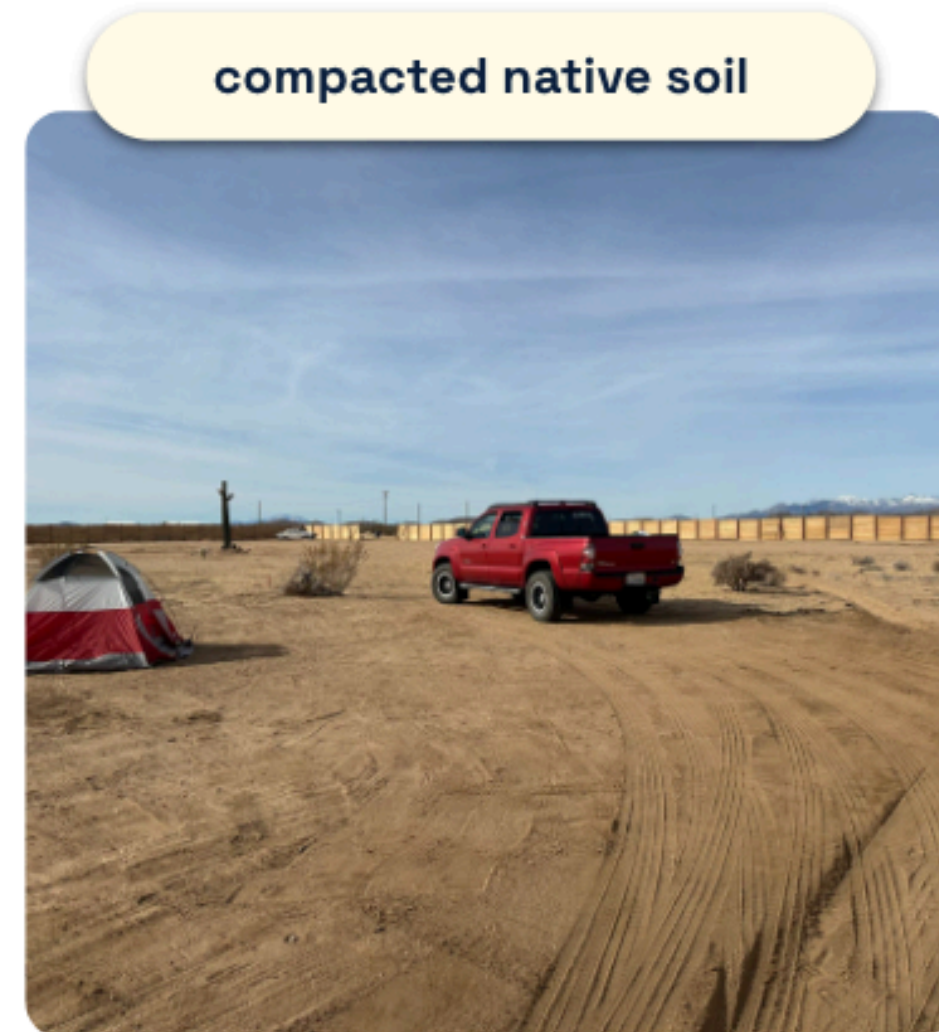
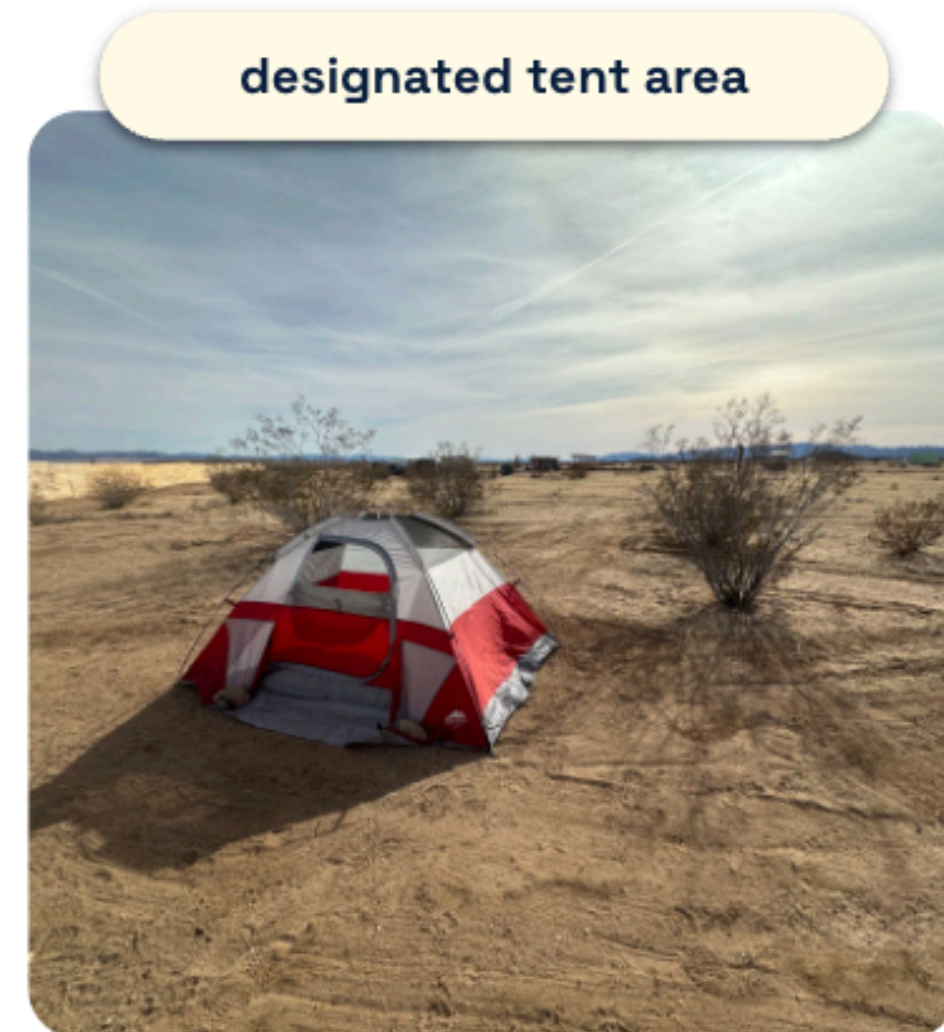


natural materials with native vegetation screening



dispersed camping experience

project location is flat land requiring minimal disturbance for approach,, compacted parking and dedicated tent pad



existing natural environment with native vegetation

our goal is to minimize development and disruption to the natural environment with a focus on existing native vegetation and screening.

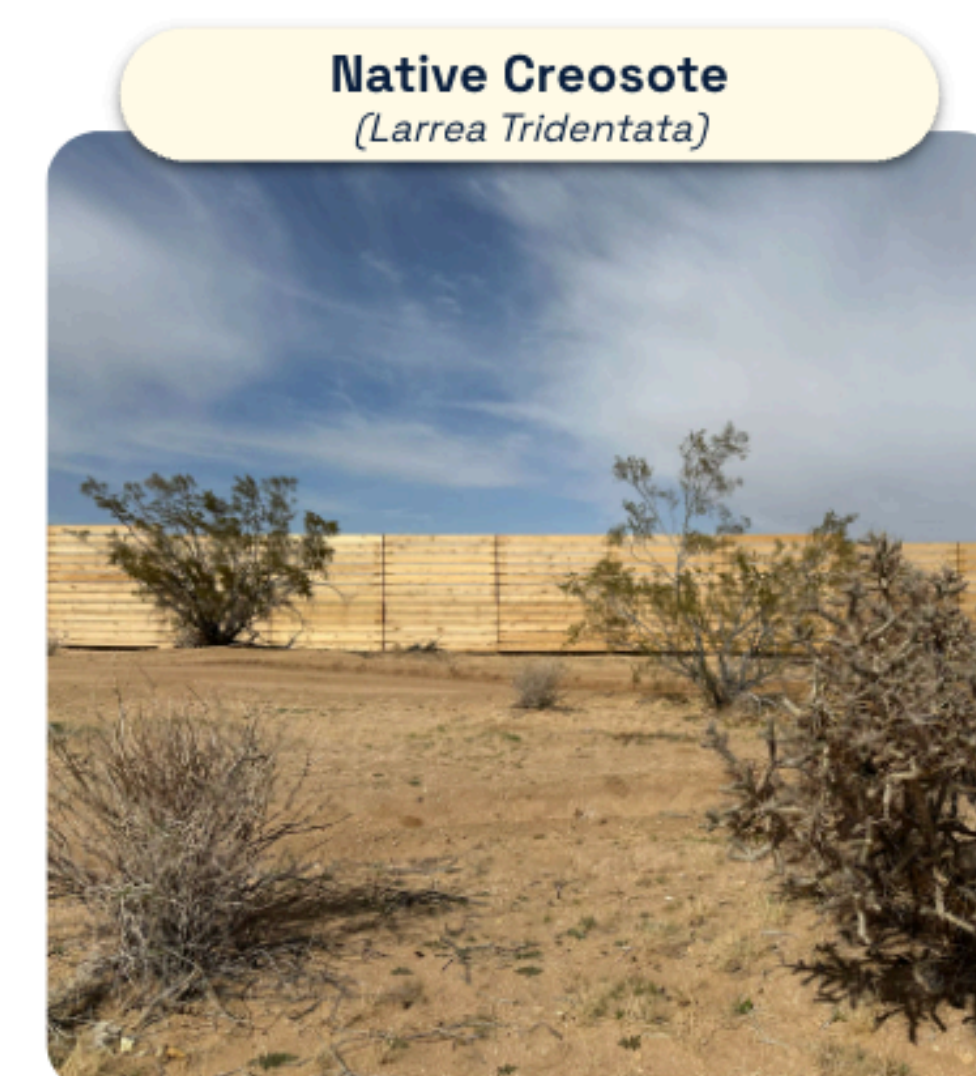


EXHIBIT B

EXHIBIT B

FINDINGS: CONDITIONAL USE PERMIT

A CONDITIONAL USE PERMIT TO ESTABLISH AND OPERATE A 12-SITE DRY CAMPGROUND FACILITY (PROJECT) ON A 7.5-ACRE PARCEL LOCATED AT 62076 MERCURY DRIVE (PROJECT SITE); 3RD SUPERVISORIAL DISTRICT; APN: 0631-201-68; PROJECT NUMBER PROJ-2023-00023

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

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

The Project Site is 7.5 acres in size and is of adequate size and shape to accommodate the proposed 12 dry-camp sites with existing two accessory structures on site. Ingress and egress, internal circulation, parking, landscaping, lot coverage, setbacks, buffering and fences meet the requirements of the Development Code for the land use within the Rural Living (RL) Land Use Zoning District designation. Refer to Table 2 of the Staff Report related to code compliance.

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

The site design and Conditions of Approval for the Project ensure adequate legal and physical access to the site from Sunburst Avenue. The proposal is a new campground facility with 12 dry-camp sites within the subject site. The Project has been reviewed by the County's Land Use Services and Public Works departments and is required to provide adequate access to the abutting local street and to maintain the nearest County-maintained road through a maintenance agreement. On-site circulation drive aisles meet San Bernardino County Fire Protection District standards.

- 3. THE PROPOSED USE WILL NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON ABUTTING PROPERTY OR THE ALLOWED USE OF THE ABUTTING PROPERTY, WHICH MEANS THE USE WILL NOT GENERATE EXCESSIVE NOISE, TRAFFIC, VIBRATION, OR OTHER DISTURBANCE. IN ADDITION, THE USE WILL NOT SUBSTANTIALLY INTERFERE WITH THE PRESENT OR FUTURE ABILITY TO USE SOLAR ENERGY SYSTEMS.**

The Project, as designed and conditioned, is consistent with the land uses and development standards allowed within the Homestead Valley Rural Living (HV/RL) Land Use Zoning District and will not have adverse effects on abutting properties. The Project is adjacent to a rural single family residential neighborhood to the north, west, east, and south. There are two single-family dwellings to the southwest at about 400 feet and east 1,100 feet in distance respectively.

EXHIBIT B

Project Conditions of Approval address Development Code allowances and thresholds for noise, traffic, vibrations, lighting, glare, or other disturbance, as well as for off-site and onsite driveway and street improvements. In particular, the spacing and layout of the campground facility is designed to be in compliance with Development Code Section 83.01.080 (Noise) and the required parking has been met. The planned tent structures are temporary and removable, and the design with the use of cloth covers do not lend to the installation of solar energy systems. However, the proposed Project also does not interfere with the future ability to use solar energy systems.

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 Conditional Use Permit, together with the provisions for its design and improvement are consistent with the Countywide Plan's Policy Plan (General Plan). The Project as designed specifically is consistent with the goals, policies, standards and maps of the Policy Plan and implements the following goals and policies:

- **Policy LU-2.1** Compatibility with existing uses. We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods.

Consistency: *The Project is appropriate because the use is allowed subject to a land use entitlement of a Conditional Use Permit (CUP) and compatible with the size and scale of the surrounding residential/commercial characteristics. The Project Site is currently vacant and proposed temporary structure tents with canvas materials are appropriate for campground characteristics and designed to be sensitive to surrounding properties and the environment.*

- **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.

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

- **Policy ED-3.6** Countywide tourism. We coordinate with a variety of partners to promote San Bernardino County as a regional, national, and international tourist destination and collaborate with tourism industry businesses to improve visitor experience.
- **Consistency:** *The County reviewed and considered the letters of support submitted from local business owners and concluded that the Project will support local businesses that*

EXHIBIT B

rely on local tourism activity generated by nearby Joshua Tree National Park and establish a campground which is considered a tourist destination.

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

Because the Project is a “dry camp” campground facility, there is no need for supporting infrastructure, therefore the proposed development will not lower service levels. Water service has been waived by the Environmental Health Services (EHS) Department and the Planning Division has conditioned the Project applicant to file for an annual Special Use Permit for the maintenance of the portable bathrooms. Additionally, the Project has been conditioned by the Land Development and Special Districts departments to provide annual maintenance of the dirt road to the nearest county-maintained street/road in lieu of the required pavement with an approved waiver dated January 31, 2025.

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

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

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

The proposed Project 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 development of solar energy generation systems on adjacent parcels.

FINDINGS: CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

8. THE PROJECT WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT.

The environmental findings, in accordance with Section 85.03.040 of the San Bernardino County 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 through the preparation of an Initial Study to not have a significant adverse impact on the environment with the implementation of the required mitigation measures. As a result of the public review process, an Errata to the Initial Study was prepared and edits to Mitigation Measure (MM) BIO-1 (related to Joshua trees) and the addition of MM BIO-3 (related to Desert

EXHIBIT B

Kit Fox), BIO-4 (related to Crotch's Bumble Bee Habitat Assessment) and BIO-5 (related to nesting birds) were made to the Initial Study. The review authority finds that the mitigation relates to environmental impacts previously identified and that changes to the mitigation measures have been determined to be equivalent or more effective in mitigating environmental impacts. A Mitigated Negative Declaration (MND) was considered, together with an Errata and all public comments, and was adopted and a Notice of Determination will be filed in accordance with CEQA. The MND represents the independent judgment and analysis of the County acting as lead agency for the Project.

EXHIBIT C



Conditions of Approval

Record:	PROJ-2023-00023	System Date:	03/30/2026
Record Type:	Project Application	Primary APN:	0631201680000
Record Status:	In Review	Application Name:	CONDITIONAL USE PERMIT
Effective Date:	4/24/29	Expiration Date:	4/23/2029
Description:	CONDITIONAL USE PERMIT TO ESTABLISH A 12-SITE DRY CAMPGROUNDS ON A PARCEL TOTALING 7.5 ACRES; LOCATED AT 62076 MERCURY DRIVE, WITHIN THE COUNTYWIDE PLAN DESIGNATION RURAL LIVING (RL); ZONED RURAL LIVING (RL); WITHIN THE HOMESTEAD VALLEY COMMUNITY AREA OF JOSHUA TREE; APN: 0631-201-68; 3RD SUPERVISORIAL DISTRICT; PROJECT NUMBER: PROJ-2023-00023.		

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 Continuous Effect/Revocation - Status: Outstanding

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

2 Continuous Maintenance - Status: Outstanding

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

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

This Conditional Use Permit to establish a 12-site dry campground facility on a 7.5-acre parcel in the land use category of Rural Living (RL) land use district, and Homestead Valley/Rural Living (HV/RL) zoning district is conditionally approved, 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.

4 Project Location - Status: Outstanding

The Project site is located at 62076 Mercury Drive; APN: 0631-201-68. The site is bordered by Napa Road north of the site, Giant Rock Road east of the site, Adele Lane to the west, and Saturn Street south of the site.

5 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.

6 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.

7 Additional Permits - Status: Outstanding

The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use. These may include but are not limited to State's Department of Housing and Community Development (HCD), and San Bernardino County's Planning Division, Code Enforcement Division, Land Development Division, Fire Department, Public works Department, and Environmental Health Services Department.

8 Expiration - Status: Outstanding

This project permit approval shall expire and become void if it is not "exercised" within 3 years 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.

9 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)

10 Project Account - Status: Outstanding

The Project account number is PROJ-2023-00023. 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.

11 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

12 Condition Compliance - Status: Outstanding

The Project shall have a valid annual Special Use Permit (SUP) at all times to operate as a "dry camp" without the standard service for water. The Department of Environmental Health Services will waive the required water hook-up if the Project so long as an annual SUP is filed demonstrating a required service agreement with a local waste management service provider for the regular sanitary maintenance of the portable bathrooms. Water for drinking and washing hands will be provided by camping guests per the operational rules submitted by the applicant/operator.

13 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

14 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

15 Lighting - Status: Outstanding

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

16 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.

17 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.

18 **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.

19 **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

20 **Noise Levels** - Status: Outstanding

Noise level shall be maintained at or below County Standards, Development Code Section 83.01.080.

21 **OWTS Maintenance** - Status: Outstanding

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

22 **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 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 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

23 **Access** - Status: Outstanding

The access point to the facility shall remain unobstructed at all times, except a driveway access gate which may be closed after normal working hours.

24 **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.

INFORMATIONAL

Land Use Services - Planning

25 **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. 1. Plans will need to be submitted to the State (HCD) for approval. 2. Fire will not require paved access for campgrounds that do not propose a communal use building (exceptions are bathrooms). The proposal is for a twelve-site (12) campground and no proposed communal use buildings.

County Fire - Community Safety

26 **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.

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

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

28 **F20 Access – 150+ feet** - Status: Outstanding

Roadways exceeding one hundred fifty (150) feet in length shall be approved by the Fire Department. Roadways shall be extended to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building.

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

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

Land Use Services - Building and Safety

30 **Special Occupancy Parks** - Status: Outstanding

Special Occupancy Parks (RV Parks, campgrounds, etc.) are under the jurisdiction of California Housing and Community Development (HCD) [CCHSC 18862.23]. Please contact CA HCD – Riverside District Office at (951)782-4431 for information.

Land Use Services - Land Development

31 **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.

32 **Drainage Improvements Note** - Status: Outstanding

Adequate drainage improvements should be considered to intercept and conduct the tributary off-site and on-site drainage flows around and through the site in a safe manner that will not adversely affect adjacent or downstream properties.

Public Works - Solid Waste Management

33 **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.

34 **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).

35 **Mandatory Commercial Organics Recycling** - Status: Outstanding

California Assembly Bill (AB) 1826 requires businesses that generate two (2) cubic yards or more of solid waste per week to recycle their organic waste (includes green waste and food waste). A business that is a property owner may require a lessee or tenant of that property to source separate their organic waste to aid in compliance. Additionally, all businesses that contract for gardening or landscaping services must stipulate that the contractor recycle the resulting gardening or landscaping waste. Residential multifamily dwellings of five (5) or more units are required to recycle organics; however, they are not required to arrange for recycling services specifically for food waste. Applicant will be required to report to the County or contract waste hauler on efforts to recycle organics materials once operational.

36 **Mandatory Commercial Recycling** - Status: Outstanding

California Assembly Bill (AB) 341 requires businesses that generate 4 or more cubic yards of solid waste per week or is a multi-family residential dwelling of 5 units or more to arrange for recycling services. The County is required to monitor commercial recycling and will require businesses to provide recycling information. Applicant will be required to report to the County or contract waste hauler on recycling efforts once operational.

37 **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.

38 **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

39 **Air Quality** - Status: Outstanding

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

40 **Diesel Regulations** - Status: Outstanding

The operator shall comply with all existing and future California Air Resources Board and Mojave Desert 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. Mojave Desert 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.

41 **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.

42 **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 - Land Development

43 **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.

44 **FEMA Flood Zone.** - Status: Outstanding

FEMA Flood Zone. The project is located within Flood Zone D according to FEMA Panel Number 06071C8135H dated 8/28/2008. Flood hazards are undetermined in this area, but they are still possible.

45 **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-development-home/grading-and-erosion-control/>) and submitted for review with approval obtained prior to construction. 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.

46 **Joshua Trees.** - Status: Outstanding

The Western Joshua Tree is protected under California law. Any removal, relocation, trimming, or disturbance requires prior authorization from the California Department of Fish and Wildlife (CDFW). Any land disturbance shall adhere to the San Bernardino County "Western Joshua Tree Quick Reference Guide" and provide to LUS written confirmation of approval from California Fish and Wildlife. WJT-Quick-Reference-Guide-Updated-12.12.2025.pdf

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

Special Districts Subzone Formation. An application shall be submitted to Special Districts (SD) to form a subzone within an established maintenance district to maintain external access roads to the nearest paved road. Note: the formation process can take six to 18 months to complete.

- 48 **State Construction Stormwater General Permit** - Status: Outstanding
 Notice of Intent (NOI) and WDID # are required on all land disturbance of one (1) acre or more prior to issuance of a grading/construction permit. For questions regarding the State Construction Stormwater General Permit, please contact: https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html

Public Health– Environmental Health Services

- 49 **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

- 50 **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.
- 51 **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

- 52 **GHG - Recycling** - Status: Outstanding
 Recycling. Exterior storage areas for recyclables and green waste shall be provided. Where recycling pickup is available, adequate recycling containers shall be located in public areas. Construction and operation waste shall be collected for reuse and recycling.
- 53 **Mitigation Measures** - Status: Outstanding
 Please see Mitigation Monitoring and Reporting Program for mitigation measures to be completed prior to building permit issuance

54 **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

55 **F02 Fire Fee** - Status: Outstanding

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

56 **F19 Surface** - Status: Outstanding

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus. Road surface is approved to be native soil and shall be designed to 85% compaction and/or paving and hold the weight of Fire Apparatus at a minimum of 80K pounds.

Land Use Services - Land Development

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

Special Districts Subzone Formation. The Special Districts (SD) subzone must be established within an existing maintenance district to maintain external access roads to the nearest paved road.

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

The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications for Parcel 0631-201-68:

- Easterly Property Line (Modified Quarter Sectional Line – 60 feet) Per approved waiver SIW-2024-00011 Road Dedication: A 30-foot grant of easement is required to provide a half-width right-of-way of 30 feet.
- Southerly Property Line (Sixteenth Sectional Line – 60 feet) Road Dedication: A 30-foot grant of easement is required to provide a half-width right-of-way of 30 feet.

59 **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

60 **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.

61 **Sewage Disposal** - Status: Outstanding

Method of sewage disposal shall be an EHS approved onsite wastewater treatment system (OWTS) that conforms to the Local Agency Management Program (LAMP).

PRIOR TO OCCUPANCY

Land Use Services - Planning

62 **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-2023-00023.

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

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

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

All landscaping, dust control measures, all fences, etc. as delineated on the approved Landscape/Hardscape Plan and/or Buffering/Screening 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.

65 **Mitigation Measures** - Status: Outstanding

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

66 **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).

67 **Condition Compliance** - Status: Outstanding

All Condition Compliance Release Forms (CCRF) shall be completed to the satisfaction of County Planning with appropriate authorizing signatures from each reviewing agency and a copy of the CCRFs provided to HCD prior to issuance of Permit to Operate (PTO).

County Fire - Community Safety

68 **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".

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

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

70 **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 are approved to be native soil compacted to 85%.

71 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.

72 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.

Land Use Services - Land Development**73 Drainage Improvements Note** - Status: Outstanding

Adequate drainage improvements should be considered to intercept and conduct the tributary off-site and on-site drainage flows around and through the site in a safe manner that will not adversely affect adjacent or downstream properties.

74 LDD Requirements - Status: Outstanding

All LDD requirements shall be completed by the applicant prior to occupancy.

75 Road - Sphere, Adjacent Property - Status: Outstanding

This project lies immediately adjacent to DISTRICT 3, which provides road maintenance service to its residents. If the developer is to proceed with the development of this property, annexation to the district will be required to extend road district service to the property. To initiate annexation to DISTRICT, an initial deposit of \$2,500 will be required to provide for map updates, legal descriptions, and administrative processes. Annexation deposit and development plans are to be submitted to the Special Districts Department at 222 W. Hospitality Ln, 2nd Floor, San Bernardino, CA 92415-0450. For additional information regarding annexation, please call Special Districts Department, Lien Administration Section at 909-386-8830.

Public Health– Environmental Health Services**76 New Alternative Treatment System Permit** - Status: Outstanding

An Alternative Treatment System annual permit may be required, if applicable. For information, contact EHS at: (800) 442-2283.

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

EXHIBIT D

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:	0631-201-68	USGS Quad:	Joshua Tree North, CA
Applicant:	Joseph Milburn JT Prospecting, LLC	T, R, Section:	T:2N, R:6E, Section 24
Location	62076 Mercury Drive Joshua Tree CA 92262 Cross Streets: Adele Lane and Mercury Drive		
Project No:	PROJ-2023-00023	Community Plan:	Homestead Valley Community Plan
Rep	Joseph Milburn	LUZD:	Homestead Valley/Rural Living (HV/RL)
Proposal:	CUP to Establish a dry Campground	Overlays:	Desert Tortoise – Medium Population

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: Luis Rodriguez Jr., Contract Planner
Phone No: (909) 387-4106 **Fax No:** (909) 387-3223

E-mail: Luis.Rodriguez@lus.sbcounty.gov

Project Sponsor: JT Prospecting, LLC 447
Howland Canal
Venice, CA 90291

Prepared by: Jakki Tonkovich
Vista Environmental 1021 Didrickson
Way Laguna Beach, CA 92651
jakki@vistalb.com

PROJECT DESCRIPTION:

Summary

The proposed project consists of establishing a fifteen (15) campsite dry Campground, with no water service, on one parcel (APN 063-201-68) with a total of 7.5 acres, within the Homestead Valley Community Area of Joshua Tree. Each of the campsites will include space for parking and either tent or contained RV/Trailer camping. The project includes the installation of a shade structure and a picnic table at each campsite. Existing buildings onsite will remain. All campsites are easily accessible through a hard packed soil road and a turnaround within the project site (Figure 1, Project Location, and Figure 2, Site Plan).

Site Access, Circulation and Parking

The proposed project would also include an onsite dirt road system to access the 15 campsites and a few porta potties that would be placed strategically to be shared by multiple campsites and will have a regular pumping/cleaning schedule. The existing small cabin, bathroom, storage structure, and septic tank will remain onsite and will be utilized for owner and maintenance use only.

The proposed Campground would be operated remotely with online bookings, except for scheduled maintenance activities. Automated sliding entry and exit gates will be installed with a keypad for the entry gate and motion detection for the exit gate. No utility connections will be provided to the Campground. All electricity for gates and lighting will be provided by solar panels and batteries. No burning of any material will be permitted in the Campground. Landscaping will consist of the natural desert landscaping that is currently on the project site.

Surrounding Land Uses and Setting

The project site consists mostly of vacant land with three existing structures located on the eastern portion of the site. The site has a disturbed habitat with sparse ornamental and native vegetation and creosote bush scrub on the northern portion of the site. There is evidence of previous grading activities within the disturbed habitat on site. The site is bordered by Napa Road north of the site, Giant Rock Road east of the site, Adele Lane to the west, and Saturn Street south of the site. Open desert occurs north, east, and south of the site. There are a few residential homes located west and north of the site. The site is relatively flat with onsite elevations ranging from 2,857 feet above mean sea-level (AMSL) to 2,870 feet AMSL. The General Plan land use designation and zoning districts of the project site and surrounding area are shown in Figure 3, Land Use and Figure 4, Zoning Districts.

Existing Land Use and Land Use Zoning Districts		
Location	Existing Land Use	Land Use Zoning District
Project site	Vacant and Recreational Cabin	Homestead Valley/Rural Living
North	Recreational Cabin and Single Family Residential	Homestead Valley/Rural Living
South	Vacant Land	Homestead Valley/Rural Living
East	Single Family	Homestead Valley/Rural Living
West	Single Family	Homestead Valley/Rural Living

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Federal: None.

State of California: California Department of Fish & Wildlife.

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

Local: None

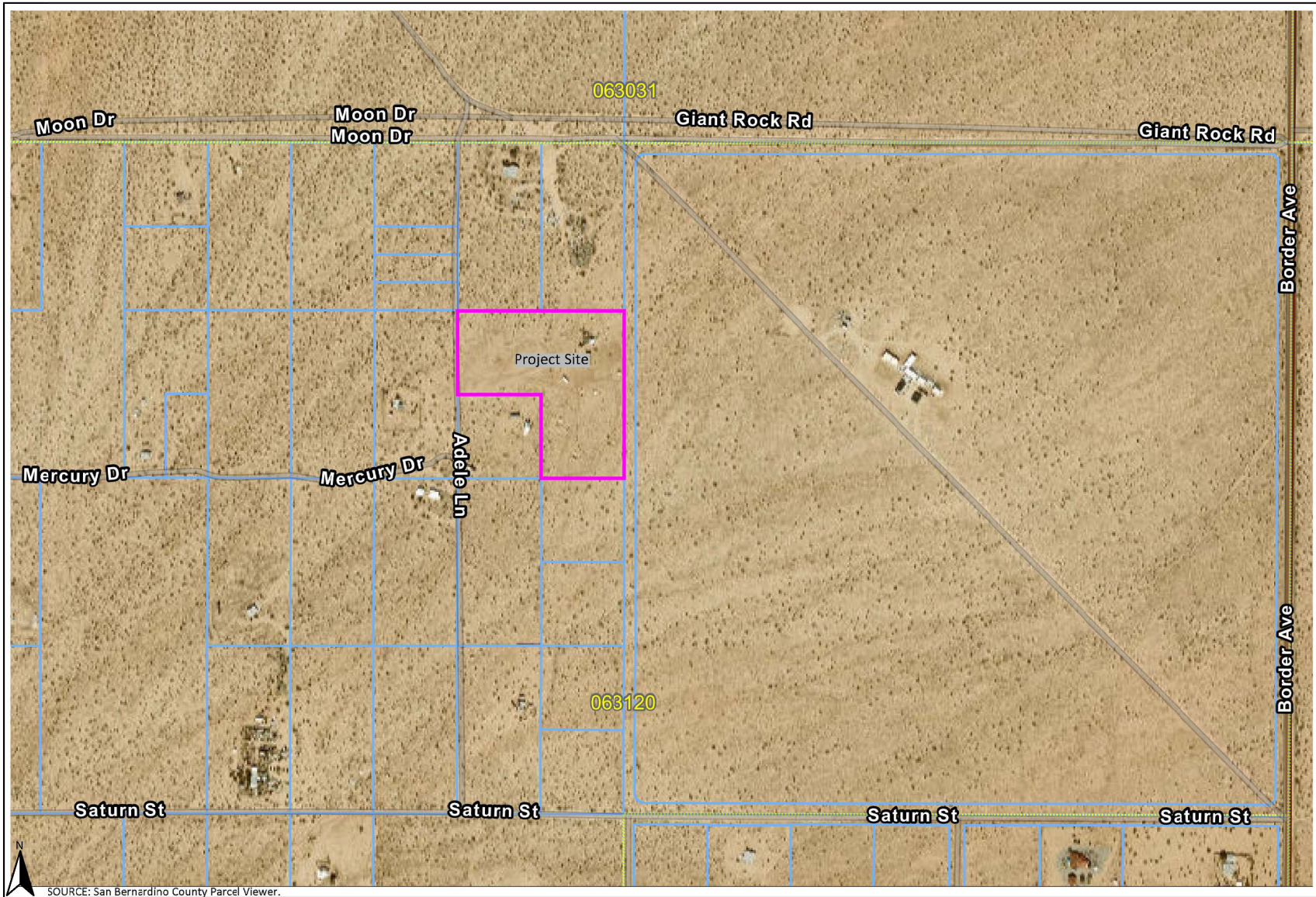


Figure 1
Project Location

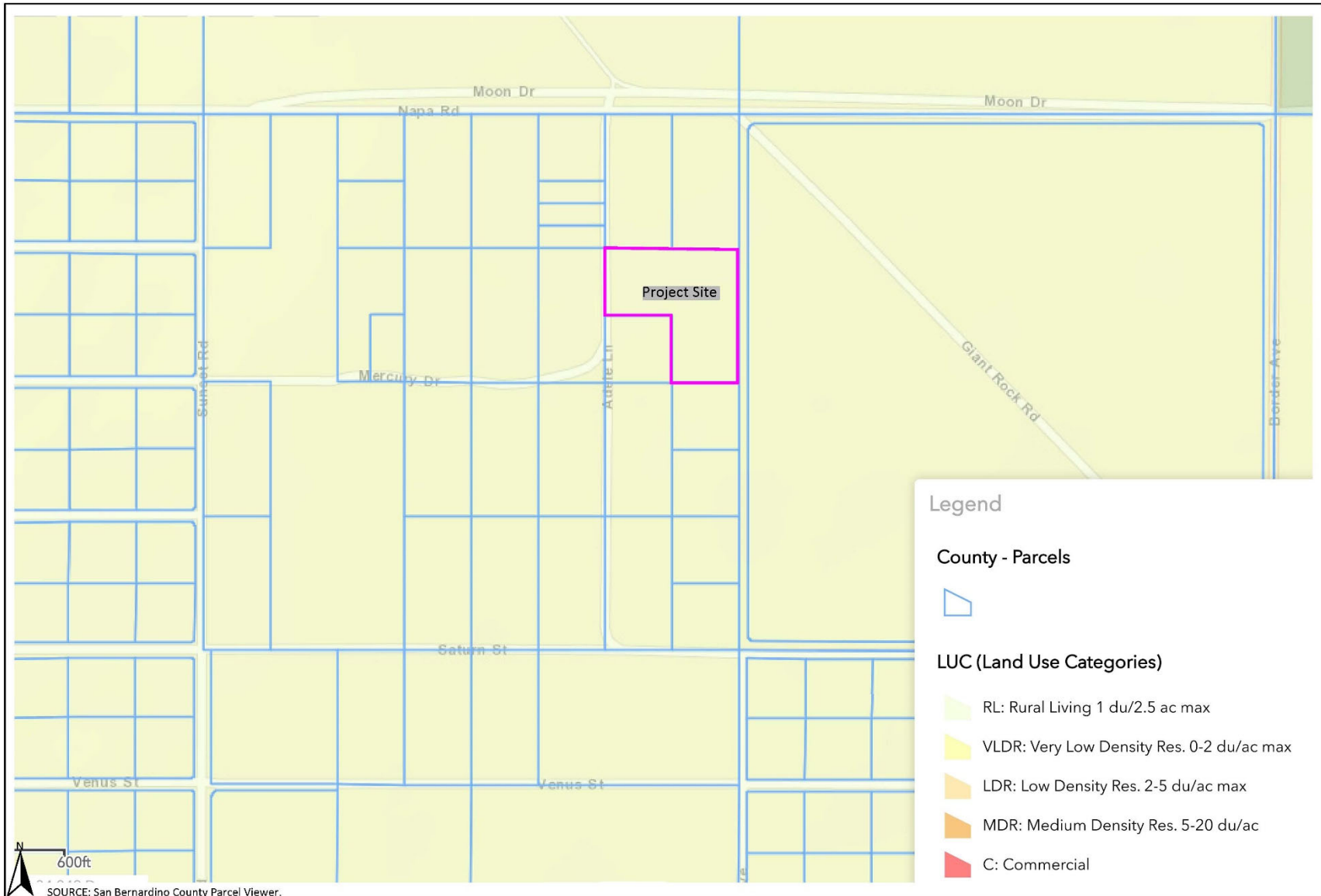


Figure 3
Land Use

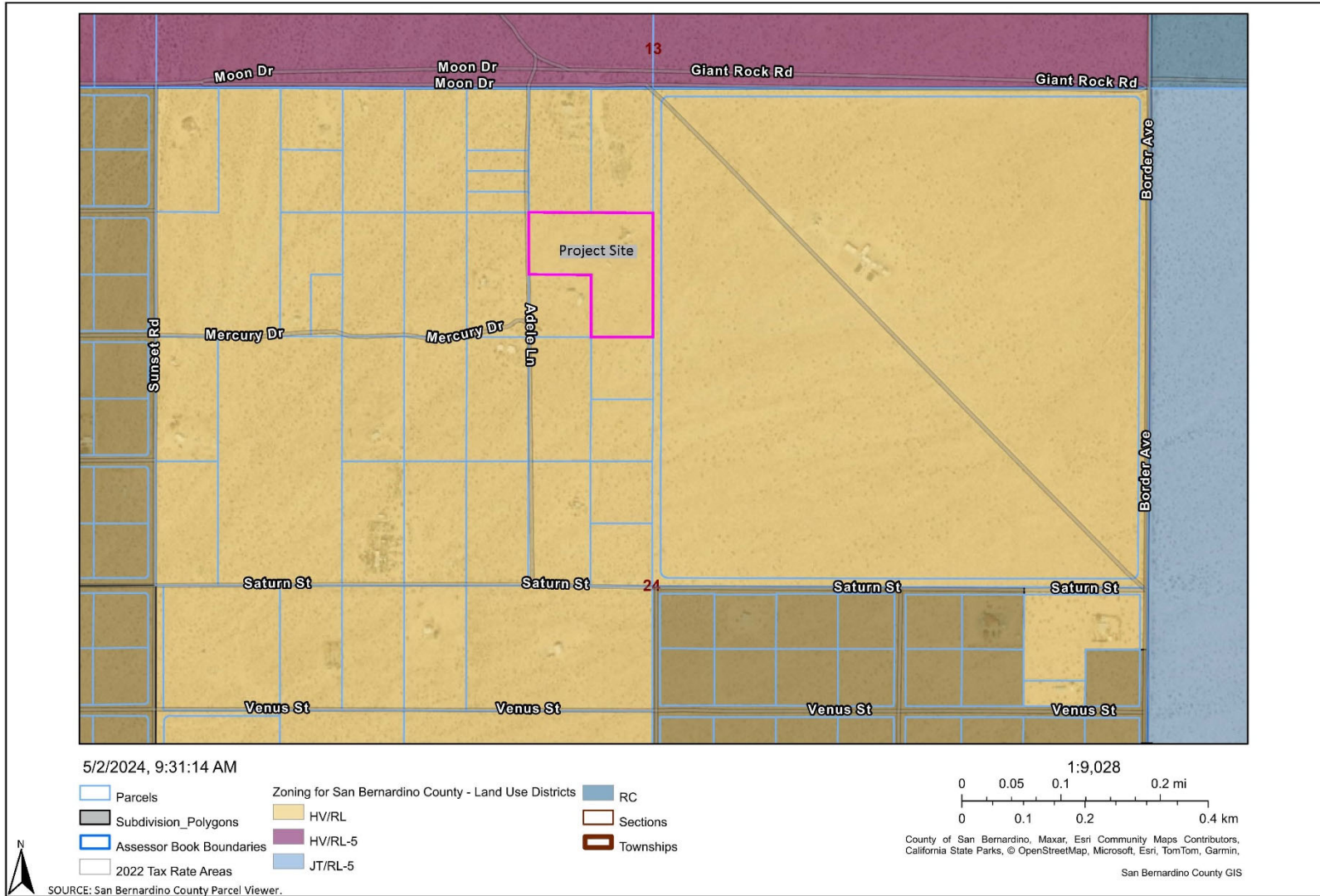


Figure 4
Zoning Districts

CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

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

Yes, please refer to Section XVIII, Tribal Cultural Resources. (Pending)

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
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Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

1. **No Impact:** No impacts are identified or anticipated, and no mitigation measures are required.
2. **Less than Significant Impact:** No significant adverse impacts are identified or anticipated, and no mitigation measures are required.
3. **Less than Significant Impact with Mitigation Incorporated:** Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List of mitigation measures)
4. **Potentially Significant Impact:** Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are (List of the impacts requiring analysis within the EIR).

At the end of the analysis the required mitigation measures are restated and categorized as being either self- monitoring or as requiring a Mitigation Monitoring and Reporting Program.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

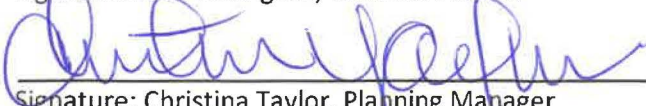
DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the following finding is made:

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


 Signature: Luis Rodriguez, Contract Planner

January 13, 2025
 Date


 Signature: Christina Taylor, Planning Manager

January 13, 2025
 Date

<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>
I. <u>AESTHETICS</u> – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: (Check if project is located within the view-shed of any Scenic Route listed in the General Plan):
San Bernardino Countywide Plan, 2020; Submitted Project Materials

a) **Less than Significant Impact.** The proposed project is located on a mostly vacant site containing typical desert Creosote Scrub Vegetation. A review of the project area determined that there are no scenic resources located internally within the area proposed for the development of the Campground. A scenic vista impact can also occur when a scenic vista can be viewed from the project area or immediate vicinity and a proposed development may interfere with public a view to a scenic vista. The project is situated in Homestead Valley portion of the Mojave Desert in an area containing low-density residential uses. Given that there are no pristine viewpoints in the vicinity of the project from which to observe the mountain vistas, the development of the Campground in this area of the County is not considered significant aesthetic impact. As such, implementation of the proposed development, is not expected to cause any substantial adverse effects on any important scenic vistas. This potential impact is considered a less than significant adverse aesthetic impact. No mitigation measures would be required.

- b) **Less than Significant Impact.** The proposed project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway corridor. The project site is located on Mercury Drive, and none of the nearby roadways are considered by the State or County to be a scenic highway. The County’s recently adopted General Plan—the “Countywide Plan”¹—identifies several county scenic routes, and Highway 62 is designated as a county scenic route in this area, and as an eligible state scenic highway. Note that Highway 62 is not designated as a state scenic highway in the vicinity of the project site. The proposed project would be compatible with the Countywide Policy Plan visual resource and aesthetic policies including:

Policy ¹	Compatibility
<p>Policy LU-2.1 Compatibility with existing uses. We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.</p>	<p>The proposed project is at a similar scale as the surrounding rural residential uses.</p>
<p>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.</p>	<p>The proposed project is compatible with the land use map designation with the approval of the Conditional Use Permit (CUP). The CUP is required for the dry Campground.</p>
<p>Policy LU-4.1 Context-sensitive design in the Mountain/Desert regions. We require new development to employ site and building design techniques and use building materials that reflect the natural mountain or desert environment and preserve scenic resources.</p>	<p>The proposed project does not include development of new buildings. The proposed project is consistent with the natural environment. The proposed project maintains the natural environment by not including buildings and structures, but leaving the Campground open and natural with the environment.</p>

¹ <https://countywideplan.com/>. Accessed March 28, 2024 <https://countywideplan.com/>. Accessed March 28, 2024

<p>Policy LU-4.7 Dark skies. We minimize light pollution and glare to preserve views of the night sky, particularly in the Mountain and Desert regions where dark skies are fundamentally connected to community identities and local economies. We also promote the preservation of dark skies to assist the military in testing, training, and operations.</p>	<p>The proposed project would utilize dark sky approved pathway lighting and would not include extensive night lighting, which would promote dark skies due to the limited nighttime operating hours. The dark sky lights will utilize the five principles of responsible outdoor lighting: Useful, Targeted, Low Level, Controlled, and Warm-Colored. The dark sky lighting proposed by the project applicate will be certified dark sky pathway lighting. Additionally, the lighting will be on automate timers and motion seniors that will enable lights only to be used when needed as reflected under principal one of dark sky lighting – usefulness. Furthermore, the proposed use is one that would benefit from dark skies.</p>
<p>Policy NR-4.1 Preservation of scenic resources. We consider the location and scale of development to preserve regionally significant scenic vistas and natural features, including prominent hillsides, ridgelines, dominant landforms, and reservoirs.</p>	<p>The proposed project would not conflict with the preservation of scenic resources. The proposed project is installed at such a small scale given the open landscape, thus minimizing the views to the site from such things as Highway 62, which is approximately 9 miles away from the project site. Additionally, there are no rock outcroppings that would be impacted by the proposed project and the project has been designed to protect the onsite Joshua Trees.</p>
<p>Policy NR-4.3 Off-site signage. We prohibit new off-site signage and encourage the removal of existing off-site signage along or within view of County Scenic Routes and State Scenic Highways.</p>	<p>The proposed project would not install onsite signage other than providing name and address, thus meeting the provisions of this policy. The proposed project would not result in a significant change in view shed in the vicinity of any County Scenic Route (Highway 62).</p>

A review of the project area suggests that the proposed project would not be visible from Highway 62, which is approximately 9 miles away from the project site. The proposed project would be installed at such a small scale given the open landscape, thus minimizing the views to the site from the Highway to the project site. As described above, the proposed project would comply with the Countywide Policy Plan, and by the standards of the San Bernardino Countywide Plan PEIR, the proposed project would have a less than significant potential to damage scenic resources within a state or County scenic highway.

During the field survey one historic-period building was recorded and was temporarily designated, however, the building is not eligible for California Register of Historical Resources, and therefore not an historical resource. No rock outcroppings would be impacted by the proposed project, as none have been observed within the project site or adjacent to the project site. The proposed project site

does have two (2) Joshua Trees located on site. The project is designed to avoid the trees, including the required 40-foot buffer. See Biological Resources section for more details. No other scenic resources have been identified on the site. Therefore, the project would have a less than significant potential to substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. No mitigation measures would be required.

- c) **Less than Significant Impact.** The proposed Campground is located in a rural desert environment. The proposed project is located in a relatively sparsely developed portion of the County, and according to the State Office of Planning and Research site check, it does not meet the legal criteria for an urbanized area. By developing this mostly vacant site in accordance with the proposed Campground design, this site will provide visitors with an opportunity to inhabit and experience the surrounding desert environment firsthand and intimately. The design elements incorporated in the project will minimize the potential aesthetic impacts to a less than significant level. No mitigation measures would be required.

d) **Less than Significant Impact.** Implementation of the proposed project will create only limited new sources of light during the occupancy phase of the project. Existing sources of light in the project area include nearby rural residences and occasional headlights from the adjacent roadways. The San Bernardino County Development Code requires new projects to adhere to the provisions of the Chapter 83.07.060 Glare and Outdoor Lighting – Mountain and Desert Requirements. The Development Code requires outdoor lighting to meet shielding requirements, light pollution standards, automated control standards, dark sky curfew, and other requirements. The proposed project shall use dark sky lighting that will utilize the five principles of responsible outdoor lighting: Useful, Targeted, Low Level, Controlled, and Warm-Colored. The dark sky lighting proposed by the project applicant will be certified dark sky pathway lighting. Additionally, the lighting will be on automate timers and motion sensors that will enable lights only to be used when needed as reflected under principal one of dark sky lighting – usefulness. While the proposed project will generate a new source of lighting from dark sky approved pathway lighting, the project lighting will occur in a background of rural residences where limited lighting consistent with the County lighting requirements is not considered intrusive or significantly adverse. No mitigation will be required for lighting at this location and with mandatory compliance with the County Development Code, potential light and glare impacts associated with the proposed project will be a less than significant impact. No mitigation measures would be required.

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>
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):

San Bernardino Countywide Plan, 2020; California Department of Conservation Farmland Mapping and Monitoring Program; Submitted Project Materials

- a) **No Impact.** The proposed project is located in an area that is sparsely developed, which is consistent with the Campground use at this site. Neither the project site nor the adjacent and

surrounding properties are designated for agriculture. No prime farmland, unique farmland, or farmland of statewide importance occurs at the project site or within the immediate vicinity. The proposed project would not convert farmland to non-agricultural use. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- b) **No Impact.** The site is zoned Rural Living and is not zoned for agricultural use. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.
- c) **No Impact.** The proposed project is located in an area that is sparsely developed, which is consistent with the Campground use at this site. The project site is zoned Rural Living and does not include forestry zoning. 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.
- d) **No Impact.** National Timber Tax defines Forest land is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits². The project site is currently mostly vacant and does not support forest land. Implementation of the proposed project would not result in loss of forest land or conversion of forest land to non-forest use. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.
- e) **No Impact.** As indicated in the preceding discussions, 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. No impacts are identified or are anticipated, and no mitigation measures are required.

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>
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management district or air pollution control district might be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

San Bernardino Countywide Plan, 2020; Submitted Project Materials; Air Quality, Energy, Greenhouse Gas Emissions and Health Risk Assessment Report (Appendix A)

a) **Less than Significant Impact.** The proposed project would not conflict with or obstruct implementation of the Mojave Desert Air Quality Management District (MDAQMD) Air Quality Management Plans (AQMPs). The following is the analysis procedure detailed in the MDAQMD Guidelines for Conformity Impacts:

A project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project is conforming if it complies with all applicable District rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan). Conformity with growth forecasts can be established by demonstrating that the project is consistent with the land use plan that was used to generate the growth forecast. An example of a non-conforming project would be one that increases the gross number of dwelling units, increases the number of trips, and/or increases the overall vehicle miles traveled in an affected area (relative to the applicable land use plan).

For this project, the County of San Bernardino General Plan’s Land Use Plan defines the long-range land use assumptions that are represented in the AQMPs. The project site is currently designated as Rural Living (RL) in the General Plan. The proposed Campground is an allowed use within the RL land use designation upon issuance of a Conditional Use Permit (CUP) from the County to comply with development code standards for Campground uses. As such, development of the proposed project would require the issuance of a CUP and adherence to the conditions provided in the CUP. The proposed project would consist of a Campground with 15 campsites. According to the Institute of Transportation Engineers (ITE), Trip Generation Manual, Tenth Edition, ITE Land Use Code 416

for Campgrounds found that an occupied campsite would generate 0.48 daily trips in the AM Peak Hour and 0.98 daily trips in the PM Peak Hour, or 1.46 daily trips per campsite, which equates 21.9 daily trips generated by the proposed project at full occupancy. Due to the nominal amount of daily trips generated by the proposed project and the potential for employment opportunities in an area that currently has more housing than jobs that would likely result in a reduction of vehicle miles traveled (VMT) for the future employees that now have to commute long distances for work, the proposed project is anticipated to result in a negligible increase in total VMT for the region that would not have an impact on the growth forecasts for the area. Based on the above, the proposed project will not result in an inconsistency with the SCAQMD AQMP. Therefore, a less than significant impact will occur in relation to implementation of the AQMP.

- b) **Less than Significant Impact.** Construction of the proposed project would consist of grading of the portion of the project site that would be disturbed, construction and painting of the campsites and possible paving of parking spaces and portions of the campsite areas. Construction activities would create air emissions from the operation of construction equipment as well as from fugitive dust generated from the movement of dirt onsite. Construction emissions would also be created from worker vehicle trips and delivery truck trips to and from the project site. Construction of the proposed project is anticipated to start early 2024 and would take approximately six months to complete. The daily construction-related criteria pollutant emissions from the proposed project are shown below in Table A along with the MDAQMD daily thresholds, which were utilized since construction activities will occur over less than a year period.

Table A – Construction-Related Criteria Pollutant Emissions

Season and Year of Construction	Maximum Daily Pollutant Emissions (pounds/day)					
	VOC	NOx	CO	SO ₂	PM ₁₀	PM _{2.5}
Summer 2025	1.13	0.89	1.32	<0.01	11.8	1.20
Winter 2025	1.13	2.29	3.62	<0.01	63.8	6.47
Maximum Daily Construction Emissions	1.13	2.29	3.62	<0.01	63.8	6.47
MDAQMD Thresholds¹	137	137	548	137	82	65
Exceeds Thresholds?	No	No	No	No	No	No

Notes:

¹ Obtained from: <https://www.mdaqmd.ca.gov/home/showpublisheddocument?id=8510>.

Source: CalEEMod Version 2022.1.

Source: Appendix A, Air Quality

Table A shows that none of the analyzed criteria pollutants would exceed the MDAQMD daily emissions thresholds during construction of the proposed project. Therefore, a less than significant air quality impact would occur from construction of the proposed project.

Toxic Air Contaminants Impacts from Construction

The greatest potential for toxic air contaminant emissions would be related to diesel particulate matter (DPM) emissions associated with heavy equipment operations during construction of the proposed project. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of “individual cancer risk”. “Individual Cancer Risk” is the likelihood that a person exposed to concentrations of toxic air contaminants over a 70-year lifetime will contract cancer, based on the use of standard risk-assessment methodology. It should be noted that the most current cancer risk assessment methodology recommends analyzing a 30-year exposure period for the nearby sensitive receptors (OEHHA, 2015).

Given the relatively limited number of heavy-duty construction equipment, the varying distances that construction equipment would operate to the nearby sensitive receptors, and the short-term

construction schedule, the proposed project would not result in a long-term (i.e., 30 or 70 years) substantial source of toxic air contaminant emissions and corresponding individual cancer risk. In addition, California Code of Regulations Title 13, Article 4.8, Chapter 9, Section 2449 regulates emissions from off-road diesel equipment in California. This regulation limits idling of equipment to no more than five minutes, requires equipment operators to label each piece of equipment and provide annual reports to CARB of their fleet’s usage and emissions. This regulation also requires systematic upgrading of the emission Tier level of each fleet, and currently no commercial operator is allowed to purchase Tier 0, Tier 1 or Tier 2 equipment. In addition to the purchase restrictions, equipment operators need to meet fleet average emissions targets that become more stringent each year between years 2014 and 2023. Therefore, due to the limitations in off-road construction equipment DPM emissions from implementation of Section 2448, a less than significant short-term TAC impacts would occur during construction of the proposed project from DPM emissions.

Long-Term Operational Air Quality Impacts

The proposed project would consist of the operation of the proposed Campground. The proposed project would generate air emissions from mobile sources, area sources and off-road equipment. Since the proposed project would not include any electrical, natural gas or water hook ups to utilities, operation of the proposed project would not utilize any energy from the grid and the CalEEMod model inputs for electricity, natural gas and water were all set to zero. In addition, the number of fireplaces was also set to zero, since burning of anything in the Campground will be prohibited. The VOC, NOx, CO, SO2, PM10, and PM2.5 annual emissions created from the proposed project’s long-term operations are summarized below in Table B.

Table B – Operations-Related Criteria Pollutant Emissions

Emissions Source	Pollutant Emissions (tons per year)					
	VOC	NOx	CO	SO ₂	PM10	PM2.5
Mobile Sources¹	0.02	0.02	0.15	<0.01	6.77	0.68
Area Sources²	0.01	<0.01	0.08	<0.01	<0.01	<0.01
Energy Usage³	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road Equipment⁴	<0.01	<0.01	0.01	<0.01	<0.01	<0.01
Total Operational Emissions	0.03	0.02	0.23	<0.01	6.77	0.68
MDAQMD Thresholds⁵	25	25	100	25	15	12
Exceeds Thresholds?	No	No	No	No	No	No

Notes:

¹ Mobile sources consist of emissions from vehicles and road dust. The CalEEMod model analyzed 21.9 daily trips and 20% of the trip length on dirt roads.

² Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.

³ Energy usage consists of emissions from natural gas usage. No utility hookups will be provided to the proposed project.

⁴ Off-Road equipment was modeled based on one tractor operating 4 hours per day and 12 days per year.

⁵ Obtained from: <https://www.mdaqmd.ca.gov/home/showpublisheddocument?id=8510>.

Source: CalEEMod Version 2022.1

Source: Appendix A, Air Quality

The data provided in Table B above shows that none of the analyzed criteria pollutants would exceed the MDAQMD annual emissions thresholds during operation of the proposed project. Therefore, a less than significant air quality impacts would occur from operation of the proposed project.

- d) **Less than Significant Impact.** The proposed project would not create objectionable odors affecting a substantial number of people. Individual responses to odors are highly variable and can result in a variety of effects. Generally, the impact of an odor results from a variety of factors such as frequency, duration, offensiveness, location, and sensory perception. The frequency is a measure of how often an individual is exposed to an odor in the ambient environment. The intensity refers to an individual’s or group’s perception of the odor strength or concentration. The duration of an

odor refers to the elapsed time over which an odor is experienced. The offensiveness of the odor is the subjective rating of the pleasantness or unpleasantness of an odor. The location accounts for the type of area in which a potentially affected person lives, works, or visits; the type of activity in which he or she is engaged; and the sensitivity of the impacted receptor.

Sensory perception has four major components: detectability, intensity, character, and hedonic tone. The detection (or threshold) of an odor is based on a panel of responses to the odor. There are two types of thresholds: the odor detection threshold and the recognition threshold. The detection threshold is the lowest concentration of an odor that will elicit a response in a percentage of the people that live and work in the immediate vicinity of the project site and is typically presented as the mean (or 50 percent of the population). The recognition threshold is the minimum concentration that is recognized as having a characteristic odor quality, this is typically represented by recognition by 50 percent of the population. The intensity refers to the perceived strength of the odor. The odor character is what the substance smells like. The hedonic tone is a judgment of the pleasantness or unpleasantness of the odor. The hedonic tone varies in subjective experience, frequency, odor character, odor intensity, and duration. Potential odor impacts have been analyzed separately for construction and operations below.

Construction-Related Odor Impacts

Potential sources that may emit odors during construction activities include the application of coatings such as asphalt pavement, paints and solvents and from emissions from diesel equipment. Standard construction requirements that limit the time of day when construction may occur as well as MDAQMD Rule 442 that limits VOC content in solvents, Rule 1103 that limits VOC content in asphalt and Rule 1113 that limits the VOC content in paints and solvents would minimize odor impacts from construction. As such, the objectionable odors that may be produced during the construction process would be temporary and would not likely be noticeable for extended periods of time beyond the project site's boundaries. Through compliance with the applicable regulations that reduce odors and due to the transitory nature of construction odors, a less than significant odor impact would occur, and no mitigation would be required.

Operations-Related Odor Impacts

The proposed project would consist of the development of a Campground. Operation of the proposed project may create odors from trash storage bins. As detailed in the site plans, there will be no fire pits at the campsites and no burning of anything will be allowed in the Campground, as such no odor impacts would occur from campfires. Pursuant to County regulations, permanent trash enclosures that protect trash bins from rain as well as limit air circulation would be required for the trash storage areas. Through compliance with MDAQMD's Rule 402 and County trash storage regulations, no significant impact related to odors would occur during the on-going operations of the proposed project. Therefore, a less than significant odor impact would occur, and no mitigation would be required.

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>
IV. BIOLOGICAL RESOURCES - Would the project:				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>SUBSTANTIATION:</i> <i>(Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database):</i> <input type="checkbox"/>				

- a) **Less than Significant Impact with Mitigation.** The project site consists mostly of vacant land with three existing structures located on the eastern portion of the site. The site has a disturbed habitat with sparse ornamental and native vegetation and creosote bush scrub on the northern portion of the site. There is evidence of previous grading activities within the disturbed habitat on site. The site is bordered by Napa Road north of the site, Giant Rock Road east of the site, and Saturn Street south of the site. Open desert occurs north, east, and south of the site. The site is relatively flat with onsite elevations ranging from 2,857 feet above mean sea-level (AMSL) to 2,870 feet AMSL.

Sensitive Biological Resources

A total of 2 plant species are listed as state and/or federal Threatened, Endangered, or Candidate species; are 1B.1 listed plants on the CNPS Rare Plant Inventory; below are descriptions of these species:

Triple-ribbed milk-vetch

The triple-ribbed milk-vetch (*Astragalus tricarinatus*) is a federally listed Endangered Species and ranked 1B.2 in the CNPS Rare Plant Inventory. Its habitat includes desert wash, Joshua tree woodland, and sonoran desert scrub habitats. It is often found on hot, rocky slopes in canyons and along the edge of boulder-strewn desert washes with *Larrea* and *Encelia*. No slopes or canyons occur on site. No habitat for this species exists on the project site. This species is not present.

Parish's daisy

Parish's daisy (*Erigeron parishii*) is a federally Threatened Species and is ranked 1B.1 in the CNPS Rare Plant Inventory. This species is typically found on carbonate; limestone mountain slopes; often associated with drainages and sometimes on granite. Its habitat includes Mojavian desert scrub, pinyon and juniper woodland. The project site is below the elevation range for this species. No habitat for this species exists on the project site. This species is not present.

Western Joshua Tree

The Western Joshua Tree is a state listed Candidate Endangered species. This species is protected under the Western Joshua Tree Conservation Act and the California Endangered Species Act (CESA), which prohibits the take of any species of wildlife designated by the California Fish and Game Commission as endangered, threatened, or candidate species. Two individual Joshua trees were found during the Western Joshua Tree census performed in 2024. Implementation of the **Mitigation Measure BIO-1** will ensure impacts to this species are less than significant.

BIO-1: Two (2) Joshua trees were found on site during the focused Western Joshua Tree census survey performed in 2024. Any impacts to the Joshua tree or within forty (40) feet of the Western Joshua Tree shall require compliance with the Western Joshua Tree Conservation Act (WJTCA), which was passed in July 2023 to conserve Western Joshua Tree and its habitat while supporting the state's renewable energy and housing priorities. The WJTCA authorizes CDFW to:

- **Permit the trimming and removal of hazardous or dead Western Joshua Trees.**
- **Permit the incidental take of Western Joshua Trees under CESA provided the permittee meets certain conditions.**

The Project shall avoid impacts to the Western Joshua Trees on site through avoiding construction within 40 feet of the trees onsite. If it becomes necessary for construction to occur within 40 feet of the trees onsite (i.e. impact the trees per the WJTCA), any proposed impacts to

the Joshua trees on site shall require prior authorization from CDFW pursuant to the WJCTA.

Removal of onsite Joshua trees or century plants shall be required to comply with Section 88.01 of the San Bernardino Development Code, which requires the issuance of a permit prior to the removal of regulated trees and plants.

Sensitive Plant Resources

A total of 2 plant species are listed as state and/or federal Threatened, Endangered, or Candidate species; are 1B.1 listed plants on the CNPS Rare Plant Inventory; below are descriptions of these species:

Triple-ribbed milk-vetch

The triple-ribbed milk-vetch (*Astragalus tricarinatus*) is a federally listed Endangered Species and ranked 1B.2 in the CNPS Rare Plant Inventory. Its habitat includes desert wash, Joshua tree woodland, and sonoran desert scrub habitats. It is often found on hot, rocky slopes in canyons and along the edge of boulder-strewn desert washes with *Larrea* and *Encelia*. No slopes or canyons occur on site. No habitat for this species exists on the project site. This species is not present.

Parish's daisy

Parish's daisy (*Erigeron parishii*) is a federally Threatened Species and is ranked 1B.1 in the CNPS Rare Plant Inventory. This species is typically found on carbonate; limestone mountain slopes; often associated with drainages and sometimes on granite. Its habitat includes Mojavean desert scrub, pinyon and juniper woodland. The project site is below the elevation range for this species. No habitat for this species exists on the project site. This species is not present.

Sensitive Animal Resources

A total of 3 animal species are listed as state and/or federal Threatened, Endangered, Candidate will be reviewed in this section. Sensitive species with a potential to occur on site will also be reviewed in this section. Below are descriptions of these species:

Burrowing owl

The burrowing owl (*Athene cunicularia*) is a CDFW Species of Special Concern. This species is a subterranean nester, dependent upon burrowing mammals such as the California ground squirrel. It inhabits open, dry annual or perennial grasslands and scrublands characterized by low-growing vegetation. The project site is mostly paved. No burrows suitable for burrowing owl were found on site. No ground squirrel or other burrowing mammals was noted on site. No suitable habitat for this species occurs on site. This species is not present.

Crotch bumble bee

Crotch bumble bee (*Bombus crotchii*) is a state Candidate Endangered Species. It's located in coastal California east to the Sierra-Cascade crest and south into Mexico. Its food plant genera include *Antirrhinum*, *Phacelia*, *Clarkia*, *Dendromecon*, *Eschscholzia*, and *Eriogonum*. The food plant genera of this species are not found on site. There is no habitat for this species on the project site. This species is not present.

Desert tortoise

The desert tortoise (*Gopherus agassizii*) is a state listed Endangered Species and federally listed Threatened Species. This species is found in Joshua tree woodland, Mojavean desert scrub, and Sonoran Desert scrub habitats. It requires friable soil for burrow and nest construction. It prefers creosote bush habitat with large annual wildflower blooms. The site consists of disturbed habitat. The creosote bush scrub habitat on site is minimal and bordered by disturbed areas. No CNDDB

recorded occurrence of desert tortoise within 5 miles of the project site. However, the County's Biotic Resources Overlay indicates that the project is located within an area supporting Desert Tortoise Medium Population. Furthermore, according to the USFWS 5 Year Review, the project is located in an area of high probability for supporting Desert Tortoise.³ No suitable habitat for this species occurs on site. Therefore, the biologist determined that, this species is likely absent from the project site. However, due to the project being located within Desert Tortoise Medium Population overlay, and as the USFWS 5-Year Review indicates that the project is located in an area of high probability for supporting Desert Tortoise, **Mitigation Measure BIO-2** is recommended: prior to grading pre-construction desert tortoise surveys shall be conducted to avoid any impacts to desert tortoise.

MM BIO – 2 No more than 14 calendar days prior to start of Project activities, a qualified biologist shall conduct pre-construction surveys for desert tortoise as described in the USFWS Desert Tortoise (Mojave Population) Field Manual (USFWS 2009 or most recent version). Pre-construction surveys shall be completed using linear survey transects 10-meters apart within the Project area and 500- foot buffer zone. Should desert tortoise presence be confirmed during the survey, the qualified biologist shall immediately notify CDFW and USFWS to determine appropriate avoidance measures. The project will ensure no impacts to desert tortoise by avoiding any direct and indirect take as defined by the California and Federal Endangered Species acts.

Least Bell's vireo

The Least Bell's vireo (*Vireo bellii pusillus*) is a federal and state listed Endangered Species. This species is found in riparian forest, riparian scrub, and riparian woodland. The nesting habitat of this species is restricted to willow and/or mule fat dominated riparian scrub along permanent or nearly permanent streams. No suitable habitat for this species is present on the project site. This species is not present.

However, potential impacts to nesting birds may occur if ground disturbing activities or vegetation removal occur during the bird nesting season of February 1 through September 15. Implementation of the **Mitigation Measure BIO-3** would reduce this impact to less than significance.

BIO-3: It is recommended that vegetation removal be conducted outside of the nesting season for migratory birds to avoid direct impacts.

- **If vegetation removal occurs during the migratory bird nesting season, between February 1 and September 15, pre-construction nesting bird surveys shall be performed within three days prior to vegetation removal.**

If active nests are found during nesting bird surveys, they shall be flagged. A 250- foot buffer shall be fenced around songbird nests and a 500-foot buffer shall be fenced around raptor nests.

- b) **Less than Significant Impact.** The project site does not contain any drainage, riparian, or riverine features. There are no CDFW, United States Army Corps of Engineers (USACE), or Regional Water Quality Control Board (RWQCB) jurisdictional waters within the project site boundaries. Therefore, less than significance impact would occur related to jurisdictional resources.

Plant and Habitat Communities

The 7.5-acre project site is made up of two habitats, 1.2 acres of creosote bush scrub and 6.3

³ https://www.fws.gov/sites/default/files/documents/2022%20Mojave%20desert%20tortoise%205YR_FINAL.pdf

acres of disturbed habitat.

Creosote bush scrub

The project site has 1.2 acres of disturbed creosote bush scrub habitat on site. The dominant plant species is creosote bush (*Larrea tridentata*). Other plant species found within this habitat include branched pencil cholla (*Cylindropuntia ramosissima*), white bursage (*Ambrosia dumosa*), and white ratany (*Krameria grayi*). The creosote bush scrub habitat is present on the northwest and southwest corners of the site. The vegetation within these areas on site is not dense and there are some areas that appear to have been previously graded or disturbed by motor vehicles.

Disturbed

The project site has 6.3 acres of disturbed habitat on site. Three existing structures occur within this habitat. This vegetation within these areas is sparse and includes ornamental species such as American century plant (*Agave americana*), saguaro (*Carnegiea gigantea*), and senita cactus (*Pachycereus schottii*).

Critical Habitat

Critical habitat is designated by USFWS for endangered and threatened species per the federal ESA (16 U.S.C. § 1533 (a)(3)), and to the extent prudent and determinable. Special management of critical habitat, including measures for water quality and quantity, host animals and plants, food availability, pollinators, sunlight, and specific soil types is required to ensure the long-term survival and recovery of the identified species. Critical habitat designation delineates all suitable habitat for the species. The project site is not located within or adjacent to federally designated critical habitat for endangered species and no mitigation measures are required.

- c) **No Impact.** The project site does not contain any drainage, riparian, or riverine features. There are no CDFW, United States Army Corps of Engineers (USACE), or Regional Water Quality Control Board (RWQCB) jurisdictional waters within the project site boundaries. As a result, there would be no impact to jurisdictional waters or wetlands would occur and no mitigation measures are required.
- d) **Less than Significant Impact.** Wildlife movement corridors can be local or regional in scale; their functions may vary temporally and spatially based on conditions and species present. Wildlife corridors represent areas where wildlife movement is concentrated due to natural or anthropogenic constraints. Local corridors provide access to resources such as food, water, and shelter. Animals use these corridors, which are often hillsides or riparian areas, to move between different habitats. Regional corridors provide these functions and link two or more large habitat areas. They provide avenues for wildlife dispersal, migration, and contact between otherwise distinct populations. The project area was evaluated for its function as a wildlife corridor that species use to move between wildlife habitat zones within Appendix B. The project area consists of mostly vacant land with residential areas nearby. No drainages, woodlands, canyons, or other features commonly used as wildlife corridors occur on the project site. The project site would not function as a wildlife corridor. Furthermore, there is vacant land to the south of the site that can continue to be used. No wildlife movement corridors were found to be present on the project site. Therefore, the development of the project site will not block any wildlife corridors or prevent species from moving between wildlife habitat zones.
- e) **Less than Significant Impact with Mitigation.** The Project would not be anticipated to conflict with the provisions of local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Should the proposed project result in the removal of trees, it will be required to comply with the County of San Bernardino's Plant Protection and Management

Ordinances. The San Bernardino County Development Code Section 88.01.060 provides regulations for the removal or harvesting of specified desert native plants in order to preserve and protect the plants and to provide for the conservation and wise use of desert resources. Per Section 88.01.060 of the San Bernardino County Development Code the following desert native plants or any part of them, except the fruit shall not be removed except under a Tree or Plant Removal Permit:

1. The following desert native plants with stems two inches or greater in diameter or six feet or greater in height:
 - a. Dalea spinosa (smoketree).
 - b. All species of the genus Prosopis (mesquites).
2. All species of the family Agavaceae (century plants, nolinias, yuccas).
3. Creosote Rings, ten feet or greater in diameter.
4. All Joshua trees.
5. Any part of any of the following species, whether living or dead:
 - a. Olneya tesota (desert ironwood).
 - b. All species of the genus Prosopis (mesquites).
 - c. All species of the genus Cercidium (palos verdes).

Three Joshua trees are located on or adjacent to the project site. The American century plants on site are ornamental and will not be impacted by the proposed project. No other desert native plants regulated under Section 88.01.060 of the San Bernardino Development Code are present on the site. Section 88.01 requires the issuance of a permit prior to the removal of regulated trees and plants.

The project site does include Joshua Trees on site. Implementation of **Mitigation Measure BIO-1** (above) will ensure that any the project would not impact the trees, and thereby result in a less than significant impact under this issue.

- f) **No Impact.** The project is not located within any applicable habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. Therefore, no impacts associated with an adopted conservation plan would occur and no mitigation measures would be required.

Therefore, no significant adverse impacts are identified or anticipated with the inclusion of mitigation measures BIO-1 through BIO-3.

<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>
V. CULTURAL RESOURCES - Would the project:				

- | | | | | | |
|----|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) | Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) | Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) | Disturb any human remains, including those outside of formal cemeteries? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION: (Check if the project is located in the Cultural or Paleontological Resources overlays or cite results of cultural resource review):

San Bernardino Countywide Plan, 2020; Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton; Submitted Project Materials; Cultural Resources Report (Appendix C)

a, b) **Less than Significant with Mitigation.** Cultural resource work has been conducted in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code §21000 et seq.) and pursuant to the Guidelines for Implementation of the California Environmental Quality Act (California Code of Regulations, Title 14 §15000 et seq.). The results of this cultural resources inventory will be used to assess potential impacts to sensitive resources. For the purposes of this documentation, the lead CEQA agency for the project is the County of San Bernardino.

BCR Consulting conducted a cultural resources assessment of the Assessor Parcel Numbers 0631-201-25 and -60 Project in unincorporated San Bernardino County, California. One historic- period building was recorded (temporarily designated JTP2401-H-1), but is recommended not eligible for California Register listing. As such it is not recommended a historical resource under CEQA. No other cultural resources of any kind (including historic-period or prehistoric archaeological resources, or historic-period architectural resources) were identified within the project site boundaries. Based on these results, no significant impact related to historical resources is anticipated.

Due to the absence of intact cultural resources, and the anticipation that potential minor subsurface components, that include grading the campsite pads and the road, that would not hold sufficient integrity, an archaeological monitor is not recommended for the project. However, if during the course of the project, there are any changes that would result in a deviation then an archaeological monitor or formal evaluation may be required to avoid potential inadvertent impacts to cultural resources.

As concluded in the Cultural Resource Assessment, due to the absence of intact cultural resources,

and the anticipation that potential subsurface components would not hold sufficient integrity, an archaeological monitor is not required for the project as described. However, if there are any changes to the project that would result in a deviation, then an archaeological monitor or formal evaluation may be required to avoid potential inadvertent impacts to cultural resources. Although, no historic or archaeological resources are anticipated on the project site, to ensure potential impacts from the proposed project are reduced to a less than significant level, the following **Mitigation Measure CR-1 through CR-7** shall be implemented:

CR-1: Tribal Monitoring Services Agreement Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Services Agreement with the Morongo Band of Mission Indians (MBMI) for the Project. The Tribal Monitor shall be on-site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal Monitor shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources.

CR-2: Retention of Archaeologist Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits, the Applicant shall retain a Qualified Archaeologist who meets the U.S. Secretary of the Interior Standards (SOI). The Archaeologist shall be present during all ground disturbing activities to identify any known or suspected archaeological and/or cultural resources. The Archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribe[s] Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event.

CR-3: Cultural Resource Management Plan Prior to any ground-disturbing activities the project Archaeologist shall develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the project site. This Plan shall be written in consultation with the consulting Tribe[s] and shall include the following: approved Mitigation Measures (MM)/Conditions of Approval (COA), contact information for all pertinent parties, parties' responsibilities, procedures for each MM or COA, and an overview of the project schedule.

CR-4: Pre-Grade Meeting The retained Qualified Archeologist and Consulting Tribe[s] representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.

CR-5: On-site Monitoring During all ground-disturbing activities the Qualified Archaeologist and the Tribal Monitor shall be on-site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Tribal Monitoring will be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The Qualified Archaeologist, in consultation with the Tribal Monitor, shall be responsible for determining the duration and frequency of monitoring.

CR-6: Inadvertent Discovery of Cultural Resources In the event that previously unidentified cultural resources are unearthed during construction, the Qualified Archaeologist and the Tribal

Monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbance operations in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly nonsignificant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. All work shall be diverted away from the vicinity of the find, so that the find can be evaluated by the Qualified Archaeologist and Tribal Monitor[s]. The Archaeologist shall notify the Lead Agency and consulting Tribe[s] of said discovery. The Qualified Archaeologist, in consultation with the Lead Agency, the consulting Tribe[s], and the Tribal Monitor, shall determine the significance of the discovered resource. A recommendation for the treatment and disposition of the Tribal Cultural Resource shall be made by the Qualified Archaeologist in consultation with the Tribe[s] and the Tribal Monitor[s] and be submitted to the Lead Agency for review and approval. Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference:

- A. Full avoidance.
 - B. If avoidance is not feasible, Preservation in place.
 - C. If Preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or Deed Restriction.
 - D. If all other options are proven to be infeasible, data recovery through excavation and then curation in a Curation Facility that meets the Federal Curation Standards (CFR 79.1)
- c) **Less than Significant with Mitigation.** Careful review of available archival information and the preliminary assessments and vicinity suggests that intact buried cultural resources or historic properties would be very unlikely, and due to the disturbances observed, any resources would lack integrity to be considered significant. However, significant adverse impacts may be identified during ground disturbances and the following **Mitigation Measure CR-7 and CR-8** shall be required to ensure potential impacts are reduced to less than significant.

CR-7: Inadvertent Discovery of Human Remains - The Morongo Band of Mission Indians requests the following specific conditions to be imposed in order to protect Native American human remains and/or cremations. No photographs are to be taken except by the coroner, with written approval by the consulting Tribe[s]:

- A. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98.
- B. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5.
- C. The Native American Heritage Commission shall immediately notify the person or

persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98.

- D. If the Morongo Band of Mission Indians has been named the Most Likely Descendant (MLD), the Tribe may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[r]). Reburial location of human remains and/or cremations will be determined by the Tribe's Most Likely Descendant (MLD), the landowner, and the City Planning Department.

CR-8: FINAL REPORT: The final report[s] created as a part of the project (AMTP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribe[s] for review and comment. After approval of all parties, the final reports are to be submitted to the appropriate Information Center, and the Consulting Tribe[s].

Therefore, no significant adverse impacts are identified or anticipated with the inclusion of Mitigation Measures CR-1 through CR-8.

	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: *San Bernardino Countywide Plan, 2020; Submitted Materials, Air Quality, Energy, Greenhouse Gas Emissions and Health Risk Assessment Report (Appendix A)*

a) **Less than significant impacts.** The proposed project would impact energy resources during construction and operation. Energy resources that would be potentially impacted include petroleum fuel. No electricity, natural gas, or water utilities will be connected to the proposed project. As such, energy consumption from these utilities would be nominal and no further analysis is provided about these energy sources.

Petroleum-based fuels currently account for a majority of California’s transportation energy sources and primarily consist of diesel and gasoline types of fuels. However, the state has been working on developing strategies to reduce petroleum use. Over the last decade California has implemented several policies, rules, and regulations to improve vehicle efficiency, increase the development and use of alternative fuels, reduce air pollutants and GHG emissions from the transportation sector, and reduce vehicle miles traveled (VMT). Accordingly, petroleum-based fuel consumption in California has declined and is shown by a comparison of 2017 to 2022 fuel consumption rates. In 2017, 993 million gallons of gasoline and 265 million gallons of diesel was sold in San Bernardino County⁴. In 2022, 915 million gallons of gasoline and 258 million gallons of diesel were sold in San Bernardino County.²

The following section calculates the potential energy consumption associated with the construction and operations of the proposed project and provides a determination if any energy utilized by the proposed project is wasteful, inefficient, or unnecessary consumption of energy resources.

Construction-Related Petroleum Fuel Use

Petroleum-based fuel usage represents the highest amount of transportation energy potentially consumed during construction, which would be utilized by both off-road equipment operating on the project site and on-road automobiles transporting workers to and from the project site and on-road trucks transporting equipment and supplies to the project site.

⁴ Obtained from: https://ww2.energy.ca.gov/almanac/transportation_data/gasoline/

The off-road construction equipment fuel usage was calculated through use of the off-road equipment assumptions and fuel use assumptions (see Appendix A), which found that construction of the proposed project would consume 378 gallons of gasoline and 1,291 gallons of diesel fuel. This equates to 0.00004 percent increase of the gasoline and 0.0005 percent increase of the diesel used annually in San Bernardino County. As such, the construction-related petroleum use would be nominal, when compared to current county-wide petroleum usage rates.

Construction activities associated with the proposed project would be required to adhere to all State and MDAQMD regulations for off-road equipment and on-road trucks, which provide minimum fuel efficiency standards. As such, construction activities for the proposed project would not result in the wasteful, inefficient, and unnecessary consumption of energy resources. Impacts regarding transportation energy would be less than significant. Development of the project would not result in the need to manufacture construction materials or create new building material facilities specifically to supply the proposed project. It is difficult to measure the energy used in the production of construction materials such as asphalt, steel, and concrete, it is reasonable to assume that the production of building materials such as concrete, steel, etc., would employ all reasonable energy conservation practices in the interest of minimizing the cost of doing business.

Operations-Related Vehicular Petroleum Fuel Usage

Operation of the proposed project would result in increased consumption of petroleum-based fuels related to vehicular travel to and from the project site. The proposed project would consume 3,620 gallons of gasoline fuel per year from vehicle travel (see attached energy use calculations). This equates to 0.0004 percent increase of the gasoline consumed annually in San Bernardino County. As such, the operations-related petroleum use would be nominal, when compared to current county-wide petroleum usage rates. Therefore, it is anticipated the proposed project will be designed and built to minimize transportation energy and it is anticipated that existing and planned capacity and supplies of transportation fuels would be sufficient to support the proposed project's demand. Thus, impacts with regard to transportation energy supply and infrastructure capacity would be less than significant and no mitigation measures would be required.

In conclusion, the proposed project would comply with regulatory compliance measures outlined by the State and County related to Air Quality, GHG Emissions, Transportation/Circulation, and Water Supply. Additionally, the proposed project would be constructed in accordance with all applicable County Building and Fire Codes. Therefore, the proposed project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. Impacts would be less than significant.

Generation of Greenhouse Gas Emissions

The proposed project would consist of the development of a Campground. The proposed project is anticipated to generate GHG emissions from area sources, mobile sources, off-road equipment, waste disposal, water usage, and construction equipment. Since the proposed project would not include any electrical, natural gas or water hook ups to utilities, operation of the proposed project would not utilize any energy from the grid.

The MDAQMD shares responsibility with CARB for ensuring that all state and federal GHG standards are achieved and maintained within its jurisdiction. The MDAQMD CEQA Guidelines provides a project level significance threshold of 100,000 tons of CO₂e per year for both construction and operational activities. The MDAQMD developed this threshold in order to comply with the GHG emission reductions required by AB 32.

The project's GHG emissions have been calculated with the CalEEMod model and the output files

are attached to this Memo. A summary of the results is shown below in Table C and the CalEEMod model run is attached to this Memo.

Table C – Project Related Greenhouse Gas Annual Emissions

Category	Greenhouse Gas Emissions (Metric Tons per Year)			
	CO ₂	CH ₄	N ₂ O	CO ₂ e
Construction				
Total Construction Emissions	15.3	<0.01	<0.01	15.4
Amortized Construction Emissions¹ (30 Years)	0.51	<0.01	<0.01	0.51
Operations				
Mobile Sources²	34.5	<0.01	0.00	35.1
Area Sources³	0.19	<0.01	<0.01	0.19
Energy Usage⁴	0	0	0	0
Solid Waste⁵	1.00	0.10	0.00	3.49
Water and Wastewater⁶	0	0	0	0
Off-Road Equipment⁷	0.79	0.00	0.00	0.79
Total Operational Emissions	36.5	0.10	<0.01	39.6
Total Annual Emission (Construction & Operations)	37.0	0.10	<0.01	40.1
MDAQMD Threshold⁸				100,000
Exceed Thresholds?				No

Notes:

¹ Construction emissions amortized over 30 years as recommended in the SCAQMD GHG Working Group on November 19, 2009.

² Mobile sources consist of GHG emissions from vehicles.

³ Area sources consist of GHG emissions from consumer products, architectural coatings, and landscaping equipment.

⁴ Energy usage consists of GHG emissions from electricity natural gas usage. No utility hookups will be provided to the proposed project and generated onsite.

⁵ Waste includes the CO₂ and CH₄ emissions created from the solid waste placed in landfills.

⁶ Water includes GHG emissions from electricity used for transport of water and processing of wastewater.

⁷ Off-Road equipment was modeled based on one tractor operating 4 hours per day and 12 days per year.

⁸ Obtained from: <https://www.mdaqmd.ca.gov/home/showpublisheddocument?id=8510>.

Source: Appendix A

The data provided in Table C shows that the construction activities would create a total of 15.4 MTCO₂e, which equates to 0.51 MTCO₂e per year, when amortized over 30 years. Table C also shows that operational activities would create 39.6 MTCO₂e per year and when combined with the amortized construction emissions, the proposed project would create a total of 40.1 MTCO₂e per year, which is well below the MDAQMD threshold of 100,000 MTCO₂e per year. Therefore, a less than significant generation of greenhouse gas emissions would occur from development of the proposed project. Impacts would be less than significant.

- b) **Less than Significant Impact.** Based on the analysis of the proposed project in the preceding discussion, it will not conflict with current State energy efficiency or electricity supply requirements or any local plans or programs for renewable energy or energy efficiency requirements. The County of San Bernardino adopted a Renewable Energy and Conservation Element (RECE) as part of the Countywide Plan 2020. The proposed project would be required to meet Title 24 Energy Efficiency requirements. Adherence would ensure that the proposed Project would not conflict with or obstruct the recently adopted RECE or any other state or local plan for renewable energy or energy efficiency.

Therefore, 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>
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): ***San Bernardino County General Plan, 2020; Submitted Project Materials***

San Bernardino Countywide Plan, 2020; Submitted Project Materials

- a) i) **No Impact.** The project site is located in the County of San Bernardino within the Mojave Desert region north of the unincorporated community of Joshua Tree, which is located in a highly seismically active area as the Landers Fault traverses the area. The project is located Northwest of the Landers Fault Zone system, which is classified as Alquist-Priolo Special Study Zones under the Alquist-Priolo Earthquake Fault Zoning Act. The Goat Mountain Fault Zone is located to the northeast of the project site. The closest known active fault zones are approximately two miles from the proposed project site. Based on this information, the risk for ground rupture at the site location is considered low; therefore, it is not likely that future visitors and employees of the project will be subject to rupture from a known earthquake fault. Therefore, no impacts associated with fault rupture would occur and no mitigation measures are required.
- ii) **No Impact.** Similar to other areas located in the seismically active Southern California region, the Mojave Desert region north of the unincorporated community of Joshua Tree within the County is susceptible to strong ground shaking during an earthquake. However, as previously addressed in Section VII (a)(i), the project site is not located within an active fault zone, and the site would not be affected by ground shaking more than any other area in this seismic region. Further, the proposed project does not include the development and operation of new buildings. Like all other development projects in the County and throughout the Southern California Region, the proposed project will be developed in accordance with the applicable development code for temporary structures such as those proposed by the Campground Project. This will ensure that structural integrity will be maintained in the event of an earthquake. Therefore, impacts associated with strong seismic ground shaking would be less than significant and no mitigation measures are required.
- iii) **Less than Significant Impact.** Liquefaction occurs when partially saturated soil loses its effective stress and enters a liquid state, which can result in the soil's inability to support structures above. Liquefaction can be induced by ground-shaking events and is dependent on soil saturation conditions. As shown in Policy Map HZ-2, Liquefaction and Landslide Hazards, in the Policy Plan, the project site would not be located in area with susceptibility to liquefaction. The County General Plan EIR stated that most areas in County that are subject to liquefaction include soils along water bodies, areas in and surrounding dry lakes, and areas where the groundwater is near the ground surface. Figure 5.6-3, of the EIR shows that the project is not located in an area identified in as susceptible to liquefaction. Furthermore, no additional structures are proposed as part of the Campground facility. Therefore, impacts associated with liquefaction would be less than significant and no mitigation measures are required.
- iv) **No Impact.** The project site is located in a flat area, and not located adjacent to any potentially unstable topographical feature such as a hillside or riverbank. As shown in Policy Map HZ-2, Liquefaction and Landslide Hazards, in the Policy Plan, the project site would not be located in an area susceptible to landslides. Therefore, no impacts associated with landslides would occur and no mitigation measures are required.

- b) **Less than Significant Impact.** Project construction will not include any mass grading at the site, as the proposed project looks to keep the landscape in its natural state as much as possible. The only minor grading that will occur will be for the Campground and onsite road system. This will result in only minor losses of topsoil or erosion. Furthermore, the San Bernardino County

Development Code Chapter 85.11.030 requires standard erosion control practices to be implemented for all construction, including the 85% compaction requirement from the Fire Department on applicable dirt roads and/or easements for safe access. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required. Therefore, no significant adverse impact is identified or anticipated, and no mitigation measures are required.

- c) **Less than Significant Impact.** Landslides and slope failure can result from ground motion generated by earthquake. As shown in Policy Map HZ-2, Liquefaction and Landslide Hazards, in the Policy Plan, the project site would not be located in area with susceptibility to liquefaction. The County General Plan EIR stated that most areas in County that are subject to liquefaction include soils along water bodies, areas in and surrounding dry lakes, and areas where the groundwater is near the ground surface. Figure 5.6-3, of the EIR shows that the project is not located in an area identified in as susceptible to liquefaction. Additionally, the potential for landslide at the project site has been determined to be minimal to due to the topography being relatively flat. Landslides typically occur on hillsides or in steep terrain. The San Bernardino Countywide Plan EIR indicates that subsidence due to groundwater extraction affects the Desert Regions, particularly near dry lakebeds in the Mojave and Morongo basins. Areas at high risk of future subsidence include the El Mirage Valley, Lower Mojave, Harper Valley, and Lucerne Valley. Areas at medium-high risk include the Upper Mojave River, Irwin Subbasin, Fremont Valley, and Twentynine Palms. The proposed project has been mapped as being located in an area with low to medium subsidence potential by the San Bernardino Countywide Plan EIR. Thus, as the proposed project would (a) be located outside of the areas at high risk for subsidence within the Desert Region of the County, and (b) would only include the development of temporary structures, the project would have a less than significant potential to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in onsite or offsite subsidence. According to the San Bernardino Countywide Plan EIR, Desert Regions have the highest potential for collapsible soils due to their aridity, the prevalence of both alluvial and wind- deposited soils, and soils with salts. As previously stated, project construction will not include any mass grading at the site, as the proposed project looks to keep the landscape in its natural state as much as possible. Thus, as only minor grading would be required for the Campground and driveway, and as structures would be temporary in nature, the potential for a significant impact to occur as a result of collapse at the project site would be less than significant. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.
- d) **Less than Significant Impact.** The project site is not located in an area that has been identified by the County Building and Safety Geologist as having the potential for expansive soils as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property. The soil on site consists of gravel sand which would require compaction and is filterable. Therefore, no adverse significant impacts have been identified or anticipated and no mitigation measures are required, and no mitigation measures are required.
- e) **Less than Significant Impact.** The project proposes to develop a dry Campground. The site presently has an existing septic tank that will not be utilized by the proposed project as portable toilets will be utilized instead. Therefore, impacts associated with the underlying soils' ability to support septic systems would be less than significant and no mitigation measures are required.

f) **Less than Significant with Mitigation.** A significant impact may occur if grading or excavation activities would disturb paleontological resources within the project site. The project site is shown on Figure 5.4.-4 Paleontological Sensitivity-East Desert Region in the Countywide Plan EIR as low to high zone. The project site has been subject to previous ground disturbing activities that have affected the entirety of the project site, and as such, it follows that any paleontological resources that may have once been located on the project site could have been previously disturbed. However, the possibility of a paleontological discovery cannot be discounted. Accordingly, destruction of paleontological resources or unique geologic features during site-disturbing activities associated with construction of the proposed project is considered a potentially significant impact. Therefore, **Mitigation Measure GEO-1** is provided and would be implemented to ensure potential impacts during construction activities to paleontological resources or unique geologic features are reduced to a less than significant level.

MM-GEO-1: In the event that paleontological resources (fossil remains) are exposed during construction activities for the proposed project, all construction work occurring within 50 feet of the find shall immediately stop until a qualified paleontologist, as defined by the Society of Vertebrate Paleontology’s 2010 guidelines, can assess the nature and importance of the find. Depending on the significance of the find, the paleontologist may record the find and allow work to continue or recommend salvage and recovery of the resource. All recommendations will be made in accordance with the Society of Vertebrate Paleontology’s 2010 guidelines and shall be subject to review and approval by the County of San Bernardino. Work in the area of the find may only resume upon approval of a qualified paleontologist.

Therefore, no significant adverse impacts are identified or anticipated with the inclusion of Mitigation Measure GEO-1.

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

SUBSTANTIATION:

San Bernardino Countywide Plan, 2020; Submitted Project Materials; Air Quality, Energy, Greenhouse Gas Emissions and Health Risk Assessment Report (Appendix A)

a) **Less than Significant Impact.** The proposed project would consist of development of a Campground. The proposed project is anticipated to generate GHG emissions from area sources, mobile sources, off-road equipment, waste disposal, water usage, and construction

equipment. Since the proposed project would not include any electrical, natural gas or water hook ups to utilities, operation of the proposed project would not utilize any energy from the grid.

The MDAQMD shares responsibility with CARB for ensuring that all state and federal GHG standards are achieved and maintained within its jurisdiction. The MDAQMD CEQA Guidelines provides a project level significance threshold of 100,000 tons of CO₂e per year for both construction and operational activities. The MDAQMD developed this threshold in order to comply with the GHG emission reductions required by AB 32.

The project’s GHG emissions have been calculated with the CalEEMod model and the results is shown below in Table D.

Table D – Project Related Greenhouse Gas Annual Emissions

Category	Greenhouse Gas Emissions (Metric Tons per Year)			
	CO ₂	CH ₄	N ₂ O	CO ₂ e
Construction				
Total Construction Emissions	15.3	<0.01	<0.01	15.4
Amortized Construction Emissions¹ (30 Years)	0.51	<0.01	<0.01	0.51
Operations				
Mobile Sources²	34.5	<0.01	0.00	35.1
Area Sources³	0.19	<0.01	<0.01	0.19
Energy Usage⁴	0	0	0	0
Solid Waste⁵	1.00	0.10	0.00	3.49
Water and Wastewater⁶	0	0	0	0
Off-Road Equipment⁷	0.79	0.00	0.00	0.79
Total Operational Emissions	36.5	0.10	<0.01	39.6
Total Annual Emission (Construction & Operations)	37.0	0.10	<0.01	40.1
MDAQMD Threshold⁸				100,000
Exceed Thresholds?				No

Notes:

¹ Construction emissions amortized over 30 years as recommended in the SCAQMD GHG Working Group on November 19, 2009.

² Mobile sources consist of GHG emissions from vehicles.

³ Area sources consist of GHG emissions from consumer products, architectural coatings, and landscaping equipment.

⁴ Energy usage consists of GHG emissions from electricity natural gas usage. No utility hookups will be provided to the proposed project and generated onsite.

⁵ Waste includes the CO₂ and CH₄ emissions created from the solid waste placed in landfills.

⁶ Water includes GHG emissions from electricity used for transport of water and processing of wastewater.

⁷ Off-Road equipment was modeled based on one tractor operating 4 hours per day and 12 days per year.

⁸ Obtained from: <https://www.mdaqmd.ca.gov/home/showpublisheddocument?id=8510>.

Source: Appendix A

The data provided in Table D shows that the construction activities would create a total of 15.4 MTCO₂e, which equates to 0.51 MTCO₂e per year, when amortized over 30 years. Table D also shows that operational activities would create 39.6 MTCO₂e per year and when combined with the amortized construction emissions, the proposed project would create a total of 40.1 MTCO₂e per year, which is well below the MDAQMD threshold of 100,000 MTCO₂e per year. Therefore, a less than significant generation of greenhouse gas emissions would occur from development of the proposed project. Impacts would be less than significant.

- b) **Less than Significant Impact.** The proposed project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing GHG emissions. The

applicable plan for the proposed project is the County of San Bernardino Greenhouse Gas Emissions Reduction Plan (GHG Plan), September 2011. In addition, the Greenhouse Gas Emissions Development Review Processes (GHG Review Processes), prepared for the County of San Bernardino, updated March 2015, provide direction for conformity of new development projects to the GHG Plan. The GHG Review Processes determined that projects that do not exceed 3,000 MTCO₂e per year will be consistent with the GHG Plan and determined to have a less than significant individual and cumulative impact for GHG emissions. For projects that exceed 3,000 MTCO₂e per year of GHG emissions, the GHG Review Processes has determined that implementation of 100 or greater points associated with mitigation measures listed on its Screen Tables, will adequately reduce the proposed project's GHG emissions, when considered with other future development and existing development to allow the County to meet its 2020 target GHG reductions and support reductions in GHG emissions beyond 2020.

As shown in Impact a) above, the proposed project would create 40.1 MTCO₂e per year, which is well below the 3,000 MTCO₂e per year threshold provided in the GHG Review Processes.

Therefore, the proposed project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. Impacts would be less than significant.

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

San Bernardino Countywide Plan, 2020; Submitted Project Materials

- a) **Less than Significant Impact.** The proposed project includes the request for a Conditional Use Permit to allow for the development and operation of a dry Campground. Hazardous or toxic

materials transported in association with construction may include items such as oils, paints, and fuels. All materials required during construction would be kept in compliance with State and local regulations. With implementation of Best Management Practices (BMPs) and compliance with all applicable federal, state and local regulations including all Certified Unified Program Agency (CUPA) regulations, potential impacts to the public or the environment from the routine transport, use, or disposal of hazardous materials during construction are considered to be less than significant. The operational activities of the Campground would not require routine transport or use of hazardous materials. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- b) **Less than Significant Impact.** As stated in response (a) above, hazardous or toxic materials transported in association with construction of the proposed project may include items such as oils, paints, and fuels. All materials required during construction would be kept in compliance with State and local regulations. The transport of such materials would be in accordance with State and federal regulations. Operation activities would continue to include standard maintenance (i.e., landscape upkeep and similar activities) involving the use of commercially available products (e.g., pesticides, herbicides, gas, oil, paint, etc.) the use of which would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accidental release of hazardous materials into the environment. With implementation of Best Management Practices (BMPs) and compliance with all applicable regulations, potential impacts from the use of hazardous materials would be less than significant. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.
- c) **No Impact.** The nearest school to the project site is Boston School (62126 Canterbury Street), which is located approximately 4.5 miles south of the project site and Joshue Tree Elementary School (4950 Sunburst Avenue), which is located approximately 6 miles from the project site. Further, the project would neither create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, nor would it create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials. Therefore, no impacts associated with emitting or handling hazardous materials within 0.25 miles of a school would occur.
- d) **Less than Significant Impact.** The project site is not 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 system⁵. 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 vicinity of the Project site. Additionally, no sites were identified in the Environmental Data Resources, Inc. (EDR) Radius Map Report and historical research within the "Area of Concern" that were considered to pose a potential VEC at the subject property based on the Tier 1 Evaluation. Therefore, no impacts associated with being located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962. Would occur and no mitigation measures would be required.
- e) **No Impact.** The nearest operational airport to the project site is Yucca Valley Airport, which is located approximately 10 southwest, well outside of the project area. Therefore, no impacts associated with airport hazards would occur and no mitigation measures would be required.

⁵ https://www.envirostor.dtsc.ca.gov/public/search?CMD=search&city=Fontana&zip=&county=&case_number=&business_name=&FEDERAL_SUPERFUND=True&STATE_RESPONSE=True&VOLUNTARY_CLEANUP=True&SCHOOL_CLEANUP=True&CORRECTIVE_ACTION=True&tiered_permit=True&evaluation=True&operating=True&post_closure=True&non_operating=True&inspections=True&inspections_other=True

- f) **Less than Significant Impact.** The proposed project is not anticipated to interfere with an adopted emergency response plan or emergency evacuation plan. As shown on the Evacuation Route Map prepared for the San Bernardino Countywide Plan, the adopted evacuation route is Highway 62 to the south of the project site. Development at this location would not interfere with access to any emergency evacuation routes, as the proposed project will be constructed entirely within the boundaries of the project site. The proposed project will not experience substantial conflicts with surrounding traffic. There is a less than significant potential for the development of the project to physically interfere with any adopted emergency response plans, or evacuation plans, and no mitigation measures are required.
- g) **Less than Significant Impact.** As identified on San Bernardino Countywide Plan Map, HZ-5 Fire Hazard Severity Zones, the subject property and surrounding area is identified as having a moderate potential for wildland fires. Moderate, High, and Very High are of concern for residents. The Project site occurs in a region that is developed primarily in a rural manner. The proposed project consists of only 15 dry campsites, as opposed to residences with long-term occupants. Please note that the proposed project does not allow for fire pits. Proposed on-site improvements 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, the proposed project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, and no mitigation measures are required.

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

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

SUBSTANTIATION:

San Bernardino Countywide Plan, 2020; Submitted Project Materials

- a) **No Impact.** The proposed project is located outside of the MS 4 (Municipal Storm Water Program) Map boundaries that define regulated storm water and discharge of storm water. The amount of impervious surface is relatively small with only an existing cabin and existing restroom onsite, along with site paving along identified internal driveways, and 15 dry campsites. The incremental increase in storm water discharge due to these impervious surfaces must be retained on-site. The proposed project does not include a washroom.

The proposed project would disturb more than one-acre and therefore would be subject to the National Pollutant Discharge Elimination System (NPDES) permit requirements. The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State's General Construction Permit include 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 storm water systems, and to develop and implement a SWPPP. The amount of roadway paving and parking area, combined with the amount of land disturbed by buildings is potentially more than one acre. This amount of disturbance would be evaluated through the completion of a SWPPP, prior to issuance of a building permit. This is a standard requirement and would address potential environmental effects. Therefore, the project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality and water quality impacts would be less than significant and no mitigation measures are required.

- b) **Less than Significant Impact.** The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a substantial lowering of the local groundwater table level. Additionally, the proposed project will not indirectly deplete groundwater supplies as the project is a dry campsite that would not be connected to municipal water service or an onsite well. The proposed project is not anticipated to significantly reduce the amount of groundwater recharge because most of the site will remain water pervious after development. The proposed development of the project will therefore not substantially interrupt the existing percolation of the site, or any flow of groundwater under the project site. Accordingly, implementation of the proposed project impact to groundwater would be less than significant and no mitigation measures would be required.
- c) **Less than Significant Impact.** The proposed drainage improvements for the site would not result in substantial erosion or siltation on- or off-site.
- I. The proposed project will make minor modifications to the project site and is not forecast to include substantial impervious areas onsite. Any surface runoff in the future is not forecast to generate concentrated flows that could result in substantial erosion or siltation, either onsite or downstream (off-site). The design of the internal access drives would conform to existing site topography and would not create an erosive drainage pattern. As such, no significant adverse impacts are identified or anticipated, and no mitigation measures are required. Therefore, impacts associated with altering the existing drainage pattern of the project site would be less than significant and no mitigation measures are required.
 - II. The Project area is not served by a stormwater system and, as such, this proposed project would not exceed the capacity of that system. The increase in impervious surfaces would generate additional water runoff. However, the installation of retention facilities adequate to capture this additional volume of runoff and the size of the property allowing adequate opportunity for percolation, would combine to minimize the effect of additional runoff. Therefore, impacts associated with altering the existing drainage pattern of the project site would be less than significant and no mitigation measures would be required.
 - III. There are no drainage systems in the project area. The proposed project will make minor modifications to the project site and is not forecast to increase storm water runoff substantially on the site or downstream. The proposed project will not substantially increase the amount or rate of future. Therefore, impacts associated with altering the

existing drainage pattern of the project site would be less than significant and no mitigation measures are required.

- IV. Improvements to the site are relatively minimal due to the size of the property. No notable drainage courses exist through the property, with the site exhibiting a potential sheet flow condition due to its uniform topographic condition within a broad alluvial fan. Therefore, with the interior roadway design adhering to existing topography and the use of on-site retention, the proposed project is not anticipated to impede or redirect flood flows. Therefore, impacts associated with flooding would be less than significant and no mitigation measures are required.
- d) **No Impact.** Implementation of the project will not expose people or structures to a significant risk of inundation by seiche, tsunami, or other flood hazards. According to the Countywide Plan Dam & Basin Hazards Map, the project is not located within the limit of flooded area related to a nearby dam. The project is located more than 50 miles from the Pacific Ocean, which eliminates the potential for a tsunami to impact the project area. Additionally, a seiche would not occur within the vicinity of the project because no lakes or enclosed bodies of water exist near the site that could generate such an event. Accordingly, the Project would not risk the release of pollutants due to inundation. No impact would occur.
- e) **Less than Significant Impact.** The project site is located within the Ames Valley Groundwater Basin, which is categorized by the Sustainable Groundwater Management Act (SGMA) as a very low priority basin⁶. The SGMA requires only medium and high priority basins to form groundwater sustainability agencies, develop groundwater sustainability plans, and manage groundwater for long-term sustainability. Therefore, the Ames Valley does not require a sustainable groundwater management plan. This project has a minimal potential to generate pollutants that could degrade surface water and/or groundwater or alter percolation at the project site. Therefore, it has a negligible potential to obstruct implementation of a water quality control plan (in this case the applicable plan is that of the Colorado River Basin Region). Since the site will have minimal impermeable surface area, it will not substantially alter groundwater percolation on site or any sustainable groundwater management plan in the project area. Therefore, a less than significant impact will occur, and no mitigation measures are required.

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

⁶ Accessed 11-4-2024: <https://gis.water.ca.gov/app/bp-dashboard/final/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XI. LAND USE AND PLANNING - Would the project:				

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) | Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

San Bernardino Countywide Plan, 2020; Submitted Project Materials

- a) **No Impact.** The proposed project is located on an approximate 7.5-acre site in the northern portion of the unincorporated Community of Joshua Tree. There are scattered residences located in the project area, but the proposed project will be located on a single, existing parcel of land that will not create any divisions within this established community. Refer to the Figure 1, which depicts the project’s regional and site-specific location. The project site is zoned for Rural Living use and the Countywide Plan land use designation is Rural Living. The development of the proposed project would not conflict with the Rural Living land use designation, as it is a conditionally allowed use within this land use designation. Consequently, the development of the project site with the proposed use will not divide any established community in any way. Therefore, no impacts associated with division of an existing community would occur, and no mitigation measures are required.
- b) **Less than Significant Impact.** The project site is zoned for Rural Living use and the San Bernardino Countywide Plan land use designation is Rural Living. The County’s recently approved Countywide Plan lists the following Goals and Policies under the Land Use Element.
- Goal LU-1: Growth and development that builds thriving communities, contributes to our Complete County, and is fiscally sustainable.
 - Policy LU-1.2 Infill Development
 - Policy LU-1.5 Development Impact Fees
 - Goal LU-2 Land Use Mix and Compatibility: An arrangement of land uses that balances the lifestyle of existing residents, the needs of future generations, opportunities for commercial and industrial development, and the value of the natural environment.
 - Policy LU-2.1: Compatibility with existing uses
 - Policy LU-2.2: Compatibility with planned uses
 - Policy LU-2.3: Compatibility with natural environment
 - Policy LU-2.4: Land Use Map consistency
 - Policy LU-2.6: Coordination with adjacent entities
 - Goal LU-4 Community Design: Preservation and enhancement of unique community identities and their relationship with the natural environment.

- Policy LU-4.1: Context-sensitive design in the Mountain/Desert regions Policy LU-4.3: Native or drought-tolerant landscaping
- Policy LU-4.5: Community identity
- Policy LU-4.7: Dark skies

The proposed project would be consistent with the above goals and policies. A review of all other General Plan Goals (Housing Element, Infrastructure & Utilities Element, Transportation & Mobility Element, Natural Resources Element, Renewable Energy & Conservation Element, Cultural Resources Element, Hazards Element, Personal & Property Protection Element, Economic Development Element, and Health & Wellness Element) indicates that the proposed project is consistent with all applicable Goals, often with mitigation, as demonstrated by the findings in the pertinent sections of this Initial Study. The proposed project can be implemented without significant effects on the circulation system; infrastructure related to water and electricity is not needed for the dry Campground; it can meet the requirements set forth in the Economic Development Element pertaining to new revenue generating development; it will not generate significant air emissions or GHG emissions; it will meet noise design requirements; it can meet all Safety Element requirements; and it implements the land use compatibility requirements of the Health and Wellness Element. Therefore, the implementation of this project at this site will be consistent with surrounding land uses, and current use of the site. The project would therefore have a less than significant potential to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect and mitigation measures would be required.

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

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XII.	MINERAL RESOURCES - Would the project:				
a)	Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: (Check if project is located within the Mineral Resource Zone Overlay):
San Bernardino Countywide Plan, 2020; Submitted Project Materials

a, b) **No Impact.** According to the County of San Bernardino Countywide Policy Map NR-4 Mineral Resource Zones, the project site is not mapped within a Mineral Resources Zone (Open File Report Area) as designated by the State of California Department of Conservation, Mineral Land Classification map. The proposed project is furthermore not located within an area designated by the State Mining and Geology Board in 1987 or 2013 as containing mineral resources. Given that the proposed project is not located on a delineated state or regionally significant site, and that no mineral extraction currently occurs or is known to have ever occurred on the property or project vicinity, it is anticipated that the development of the site would have a less than significant potential to result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Therefore, the project will not 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 nor 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 and no mitigation measures are required.

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Generation of excessive ground borne vibration or Ground borne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

San Bernardino Countywide Plan, 2020; Submitted Project Materials; Noise Report (Appendix D)

a) **Less than Significant Impact.**

Construction Noise Impacts

The construction activities for the proposed project are anticipated to include site preparation and grading of approximately a quarter of the 7.5 gross acre project site (approximately three quarters of the project site will be undisturbed), building construction of the Campground areas (shade structures and picnic tables), limited paving, and application of architectural coatings. The nearest sensitive receptors to the project site are residents at the single-family home located as near as 230 feet west of the project site. There are also single-family homes located as near as 510 feet north of the project site and 410 feet southwest of the project site.

Section 83.01.080(g)(3) of the County’s Municipal Code allows construction noise to exceed the County noise standards provided that construction activities occur between 7:00 a.m. and 7:00 p.m., except Sundays and Federal holidays. However, the County construction noise standards do not provide any limits to the noise levels that may be created from construction activities and even with adherence to the County standards, the resultant construction noise levels may result in a significant substantial temporary noise increase to the nearby residents.

In order to determine if the proposed construction activities would create a significant substantial

temporary noise increase, the construction noise standards provided in the FTA Manual (FTA, 2018), has been utilized, since this is the only guidance document from a government agency that defines what constitutes a significant construction noise impact from implementing a project. The FTA Manual details that a significant construction noise impact would occur if construction noise exceeds 80 dBA Leq over an 8-hour workday at any of the nearby homes.

Construction noise impacts to the nearby sensitive receptors have been calculated through use of the RCNM and the parameters and assumptions are detailed above. The results are shown below in Table F.

Table F – Construction Noise Levels at the Nearby Homes

Construction Phase	Construction Noise Level (dBA Leq) at:		
	Nearest Home to West ¹	Nearest Home to North ²	Nearest Homes to Southwest ³
Site Preparation	59	56	58
Grading	60	57	59
Building Construction	63	60	62
Paving	60	57	60
Painting	53	49	52
FTA Construction Noise Threshold⁴	80	80	80
Exceed Threshold?	No	No	No

¹ The nearest home to the west is located as near as 570 feet from the middle of project site.

² The nearest home to the north is located as near as 820 feet from the middle of project site.

³ The nearest home to the southwest is located as near as 600 feet from the middle of project site.

⁴ The FTA Construction noise threshold for residential uses obtained from the FTA Manual (FTA, 2018).

Source: Appendix D

Table F shows that the greatest noise impacts would be as high as 63 dBA Leq during the building construction phase at the nearest home to the west. All calculated construction noise levels shown in Table F are within the FTA daytime construction noise standard of 80 dBA averaged over eight hours. Therefore, through adherence to the limitation of allowable construction times provided in Section 83.01.080(g)(3) of the Municipal Code, construction-related noise levels would not exceed any standards established in the General Plan or Noise Ordinance nor would construction activities create a substantial temporary increase in ambient noise levels from construction of the proposed project. Impacts would be less than significant, and no mitigation measures would be required.

Roadway Vehicular Noise

Vehicle noise is a combination of the noise produced by the engine, exhaust and tires. The level of traffic noise depends on three primary factors (1) the volume of traffic, (2) the speed of traffic, and (3) the number of trucks in the flow of traffic. The proposed project does not propose any uses that would require a substantial number of truck trips and the proposed project would not alter the speed limit on any existing roadway so the proposed project’s potential offsite noise impacts have been focused on the noise impacts associated with the change of volume of traffic that would occur with development of the proposed project.

The General Plan Noise Element Goal N1, requires the avoidance of excessive noise exposure to noise sensitive land uses. However, the General Plan does not quantify what is a significant roadway noise increase. As such, the roadway noise threshold utilized in the *San Bernardino Countywide Plan Draft Environmental Impact Report* (Countywide Plan DEIR), has been utilized, which details that a significant noise increase would occur when the traffic noise increases by 3 dBA CNEL.

According to the Air Quality Memo (Vista Environmental, 2024), the proposed project is anticipated to generate 22 daily vehicle trips, at full occupancy. According to the *Joshua Tree Community Plan*, adopted March 13, 2007, the nearest roadway that was analyzed is Border Avenue that is anticipated to have 1,798 average daily trips by the year 2030. The proposed project would contribute up to 1.2 percent of the daily trips on Border Avenue. In order for project-generated vehicular traffic to increase the noise level on any of the nearby roadways by 3 dB, the ADT would have to double, or by 1.5 dB, the ADT would have to increase by 50 percent. As such, the proposed project’s roadway noise impacts would be well below the County’s 3 dBA roadway noise increase threshold. Therefore, operational roadway noise impacts to the nearby sensitive receptors would be less than significant and no mitigation measures would be required.

Onsite Noise Impacts

The operation of the proposed project may create an increase in onsite noise levels from the proposed Campground. Section 83.01.080(c) of the County’s Development Code limits the noise created from stationary sources, such as campsites to 55 dBA between 7 a.m. and 10 p.m. and to 45 dBA between 10 p.m. and 7 a.m. at the nearby homes.

In order to determine the noise impacts from the operation of the Campground, a reference noise measurement of was taken at 50 feet from campsites at San Simeon Creek Campground, which has 115 campsites and as such represents a worst-case or conservative reference for the proposed project that is proposing 15 campsites. The reference noise measurement and associated photo index of the noise measurement is attached to this Memo.

The noise levels at the nearby sensitive receptors were calculated based on standard geometric spreading of noise, which provides an attenuation rate of 6 dB per doubling the distance between source and receptor. The operational noise levels were calculated at representative sensitive receptors and the results are shown in Table G.

Table G – Onsite Operational Noise Levels at the Nearby Sensitive Receptors

Noise Source	Operational Noise Levels ¹ (dBA Leq) at:		
	Nearest Home to West ²	Nearest Home to North ³	Nearest Homes to Southwest ⁴
Campsites ⁵	30	27	28
County Noise Standards ⁶ (Day/Night)	55/45	55/45	55/45
Exceed Standards?	No/No	No/No	No/No

Notes:

¹ The noise levels were calculated through use of standard geometric spreading of noise from a point source with a drop-off rate of 6 dB for each doubling of the distance between the source and receiver.

² The nearest home to west is as near as 340 feet from the nearest campsite.

³ The nearest home to north is as near as 535 feet from the nearest campsite.

⁴ The nearest home to southwest is as near as 460 feet from the nearest campsite.

⁵ The campsites are based on a reference noise measurement of 47.1 dBA at 50 feet.

⁶ From Section 83.01.080 of the County’s Development Code

Table G shows that the proposed project’s onsite operational noise from the proposed Campground would not exceed either the daytime or nighttime County residential noise standards for stationary noise sources. Therefore, operational onsite noise impacts would be less than significant.

b) **Less than Significant Impact.**

Construction-Related Vibration Impacts

The construction activities for the proposed project are anticipated to include site preparation and grading of approximately a quarter of the 7.5 gross acre project site (approximately three quarters of the project site will be undisturbed), building construction of the Campground areas (shade structures and picnic tables), limited paving, and application of architectural coatings. Vibration impacts from construction activities associated with the proposed project would typically be created from the operation of heavy off-road equipment. The nearest sensitive receptors to the project site are residents at the single-family home located as near as 230 feet west of the project site.

Section 83.01.090 of the County's Municipal Code restricts the creation of vibration which produces a particle velocity greater than 0.2 inch-per-second PPV. The project applicant has stated that no large earthmoving equipment would be utilized during construction of the project. From the equipment list provided in the FTA Manual (FTA, 2018) with available vibration data, a small bulldozer would be the closest fit to the anticipated equipment that would be used, which creates a vibration level of 0.003 inch per second PPV at 25 feet. Based on typical propagation rates, the vibration level at the nearest offsite structure (230 feet away) would be 0.0003 inch per second PPV. The vibration level at the nearest home would be below the County's 0.2 inch per second PPV threshold. Impacts would be less than significant, and no mitigation measures would be required.

Operations-Related Vibration Impacts

The proposed project would consist of the development of a Campground. The on-going operation of the proposed project would not include the operation of any known vibration sources, other than automobiles, which generate only nominal levels of vibration. Therefore, a less than significant vibration impact is anticipated from operation of the proposed project and no mitigation measures would be required.

- c) **No Impact.** The proposed project would not expose people residing or working in the project area to excessive noise levels from aircraft. The nearest airport is the Yucca Valley Airport that is located as near as 9.6 miles southwest of the project site. The project site is located outside of the 60 dBA CNEL noise contours of this Airport. Therefore, the proposed project would not be exposed to excessive aircraft noise. No impacts would occur from aircraft noise.

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIV. POPULATION AND HOUSING - Would the project:				

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:
San Bernardino Countywide Plan, 2020; Submitted Project Materials.

- a) **Less than Significant Impact.** This project would not induce substantial unplanned population growth in an area, directly or indirectly. No residential use is proposed as part of the project and there would be no direct population growth. The proposed project would not induce population growth or the development of new homes or roads. Local contractors will be used to construct the proposed project, which will not require additional temporary housing onsite. Therefore, no impacts would occur and no mitigation is required.
- b) **No Impact.** There are no residences within the project site, as the project site is vacant containing non-native and native vegetation and weeds. No persons currently reside on the site and therefore, implementation of the proposed project will not displace substantial numbers of existing housing, or persons necessitating the construction of replacement housing elsewhere. Thus, no impacts will occur, and no mitigation is required.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

San Bernardino Countywide Plan, 2020; Submitted Project Materials

- a) **Fire Protection. Less than Significant Impact.** The proposed project site is served by the San Bernardino County Fire Department, and the nearest Fire Station to the proposed project site is the Yucca Valley Station (42) located about approximately 6 miles to the southwest of the project site. The San Bernardino County Fire Department provides fire protection, fire prevention, and emergency medical services to the project area. The proposed project would result in minimal potential for random emergency events during operations, because the majority of the activities at the site would be related to recreation and there will be minimal structures at the site. Based on the above information, the proposed project does not pose a significant fire or emergency response hazard, nor is the proposed project forecast to cause a significant demand for fire protection services. The proposed project includes a dry Campground. There is no water service provided to the site. Additionally, no new structures are proposed for the project site. Furthermore, the proposed project would not induce substantial population within the County such that a significantly greater demand on fire protection services would be required. A less-than-significant impact is anticipated, and no mitigation measures would be required.

Police Protection. Less than Significant Impact. The proposed project receives police services through the San Bernardino County Sheriff's Department. The Department enforces local, state, and federal laws; performs investigations and makes arrests; administers emergency medical treatment; and responds to County emergencies. The project site is served by the Morongo Basin Station, located at 6527 White Feather Road, approximately 8 miles from the project site. The proposed project will not include the kind of uses or activities that would likely attract criminal activity, except for random trespass and/or theft; however, any random trespass is unlikely given that the type of activities proposed would not typically attract criminal activities. Furthermore, the proposed project would not induce substantial population within the County such that a significantly greater demand on police services would be required. Therefore, a less-than-

significant impact is anticipated, and no mitigation measures are required.

Schools. No Impact. This project would not have a significant impact on schools because this project would not generate additional demand for school services. No new residences are proposed with this project; therefore, there would not be any new students. No impact is anticipated, and no mitigation measures are required.

Parks. No Impact. The proposed project will not directly add to the existing demand on public recreational facilities. The project is not anticipated to generate any new direct demand for parks within the County, as this project would have a minimal potential to induce local population growth within the County. The proposed project, through the hosting of guests as part of the proposed Campground, will continue to contribute to and increase demand for recreational facilities, in the sense that the Joshua Tree National Park. Thus, the fifteen campground site guests (approximately 30 guest) would contribute to support of the forecast increased demand for recreation and park visitation of the Joshua Tree National Park. Joshua Tree National Park includes 792,623 acres. The park allows rock climbing, backpacking, camping, hiking, horseback riding, geologic sight-seeing, birding, wildlife viewing, and stargazing. According to the National Park Service, Joshua Tree attracts over three million visitors a year. The National Park Service is primarily funded by Congress. Joshua Tree National Park charges visitors to enter the park ranging from fifteen dollars to fifty-five dollars. No other nearby parks would be impacted by the proposed project, as there are no other parks in close proximity to the project site. As such, existing federal and state, and local regulations pertaining to parkland dedication and maintenance assessed by the above governmental entities would mitigate potential adverse impacts to the environment that may result from the increased demand for park and recreation services within the County as a result of implementation of the proposed project. Therefore, this project would not have a significant impact on countywide parks. No impact is anticipated, and no mitigation measures are required.

Other Public Facilities. No Impact. This project is not anticipated to impact other public facilities because the project would not result in the need for new or expanded public facilities. No new buildings or residences that would generate a demand for other public services are proposed by this project. No impact is anticipated, and no mitigation measures are required.

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

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

SUBSTANTIATION:
San Bernardino Countywide Plan, 2020; Submitted Project Materials

- a) **No Impact.** As previously discussed in Section XIV, Population and Housing and Section XV, Public Services, this project will not contribute to an increase in the population beyond that already allowed or planned for by local and regional planning documents. The proposed project, through the hosting of guests as part of the proposed Campground, will continue to contribute to and increase demand for recreational facilities, in the sense that the Joshua Tree National Park. Thus, the fifteen campground site guests (approximately 30 guest) would contribute to support of the forecast increased demand for recreation and park visitation of the Joshua Tree National Park. Joshua Tree National Park includes 792,623 acres. The park allows rock climbing, backpacking, camping, hiking, horseback riding, geologic sight- seeing, birding, wildlife viewing, and stargazing. According to the National Park Service, Joshua Tree attracts over three million visitors a year. The National Park Service is primarily funded by Congress. Joshua Tree National Park charges visitors to enter the park ranging from fifteen dollars to fifty-five dollars. No other nearby parks would be impacted by the proposed project, as there are no other parks in close proximity to the project site. As such, existing federal and state, and local regulations pertaining to parkland dedication and maintenance assessed by the above governmental entities would mitigate potential adverse impacts to the environment that may result from the increased demand for park and recreation services within the County as a result of implementation of the proposed project. The proposed project will not increase the use of recreational facilities that would result in the physical deterioration of other surrounding facilities. No impact is forecast, and no mitigation is required.
- b) **No Impact.** The project does not require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. The proposed project will occur within a vacant site, that has not been designated for recreational use nor does it contain recreational uses at present. Furthermore, the proposed project is not expected to induce population growth as maintenance workers will only visit on an as needed basis, and visitors will only stay at the Campground sporadically and temporarily. Therefore, no impacts are anticipated to occur under this issue, and no mitigation is required.

The proposed project is not forecast to directly add to the existing demand on local public

park or recreational facilities. The proposed project is not anticipated to generate any new direct demand for other parks within the County, as this project would have no potential to induce local population growth. No other nearby parks would be impacted by the proposed project, as there are no other parks in close proximity to the project site. The proposed project will have a less than significant impact on parks and recreation facilities.

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

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

SUBSTANTIATION:

San Bernardino Countywide Plan, 2020; Submitted Project Materials

- a) **Less than Significant Impact.** As a small-scale project with a limited number of guest space, the proposed project would not cause a notable increase in traffic during operations. Local roads would only be minimally affected during temporary construction activities. The San Bernardino County traffic study guidelines require the preparation of a traffic study if a proposal generates 100 or more peak hour trips without consideration of pass-by trips during any peak hour. According to the Institute of Transportation Engineers (ITE), Trip Generation Manual, Tenth Edition, ITE Land Use Code 416 for Campgrounds found that an occupied campsite would generate 0.48 daily trips in the AM Peak Hour and 0.98 daily trips in the PM Peak Hour, or 1.46 daily trips per campsite, which equates 21.9 daily trips generated by the proposed project at full occupancy. According to the County of San Bernardino Transportation Impact Study Guidelines, dated July 9, 2019, if a project generates less than 100 peak hour trips, a traffic analysis shall not be required. The 21.9 daily trips generated by the Project would be below the County’s threshold. The proposed project does not propose any modifications to any pedestrian or bicycle facilities, and would not interfere with any future plans as none are located in the project vicinity. Additionally, no public transit stations are located in close proximity to the project site. Therefore, project operation would not affect public transit operation. Therefore, the proposed project would not conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Therefore, a less than significant impact occurs, and no mitigation measures are required.
- b) **Less than Significant Impact.** The County of San Bernardino Transportation Impact Study Guidelines, dated July 9, 2019, provides recommendations in the form of thresholds of

significance and methodology for identifying VMT-related impacts. The proposed project is subject to a VMT analysis and will adhere to the recommendations and practices described in the City's guidelines. The County Guidelines provide details on appropriate criteria 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. Screening thresholds are broken into the following types:

- Project Type Screening
- Transit Priority Area (TPA) Screening
- Low VMT Area

To determine if the project is located within a Transit Priority Area (TPA) or a low VMT generating area, the San Bernardino County Transportation Authority (SBCTA)'s web-based VMT screening tool was utilized. The proposed project appears to meet the Project Type Screening for the following reasons: the County Guidelines notes smaller projects that generate fewer than 110 trips per day are assumed to cause a less than significant VMT impact. The proposed project is anticipated to result in less than 30 round-trips per day, which would be less than the 110 trip per day significance threshold. As such, the project would have a less than significant impact on VMT and is exempt from a full project-level VMT assessment. Therefore, a less than significant impact would occur, and no mitigation measures are required.

- c) **Less than Significant Impact.** The proposed project would occur entirely within the project site boundaries. Construction activities would not occur within the adjacent roadways to the project site. There are no uses that would be impacted by construction equipment or construction trips on the adjacent roadways. Trucks delivering equipment can enter the site without major conflicts with the flow of traffic on the roadways used to access the site. Additionally, the proposed project would be required to comply with all applicable fire code and ordinance requirements for construction and access to the site. Emergency response and evacuation procedures would be coordinated with the County, as well as the local police and fire departments. Therefore, impacts associated with hazardous design features would be less than significant and no mitigation measures are required.
- d) **Less than Significant Impact.** The site incorporates an open design which allows access during a possible emergency event. Access to ingress and egress points, including turnaround areas, are of adequate width and design and have received preliminary approval from the County Fire Department during their review of the Project. Therefore, impacts associated with an emergency response plan or emergency evacuation plan would be less than significant and no mitigation measures are required.

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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XVIII. TRIBAL CULTURAL RESOURCES

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

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

SUBSTANTIATION:

San Bernardino Countywide Plan, 2020; Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton; Submitted Project Materials

- a) **No Impact.** A pedestrian field survey of the project site was performed to determine if there were any features on the project site eligible for listing on a historic register. In addition, an archival records search was performed at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton in order to identify any previously recorded archaeological sites within the Project site boundaries or in the immediate vicinity. Additionally, the Sacred Lands Files (SLFs) by the Native American Heritage Commission (NAHC) were reviewed. No tribal cultural resources were observed on the project site, no tribal cultural resources were previously recorded on the project site or in the immediate area. Accordingly, implementation of the proposed project would not impact a tribal cultural resource eligible for listing on a historic register and no mitigation measures would be required.
- b) **Less than Significant Impacts with Mitigation.** Assembly Bill (AB) 52 took effect on July 1, 2015. AB 52 requires a lead agency to make its best efforts to avoid, preserve, and protect tribal cultural resources. Prior to the release of the CEQA document for a project, AB 52 requires the lead agency to initiate consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if: (1) the California Native American tribe requested the lead agency, in writing, to be informed by the lead agency through formal notification of proposed projects located in the geographic area that is

traditionally and culturally affiliated with the tribe, and (2) the California Native American tribe responds, in writing, within 30 days of receipt of the formal notification, and requests the consultation.

The project site consists mostly of vacant land with three existing structures located on the eastern portion of the site. The site has a disturbed habitat with sparse ornamental and native vegetation and creosote bush scrub on the northern portion of the site. There is evidence of previous grading activities within the disturbed habitat on project site. The development and construction activities shall have minor excavation of subsurface soils found on the project site for grading of campsite and road.

The County sent project notification letters to California Native American tribes, which had previously submitted general consultation request letters pursuant to 21080.3.1(d) of the Public Resources Code. Each recipient was provided a brief description of the proposed project and its location, the lead agency contacts information, and a notification that the tribe has 30 days to request consultation. At the time of this writing no comment letters have been received. However, the following **Mitigation Measure TCR-1 through TCR-4** have been provided as part of the proposed project to ensure that impacts to any unknown TCRs would remain less than significant.

MM TCR-1: Appropriate consulting Tribe(s) shall be contacted, of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input within 48 hours with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2018), a cultural resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with consulting Tribe(s), and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents consulting Tribe(s) for the remainder of the project, should Tribe(s) elect to place a monitor on-site at the Tribe's cost. As necessary, and in accordance with Project-Specific consultations conducted with the NAHC and various Tribal entities in association with AB52, SB18, and/or any other legal guidelines relating to Native American consultations may change to reflect Project-Specific needs and requirements.

MM TCR-2: If human remains or funerary objects 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 MM GEO-1 and State Health and Safety Code §7050.5 and that code shall be enforced for the duration of the project.

MM TCR-3: Only the NAHC Designated MLD Tribal representative shall make all future decisions regarding the treatment of human remains of Native American origin within the response times outlined below. The MLD shall determine the disposition and treatment of Native American human remains and any associated grave goods following Native American Graves Protection and Repatriation Act (NAGPRA) protocols, and what constitutes "appropriate dignity" as that term is used in the applicable statutes and in the Tribe's customs and traditions. The MLD or his/her designee shall complete an inspection and provide written recommendations to the DPW and the landowner (if different than the DPW) within forty-eight (48) hours of being granted access to the site. If the descendant does not make recommendations within 48 hours, the landowner shall re-enter the remains in a secure area of the property where there will be no further disturbance. Should the landowner not accept the descendant's recommendations, either the owner or the MLD may request mediation by NAHC. According to the California Health and Safety Code, six (6) or more human burials at

one (1) location constitute a cemetery (Section 8100), and willful disturbance of human remains in a cemetery is a felony (Section 7052).

MM TCR-4: Any and all archaeological/cultural documents as related to documented tribal cultural resources created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be disseminated to appropriate consulting Tribe(s) in the form of an un-redacted report (containing DPR forms). The Lead Agency and/or applicant shall, in good faith, consult with the appropriate Tribe(s) until construction completion of the project and completion of any measures imposed to protect resources.

Therefore, no significant adverse impacts are identified or anticipated with the implementation of MM TCR-1 through MM TCR-4.

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

SUBSTANTIATION:

San Bernardino Countywide Plan, 2020; Submitted Project Materials

a&b) **Less than Significant Impact.** The proposed project would not require new or expanded water, wastewater treatment or storm water drainage. The project site does already include an existing septic tank that supports the existing uses and not the proposed project. The proposed Campground will utilize portable toilets. The proposed project would not generate excess waste nor impact the capacity of local infrastructure.

Wastewater

The proposed Campground will utilize portable toilets for the campers. The project site has an existing septic tank that supports the existing uses on the site.

Water

The proposed project includes a dry campground site. Water will not be provided to the site. The project would utilize water during construction of the campsite pads and road for dust suppression. Water would be trucked to the project site from an off-site location. Project construction and operation would not utilize water facilities, and no construction or relocation of water facilities would cause a significant environmental effect. Therefore, the proposed project would have less than significant impacts to water. Given that the project would not require the construction of new or expansion of existing wastewater treatment facilities, the project would have no impact on water facilities and would not impact water supplies of water purveyors in the area. No mitigation measures would be required.

Stormwater

There is no stormwater management system required because it is not anticipated that stormwater will run-off from the site, as all the stormwater will percolate through pervious surfaces of the natural desert sand. Therefore, stormwater will be adequately managed on site and as such, development of the project would not result in a significant environmental effect related to the relocation or construction of new or expanded stormwater facilities. Impacts are less than significant.

Other Wet and Dry Utilities

The proposed project does not provide electricity to the project site. The minimal dark sky approved lighting provided with the proposed project shall be solar. Therefore, development of the project would not result in a significant environmental effect related to the relocation or construction of new or expanded electric power facilities. Impacts are less than significant. Development of the proposed project would not create a demand for natural gas and would not be connected to any natural gas distribution system. Therefore, the project would not result in a significant environmental effect related to the relocation or construction of new or expanded natural gas facilities.

- c) **No Impact.** The project would not 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, because no municipal wastewater providers exist in the area, so none serve the project site. The project will be served by portable toilets. As such, no determination of adequate capacity by a wastewater treatment provider is necessary to accommodate the project and no mitigation measures would be required.
- d) **Less than Significant Impact.** Private trash hauling companies collect solid waste from unincorporated areas of the County under franchise agreements with the County. Burrtec Waste Company currently provides residential and commercial waste collection and recycling programs under a franchise agreement with the Eastern Desert Region of Joshua Tree, Twentynine Palms, and Yucca Valley. The project site currently has dumpster service provided from Burrtec. According to the San Bernardino Countywide General Plan EIR, after waste is collected, it is delivered to the Landers Sanitary Landfill. The Landers Sanitary Landfill has adequate capacity to handle the waste generated at the Campground.

According to the CalRecycle, the maximum permitted capacity of Landers Sanitary Landfill is 13,983,500 Cubic Yards (CY), while its remaining capacity is 11,148,100 CY; the Landers Sanitary Landfill can accept 1,200 tons per day. The amount of solid waste produced by the project would represent a nominal percentage of the land facility's permitted daily throughput and an equally small increase in the amount of solid waste processed at the facility per year. All collection, transportation, and disposal of any solid waste generated by the project would comply with all applicable federal, state, and local statutes and regulations. In particular, AB 939 requires that at least 50% of solid waste

generated by a jurisdiction be diverted from landfill disposal through source reduction, recycling, or composting. Cities, counties, and regional agencies are required to develop a waste management plan that would achieve a 50% diversion from landfills.

As required by existing regulations, any hazardous materials collected on the project site during construction, or operational activities would be transported and disposed of by a permitted and licensed hazardous materials service provider at a facility permitted to accept such hazardous materials. Therefore, impacts associated with permitted landfill capacity and solid waste statutes and regulations would be less than significant and no mitigation measures would be required.

- e) **Less than Significant Impact.** The California Integrated Waste Management Act (AB 939), signed into law in 1989, established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. In addition, the bill established a 50 percent waste reduction requirement for cities and counties by the year 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted. Per the requirements of the Integrated Waste Management Act, the County adopted the 1995 Countywide Integrated Waste Management Plan (CIWMP) (Amended 2018). The CIWMP outlines the goals, policies, and programs the County implements to create an integrated and cost-effective waste management system that complies with the provisions of AB 939 and its diversion mandates. To assist the County in achieving the mandated goals of the Integrated Waste Management Act, the Project's building tenant(s) would be required to work with future refuse haulers to develop and implement feasible waste reduction programs, including source reduction, recycling, and composting. Additionally, in accordance with the California Solid Waste Reuse and Recycling Act of 1991, the Project is required to provide adequate areas for collecting and loading recyclable materials where solid waste is collected. The collection areas are required to be shown on construction drawings and be in place before occupancy permits are issued. The proposed project would be required to comply with all applicable solid waste statutes and regulations. Implementation of the Project would result in less than-significant impacts and no mitigation measures would be required.

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

San Bernardino Countywide Plan, 2020; Submitted Project Materials

a-d) **Less than Significant Impact.** A wildfire is a nonstructural fire that occurs in vegetative fuels, excluding prescribed fire. Wildfires can occur in undeveloped areas and spread to urban areas where the landscape and structures are not designed and maintained to be ignition resistant. As stated in the State of California’s General Plan Guidelines: *“California’s increasing population and expansion of development into previously undeveloped areas is creating more ‘wildland-urban interface’ issues with a corresponding increased risk of loss to human life, natural resources, and economic assets associated with wildland fires.”* To address this issue, the state passed Senate Bill 1241 to require that General Plan Safety Elements address the fire severity risks in State Responsibility Areas (SRAs) and Local Responsibility Areas (LRAs).

According to the California Fire Hazard Severity Zone Viewer maintained by Cal Fire⁷, the project site is located in a LAR zone. Additionally, according to the Countywide Plan Policy Map HZ-5 Fire Hazard Severity Zone, the project site is not located within a fire hazard zone. Therefore, the would be a less than significant impact related to wildfires.

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

⁷ Accessed 11-13-2024: <https://experience.arcgis.com/experience/03beab8511814e79a0e4eabf0d3e7247/>

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

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

- a) **Less-than-Significant Impact with Mitigation Incorporated.** As described in Section IV, Biological Resources, Section V, Cultural Resources, Section VII, Geology and Soils, and Section XVIII, Tribal Cultural Resources, the project would not result in significant impacts to biological resources, archaeological resources, paleontological resources, and tribal cultural resources with mitigation incorporated.

Therefore, with the incorporation of mitigation, the project would not 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, 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) **Less-than-Significant Impact with Mitigation Incorporated.** As addressed herein, the project would potentially result in project-related air quality, biological resources, cultural resources, paleontological, and tribal cultural resources, that could be potentially significant without the incorporation of mitigation. Thus, when coupled with similar impacts related to the implementation of other cumulative projects located throughout the broader project area, the project would potentially result in cumulative-level impacts if these significant impacts are left unmitigated.

However, with the incorporation of mitigation identified within this Initial Study/Mitigated Negative Declaration, the project's individual-level impacts would be reduced to less-than-significant levels and would not considerably contribute to cumulative impacts in the greater project region. Additionally, these other related projects would presumably be bound by their applicable lead agency to (1) comply with the all applicable federal, state, and local regulatory requirements; and (2) incorporate all feasible mitigation measures, consistent with CEQA, to further ensure that their potentially cumulative impacts would be reduced to less-than-significant levels.

Although cumulative impacts are always possible, the project, by incorporating all mitigation measures outlined herein, would reduce its contribution to any such cumulative impacts to less than cumulatively considerable. Therefore, the project would result in individually limited, but not cumulatively considerable, impacts. Thus, impacts would be less-than-significant with mitigation incorporated.

- c) **Less-than-Significant Impact with Mitigation Incorporated.** As evaluated throughout this document, the project would have no impact, less-than-significant impact, or less-than-significant impact with mitigation incorporated with respect to all environmental impact areas. Therefore, with incorporation of mitigation, the project would not directly or indirectly cause substantial adverse effects on human beings.

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

**Mitigation Monitoring and Reporting Project
Initial Study/Mitigation Negative Declaration
Joshua Tree Mercury Dry Camp Site PROJ-2023-00023 MMRP**

Prepared by:



**Conty of San Bernardino, Land Use Services Department 385 N.
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Contact: Luis Rodriguez Jr.**

March 2025

Introduction

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

This Mitigation Monitoring and Reporting Program (MMRP) will be used by the County of San Bernardino (County) to ensure compliance with adopted mitigation measures identified in the MND for the proposed Joshua Tree Mercury Dry Camp Site when construction begins. The County, as the lead agency, will be responsible for ensuring that all mitigation measures are carried out. Implementation of the mitigation measures would reduce impacts to below a level of significance for Biological Resources, Cultural Resources, Geology & Soils, and Tribal Cultural Resources.

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

County of San Bernardino
385 N. Arrowhead Avenue, First Floor
San Bernardino, California 92415

Joshua Tree Mercury Dry Camp Site PROJ-2023-00023 MMRP

Table 1: Mitigation Monitoring Reporting Program				
Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/Notes
Biological Resources				
<p>BIO-1: Two (2) Joshua trees were found on site during the focused Western Joshua Tree census survey performed in 2024. Any impacts to the Joshua tree or within forty (40) <u>fifty (50)</u> feet of the Western Joshua Tree shall require compliance with the Western Joshua Tree Conservation Act (WJTCA), which was passed in July 2023 to conserve Western Joshua Tree and its habitat while supporting the state’s renewable energy and housing priorities. The WJTCA authorizes CDFW to:</p> <ul style="list-style-type: none"> • Permit the trimming and removal of hazardous or dead Western Joshua Trees. • Permit the incidental take of Western Joshua Trees under CESA provided the permittee meets certain conditions. <p>The Project shall avoid impacts to the Western Joshua Trees on site through avoiding construction within forty (40) <u>fifty (50)</u> of the trees onsite. If it becomes necessary for construction to occur within forty (40) <u>fifty (50)</u> of the trees onsite (i.e. impact the trees per the WJTCA), any proposed impacts to the Joshua trees on site shall require prior authorization from CDFW</p>	<p>Prior to issuance of Land Disturbance or Grading Permit</p>	<p>Project applicant and their construction contractor consultant</p>	<p>San Bernardino County</p>	

Joshua Tree Mercury Dry Camp Site PROJ-2023-00023 MMRP

Table 1: Mitigation Monitoring Reporting Program

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/Notes
<p>pursuant to the WJCTA. Removal of onsite Joshua trees or century plants shall be required to comply with Section 88.01 of the San Bernardino Development Code, which requires the issuance of a permit prior to the removal of regulated trees and plants. <u>As WJT is a candidate under CESA, removal or any take is currently permitted through CDFW.</u></p>				
<p>BIO – 2: No more than 14 calendar days prior to start of Project activities, a qualified biologist shall conduct pre-construction surveys for desert tortoise as described in the USFWS Desert Tortoise (Mojave Population) Field Manual (USFWS 2009 or most recent version). Pre-construction surveys shall be completed using linear survey transects 10-meters apart within the Project area and 500- foot buffer zone. Should desert tortoise presence be confirmed during the survey, the qualified biologist shall immediately notify CDFW and USFWS to determine appropriate avoidance measures. The project will ensure no impacts to desert tortoise by avoiding any direct and indirect take as defined by the California and Federal Endangered Species acts.</p>	<p>Prior to ground disturbance activities</p>	<p>Project Applicant, Lead Biologist</p>	<p>San Bernardino County</p>	
<p><u>BIO-3: Desert Kit Fox. No more than fourteen (14) days and no less than three (3) days prior to the beginning of surface</u></p>	<p>Prior to any activity on-site, during</p>	<p>Project Applicant</p>	<p>San Bernardino County</p>	

Joshua Tree Mercury Dry Camp Site PROJ-2023-00023 MMRP

Table 1: Mitigation Monitoring Reporting Program

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/Notes
<p><u>disturbance, the Designated Biologist shall conduct a pre-Project 10-meter transect survey (or reduced based on topography and vegetation), to attain 100% visual coverage within the Project area and a minimum of 200-meter buffer to determine the presence or absence of desert kit fox individuals, dens, and sign. Permittee shall provide the results of the survey to CDFW prior to start of Project activities.</u></p> <p><u>If potential dens are located, they shall be monitored by the Designated Biologist. Trail camera may be used to assist with observation but shall not be the sole basis upon which the status is determined. Permittee shall provide a determined if active dens can be avoided and buffered from Project activities to prevent take or disturbance with the survey results.</u></p> <p><u>Should active dens be present within the Project area that cannot be avoided with an adequate buffer, the Permittee shall reschedule Project activities or submit a monitoring and relocation plan for CDFW’s review and approval. No disturbance or relocation of active dens may take place when juveniles may be present and dependent on parental care.</u></p> <p><u>Permittee shall block off inactive dens within the buffer zone with rocks and sticks to discourage use during Project activities and remove when construction is complete.</u></p>	<p>construction activities</p>			

Joshua Tree Mercury Dry Camp Site PROJ-2023-00023 MMRP

Table 1: Mitigation Monitoring Reporting Program

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/Notes
<p><u>The Designated Biologist shall periodically check the inactive burrows remain blocked and are not reoccupied.</u></p>				
<p><u>BIO-4: Crotch’s Bumble Bee Habitat Assessment. Prior to vegetation removal and/or grading, a Designated Biologist shall conduct a habitat assessment to determine whether Crotch’s bumble bee habitat is present or absent in the Project site and adjoining area. The habitat assessment shall be performed according to the 2023 CDFW Survey Considerations for Candidate Bumble Bee.</u></p> <p><u>If habitat for Crotch’s bumble bee is present, a Designated Biologist shall conduct focused surveys prior to vegetation removal and/or grading for the presence/absence of Crotch’s bumble bee. Survey methodology shall follow the 2023 CDFW Survey Considerations for Candidate Bumble Bee. Surveys shall be conducted during the flying season when the species is most likely to be detected above ground, between March 1 to September 1, by an approved Designated Biologist familiar with Crotch’s bumble bee behavior and life history. Surveys shall be conducted within the Project site and areas adjacent to the Project site where suitable habitat exists. Survey results including negative findings shall be submitted to CDFW at least 30 days prior to Project-related vegetation removal and/or ground-</u></p>	<p>Prior to any activity on-site, during construction activities</p>	<p>Project Applicant</p>	<p>San Bernardino County</p>	

Joshua Tree Mercury Dry Camp Site PROJ-2023-00023 MMRP

Table 1: Mitigation Monitoring Reporting Program

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/Notes
<p><u>disturbing activities. If the species is identified on site, Project Proponent shall fully avoid the species absent take authorization. If the Project may result in take of Crotch’s bumble bee through either nest destruction or destruction of potential nests hidden in bunch grasses or other nesting habitat, 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.</u></p>				
<p><u>BIO-5: Nesting Birds. All Project related activities shall be conducted outside of the typical nesting bird season (January 15 to August 31) to the maximum extent feasible. Regardless of the time of year, a qualified avian biologist shall conduct pre-construction nesting bird surveys at the appropriate time of day/night, during appropriate weather conditions no more than 3 days prior to the initiation of ground disturbing activities. The survey shall focus on all suitable nesting areas such as but not limited to: trees, shrubs, bare ground, burrows, cavities, and structures. If a nest is suspected, but not confirmed, the qualified avian biologist shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be confirmed based on observations. If a nest is</u></p>	<p>Prior to any activity on-site, during construction activities</p>	<p>Project Applicant</p>	<p>San Bernardino County</p>	

Joshua Tree Mercury Dry Camp Site PROJ-2023-00023 MMRP

Table 1: Mitigation Monitoring Reporting Program

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/Notes
<p><u>observed, but thought to be inactive, the qualified avian biologist shall monitor the nest for at least 1 hour. When an active nest is confirmed, the qualified avian biologist shall immediately establish a conservative buffer surrounding the nest based on their best professional judgement and experience. 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 manner that it attracts predators. The qualified avian biologist shall monitor the nest to determine the efficacy of the buffer and shall adjust the buffer accordingly if it is determined to have an adverse reaction. The qualified avian biologist shall monitor the nest daily until activities are no longer within 300 feet of the nest, or the fledglings become independent of their nest, or the nest has failed. Documentation of surveys and findings should be submitted to the CDFW within 10 days of the last survey. If special status species such as but not limited to:, burrowing owl, Cooper’s hawk, golden eagle, LeConte’s thrasher, loggerhead shrike, northern harrier, prairie falcon, Swainson’s hawk, are found within or adjacent to the Project area then ground disturbing activities shall immediately halt and the Project proponent shall contact CDFW Region 6 Inland Deserts Region.</u></p>				

Joshua Tree Mercury Dry Camp Site PROJ-2023-00023 MMRP

Table 1: Mitigation Monitoring Reporting Program

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/Notes
<p>BIO-3: It is recommended that vegetation removal be conducted outside of the nesting season for migratory birds to avoid direct impacts:</p> <ul style="list-style-type: none"> • If vegetation removal occurs during the migratory bird nesting season, between February 1 and September 15, pre-construction nesting bird surveys shall be performed within three days prior to vegetation removal. <p>If active nests are found during nesting bird surveys, they shall be flagged. A 250-foot buffer shall be fenced around songbird nests and a 500-foot buffer shall be fenced around raptor nests.</p>				
Cultural Resources				
<p>CR-1: Tribal Monitoring Services Agreement Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Services Agreement with the Morongo Band of Mission Indians (MBMI) for the Project. The Tribal Monitor shall be on-site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction</p>	<p>Prior to issuance of Land Disturbance or Grading Permit</p>	<p>Project applicant and their construction contractor/consultant</p>	<p>San Bernardino County</p>	

Joshua Tree Mercury Dry Camp Site PROJ-2023-00023 MMRP

Table 1: Mitigation Monitoring Reporting Program

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/Notes
<p>excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal Monitor shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources.</p>				
<p>CR-2: Retention of Archaeologist Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits, the Applicant shall retain a Qualified Archaeologist who meets the U.S. Secretary of the Interior Standards (SOI). The Archaeologist shall be present during all ground disturbing activities to identify any known or suspected archaeological and/or cultural resources. The Archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribe[s] Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event.</p>	<p>Prior to issuance of Land Disturbance or Grading Permit</p>	<p>Project applicant and their construction contractor/consultant</p>	<p>San Bernardino County</p>	

Joshua Tree Mercury Dry Camp Site PROJ-2023-00023 MMRP

Table 1: Mitigation Monitoring Reporting Program

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/Notes
<p>CR-3: Cultural Resource Management Plan Prior to any ground-disturbing activities the project Archaeologist shall develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the project site. This Plan shall be written in consultation with the consulting Tribe[s] and shall include the following: approved Mitigation Measures (MM)/Conditions of Approval (COA), contact information for all pertinent parties, parties' responsibilities, procedures for each MM or COA, and an overview of the project schedule.</p>	<p>Prior to issuance of Land Disturbance or Grading Permit</p>	<p>Project applicant and their construction contractor/consultant</p>	<p>San Bernardino County</p>	
<p>CR-4: Pre-Grade Meeting The retained Qualified Archeologist and Consulting Tribe[s] representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.</p>	<p>Prior to issuance of Land Disturbance or Grading Permit</p>	<p>Project applicant and their construction contractor/consultant</p>	<p>San Bernardino County</p>	
<p>CR-5: On-site Monitoring During all ground-disturbing activities the Qualified Archaeologist and the Tribal Monitor shall be on-site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Tribal Monitoring</p>	<p>During Project implementation</p>	<p>Project Applicant</p>	<p>San Bernardino County</p>	

Joshua Tree Mercury Dry Camp Site PROJ-2023-00023 MMRP

Table 1: Mitigation Monitoring Reporting Program

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/Notes
<p>will be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The Qualified Archaeologist, in consultation with the Tribal Monitor, shall be responsible for determining the duration and frequency of monitoring.</p>				
<p>CR-6: Inadvertent Discovery of Cultural Resources In the event that previously unidentified cultural resources are unearthed during construction, the Qualified Archaeologist and the Tribal Monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbance operations in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly nonsignificant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.</p> <p>If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. All work shall be diverted away from the vicinity of the find, so that the find can be evaluated by the Qualified Archaeologist and Tribal Monitor[s]. The Archaeologist shall notify the Lead Agency and consulting Tribe[s] of said discovery. The Qualified Archaeologist, in consultation with the Lead Agency, the consulting Tribe[s], and</p>	<p>Any response to exposed resources shall occur during construction. Any reports documenting management and findings for accidentally exposed resources shall be completed within one year of the discovery.</p>	<p>Project applicant and their construction contractor</p>	<p>County of San Bernardino, County Coroner</p>	

Joshua Tree Mercury Dry Camp Site PROJ-2023-00023 MMRP

Table 1: Mitigation Monitoring Reporting Program

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/Notes
<p>the Tribal Monitor, shall determine the significance of the discovered resource. A recommendation for the treatment and disposition of the Tribal Cultural Resource shall be made by the Qualified Archaeologist in consultation with the Tribe[s] and the Tribal Monitor[s] and be submitted to the Lead Agency for review and approval. Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference:</p> <ul style="list-style-type: none"> A. Full avoidance. B. If avoidance is not feasible, Preservation in place. C. If Preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or Deed Restriction. <p>If all other options are proven to be infeasible, data recovery through excavation and then curation in a Curation Facility that meets the Federal Curation Standards (CFR 79.1)</p>				
<p>CR-7: Inadvertent Discovery of Human Remains - The Morongo Band of Mission Indians requests the following specific conditions to be imposed in order to protect Native American human remains and/or cremations. No photographs are to be taken except by the coroner, with written approval by the consulting Tribe[s]:</p>	<p>Any response to exposed resources shall occur during construction. Any reports documenting management and</p>	<p>Project applicant and their construction contractor</p>	<p>County of San Bernardino, County Coroner</p>	

Joshua Tree Mercury Dry Camp Site PROJ-2023-00023 MMRP

Table 1: Mitigation Monitoring Reporting Program

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/Notes
<p>A. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98.</p> <p>B. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5.</p> <p>C. The Native American Heritage Commission shall immediately notify the person or persons it believes to be</p>	<p>findings for accidentally exposed resources shall be completed within one year of the discovery.</p>			

Joshua Tree Mercury Dry Camp Site PROJ-2023-00023 MMRP

Table 1: Mitigation Monitoring Reporting Program

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/Notes
<p>the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98.</p> <p>D. If the Morongo Band of Mission Indians has been named the Most Likely Descendant (MLD), the Tribe may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[r]). Reburial location of human remains and/or cremations will be determined by the Tribe’s Most Likely Descendant (MLD), the landowner, and the City Planning Department.</p>				
<p>CR-8: FINAL REPORT: The final report[s] created as a part of the project (AMTP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribe[s] for review and comment. After approval of all parties, the</p>	<p>Prior to Certificate of Occupancy</p>	<p>Project Applicant, San Bernardino County</p>	<p>San Bernardino County</p>	

Joshua Tree Mercury Dry Camp Site PROJ-2023-00023 MMRP

Table 1: Mitigation Monitoring Reporting Program

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/Notes
final reports are to be submitted to the appropriate Information Center, and the Consulting Tribe[s].				
Geology and Soils				
GEO-1: In the event that paleontological resources (fossil remains) are exposed during construction activities for the proposed project, all construction work occurring within 50 feet of the find shall immediately stop until a qualified paleontologist, as defined by the Society of Vertebrate Paleontology’s 2010 guidelines, can assess the nature and importance of the find. Depending on the significance of the find, the paleontologist may record the find and allow work to continue or recommend salvage and recovery of the resource. All recommendations will be made in accordance with the Society of Vertebrate Paleontology’s 2010 guidelines and shall be subject to review and approval by the County of San Bernardino. Work in the area of the find may only resume upon approval of a qualified paleontologist.	Throughout construction. This measure shall be included in the construction contract as a contract specification and implemented by the contractor during construction.	Project applicant and their construction contractor	County of San Bernardino and Project Applicant/Contractor	
Tribal Cultural Resources				
TCR-1: Appropriate consulting Tribe(s) shall be contacted, of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input within 48 hours with regards to significance and treatment. Should the find be deemed significant, as	Prior to issuance of Land Disturbance or Grading Permit	Project applicant and their construction contractor/consultant	San Bernardino County	

Joshua Tree Mercury Dry Camp Site PROJ-2023-00023 MMRP

Table 1: Mitigation Monitoring Reporting Program

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/Notes
<p>defined by CEQA (as amended, 2018), a cultural resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with consulting Tribe(s), and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents consulting Tribe(s) for the remainder of the project, should Tribe(s) elect to place a monitor on-site at the Tribe’s cost. As necessary, and in accordance with Project-Specific consultations conducted with the NAHC and various Tribal entities in association with AB52, SB18, and/or any other legal guidelines relating to Native American consultations may change to reflect Project-Specific needs and requirements.</p>				
<p>TCR-2: If human remains or funerary objects 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 MM GEO-1 and State Health and Safety Code §7050.5 and that code shall be enforced for the duration of the project.</p>	<p>Throughout construction. This measure shall be included in the construction contract as a contract specification and implemented by the contractor during construction.</p>	<p>Project applicant and their construction contractor</p>	<p>County of San Bernardino and Project Applicant/Contractor</p>	
<p>TCR-3: Only the NAHC Designated MLD Tribal representative shall make all future decisions</p>	<p>Throughout construction. This</p>	<p>Project applicant and their construction contractor</p>	<p>County of San Bernardino and</p>	

Joshua Tree Mercury Dry Camp Site PROJ-2023-00023 MMRP

Table 1: Mitigation Monitoring Reporting Program

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/Notes
<p>regarding the treatment of human remains of Native American origin within the response times outlined below. The MLD shall determine the disposition and treatment of Native American human remains and any associated grave goods following Native American Graves Protection and Repatriation Act (NAGPRA) protocols, and what constitutes "appropriate dignity" as that term is used in the applicable statutes and in the Tribe's customs and traditions. The MLD or his/her designee shall complete an inspection and provide written recommendations to the DPW and the landowner (if different than the DPW) within forty-eight (48) hours of being granted access to the site. If the descendant does not make recommendations within 48 hours, the landowner shall re-inter the remains in a secure area of the property where there will be no further disturbance. Should the landowner not accept the descendant's recommendations, either the owner or the MLD may request mediation by NAHC. According to the California Health and Safety Code, six (6) or more human burials at one (1) location constitute a cemetery (Section 8100), and willful disturbance of human remains in a cemetery is a felony (Section 7052).</p>	<p>measure shall be included in the construction contract as a contract specification and implemented by the contractor during construction.</p>		<p>Project Applicant/Contractor</p>	
<p>TCR-4: Any and all archaeological/cultural documents as related to documented tribal cultural resources created as a part of the project (isolate records, site records, survey</p>	<p>During Project implementation</p>	<p>Project Applicant, San Bernardino County</p>	<p>San Bernardino County</p>	

Joshua Tree Mercury Dry Camp Site PROJ-2023-00023 MMRP

Table 1: Mitigation Monitoring Reporting Program

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/Notes
<p>reports, testing reports, etc.) shall be disseminated to appropriate consulting Tribe(s) in the form of an un-redacted report (containing DPR forms). The Lead Agency and/or applicant shall, in good faith, consult with the appropriate Tribe(s) until construction completion of the project and completion of any measures imposed to protect resources.</p>				

ERRATA
INITIAL STUDY / MITIGATED NEGATIVE DECLARATION
ISMND JOSHUA TREE CAMPSITE

SCH Number: 2025020486

PROJECT TITLE: ISMND Joshua Tree Campsite – JT Prospecting, LLC

PROJECT NO.: PROJ-2023-00023

APN: 0631-201-68

PROJECT LOCATION:

62076 Mercury Drive
Joshua Tree, California 92252

LEAD AGENCY:

County of San Bernardino
Land Use Services Department
385 North Arrowhead Avenue
San Bernardino, CA 92415

PURPOSE OF ERRATA

San Bernardino County (County), as the Lead Agency under the California Environmental Quality Act (CEQA), has prepared this Errata to clarify and correct information contained in the Initial Study / Mitigated Negative Declaration (IS/MND) for the ISMND Joshua Tree Campsite – JT Prospecting, LLC project (PROJ-2023-00023; proposed project), State Clearinghouse (SCH) No. 2025020486.

This Errata, in conjunction with the IS/MND prepared for the project, constitutes the complete environmental document for purposes of CEQA review. The Errata has been prepared to address minor clarifications and corrections to the project description that do not revise or expand the scope of the environmental analysis contained in the IS/MND.

In addition to minor project description corrections, this Errata incorporates revisions to mitigation measures in the Mitigation Monitoring and Reporting Program (MMRP) based on comments received from the California Department of Fish and Wildlife (CDFW) dated March 12, 2025. These revisions clarify regulatory requirements and strengthen mitigation measures related to biological resources.

Pursuant to State CEQA Guidelines Sections 15073.5 and 15164, an Errata may be used to clarify or correct a previously circulated environmental document where the changes do not result in new significant environmental impacts or a substantial increase in the severity of previously identified impacts. The revisions identified in this Errata consist of minor text corrections and clarifications and do not result in any new significant environmental

impacts, do not increase the severity of impacts previously analyzed, and consist of clarifications and refinements to existing mitigation measures to ensure consistency with current regulatory requirements.

The information contained in this Errata does not change any of the impact conclusions, mitigation measures, or findings contained in the IS/MND and does not constitute new information requiring recirculation. Accordingly, no additional environmental review is required under CEQA.

PROJECT DESCRIPTION CORRECTION

The IS/MND references the proposed campground as consisting of fifteen (15) campsites in various locations throughout the document. The proposed project has decreased the number of campsites from 15 to 12. The correct number of proposed campsites is twelve (12).

The corrected project description is as follows:

The proposed project consists of establishing a twelve (12) campsite dry campground, with no water service, on one parcel (APN 0631-201-68) totaling approximately 7.5 acres, within the Homestead Valley Community Area of Joshua Tree. Each campsite includes space for parking and either tent or contained RV/trailer camping. All other project features and operational characteristics remain as previously described.

MITIGATION MEASURE CLARIFICATIONS AND REVISIONS

Based on comments received from the California Department of Fish and Wildlife (CDFW) dated March 12, 2025, mitigation measures in the Mitigation Monitoring and Reporting Program (MMRP) have been revised and expanded to clarify requirements, incorporate current regulatory standards, and ensure enforceability. This includes refinement of existing mitigation measures as well as the addition of new mitigation measures addressing biological resources consistent with impacts previously identified in the IS/MND. These additions do not represent new or more severe impacts, but rather provide additional specificity and regulatory alignment for mitigation of impacts already analyzed. The added mitigation measures do not constitute new information of substantial importance because they do not identify new significant impacts or increase the severity of previously identified impacts, but instead provide clarification and additional detail to ensure compliance with applicable State regulations. Specifically, mitigation measures BIO-3, BIO-4, and BIO-5 have been added to the MMRP, and the previously adopted BIO-3 has been replaced with updated nesting bird protection requirements reflected in BIO-5. The changes presented below would not result in any new significant impacts or an increase in impact significance from what was identified in the Public Review Draft IS/MND, and recirculation is not required pursuant to State CEQA Guidelines Section 15073.5. This document presents, in ~~striketrough~~ and underline format, the revisions to the Mitigation Measures.

BIO-1: Two (2) Joshua trees were found on site during the focused Western Joshua Tree census survey performed in 2024. Any impacts to the Joshua tree or within fifty (50) ~~forty (40) feet~~ of the Western Joshua Tree shall require compliance with the Western Joshua Tree Conservation Act (WJTCA), which

was passed in July 2023 to conserve Western Joshua Tree and its habitat while supporting the state's renewable energy and housing priorities. The WJTCA authorizes CDFW to:

- Permit the trimming and removal of hazardous or dead Western Joshua Trees.
- Permit the incidental take of Western Joshua Trees under CESA provided the permittee meets certain conditions.

The Project shall avoid impacts to the Western Joshua Trees on site through avoiding construction within fifty (50) ~~forty (40)~~ of the trees onsite. If it becomes necessary for construction to occur within fifty (50) ~~forty (40)~~ of the trees onsite (i.e. impact the trees per the WJTCA), any proposed impacts to the Joshua trees on site shall require prior authorization from CDFW pursuant to the WJTCA.

Removal of onsite Joshua trees or century plants shall be required to comply with Section 88.01 of the San Bernardino Development Code, which requires the issuance of a permit prior to the removal of regulated trees and plants. As WJT is a candidate under CESA, removal or any take is currently permitted through CDFW.

BIO-3: Desert Kit Fox. No more than fourteen (14) days and no less than three (3) days prior to the beginning of surface disturbance, the Designated Biologist shall conduct a pre-Project 10-meter transect survey (or reduced based on topography and vegetation), to attain 100% visual coverage within the Project area and a minimum of 200-meter buffer to determine the presence or absence of desert kit fox individuals, dens, and sign. Permittee shall provide the results of the survey to CDFW prior to start of Project activities.

If potential dens are located, they shall be monitored by the Designated Biologist. Trail camera may be used to assist with observation but shall not be the sole basis upon which the status is determined. Permittee shall provide a determined if active dens can be avoided and buffered from Project activities to prevent take or disturbance with the survey results.

Should active dens be present within the Project area that cannot be avoided with an adequate buffer, the Permittee shall reschedule Project activities or submit a monitoring and relocation plan for CDFW's review and approval. No disturbance or relocation of active dens may take place when juveniles may be present and dependent on parental care.

Permittee shall block off inactive dens within the buffer zone with rocks and sticks to discourage use during Project activities and remove when construction is complete. The Designated Biologist shall periodically check the inactive burrows remain blocked and are not reoccupied.

BIO-4: Crotch's Bumble Bee Habitat Assessment. Prior to vegetation removal and/or grading, a Designated Biologist shall conduct a habitat assessment to determine whether Crotch's bumble bee habitat is present or absent in the Project site and adjoining area. The habitat assessment shall be performed according to the 2023 CDFW Survey Considerations for Candidate Bumble Bee.

If habitat for Crotch's bumble bee is present, a Designated Biologist shall conduct focused surveys prior to vegetation removal and/or grading for the presence/absence of Crotch's bumble bee. Survey

methodology shall follow the 2023 CDFW Survey Considerations for Candidate Bumble Bee. Surveys shall be conducted during the flying season when the species is most likely to be detected above ground, between March 1 to September 1, by an approved Designated Biologist familiar with Crotch's bumble bee behavior and life history. Surveys shall be conducted within the Project site and areas adjacent to the Project site where suitable habitat exists. Survey results including negative findings shall be submitted to CDFW at least 30 days prior to Project-related vegetation removal and/or ground-disturbing activities. If the species is identified on site, Project Proponent shall fully avoid the species absent take authorization. If the Project may result in take of Crotch's bumble bee through either nest destruction or destruction of potential nests hidden in bunch grasses or other nesting habitat, 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-5: Nesting Birds. All Project related activities shall be conducted outside of the typical nesting bird season (January 15 to August 31) to the maximum extent feasible. Regardless of the time of year, a qualified avian biologist shall conduct pre-construction nesting bird surveys at the appropriate time of day/night, during appropriate weather conditions no more than 3 days prior to the initiation of ground disturbing activities. The survey shall focus on all suitable nesting areas such as but not limited to: trees, shrubs, bare ground, burrows, cavities, and structures. If a nest is suspected, but not confirmed, the qualified avian biologist shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be confirmed based on observations. If a nest is observed, but thought to be inactive, the qualified avian biologist shall monitor the nest for at least 1 hour. When an active nest is confirmed, the qualified avian biologist shall immediately establish a conservative buffer surrounding the nest based on their best professional judgement and experience. 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 manner that it attracts predators. The qualified avian biologist shall monitor the nest to determine the efficacy of the buffer and shall adjust the buffer accordingly if it is determined to have an adverse reaction. The qualified avian biologist shall monitor the nest daily until activities are no longer within 300 feet of the nest, or the fledglings become independent of their nest, or the nest has failed. Documentation of surveys and findings should be submitted to the CDFW within 10 days of the last survey. If special status species such as but not limited to: burrowing owl, Cooper's hawk, golden eagle, LeConte's thrasher, loggerhead shrike, northern harrier, prairie falcon, Swainson's hawk, are found within or adjacent to the Project area then ground disturbing activities shall immediately halt and the Project proponent shall contact CDFW Region 6 Inland Deserts Region.

Previous Mitigation Measure BIO-3

This measure was included in the original IS/MND and has been superseded by revised and expanded mitigation measure BIO-5.

~~**BIO-3:** It is recommended that vegetation removal be conducted outside of the nesting season for migratory birds to avoid direct impacts.~~

~~If vegetation removal occurs during the migratory bird nesting season, between February 1 and September 15, pre construction nesting bird surveys shall be performed within three days prior to vegetation removal.~~

~~If active nests are found during nesting bird surveys, they shall be flagged. A 250 foot buffer shall be fenced around songbird nests and a 500 foot buffer shall be fenced around raptor nests.~~

ENVIRONMENTAL DETERMINATIONS

The correction identified in this Errata does not result in new environmental impacts, nor does it increase the severity of impacts previously analyzed in the Initial Study / Mitigated Negative Declaration (IS/MND). The reduction in the number of campsites from fifteen (15) to twelve (12) represents a reduction in project intensity.

The revised project description does not modify the approved site layout in a manner that would expand disturbance limits or encroach into biological resource areas. All campsite locations remain within previously analyzed disturbance areas and continue to avoid sensitive biological resources, including Western Joshua Trees and creosote bush scrub habitat, consistent with the avoidance measures and mitigation requirements identified in the IS/MND.

Additional revisions to the mitigation measures incorporated into the Mitigation Monitoring and Reporting Program clarify existing requirements, incorporate current regulatory standards, and strengthen the enforceability of biological resource protections. These updates do not introduce any new significant environmental impacts, nor do they increase the severity of impacts previously identified in the Initial Study/Mitigated Negative Declaration. Instead, the revisions provide additional detail and procedural clarity to ensure compliance with applicable State regulations, including the California Endangered Species Act and the Western Joshua Tree Conservation Act. With implementation of the revised mitigation measures, all impacts to biological resources remain less than significant. None of the revisions constitute new information of substantial importance as defined in CEQA Guidelines Section 15073.5.

No changes are proposed to project access, internal circulation, utilities, operational characteristics, hours of operation, or site management practices. The project will continue to operate as a dry campground with no water service, no utility hookups, and no changes to previously analyzed traffic generation, air quality emissions, greenhouse gas emissions, or public service demands.

All technical studies and appendices prepared in support of the IS/MND, including biological resources, air quality, greenhouse gas emissions, cultural resources, and tribal cultural resources analyses, remain applicable to the revised project description.

This Errata has been prepared in accordance with CEQA Guidelines Sections 15073.5 and 15164, which allow for minor clarifications and corrections to a previously circulated environmental document where no new significant impacts would occur and no substantial increase in the severity of previously identified impacts would result. The Errata does not constitute a revision to the IS/MND and does not require recirculation or additional environmental review.

CONCLUSION

The County of San Bernardino may rely on this Errata for purposes of compliance with the California Environmental Quality Act (CEQA). Except as expressly stated herein, all analyses, mitigation measures, findings, and conclusions contained in the Initial Study / Mitigated Negative Declaration remain unchanged and fully applicable to the proposed project.

Prepared By:

Jakki Tonkovich
Vista Environmental

For:

JT Prospecting, LLC

Date: February 9, 2026



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



March 12, 2025
Sent via email

Luis Rodriguez, Planner
San Bernardino County
385 N. Arrowhead Avenue
San Bernardino, CA 92415

Dear Luis Rodriguez:

Joshua Tee – Mercury Drive – Dry Camp Site (PROJECT)
MITIGATED NEGATIVE DECLARATION (MND)
SCH# 2025020486

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt an MND from San Bernardino County (County) 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

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.

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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: Joseph Milburn

Objective: The objective of the Project is to construct 15 dry campsites on Assessor's Parcel Number (APN) 0631-201-68. The Project will be constructed on 7.5-acre parcel and each campsite will include a parking space, tent or RV/trailer area, shade structure, and picnic table. The Project will include an estimated 20-foot-wide compacted dirt road to allow access to the 15 campsites. The Project will not include connection to water service and will place portable restrooms or "porta potties" in shared use areas in the campsite. Electricity will be provided for an automated gate, fence, and lighting by the use of solar panels and batteries. The APN has pre-existing structures onsite including a cabin, storage structure, bathroom and septic tank that will remain intact and used by the owner.

Location: The Project is located at 62076 Mercury Dr, Joshua Tree, CA 92252. The Project is located in the Northeast corner of the intersection of Adele Lane and Mercury Drive. The project is centered at approximately latitude 34°14'56.5"N and longitude 116°18'29.8"W.

Timeframe: TBD

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

COMMENT #1: Western Joshua Tree (*Yucca brevifolia*)

Section I Aesthetics, Page #12-13; Section IV Biological Resources, Page 22-23

Issue: The Project will potentially have impacts to western Joshua Tree (WJT), a candidate species under the California Endangered Species Act (CESA).

Specific impact: As described, the Project could have direct and indirect impacts to WJT due to Project activities and the intensity/duration of Project activities that will encroach upon WJTs.

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Why impact would occur: Incidental take of WJT individuals may occur as a result of trimming existing individuals root systems, modifying soil moisture availability and drainage patterns, eliminating and modifying habitat; removing seedbank and crushing and/or burying living seeds in the soil, rendering living seeds inviable and/or causing them to be killed. Project activities will occur within 40 feet of WJTs. Grading, compaction of soils, construction of infrastructure, maintenance of infrastructure, and construction and maintenance of parking lots all have the potential to cause impacts to WJTs.

Evidence impact would be significant: The WJT census provided by the County indicates there are 2 WJTs onsite. Project plans describe work activities within 40 feet of WJT individuals and therefore the Project will encroach upon WJT individuals.

Recommended Mitigation Measure(s) (additions in **bold**, deletions in ~~strikethrough~~):

Mitigation Measure BIO-1 (REVISED):

~~BIO-1: Two (2) Joshua trees were found on site during the focused Western Joshua Tree census survey performed in 2024. Any impacts to the Joshua tree or within forty (40) feet of the Western Joshua Tree shall require compliance with the Western Joshua Tree Conservation Act (WJTCA), which was passed in July 2023 to conserve Western Joshua Tree and its habitat while supporting the state's renewable energy and housing priorities. The WJTCA authorizes CDFW to:~~

- ~~• Permit the trimming and removal of hazardous or dead Western Joshua Trees.~~
- ~~• Permit the incidental take of Western Joshua Trees under CESA provided the permittee meets certain conditions.~~

~~The Project shall avoid impacts to the Western Joshua Trees on site through avoiding construction within 40 feet of the trees onsite. If it becomes necessary for construction to occur within 40 feet of the trees onsite (i.e. impact the trees per the WJTCA), any proposed impacts to the Joshua trees on site shall require prior authorization from CDFW pursuant to the WJTCA. Removal of onsite Joshua trees or century plants shall be required to comply with Section 88.01 of the San Bernardino Development Code, which requires the issuance of a permit prior to the removal of regulated trees and plants.~~

Prior to the initiation of WJT encroachment, trimming or pruning or any activity that may result in take of WJT, the Project Proponent should obtain California Endangered Species Act (CESA) Incidental Take Permit (ITP) under Section 2081b of the CESA, or under the Western Joshua Tree Conservation Act (WJTCA) of Fish and Game Code (§§ 1927-1927.12). California Fish and Game Code section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill". Mitigation for CESA will occur at a minimum 1:1 or

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per the stem count per the WJTCA census in lieu fee. Mitigations fees are updated annually: Western Joshua Tree Conservation Act Incidental Take Permit.

COMMENT #2: Desert Kit Fox (*Vulpes macrotis*)

Issue: The Project could impact desert kit fox, a fur-bearing mammal (Title 14 CCR section 460), during the construction of the Project and the life of the Project.

Specific impact: Impacts to desert kit fox could occur both during the construction of the Project and the operation and maintenance of the Project post-construction. The Project could result in the collapse of occupied burrows, and/or direct mortality or injury of desert kit fox.

Why impact would occur: This Project's biological assessment did not consider impacts to desert kit fox based on field surveys and habitat assessment. The California Natural Diversity Database (CNDDDB) provides a GIS data layer of the extent of "Kit Fox Predicted Habitat", which models the Project location as "High" predicted habitat.

Evidence impact would be significant: The desert kit fox is a Furbearing Mammal that is protected from take by California Code of Regulations Title 14 CCR § 460 and may be resident on the Project site. Project documentation does not propose mitigation measures to minimize potential significant impacts to desert kit fox.

CDFW strongly recommends the following Mitigation Measure to avoid significant impacts to desert kit fox.

Recommended Mitigation Measure(s):

Mitigation Measure-BIO-3 Desert Kit Fox (NEW)

No more than fourteen (14) days and no less than three (3) days prior to the beginning of surface disturbance, the Designated Biologist shall conduct a pre-Project 10-meter transect survey (or reduced based on topography and vegetation), to attain 100% visual coverage within the Project area and a minimum 200-meter buffer to determine the presence or absence of desert kit fox individuals, dens, and sign. Permittee shall provide the results of the survey to CDFW prior to start of Project activities.

If potential dens are located, they shall be monitored by the Designated Biologist. Trail cameras may be used to assist with observation but shall not be the sole basis upon which the status is determined. Permittee shall provide a determination if active dens can be avoided and buffered from Project activities to prevent take and disturbance with the survey results.

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Should active dens be present within the Project area that cannot be avoided with an adequate buffer, the Permittee shall reschedule Project activities or submit a monitoring and relocation plan for CDFW's review and approval. No disturbance or relocation of active dens may take place when juveniles may be present and dependent on parental care.

Permittee shall block off inactive dens within the buffer zone with rocks and sticks to discourage use during Project activities and remove when construction is complete. The Designated Biologist shall periodically check the inactive burrows remain blocked and are not reoccupied.

COMMENT #3: Crotch's Bumble Bee (*Bombus crotchii*)

Issue: The Project may impact suitable habitat for Crotch's bumble bee (CBB), a CESA candidate species, and has the potential for take pursuant to Fish & G. Code, § 2081(b). The IS/MND does not consider the potential impacts by the Project to Crotch's bumble bee which could result in permanent and temporary loss, degradation, and impacts the species habitat.

Specific impact: The Project may result in temporal or permanent loss of suitable nesting and foraging habitat. Project ground-disturbing activities may cause death or injury of adults, eggs, and larva through collapsing burrows, entombment, displacement, and vegetation removal that reduces foraging and nesting habitat and habitat quality.

Why impact would occur: Direct impacts to CBB individuals could occur through the removal of host plants that occur on the Project site or that have been documented in the general vicinity.

Evidence impact would be significant: The General Biological Assessment for the Project noted the presence of rush milkweed (*Asclepias subulata*) a nectar source for CBB. Furthermore, another nectar source for CBB, notch-leaved phacelia (*Phacelia crenulata*) has been documented in the vicinity of the Project (Thorp et. Al. 1983, Williams et Al, 2014).

Recommended Mitigation Measure(s):

Mitigation Measure BIO-4 Crotch's Bumble Bee

BIO-4 Crotch's Bumble Bee Habitat Assessment (NEW)

Prior to vegetation removal and/or grading, a Designated Biologist shall conduct a habitat assessment to determine whether Crotch's bumble bee habitat is present or absent in the Project site and adjoining area. The habitat assessment shall be performed according to the 2023 CDFW Survey Considerations for Candidate Bumble Bee.

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If habitat for Crotch's bumble bee is present, a Designated Biologist shall conduct focused surveys prior to vegetation removal and/or grading for the presence/absence of Crotch's bumble bee. Survey methodology shall follow the 2023 CDFW Survey Considerations for Candidate Bumble Bee. Surveys shall be conducted during the flying season when the species is most likely to be detected above ground, between March 1 to September 1, by an approved Designated Biologist familiar with Crotch's bumble bee behavior and life history. Surveys shall be conducted within the Project site and areas adjacent to the Project site where suitable habitat exists. Survey results including negative findings shall be submitted to CDFW at least 30 days prior to Project-related vegetation removal and/or ground-disturbing activities. If the species is identified on site, Project Proponent shall fully avoid the species absent take authorization. If the Project may result in take of Crotch's bumble bee through either nest destruction or destruction of potential nests hidden in bunch grasses or other nesting habitat, 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.

COMMENT #4: Nesting Birds

Section #IV Biological Resources, Page #24-25

Issue: CDFW is concerned that the information assessed in the biological assessment may not be sufficient to ensure that the Project does not impact nesting birds.

Specific impact: The Project could result in the loss of nesting bird and foraging habitat for (non-) passerine and raptor species.

Why impact would occur: The Project will construct 15 dry camp sites. The Project location is described as paved but aerial imagery does not clearly indicate the location is paved, any development could impact nesting birds. The biological assessment indicates that if Project construction would occur between February 1 through September 15 a survey shall be conducted. CDFW would strongly advise a nesting bird pre-construction survey regardless of the time of year as the timing of bird 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/or later in the year than historical nesting season dates. The General Biological Assessment indicates white-crowned sparrow (*Zonotrichia leucophrys*) was observed onsite, this species is known to forage and nest on the ground and therefore any activities impacting the ground or ground disturbance could cause potential impacts.

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Evidence impact would be significant: 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.

CDFW strongly recommends the following Mitigation Measure to avoid significant impacts to nesting birds.

Recommended Mitigation Measure(s):

Mitigation Measure BIO-5 Nesting Birds

BIO-5 Nesting Birds (NEW)

All Project related activities shall be conducted outside of the typical nesting bird season (January 15 to August 31) to the maximum extent feasible. Regardless of the time of year, a qualified avian biologist shall conduct pre-construction nesting bird surveys at the appropriate time of day/night, during appropriate weather conditions no more than 3 days prior to the initiation of ground disturbing activities. The survey shall focus on all suitable nesting areas such as but not limited to: trees, shrubs, bare ground, burrows, cavities, and structures. If a nest is suspected, but not confirmed, the qualified avian biologist shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be confirmed based on observations. If a nest is observed, but thought to be inactive, the qualified avian biologist shall monitor the nest for at least 1 hour. When an active nest is confirmed, the qualified avian biologist shall immediately establish a conservative buffer surrounding the nest based on their best professional judgement and experience. 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 manner that it attracts predators. The qualified avian biologist shall monitor the nest to determine the efficacy of the buffer and shall adjust the buffer accordingly if it is determined to have an adverse reaction. The qualified avian biologist shall monitor the nest daily until activities are no longer within 300 feet of the nest, or the fledglings become independent of their nest, or the nest has failed. Documentation of surveys and findings should be submitted to the CDFW within 10 days of the last survey. If special status species such as but not limited to: burrowing owl, Cooper's hawk, golden eagle, LeConte's thrasher, loggerhead shrike, northern harrier, prairie falcon, Swainson's hawk, are found within or adjacent to the Project area then ground

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disturbing activities shall immediately halt and the Project proponent shall contact CDFW Region 6 Inland Deserts Region.

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 (CNDDDB). The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/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 in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Steven Recinos, Environmental Scientist at (909)731-5954 or Steven.Recinos@wildlife.ca.gov.

Sincerely,

DocuSigned by:

84FBB8273E4C480...

Alisa Ellsworth
Environmental Program Manager

ec: Office of Planning and Research, State Clearinghouse, Sacramento

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REFERENCES

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2. California Department of Fish and Wildlife. Biogeographic Data Branch, 2025. California Wildlife Habitat Relationship System, White-Crowned Sparrow. Sacramento, CA.
3. Thorp, R.W., D.S. Horning, and L.L. Dunning. 1983. Bumble bees and cuckoo bumble bees of California (Hymenoptera: Apidae). Bulletin of the California Insect Survey 23
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Mitigation Measure		Timing	Responsible Party
MM-BIO-1 Western Joshua Tree (Revised)	<p>Removal of onsite Joshua trees or century plants shall be required to comply with Section 88.01 of the San Bernardino Development Code, which requires the issuance of a permit prior to the removal of regulated trees and plants.</p> <p>Prior to the initiation of WJT encroachment, trimming, or pruning or any activity that may result in take of WJT, the Project Proponent should obtain California Endangered Species Act (CESA) Incidental Take Permit (ITP) under Section 2081b of the CESA, or under the Western Joshua Tree Conservation Act (WJTCA) of Fish and Game Code (§§ 1927- 1927.12). California Fish and Game Code section 86 defines “take” as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”. Mitigation for CESA will occur at a minimum 1:1 or per the stem count per the WJTCA census in lieu fee. Mitigations fees are updated annually: Western Joshua Tree Conservation Act Incidental Take Permit.</p>	Prior to commencing ground- or vegetation-disturbing activities.	Project Proponent
MM-BIO-3 Desert Kit Fox (NEW)	<p>No more than fourteen (14) days and no less than three (3) days prior to the beginning of surface disturbance, the Designated Biologist shall conduct a pre-Project 10-meter transect survey (or reduced based on topography and vegetation), to attain 100% visual coverage within the Project area and a minimum 200-meter buffer to determine the presence or absence of desert kit fox individuals, dens, and sign. Permittee shall provide the results of the survey to CDFW prior to start of Project activities.</p> <p>If potential dens are located, they shall be monitored by the Designated Biologist. Trail cameras may be used to assist with</p>	Prior to commencing ground- or vegetation-disturbing activities.	Project Proponent

Luis Rodriguez, Planner
 San Bernardino County
 March 12, 2024
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	<p>observation but shall not be the sole basis upon which the status is determined. Permittee shall provide a determination if active dens can be avoided and buffered from Project activities to prevent take and disturbance with the survey results.</p> <p>Should active dens be present within the Project area that cannot be avoided with an adequate buffer, the Permittee shall reschedule Project activities or submit a monitoring and relocation plan for CDFW's review and approval. No disturbance or relocation of active dens may take place when juveniles may be present and dependent on parental care.</p> <p>Permittee shall block off inactive dens within the buffer zone with rocks and sticks to discourage use during Project activities and remove when construction is complete. The Designated Biologist shall periodically check the inactive burrows remain blocked and are not reoccupied.</p>		
<p>MM-BIO-4 Crotch's Bumble Bee (NEW)</p>	<p>Prior to vegetation removal and/or grading, a Designated Biologist shall conduct a habitat assessment to determine whether Crotch's bumble bee habitat is present or absent in the Project site and adjoining area. The habitat assessment shall be performed according to the 2023 CDFW Survey Considerations for Candidate Bumble Bee.</p> <p>If habitat for Crotch's bumble bee is present, a Designated Biologist shall conduct focused surveys prior to vegetation removal and/or grading for the presence/absence of Crotch's bumble bee. Survey methodology shall follow the 2023 CDFW Survey Considerations for Candidate Bumble Bee. Surveys shall be conducted during the flying season when the species is most likely to be detected</p>	<p>Prior to commencing ground- or vegetation-disturbing activities.</p>	<p>Project Proponent</p>

Luis Rodriguez, Planner
 San Bernardino County
 March 12, 2024
 Page 12

	<p>above ground, between March 1 to September 1, by an approved Designated Biologist familiar with Crotch’s bumble bee behavior and life history. Surveys shall be conducted within the Project site and areas adjacent to the Project site where suitable habitat exists. Survey results including negative findings shall be submitted to CDFW at least 30 days prior to Project-related vegetation removal and/or ground-disturbing activities. If the species is identified on site, Project Proponent shall fully avoid the species absent take authorization. If the Project may result in take of Crotch’s bumble bee through either nest destruction or destruction of potential nests hidden in bunch grasses or other nesting habitat, 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.</p>		
<p>MM-BIO-5 Nesting Birds (NEW)</p>	<p>All Project related activities shall be conducted outside of the typical nesting bird season (January 15 to August 31) to the maximum extent feasible. Regardless of the time of year, a qualified avian biologist shall conduct pre-construction nesting bird surveys at the appropriate time of day/night, during appropriate weather conditions no more than 3 days prior to the initiation of ground disturbing activities. The survey shall focus on all suitable nesting areas such as but not limited to: trees, shrubs, bare ground, burrows, cavities, and structures. If a nest is suspected, but not confirmed, the qualified avian biologist shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be confirmed based on observations. If a nest is observed, but thought to be inactive, the qualified avian</p>	<p>Prior to commencing ground- or vegetation-disturbing activities.</p>	<p>Project Proponent</p>

Luis Rodriguez, Planner
San Bernardino County
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	<p>biologist shall monitor the nest for at least 1 hour. When an active nest is confirmed, the qualified avian biologist shall immediately establish a conservative buffer surrounding the nest based on their best professional judgement and experience. 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 manner that it attracts predators. The qualified avian biologist shall monitor the nest to determine the efficacy of the buffer and shall adjust the buffer accordingly if it is determined to have an adverse reaction. The qualified avian biologist shall monitor the nest daily until activities are no longer within 300 feet of the nest, or the fledglings become independent of their nest, or the nest has failed. Documentation of surveys and findings should be submitted to the CDFW within 10 days of the last survey. If special status species such as but not limited to: burrowing owl, Cooper's hawk, golden eagle, LeConte's thrasher, loggerhead shrike, northern harrier, prairie falcon, Swainson's hawk, are found within or adjacent to the Project area then ground disturbing activities shall immediately halt and the Project proponent shall contact CDFW Region 6 Inland Deserts Region.</p>		
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Land Use Services Department Planning

www.SBCounty.gov

Mark Wardlaw
Director

Marlene Ambriz
Assistant Director

Susan O'Strander
Assistant Director

March 17, 2025

Alisa Ellsworth
Environmental Program Manager
California Department of Fish and Wildlife (CDFW)
Inland Desert Region
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 92415
alisa.ellsworth@wildlife.ca.gov

RE: RESPONSE TO COMMENTS ON MITIGATED NEGATIVE DECLARATION (MND)– JOSHUA TREE-MERCURY DRIVE-DRY CAMP SITE (PROJECT)-SCH#2025020486

Dear Alisa Ellsworth:

This letter serves to provide an acknowledgement of receipt of comments, and to inform you that after review of the Conditional Use Permit (CUP), the recommended mitigation measures will be incorporated, subject to the following corrections related to comments about paving and septic tank assumptions.

During the review of the project with the San Bernardino Land Development Division and Special Districts Division, the requirement to pave the driveways and abutting street has since been waived. Instead, the waiver granted the applicants to prepare and maintain the dirt road to the required specifications of the County Fire Department to ensure safe access.

The other is response to comments stemming from error in text within the IS/MND document that was overlooked. Under the "Utilities" section it states there will be use of existing septic tank system. However, the project site does not contain such a system, and the County is allowing use of portable bathrooms with a maintenance agreement and annual filing of a Special Use Permit per the Conditional Use Permit's Conditions of Approval.

Finally, with respect to encroaching on the required 50-foot radius surrounding Joshua Trees, there is no proposed work (no ground disturbing activities) happening within these safe zones. The site plan shows two existing and dated accessory buildings with an irrigation water tank shown within the 40-foot safety barrier of a growing and thriving Joshua Tree. Additionally, since no pavement is required, the applicants have the flexibility of placing the campsites within disturbed areas with no vegetation. The applicants desire to keep, maintain, and encourage new growth of native vegetation to enhance the "dry-camp experience" There will be further plantings of native species to enhance the layout of the campground. There are no plans to remove or trim any Joshua Trees or any other native vegetation.

BOARD OF SUPERVISORS

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PROJ-2022-00218-CUP-
February 11, 2025
PAGE 2 of 2

We opted to include the western Joshua Tree Conservation Act Incidental Take Permit, should the applicants initiate any new work within the 50-foot protection radius. However, currently there is no new such proposed work within the protection barrier of the Joshua Trees, and the CUP is for new development and operations of establishing a “dry” campground.

Please see the revised and updated Mitigation Monitoring Reporting Program (MMRP) demonstrating the added recommended mitigation measures from CDFW.

If you have any questions about the items requested, or if you would like to set up a meeting to discuss your project, you can reach me directly at (909) 387-4106 or via e-mail at Luis.Rodriguez@lus.sbcounty.gov.

Sincerely,

Luis Rodriguez

Luis Rodriguez, Contract Planner

Attach: Updated MMRP document with added CDFW Mitigation Measures

EXHIBIT E

July 17, 2024

TO: San Bernardino County Planning Division
385 North Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415

RE: PROJ-2023-00023 - Conditional Use Permit, Campground
Subject: Letter of Intent for the Establishment of a primitive, “dry” campground in North Joshua Tree, CA (APN 0631-201-68)

Dear San Bernardino County Planning Division,

I am writing to formally express our intent to establish a remote, primitive campground in Joshua Tree, California. We seek approval and collaboration with the San Bernardino County Planning Division to bring this unique outdoor experience to life.

Campground Overview:

The proposed property is situated on 7.5 acres of remote land with the RL/Rural Living designation and the project plan has been developed to ensure minimal disruption to existing habitat and does not require building permits nor heavy construction. The project site borders several acres of vacant unimproved land/abandoned homes, an existing Short Term Rental (STR) cabin and a Single Family Residential property on the east side which sits on 150 acres. Access to the proposed site will be through County designated and approved roads and all roads will be regularly maintained to County standards.

“The Sunday Ranch” will offer a total of 15 dry, primitive campsites for both tent camping as well as temporary, self contained trailers, RVs or camper vans with a maximum length of 25 feet.

The “dry” designation indicates that we will not be offering water for public use and will require guests to bring their own drinking water. We have an already established contract with Burrtec Waste to provide portable toilets, regular servicing and weekly trash pickup.

Each campsite will be approx 250 sq ft, with graded, dirt parking designated for 1 vehicle and ample room to accommodate either a self-contained RV/van no larger than 25ft, or a primitive tent - either provided by the guest or as a rental option provided during booking. Each site will also include a single 10’x10’ wooden shade structure and picnic table. Dedicated trash receptacles will be placed throughout the property and regularly serviced by Burrtec Waste.

Individual fire rings at each site will not be provided and our rules clearly state no individual fires will be permitted at the sites, however fire extinguishers and first aid kits will be provided in case of emergency.

We are aware of recent community concerns about ongoing development and the denial of other campground projects in the area. The Sunday Ranch is committed to addressing these concerns by adhering to the principles outlined in the most recent San Bernardino Countywide Plan and by working closely with the County and Community to address any concerns. To minimize any disruption or impact on the surrounding neighbors, we are committed to implementing robust security and privacy measures.

1. The property will be fenced along neighboring parcels to provide privacy, which will also include native landscape vegetation buffering.
2. The property will be secured with an automated gate at entry and exit, ensuring the privacy and tranquility of both campers and the neighboring community. This gate will be compliant with Fire access regulations.
3. The property already has an existing security system with 24/7 monitoring in the event of an emergency. Guests will have the ability to notify emergency personnel at the push of a button when needed.
4. Each common area will include smoke alarms with automatic emergency response as well as other safety equipment including fire extinguishers and first aid kits.
5. Strict enforcement of campground rules below, which will require guest signature in advance of reservation.

Campground Rules and Regulations:

To ensure the safety of all guests and to minimize the impact on local habitat, guests are required to acknowledge and sign these campground rules and regulations prior to occupancy.

- **Reservation System:** Campsites must be reserved in advance through our online reservation system. Each reservation will require approval contingent on agreement to these rules. If campground rules are broken, hosts have authority to terminate reservation.
- **Guest Occupancy Limit:** Campsite reservations are for 2 persons maximum per site. Any more than 2 people per campsite is strictly prohibited.
- **Quiet Hours:** Quiet hours are enforced from 9:00 PM to 7:00 AM to minimize disruption to wildlife, fellow campers and surrounding neighbors.
- **Parking:** Each campsite has designated parking for 1 vehicle. Guests shall only park in these designated areas, follow all posted traffic signage and use only established roadways. Additional vehicle restrictions include:
 - Vehicle Length Limit: The maximum vehicle length allowed is 25 feet.
 - Offroad Vehicles/Activities are Prohibited: Designated "Off Road" vehicles/ATVs/Dirt Bikes and off road driving activities are strictly prohibited within the campground.
- **Leave No Trace:** Campers must adhere to Leave No Trace principles to preserve the natural environment. All trash and recycling that cannot be packed out should be placed in designated bins.
- **Waste Disposal:** Dispose of waste responsibly using designated waste disposal areas. No dumping of dirty water or other waste byproducts.
- **Toilets:** There are portable pump toilets and hand sanitizing stations placed throughout the property. Guests should utilize the stations located nearest to their campsite.
- **Wildlife Interaction:** Maintain a safe distance and refrain from interacting, feeding or disturbing wildlife. Ensure any food supply is properly secured and avoid keeping food inside tent.
- **No Open Fires or Tent Heaters:** Fires are strictly prohibited anywhere within the camp grounds. No open flames are allowed within the campground for any reason. Tent heating devices are also prohibited.
- **No Firearms:** There are absolutely no firearms allowed at any time and any guest suspected of firearm activity will be immediately reported to the police.
- **No Fireworks:** Fireworks of any kind are strictly prohibited. The use of fireworks will result in

immediate reservation termination.

- **Pets:** To ensure the safety of all guests and due to our remote location, pets are not allowed.
- **Maximum Stay Duration:** Guests are permitted to stay at any one site for a maximum duration of 10 days.

Support for Mojave Desert Preservation:

The Sunday Ranch is committed not only to providing a unique outdoor experience but also to actively contributing to the preservation of the Mojave Desert environment. A portion of each campsite booking will be dedicated to supporting local initiatives focused on wildlife habitat conservation, ecological restoration, and sustainable land management practices within the Mojave Desert.

These contributions will be donated to The Mojave Desert Land Trust, an organization dedicated to conservation in the local and surrounding area.

Our ongoing collaboration with local environmental organizations will allow us to channel these funds effectively. We plan to engage in projects such as habitat restoration, invasive species control, and educational outreach programs to raise awareness about the fragile ecosystem of the Mojave Desert.

We understand the importance of responsible development and are committed to working collaboratively with the community and local authorities to ensure that The Sunday Ranch enhances the local environment without compromising its integrity. We are open to community input and are willing to make adjustments to our plans based on the feedback received during the public review process.

We appreciate your time and consideration and look forward to working collaboratively with the San Bernardino County Planning Division to make The Sunday Ranch a responsible and sustainable addition to the community.

Thank you for your consideration and support. David Lee & Joseph Milburn

EXHIBIT F

From: [Tina Bluefield](#)
To: [Mawby, Linda](#)
Subject: Comment on PROJ-202300023, dry campsites in N. Joshua Tree
Date: Monday, November 6, 2023 12:49:40 PM

You don't often get email from tbluefield@mail.com. [Learn why this is important](#)

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.

RE: PROJ-202300023,
62076 Mercury Drive, Joshua Tree CA 92252
APN 0631-201-25 & 0631-201-60

Dear SBC LUS friends:

I am writing to urge you not to approve this proposal.

This type of project, 15 camping sites on 7.5 acres, or 5 sites per 2.5 acres does not fit in RL zoning. 2.5 acres is the size of a normal small residential parcel in this area, zoned RL, where normally a single residence is allowed.

How is it that a commercial site is allowed in RL zoning?
This is a blessedly peaceful safe neighborhood.

Already from this site, where construction began some months ago, and tents and RV's were brought in, we have had issues with gunshots at night (the Sheriff was called out twice), and many instances of loud music for many hours during the day and late at night - the kind of music with a deep boom bass vibration that carries for a long distance and makes enjoying a lovely desert evening impossible and sleeping difficult. Sound carries easily across the desert sand where there are no buildings, trees or protective hills. One night whoever was at the site set some creosote bushes on fire which fortunately did not spread. The address sign at the site currently announces : **"No Trespassing, Armed Response"**

We do not wish to have 15 campers or camping groups of strangers in our neighborhood. This unsupervised site would invite in campers who might be drinking, taking drugs, and carrying guns. If this was a permanent resident/neighbor or renter, we could talk and resolve the issue. However I would not feel safe approaching a group of strangers playing loud music and/or riding ORV's not knowing if they were intoxicated and/or had guns. I don't see anything in the project outline about building fires, which campers often assume they can do "out here in the middle of nowhere"...another thing we do not want in our neighborhood. We are not "in the middle of nowhere." This is our home.

Why would we want to bring such possibilities of danger and noise into our safe quiet residential neighborhood?

Anyone could come in with dogs who might not be on leashes and who bark at every passing coyote or unfamiliar sound; or quads and other noisy polluting off-road vehicles who could ride around disturbing the fragile desert surface and vegetation. In my experience, the owners of these vehicles often have minis and allow them to be ridden by children as young as 4 or 5; neither visiting out-of-area adults or children would have any idea how delicate the environment is or how the noise and dust might affect the full-time residents of the area. And many don't care, they see the desert as empty land as if it were a paved parking lot.

Please consider doing something about these projects that do not fit in RL zoned residential areas being give Conditional Permits so that residents and County officials have to spend time and resources again and again dealing with them. If this is a loophole in the RL zoning, let's fix it.

I am a professional artist, I live and work at home. I did not invest my savings and build here in an RL zoned area to live near a public camping site or any other commercial enterprise.

Please do not allow this unsuitable project to go forward.
Thank you for reading my comments.

Sincerely,
Tina Bluefield, full-time resident owner and tax-payer,
62175 Saturn St., North Joshua Tree
APN 0631-221-02-0-000 and APN 0631-221-07-0-0000

From: [Wendy Wacker](#)
To: [Mawby, Linda](#)
Subject: Fwd: PROJ-2023-00023
Date: Friday, November 3, 2023 4:48:31 PM

You don't often get email from wwacker3@gmail.com. [Learn why this is important](#)

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.

Hello again,

Thanks so much and here you go:

Wendy

----- Forwarded message -----

From: **Wendy Wacker** <wwacker3@gmail.com>
Date: Fri, Nov 3, 2023 at 4:38 PM
Subject: PROJ-2023-00023
To: <anthony.deluca@lus.sbcounty.gov>

Dear Mr. DeLuca,

My name is Wendy Wacker, and I own 160 acres adjacent (due East) to the proposed 15-Site dry campground at 62076 Mercury Drive. I also own 320 acres North and just East of said property (between Moon and Reche). Those respective parcel numbers are: 0631-201-27-0-000 and 0630-311-02-0-000.

Please know I am writing to both strongly but respectfully object to this proposed project. It has been my understanding that this area is zoned for Rural Living, which is why I purchased these two properties in the first place, 10 and 5 years ago respectively, and built a house on one of them. I have 5 neighbors (in 5 homes) surrounding my property who live here year round because they (like myself) are privileged (through hard work) to be able to enjoy quiet, majestic living in this beautiful desert landscape that is home to us.

To date, the people who have been coming to camp on this proposed site have been nothing but a nuisance, and a dangerous one at that. I've had the fire department out there once because they had crossed onto my property and burned several of my creosote bushes (during the drought and at peak fire season). I've had the police out twice earlier this year (13 May & 14 May) because campers were firing pistols toward my property at night and then had walked onto my 320 acres the next day, after having been told by the police that firing guns in residential areas and on private property is illegal (not to mention lacking in common sense).

When the police came the night of the 13th, the officers explained that the men had said in their "defense" that they did not understand that firing handguns into the open desert toward peoples' homes was problematic. The very next afternoon, I, my nephew, and his girl were sitting on our patio enjoying lunch when shots rang out again. My nephew went to investigate and found them firing guns, in random directions, on my property (that is raw land to the

North). Different officers came out a second time, and the campers lied to them saying they didn't know the rules (after they'd been told the rules the night before). That they even have to be told rules re firing handguns at night (or day) in residential areas is ridiculous, but this is the kind of visitor this campground is attracting. Please know I am not in favor of gun control. I am in favor of common sense, respect, decency, and civility: none of which has been evidenced by any of the campers that have camped here during the past couple of years.

Every time they're here, the campers blast their music all night long. This entire area is open desert, and sound carries. I'm all for people being able to enjoy themselves from time to time on their property, but not when it's continual and disrupts residents' sleep and runs roughshod over residents' rights to enjoy their own property peacefully. The campers continue to cross onto my property to hang solar lights in my bushes, and I don't mean a few feet in (though that's bad enough). We've found their lighting 30 feet into my land running across the western edge of my property. My house is plainly visible from their campground such that there is no excuse.

My business partner and I are in the real estate business. We purchase raw land for residential development among other types of land investments, so I well understand business as it pertains to land and ownership thereof. However, as stated, this area is RL zoning and has long been occupied by taxpayers who live here and enjoy the lifestyle that the rural desert offers. Such a development, in this particular location, is ruinous. And, unfortunately, I've already seen, firsthand, the kind of folks this type of development attracts. I also know that at least one of my neighbors is fearful to speak up out of fear of being shot and/or retaliated against. This may seem far fetched to you, and, quite frankly, I would have thought the same until May of this year. I never conceived the possibility that I (or my nephew) could be shot while walking our own land in Joshua Tree, CA. Had we been walking the land on 14 May (this past Spring), we might well have been shot and killed; such was the way they were wielding their guns. I am now afraid to walk my own land.

Please, please, please do not let this planned development see the light of day.

I beg you.

Respectfully, Sincerely,

Wendy Wacker
Founding Partner
Kilani & Wacker, LLC

wwacker3@gmail.com
760-408-6739

45800 Vista Dorado Drive
Indian Wells, CA 92210

71947 Desert Drive
Rancho Mirage, CA 92270

62300 Saturn Street
Yucca Mesa, CA 92284

Michael Henson
\$5 Pizza Place
282 Old Woman Springs Road
Yucca Valley, CA 92284

11/25/2024

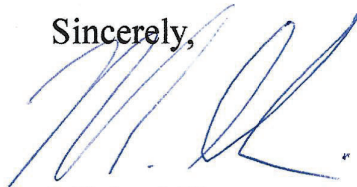
Michelle Feliciano, Luis Rodriquez, & Mark Wardlaw
San Bernardino County
Land Use Services Department
385 N. Arrowhead Ave., First Floor
San Bernardino, CA 92415

ATTN: Support for PROJ-2023-00023

Dear Michelle, Luis, & Mark:

Hello, my name is Michael Henson, and I am the owner of \$5 Pizza Place in Yucca Valley, CA. I am writing to formally show my support for PROJ-2023-00023 campground development project. I have had the chance to get to know the owners, Joseph Milburn and David Lee, and am in full support of their project. They have been fantastic customers of my local business over the last few years as they have been working on their project. I believe their campground project will provide a great service for folks who visit the Joshua Tree / Yucca Valley area. Furthermore, guests staying at their campground will help our area from an economic perspective and generate revenue for my local business. As stated above, this letter is to formally show my support for PROJ-2023-00023.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael Henson', with a stylized flourish at the end.

Michael Henson
\$5 Pizza Place

January 09, 2025

Michel Cicero
1838 Mountain Shadow Road
Joshua Tree, CA 92252

San Bernardino County
Land Use Services Department
385 N. Arrowhead Ave., First Floor
San Bernardino, CA 92415

RE: Support for PROJ-2023-00023 Dry Campground Project

Luis, Michelle, Mark, Paul, Bill, Thomas, and Team-

I am writing to you today to offer my wholehearted support for PROJ-2023-00023. As a real estate broker in Joshua Tree, the current president of the Copper Mountain Mesa Community Association and former Landers representative for the San Bernardino County Municipal Advisory Council, I have a deep connection to the neighborhood where this project will be located. Having a local camping option for visiting friends and family would be providing a much-desired amenity, especially since it offers an alternative to short-term rentals—which are taking away valuable housing stock from locals. This project directly addresses that concern, and from my vantage point, it's exactly the type of project that should be supported.

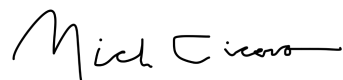
Beyond the practical benefits, this project offers something even more valuable: the opportunity for visitors to deeply connect with the natural beauty of our region. In today's fast-paced world, it's increasingly important to find moments of peace and rejuvenation in nature. Furthermore, this project provides a structured and managed environment for visitors to enjoy the natural beauty of our surroundings. This organized and regulated approach to camping will help protect our delicate desert environment while offering a safe and enjoyable experience for visitors.

Having lived, worked and served in this community for many years, I am confident that PROJ-2023-00023, the Dry Campground Project, is a well-conceived project. It will not impact the quality of life for residents, attract visitors, boost our local economy, and help preserve the natural beauty that makes our area so special.

I strongly urge you to approve this project and help us continue to build a prosperous and welcoming community for all.

I appreciate your dedication to our community and trust in your thoughtful consideration of this important project.

Sincerely,

A handwritten signature in black ink that reads "Michel Cicero". The signature is written in a cursive, flowing style.

Michel Cicero

Ramin Mandgaryan
Dickey's BBQ Pit
58709 29 Palms HWY STE D
Yucca Valley, CA 92284

12/18/2024

San Bernardino County Land Use Services Department [Department Address]

RE: Support for PROJ-2023-00023 Dry Campground Project

Dear San Bernardino County Land Use Services Department,

I am writing to express my strong support for PROJ-2023-00023, the proposed Dry Campground Project, as a business owner in Yucca Valley. My name is Ramin Mandgaryan, and I am the owner of Dickey's BBQ Pit, located at 58709 29 Palms HWY STE D in Yucca Valley.

As a local business owner, I believe that this project will be a valuable asset to our community and will have a positive impact on our local economy. The proposed campground will provide a new and needed amenity for visitors to our beautiful region, attracting more tourism and generating revenue for local businesses like mine. Increased tourism will translate to more customers for restaurants, shops, and other services, boosting the overall economic health of Yucca Valley and the surrounding areas.

I also want to personally vouch for the project owner, Joseph Milburn. Mr. Milburn has been a loyal and valued customer of Dickey's BBQ Pit for the past few years. He is a responsible individual with a clear vision for this project, and I am confident that he will operate the campground in a way that benefits the community and respects the environment.

In addition to the economic benefits, the Dry Campground Project will provide a designated space for visitors to enjoy the natural beauty of our area responsibly. This will help preserve the natural landscape while offering a managed and organized experience for campers.

I believe that PROJ-2023-00023 is a well-planned project that will be a great for the local economy, promote tourism, and offer a needed amenity for visitors. I urge you to approve this project and help us continue to build a thriving community in Yucca Valley.

Thank you for your time and consideration.

Sincerely,



Ramin Mandgaryan Owner, Dickey's BBQ Pit Yucca Valley, CA

December 05, 2024

Murad Eissa
4235 Center Avenue
Joshua Tree, CA 92252

San Bernardino County
Land Use Services Department
385 N. Arrowhead Ave., First Floor
San Bernardino, CA 92415

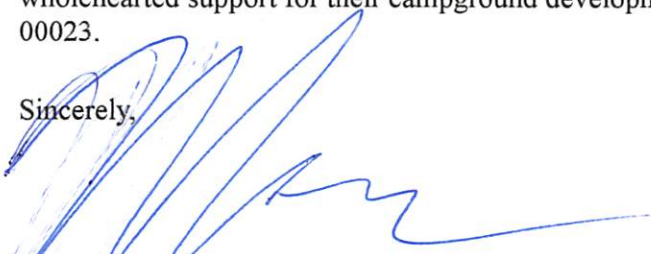
ATTN: Local Joshua Tree Resident support for PROJ-2023-00023.

San Bernardino County Land Use Services Department:

Hi, my name is Murad Eissa, and I am a local Joshua Tree resident that owns property in close proximity to PROJ-2023-00023. I wanted to write a formal letter in support of PROJ-2023-00023. I met the owners of the project David and Joseph literally right when they bought their land and started this project. We met in downtown Joshua Tree, and I could tell right away they were good guys. They told me about their project and since my land is located just down the road from their land, I came out to see their place the following day. I immediately thought their campground project was a great idea and have been out to their place many times over the last few years. I often have friends ask me where a great place is to camp that is close to my property, and I currently do not have a good place to send them. Our area needs a campground like PROJ-2023-00023. David and Joseph have a wonderful vision, and I believe their campground will be unique offering in the area. I love the fact that they are planning to have a quiet, simple, beautiful offering that is near Joshua Tree National Park, Joshua Tree town, and all the other towns and attractions in the area. I would also like to add that both my kids love going over to their land and keep pestering me asking when they will be open for guests as they want to camp there with their friends. Once they are open and ready for guests my son wants to have his birthday there camping with his friends. In addition to formally supporting PROJ-2023-00023 I would also like to make character reference for Joseph Milburn and David Lee. I now have known them for around three years and in that time, I have come to really respect them. They are hard working and honest men that I would like to vouch for. I believe they are great members of our local community and will do everything they can to make sure this project is a good addition to the local community.

With all that being said, I want to formally be on the record voicing my wholehearted support for their campground development project PROJ-2023-00023.

Sincerely,



Murad Eissa
4235 Center Avenue
Joshua Tree, CA 92252

12/4/2024

John Hicks
APN# 0631-201-61
Joshua Tree, CA 92252

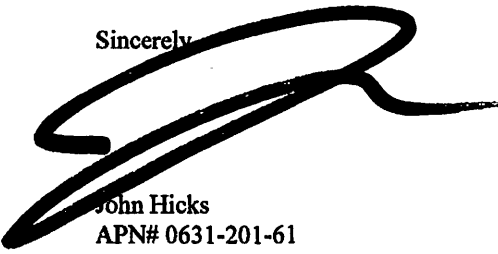
Luis Rodriguez - Mark Wardlaw - Michelle Feliciano
San Bernardino County
Land Use Services Department
385 N. Arrowhead Ave., First Floor
San Bernardino, CA 92415

ATTN: Voicing my support for PROJ-2023-00023 & Joseph Milburn / David Lee

Dear Luis Rodriguez, Mark Wardlaw, Michelle Feliciano-

Good afternoon folks, my name is John Hicks, and I am the owner of APN# 0631-201-61 adjacent to PROJ-2023-00023. This letter is to formally show my support for this campground project. I feel as though it will bring good value to the area and offer a much-needed service to people visiting Joshua Tree and the surrounding area. The owners of the project, Joseph and David, have a deep appreciation for the local area, and I really like their idea of a minimalist campground that is in harmony with the original landscape and environment. I also like the fact that they will have formal rules and regulations that will keep things in nice order when guests are visiting. In summation, this letter is to formally show my support of PROJ-2023-00023.

Sincerely,



John Hicks
APN# 0631-201-61