



# LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

HEARING DATE: July 17, 2025

AGENDA ITEM 4

## Project Description

**APNs:** 3066-251-09

**Applicant:** Durban Development (Stephen Knudsen)

**Community:** Phelan/ Pinon Hills

**Location:** South of Phelan Road, approximately 0.25 miles east of the intersection of Sheep Creek Road/Phelan Road

**Project No:** PROJ-2024-00098

**Staff:** David Mack, Contract Planner

**App Rep:** Erik Noble/ Barghausen Consulting Engineers, Inc.

**Proposal:** Conditional Use Permit for the development of a 23,957 square foot (SF) Tractor Supply Company Building for tractor and equipment sales with up to 19,108 SF of fenced outdoor display area and 3,000 SF of trailer display on 4.81 acres.

## Vicinity Map



Hearing Notices Sent On: July 1, 2025

Report Prepared By: David J. R. Mack, AICP

## **SITE INFORMATION**

Project Size: 4.81 Acres

Terrain: Vacant Land

Vegetation: Highly disturbed and degraded

## **SURROUNDING LAND USE DESCRIPTION**

AREA	EXISTING LAND USE	LAND USE CATEGORY	ZONING DISTRICT
Site	Vacant	Commercial – C	Phelan/ Pinon Hills – PH/CG
North	Vacant Undeveloped Land	Commercial – C	Phelan/ Pinon Hills – PH/CG
South	Single-Family Residences	Low Density Residential 2-5 du/ac max - LDR	Phelan/ Pinon Hills/ Multiple Residential – PH/RM
East	Industrial Facilities	Commercial – C	Phelan/ Pinon Hills – PH/CG
West	Vacant	Commercial – C	Phelan/Pinion Hills – PH

**AGENCY**

City Sphere of Influence:

N/A

Water Service:

Sheep Creek Water Company

Sewer Service:

On-site Septic

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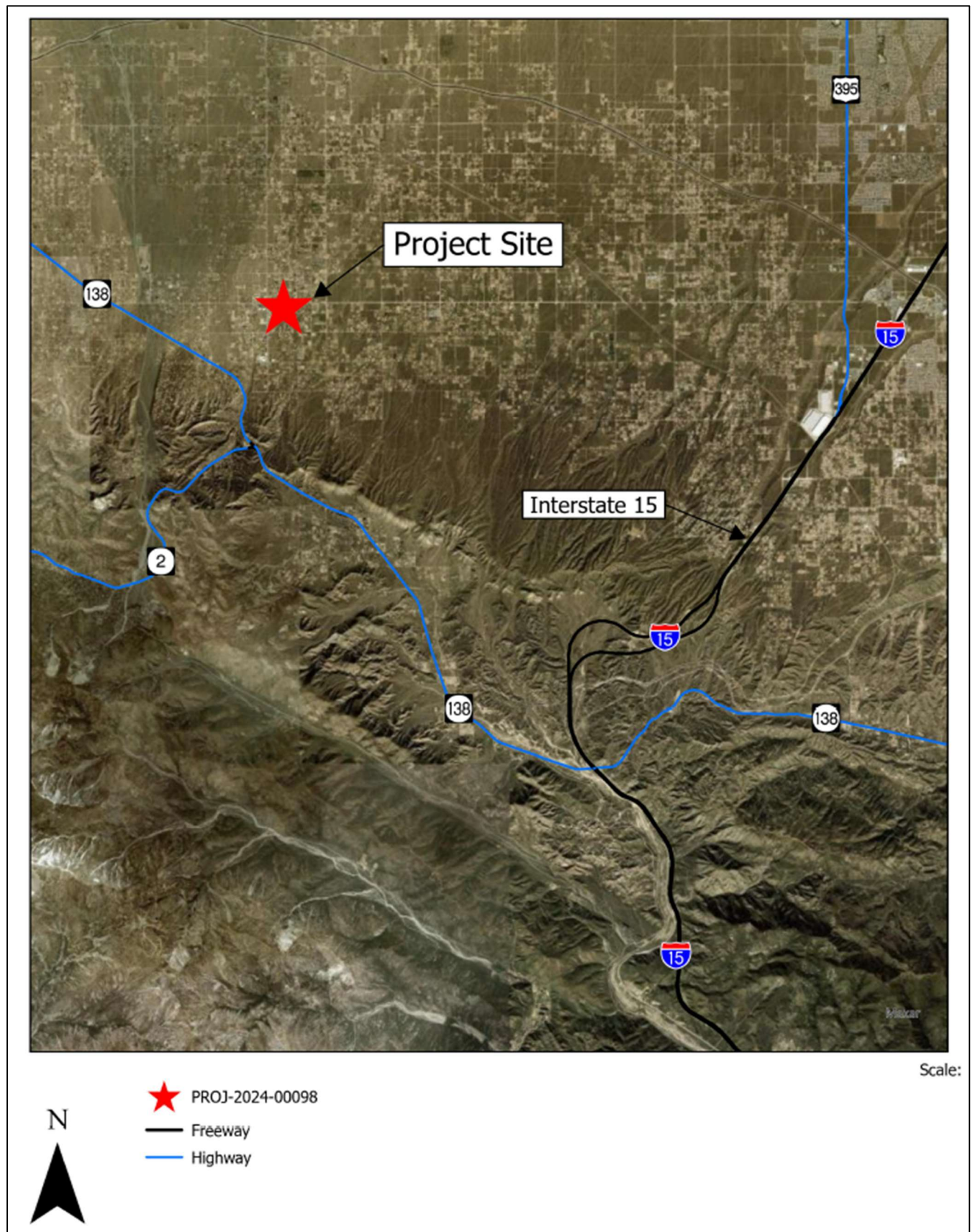
**STAFF RECOMMENDATION:** That the Planning Commission FIND the Conditional Use Permit is exempt from CEQA pursuant to Section 15183 of the CEQA Guidelines; ADOPT the Findings in support of the Conditional Use Permit; APPROVE the Conditional Use Permit, subject to the Conditions of Approval; and DIRECT Land Use Services Department to file the Notice of Exemption. <sup>1</sup>

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

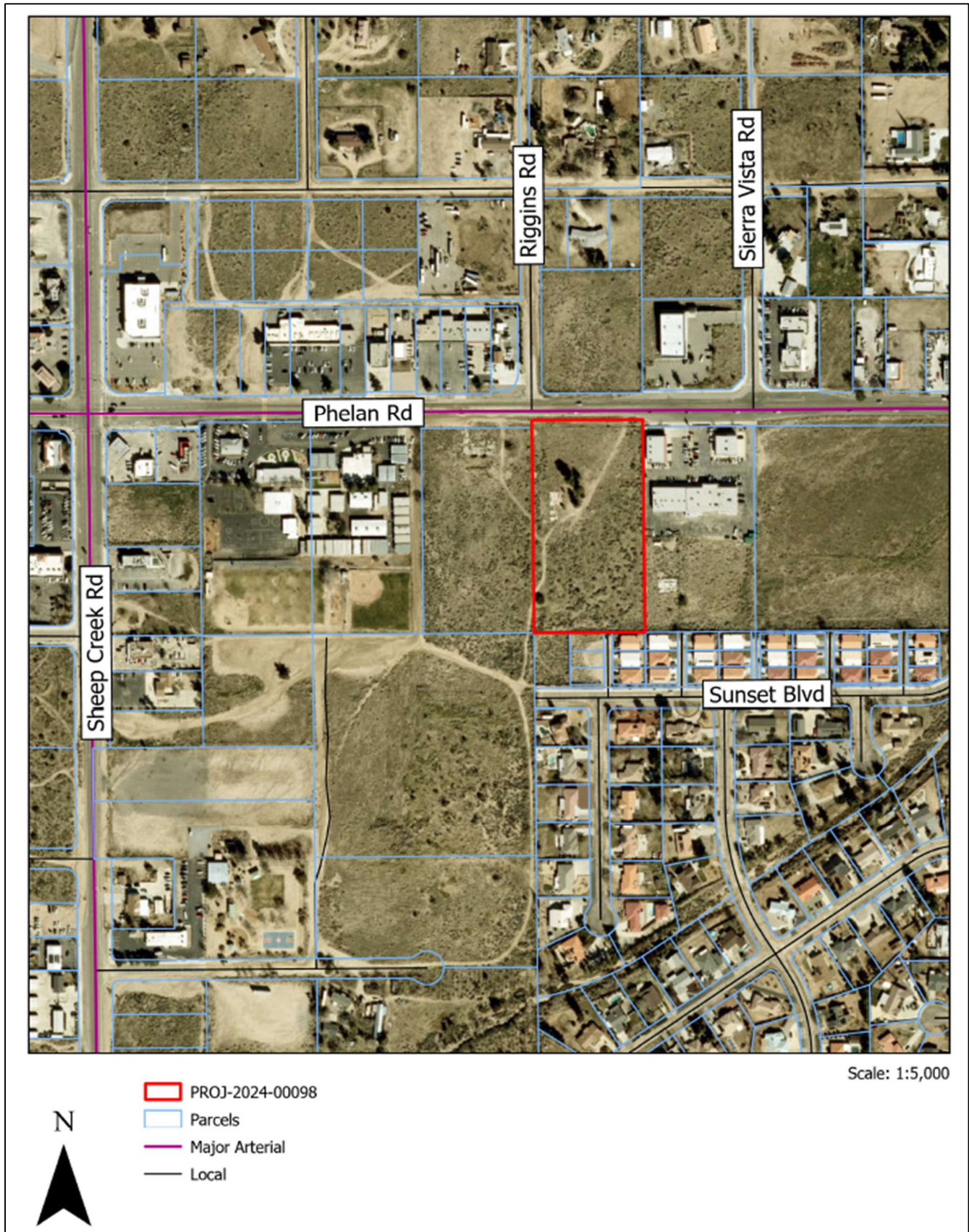
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**FIGURE 1**  
**REGIONAL LOCATION**



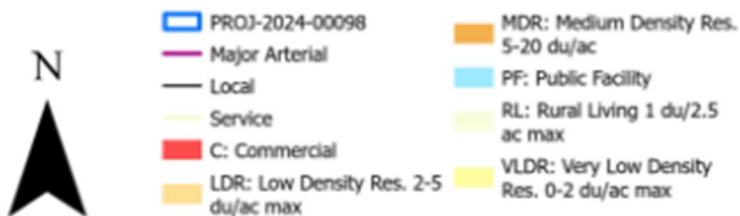
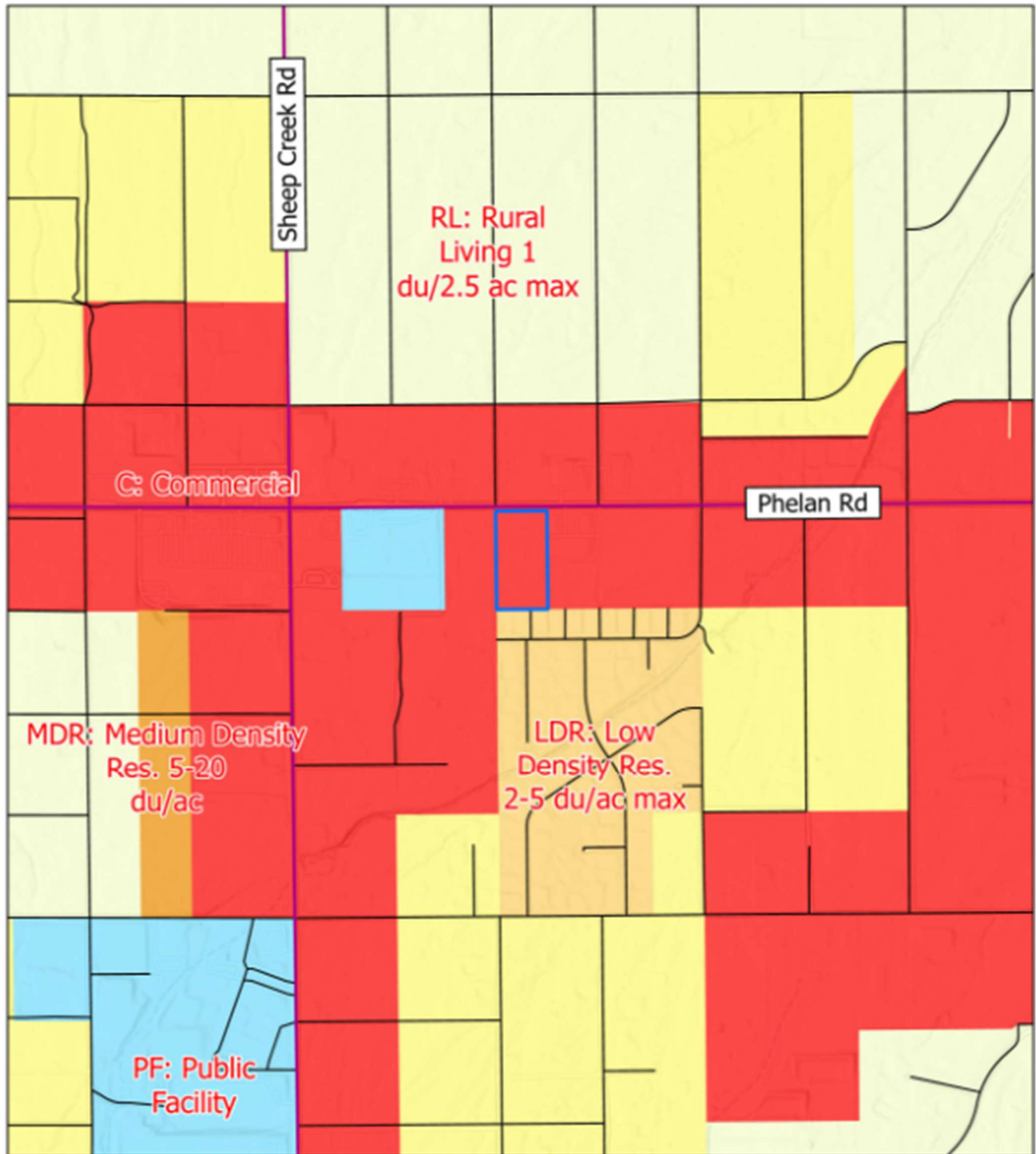


**FIGURE 2  
VICINITY MAP**

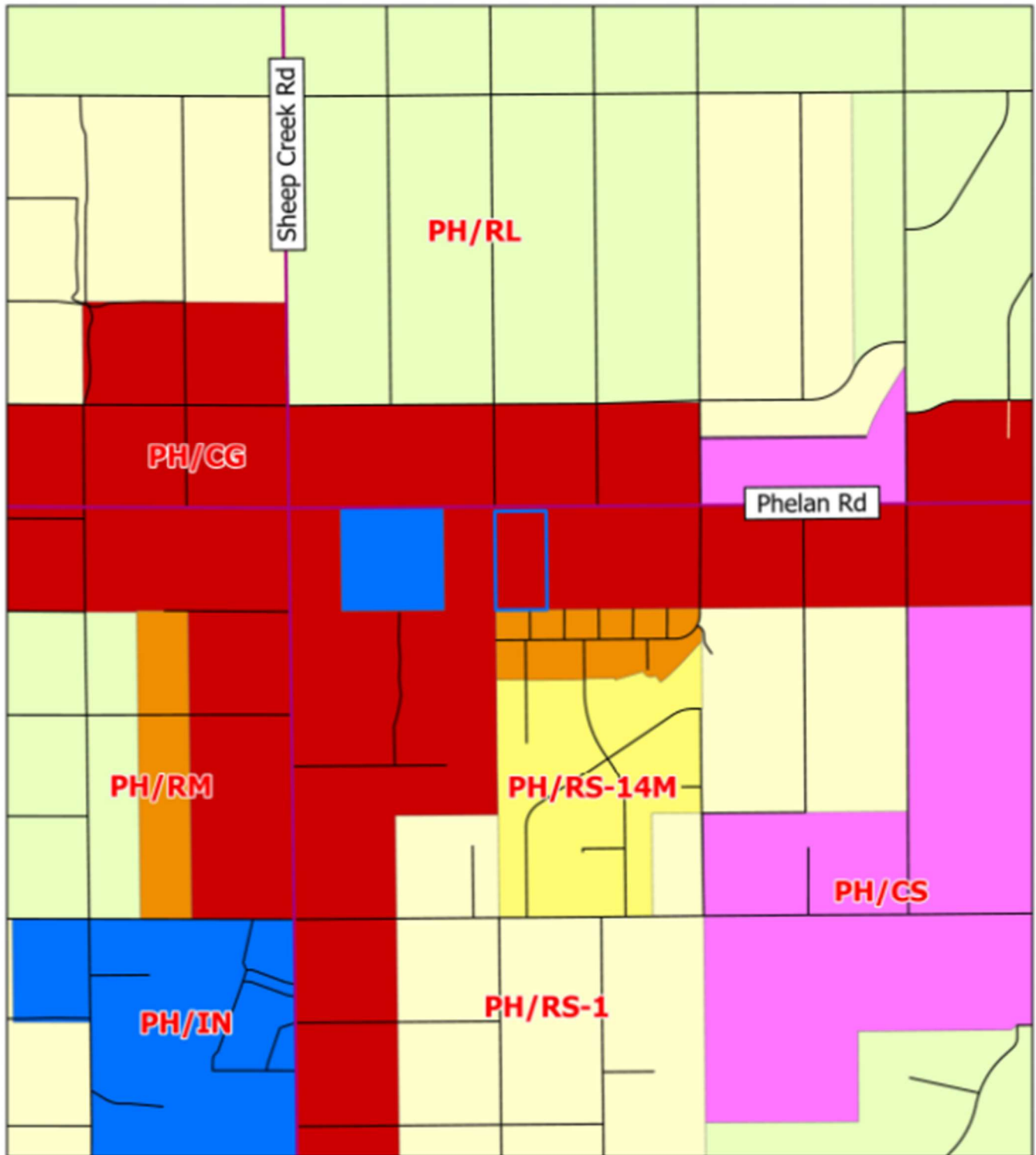




**FIGURE 3**  
**LAND USE CATEGORY MAP**



**FIGURE 4  
ZONING MAP**



Scale: 1:12,000



- |  |  |  |
|--|--|--|
| PROJ-2024-00098                                  | PH/CS: Phelan/Pinon Hills/<br>Service Commercial | PH/RM: Phelan/Pinon Hills/<br>Multiple Residential                   |
| Major Arterial                                   | PH/IN: Phelan/Pinon Hills/<br>Institutional      | PH/RS-1: Phelan/Pinon<br>Hills/Single Residential-1<br>ac min        |
| Local  | PH/RL: Phelan/Pinon Hills/<br>Rural Living       | PH/RS-14M: Phelan/Pinon<br>Hills/Single<br>Residential-14,000 sf min |
| Service  |  |  |
| PH/CG: Phelan/Pinon Hills/<br>General Commercial |  |  |



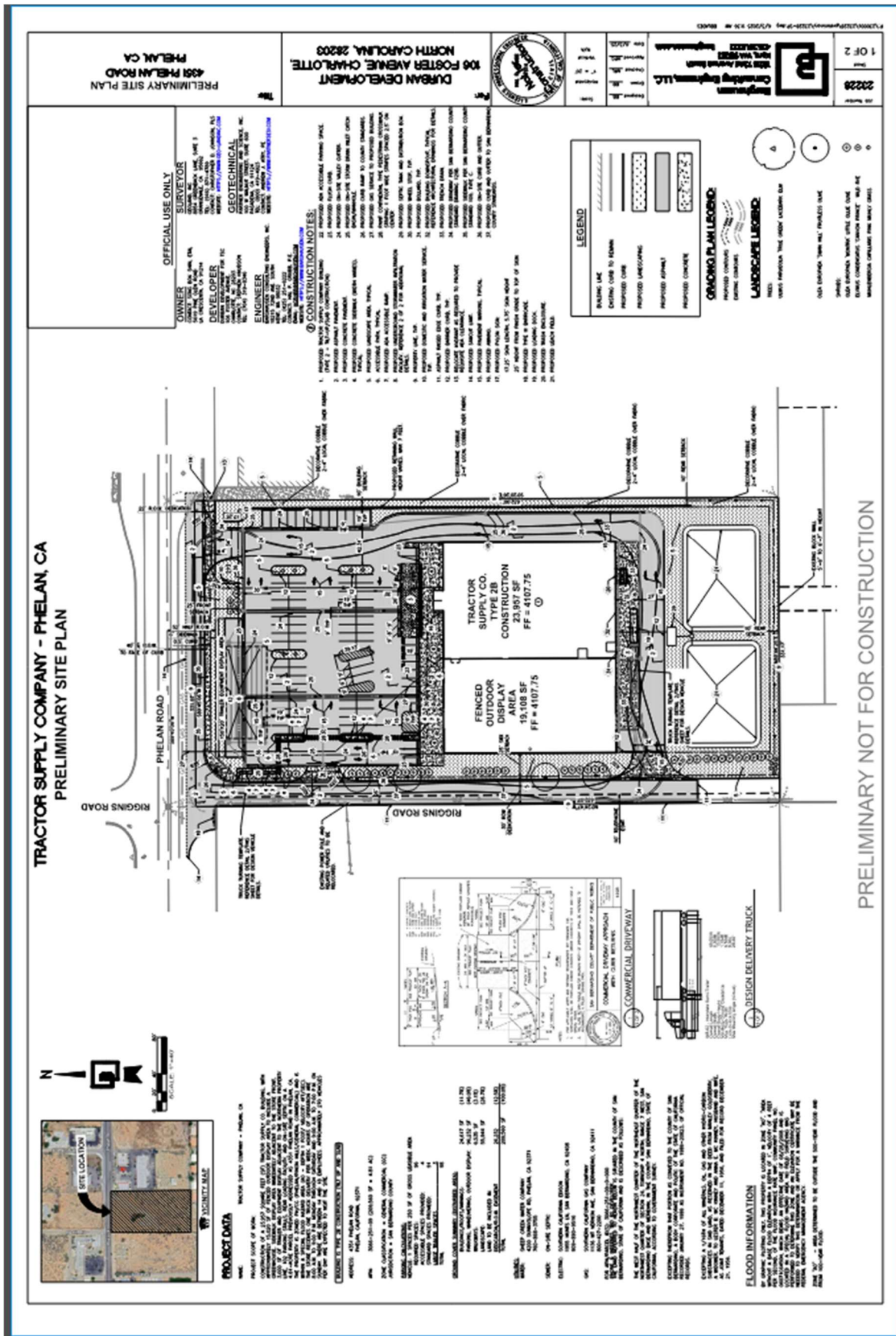
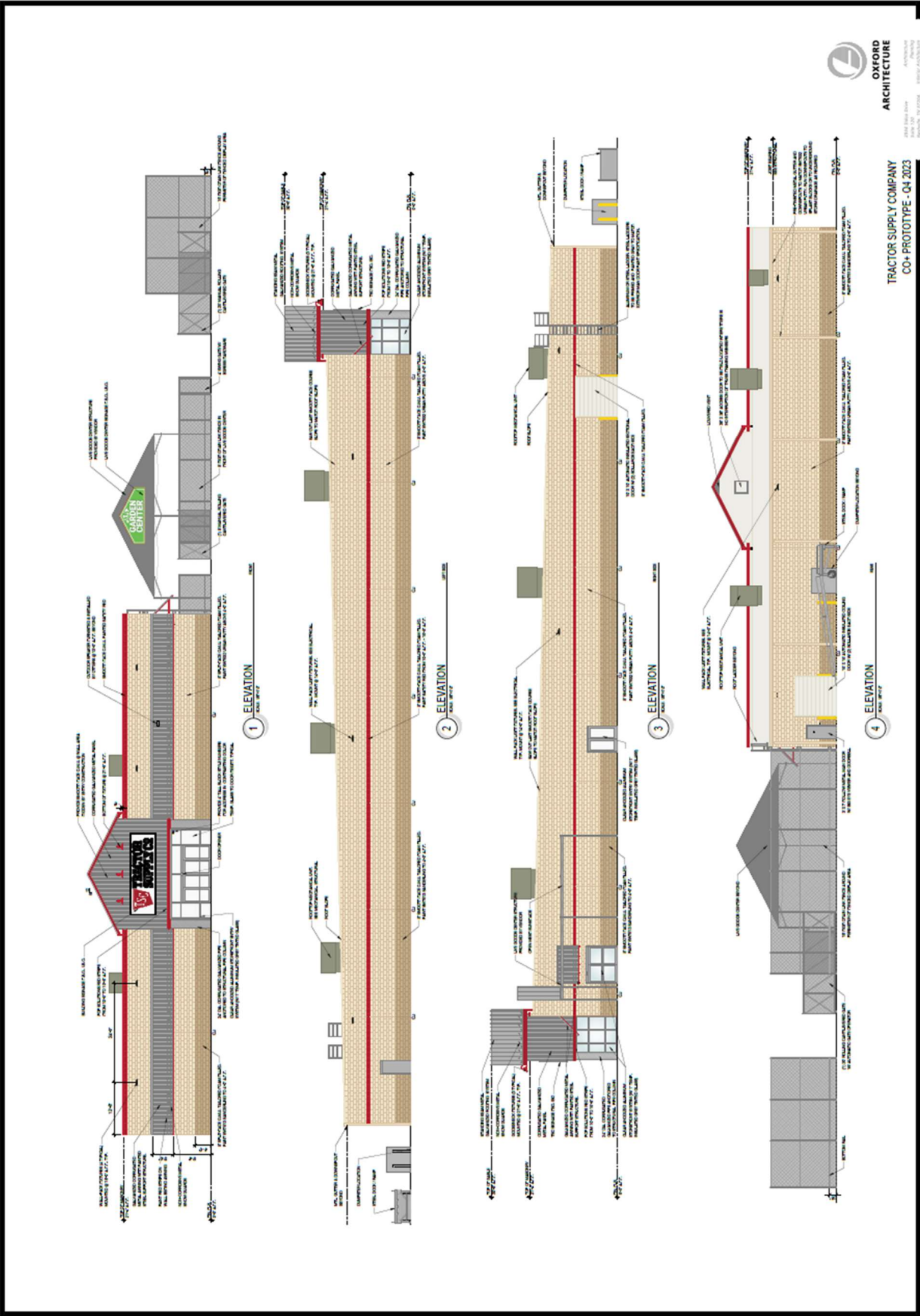


FIGURE 6  
Exterior Elevations





### **PROJECT DESCRIPTION AND BACKGROUND:**

The Project Site is currently vacant. It was previously developed with a single-family residence, which was demolished prior to the Conditional Use Permit application being submitted. The applicant requests approval of a Conditional Use Permit (CUP) for the development of a 23,957 square foot Tractor Supply Co. building for tractor and equipment sales, with up to 19,108 square feet of fenced outdoor display area to include a greenhouse, sidewalk display, trailer and equipment display, 3 truck/trailer parking stalls, 89 standard parking stalls, 4 ADA parking stalls, rear loading facility, and on-site septic on a 4.81-acre site.

The store is anticipated to receive one truck delivery per week. The Tractor Supply Company store is expected to operate seven (7) days a week; with hours of operation being 8:00 a.m. to 9:00 p.m. Monday through Saturday and 9:00 a.m. to 7:00 p.m. on Sunday. It is anticipated that the facility will employ between 14 and 18 employees. The store is anticipated to generate approximately 270 customer vehicles per day. Parking lot lighting will be turned off an hour after closing and has been designed to be downlit and will not spill over to neighboring properties. Security lighting will be installed and is also designed to be downlit and focused on specific areas of concern.

Pursuant to Development Code Section 82.01.020(c)(3)(D), "The General Commercial (GC) land use zoning district provides sites retail trade and personal services, lodging services, office and professional services, recreation and entertainment services, wholesaling and warehousing, contract/construction services, transportation services, open lot services, and similar and compatible uses." Correspondingly, pursuant to Section 82.05.040(b) (Table 82-11) General Commercial Allowed uses, a "General Retail" store and "Auto and vehicle sales and rental" store, are "permitted uses – Site Plan Permit required" unless the facility(s) are greater than 10,000-square feet in size, which then triggers the requirement for a Conditional Use Permit (CUP), and a "Building and landscape materials sales-outdoor" facility is allowed pursuant to either a Minor Use or Conditional Use Permit.

The proposed Tractor Supply Company store facility is a combination of a general retail store, auto/vehicle sales/rental store (will have equipment displayed and available for sale/rental) and building materials sales store. The proposed size of the facility/store is greater than 10,000 square feet in size; therefore, a Conditional Use Permit application has been applied for and processed.

### **Location and Site Description**

The Project Site is in the San Bernardino Desert Region. The Project Site fronts Phelan Road, southeast of the intersection with Riggins Road. Access to the Project Site is proposed via one driveway on Phelan Road and two driveways on the extended Riggins Road along the western boundary of the Project Site.

The property adjacent to the Project Site to the east is developed with four commercial structures, properties to the west and southwest are vacant, and properties to the south are partially vacant (masonry fence) and are part of the residential subdivision to the southeast, off Sunrise Boulevard. Property directly north of the site, across Phelan Road, is vacant; to the northwest is developed with a Dollar General; and to the northeast with multiple commercial buildings.

### **PROJECT ANALYSIS**

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

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

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

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

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

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

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

- **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 generally compatible and consistent with surrounding land uses and community's identity.*

### **Phelan-Pinon Hills Community Action Guide**

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

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

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

#### **Community Focus Statement G: Improve Traffic flow and vehicular safety.**

- **Action Statement G.1** – Install arterial roadway improvements with asphalt paving, curbs, gutters and sidewalks.

**Consistency:** *The Project is proposing to dedicate a 30-foot right of way dedication and the development (paving, curb/gutter) for the extension of Riggins Road for an approximate length of 278-feet. The Project will add to the development of arterial roadways in the Phelan community.*

#### **Landscaping:**

Development Code Section 83.10.060 requires that the minimum landscaping area to be provided is twenty (20) percent or 1,000 square feet, whichever is larger. The proposed Project provides total landscaping area of approximately 55,944 square feet or 26.7% of the overall site. Therefore, the provision of landscaping is consistent with the Development Code. The Project proposes landscaping around the full perimeter of the Project Site, with select shrubs/plants surrounding the



parking area, and select trees/shrubs/plants adjacent to Riggins Road on the west and decorative cobbles along the east border.

**Parking:**

Pursuant to Development Code Section 83.11.040 the required off-street parking for General Retail is 1 space per 250 GFA. Based on this requirement, the proposed Project requires 96 spaces. The applicant is proposing 98 spaces: 91 standard spaces, 4 accessible spaces, and 3 large trailer spaces.

**Traffic Considerations:**

According to the County's Transportation Impact Study Guidelines (2019), local-serving retail establishments under 50,000 square feet are not required to undergo a VMT assessment. The Project is sized at approximately 24,000 square feet and will help address a service gap in the area by providing a closer and more convenient option for residents, farmers, and businesses. Currently, the nearest Tractor Supply Company stores are located approximately 10 miles east, 22 miles northeast, and 35 miles northwest. By establishing a store at this new location, the Project will reduce travel distances for customers and employees in and around Phelan, thereby improving accessibility and supporting local economic activity. Additionally, reducing the need for long-distance travel to similar stores potentially lowers overall vehicle emissions and congestion in the region. Based on these projections, the Project is exempt from a VMT analysis as it is designed to serve the local community

**Code Compliance Summary:**

The proposed Project satisfies all applicable standards of the Development Code for development within the General Commercial (PH/GC) zoning district, as illustrated on the site plan and in Table 1 below:

**Table 1: Project Code Compliance**

Project Component	San Bernardino Development Code		Project Proposal
General Retail with outdoor storage	CUP		CUP
Parking	96 spaces		98 spaces
Landscaping	Minimum Landscaping	20% / 1,000-SF	26.7% / 55,944-SF
Building Setbacks	Front: 25 Side (Street): 25 Side (Interior): 10 Rear: 10		124-ft (to building) / 25-ft (parking area) 25-ft (west side) 10-ft (east side) 99-ft (to building)
Building Height	35 feet		30'8"
Maximum Lot Coverage	80%		11.7% (24,617-SF)
Drive Aisles	26 feet		26 feet

### **California Environmental Quality Act**

In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15050 and 15367, the County is designated Lead Agency for the Project and has principal authority and jurisdiction for CEQA actions and Project approval. As part of its initial review of the Project, the Land Use Services Department determined that the Project is not subject to additional CEQA review pursuant to Section 15183 of the CEQA Guidelines based on an exemption checklist (**Exhibit E**).

Section 15183 of the CEQA Guidelines mandates that projects which are consistent with the development density established by existing zoning or general plan policies for which an Environmental Impact Report (EIR) was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. On October 27, 2020 (Item No. 100), the Board of Supervisors (Board) adopted the Countywide Plan which serves as the general plan for the unincorporated County. The Countywide Plan designates the Project Site as Commercial (C), which allows a maximum coverage of 0.80 (80%). The Tractor Supply lot coverage of 11.7% (24,617 SF) is consistent with the development density established by the Commercial (C) land use category designation in the Countywide Plan.

In conjunction with adopting the Countywide Plan, the Board also certified a Program Environmental Impact Report (PEIR)(SCH No. 2017101033). The PEIR identified the following areas as either having a potentially significant impact or an unavoidable impact with the anticipated build-out of the Countywide Plan: Air Quality (Impact 5.3-1, -2, -3, -4, and -5), Biological Resources (Impact 5.4-1, -2, -4 and -5), Cultural Resources (Impact 5.5-1, -2, and -3), Greenhouse Gas Emissions (Impact 5.7-1), Hazards and Hazardous Materials (Impact 5.8-6 and -8), Mineral Resources (Impact 5.11-1), Noise (Impact 5.12-1, -2, and -3), and Transportation/Traffic (Impact 5.16-3). As a result of the expected impacts, the Board adopted feasible mitigation measures included within the PEIR's Mitigation Monitoring and Reporting Program.

As part of the evaluation of peculiar impacts to the Project Site, the analysis in the checklist concluded that the proposed Project would not result in: 1) any new or peculiar impacts not identified as significant in the PEIR; 2) any significant impacts that were not analyzed as such in the prior PEIR; 3) any potentially significant offsite or cumulative impacts not discussed in the PEIR; or 4) any more severe impacts based on substantial new information that was not available at the time the PEIR was prepared. The Project is required to comply with applicable uniformly applied development policies or standards and mitigation measures specified in the PEIR. Feasible mitigation measures that were identified in the PEIR and that will be undertaken include MM BIO-1, and MM CUL -2, and -4. Based on the findings of the checklist, no further action is required, and a Notice of Exemption will be filed to confirm that the Project is eligible for an exemption under CEQA Guidelines Section 15183.

### **Findings**

The required Findings for the Conditional Use Permit pursuant to Development Code Section 85.06.040 can be made and are included as part of staff's recommendation. The required findings concluded that the Phelan Tractor Supply Project is consistent with all applicable land use policies and regulations of the County's General Plan and Development Code with the implementation of the required Conditions of Approval. All required Findings and Evidence are documented in the attached Findings (**Exhibit A**).

### **Public Input**

On July 1, 2025, Project notices were mailed to the surrounding property owners within 300 feet of the Project site, as required by Development Code Section 85.03.080.



**RECOMMENDATION:**

Staff recommends that the Planning Commission:

- 1) **FIND** the Project exempt from CEQA pursuant to CEQA Guidelines Section 15183 (Exhibit E); and
- 2) **ADOPT** the recommended Findings in support of the Conditional Use Permit (Exhibit A); and
- 3) **APPROVE** the Conditional Use Permit to allow the development of a 23,957 square foot Tractor Supply Company Building for tractor and equipment sales with up to 19,108 square feet of fenced outdoor display area and 3,000 square feet of trailer display, subject to the Conditions of Approval (Exhibit B); and
- 4) **DIRECT** the Land Use Services Department to file a Notice of Exemption in accordance with CEQA.

**ATTACHMENTS:**

Exhibit A: Findings  
Exhibit B: Conditions of Approval  
Exhibit C: Site Plan  
Exhibit D: Colors and Elevations  
Exhibit E: 15183 Checklist

# EXHIBIT A

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**FINDINGS: CONDITIONAL USE PERMIT**

**CONDITIONAL USE PERMIT (CUP) FOR THE DEVELOPMENT OF A 23,957 SQUARE FOOT (SF) TRACTOR SUPPLY COMPANY BUILDING FOR TRACTOR AND EQUIPMENT SALES WITH UP TO 19,108 SF OF FENCED OUTDOOR DISPLAY AREA AND 3,000 SF OF TRAILER DISPLAY (PROJECT) ON 4.81 ACRES (PROJECT SITE) ZONED PH/CG (PHELAN-PINON HILLS, GENERAL COMMERCIAL) AND POLICY PLANNED FOR C (COMMERCIAL); LOCATED AT SOUTH OF PHELAN ROAD, APPROXIMATELY 0.25 MILES EAST OF THE INTERSECTION OF SHEEP CREEK ROAD/PHELAN ROAD, 1<sup>st</sup> SUPERVISORIAL DISTRICT; APN: 3066-251-09; PROJ-2024-00098.**

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, OPEN SPACE, SETBACKS, WALLS AND FENCES, YARDS, AND OTHER REQUIRED FEATURES PERTAINING TO THE APPLICATION.**

The Project consists of a 4.81-acre site (209,523-square feet) and consists of a 23,957-square foot building, 19,108-square foot outdoor display area, and 3,000-square foot trailer display area. The Project proposes approximately 11.7% coverage in a zone designated to allow up to 80% coverage. The Project is designed to meet or exceed all required setbacks and height restrictions. Ingress and egress, circulation, native landscaping, lot coverage, all setbacks, buffering fences meet the requirements of the Development Code for the proposed Project's property land use and zoning designations.

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

The site design ensures adequate legal and physical access to the site. The Project Site is bordered by Phelan Road to the north, Riggins Road to the west. To the east there exists commercial development; to the south there exists residential development. The Project proposes dedicating a 30-foot right of way dedication and the development (paving, curb/gutter) for the extension of Riggins Road for an approximate length of 278-feet. The Project also includes the development of three new driveway aprons: one entry off Phelan Road, and one near intersection of Riggins Road/Phelan Road and a third near terminus of the newly extended Riggins Road.

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

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



not have adverse effects on abutting properties. The Project is located within the Commercial land use designation of the community of Phelan, which is anticipated for development. The Project is designed to provide a buffer (87-feet) from the residential development(s) to the south and a landscape and drive-aisle buffer (24-feet) from the existing commercial development to the east.

According to the County's Transportation Impact Study Guidelines (2019), local-serving retail establishments under 50,000 square feet are not required to undergo a VMT assessment. The Project is sized at approximately 24,000 square feet and will help address a service gap in the area by providing a closer and more convenient option for residents, farmers, and businesses. Currently, the nearest Tractor Supply Company stores are located approximately 10 miles east, 22 miles northeast, and 35 miles northwest. By establishing a store at this new location, the Project will reduce travel distances for customers and employees in and around Phelan, thereby improving accessibility and supporting local economic activity. Additionally, reducing the need for long-distance travel to similar stores potentially lowers overall vehicle emissions and congestion in the region. Based on these projections, the Project is exempt from a VMT analysis as it is designed to serve the local community.

The store will operate during normal business hours (Monday through Saturday 8:00 A.M. to 9:00 P.M; and Sundays 9 A.M to 7 P.M) is not expected to involve excessive generation of noise. Parking lot lighting will be turned off an hour after closing and has been designed to be downlit and will not spill over to neighboring properties. Security lighting will be installed, and is also designed to be downlit and focused on specific areas of concern

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

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

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

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

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

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

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

**Consistency:** *The Project was reviewed by all responsible internal departments including planning to ensure that design and development is consistent with mandated*

*requirements. The Project proposes and is conditioned to install landscaping to soften the view of the commercial development to residential development to the south. The Project design is consistent with the existing and adjacent commercial development within the Phelan community.*

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

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

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

**Phelan-Pinon Hills Community Action Guide**

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

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

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

**Community Focus Statement G: Improve Traffic flow and vehicular safety.**

- **Action Statement G.1 –** Install arterial roadway improvements with asphalt paving, curbs, gutters and sidewalks.

**Consistency:** *The Project is proposing to dedicate a 30-foot right of way dedication and the development (paving, curb/gutter) for the extension of Riggins Road for an approximate length of 278-feet. The Project will add to the development of arterial roadways in the Phelan community.*

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

Site access will be provided via three new driveways: one entry off Phelan Road, and one near the intersection of Riggins Road/Phelan Road and a third near terminus of the newly extended Riggins Road. The driveways and internal drive aisles will be designed to comply with county standards, including a 26-foot drive aisle to accommodate fire service equipment.

The Project was reviewed and approved by the Environmental Health Services for the proposed onsite waste disposal system, with applicable conditions of approval applied to the project. The San Bernardino County Fire Protection District reviewed and approved the Project and applied standard conditions of approval to the project.

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

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

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

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

**FINDINGS: CALIFORNIA ENVIRONMENTAL QUALITY ACT**

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

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

Pursuant to the requirements of the California Environmental Quality Act (CEQA) and CEQA Guidelines, the Planning Division conducted an environmental evaluation in connection with the proposed Conditional Use Permit (PROJ-2024-00098) with the preparation of a community plan exemption checklist and concluded that the proposed 23,957-square foot Tractor Supply Company Building with approximately 19,108 SF of fenced outdoor display area and 3,000 SF of trailer display on a 4.81-acre lot (Project) is exempt from CEQA pursuant to CEQA Guidelines Section 15183. The Lead Agency finds that the Project would not result in: 1) a peculiar impact that was not identified as a significant impact under the Countywide Plan PEIR; 2) a significant impact that was not analyzed as significant in the prior PEIR; 3) a potentially significant offsite impact or cumulative impact not discussed in the prior PEIR; or 4) a more severe impact due to substantial new information that was not known at the time the prior PEIR. Further, the Lead Agency finds that the Project is required to comply with applicable uniformly applied development policies or standards and mitigation measures specified in the checklist. Feasible mitigation measures that were identified in the PEIR and that will be undertaken include MM BIO-1, MM CUL -2 and -4. The exemption adopted for the Project reflects the Lead Agency's independent judgment in making this determination.

# **EXHIBIT B**





## Conditions of Approval

<b>Record:</b>	PROJ-2024-00098	<b>System Date:</b>	06/24/2025
<b>Record Type:</b>	Project Application	<b>Primary APN:</b>	3066251090000
<b>Record Status:</b>	Decision Pending	<b>Application Name:</b>	CONDITIONAL USE PERMIT
<b>Effective Date:</b>		<b>Expiration Date:</b>	
<b>Description:</b>	PHELAN TRACTOR SUPPLY- CONDITIONAL USE PERMIT (COMMERCIAL)		

A CONDITIONAL USE PERMIT TO CONSTRUCT A 23,957 SQ.FT. TRACTOR SUPPLY CO. BUILDING, WITH APPROXIMATELY 15,020 SQ.FT. OF FENCED OUTDOOR DISPLAY AREA TO INCLUDE A GREENHOUSE, SIDEWALK DISPLAY AREA IMMEDIATELY ADJACENT TO THE STORE FRONT, TRAILER AND EQUIPMENT DISPLAY ADJACENT TO THE NORTHERN PROPERTY LINE, 3 TRUCK/TRAILER PARKING STALLS, 89 STANDARD PARKING STALLS, 4 ADA PARKING STALLS, REAR LOADING FACILITY, LOCATED AT 4351 PHELAN RD PHELAN CA 92371, ON 5 ACRES, IN THE COMMERCIAL (C) LAND USE CATEGORY, AND PHELAN -PINON HILLS/GENERAL COMMERCIAL (PH/CG) ZONING DISTRICT; 1ST SUPERVISORIAL DISTRICT; APN: 3066-251-09

### **This document does not signify project approval.**

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

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

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

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

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

## ON-GOING

### Land Use Services - Planning

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

This Use Permit is conditionally approved to allow the development of a 23,957 square foot Tractor Supply Company Building with approximately 15,020 SF of fenced outdoor display area and 3,000 SF of trailer display, with hours of operation from 8:00 A.M. to 9:00 P.M. Monday through Saturday and 9 A.M to 7 P.M, in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the San Bernardino County Fire Code (SBCFC), the following Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations). The developer shall provide a copy of the approved conditions and the approved site plan to every current and future project tenant, lessee, and property owner to facilitate compliance with these Conditions of Approval and continuous use requirements for the Project.

2 **Project Location** - Status: Outstanding

The Project site is located on Assessor's Parcel Number: 3066-251-09; South of Phelan Road, approximately 0.25 miles east of the intersection of Sheep Creek Road/Phelan Road.

3 **Revisions** - Status: Outstanding

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

4 **Indemnification** - Status: Outstanding

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

**5 Expiration - Status: Outstanding**

This project permit approval shall expire and become void if it is not "exercised" within 36 months (3 years - July 17, 2028) 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.

**6 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)

**7 Project Account - Status: Outstanding**

The Project account number is PROJ-2024-00098. 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.

**8 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.

**9 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.

**Public Health– Environmental Health Services****10 Noise Levels - Status: Outstanding**

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

11 **OWTS Maintenance** - Status: Outstanding

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

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

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

## Public Works - Traffic

13 **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.

14 **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.

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

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

## INFORMATIONAL

### Land Use Services - Planning

16 **Dimensions** - Status: Outstanding

Show all property lines and dimensions. Also, show boundary lines of project with dimensions if only a portion of the property is being developed. Property lines shall be shown as solid, distinctive lines. Entire property must be shown.

17 **Parking** - Status: Outstanding

Show all parking areas with dimensions, number/type of spaces (including accessible parking spaces), and surfacing materials. Show the formula per the San Bernardino County Development Code by which you computed the number of spaces required for each use/tenant/unit. Indicate the number of spaces required for each use and indicate the number of spaces proposed as well as the minimum number of spaces required. Refer Parking Space Analysis example listed on application handout.

18 **Utilities** - Status: Outstanding

Indicate names, address and telephone numbers of water company, sewage disposal, electric, gas, telephone, cable television. If no utility company, indicate method of supply.



## County Fire - Community Safety

### 19 **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.

### 20 **F03 Fire Condition Letter Expiration** - Status: Outstanding

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

### 21 **F08 Fire Safety Overlay** - Status: Outstanding

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

### 22 **F17 Access Road Grade** - Status: Outstanding

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

### 23 **F36 Sprinkler Installation Letter** - Status: Outstanding

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

### 24 **F60 Solar Plans** - Status: Outstanding

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

### 25 **F71 Proposal Changes** - Status: Outstanding

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

## Land Use Services - Land Development

### 26 **Additional Drainage Requirements** - Status: Outstanding

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

### 27 **BMP Enforcement** - Status: Outstanding

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

- 28 **Continuous BMP Maintenance** - Status: Outstanding  
The property owner/"developer" is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the County approved final Water Quality Management Plan (WQMP) for the project. Refer to approved WQMP maintenance section.
- 29 **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.
- 30 **Joshua Trees** - Status: Outstanding  
Any land disturbance shall be kept at least 40 feet away from any Joshua tree in order for the design to be acceptable. If the proposed land disturbance is within 40 feet of a Joshua tree, then the applicant will need to submit a survey by a licensed arborist to verify that the proposed design will not detrimentally affect the tree. For all applications, plot plans must show the location of all Joshua trees on a parcel. <http://www.sbcounty.gov/Uploads/LUS/BandS/Handouts/IB-0016.pdf>
- 31 **Natural Drainage** - Status: Outstanding  
The natural drainage courses traversing the site shall not be occupied or obstructed.
- 32 **Project Specific Conditions** - Status: Outstanding  
Endangered Desert Plants. Compliance with Desert Native Plants Act. Removal actions of all plants protected or regulated by the Desert Native Plants Act (Food and Agricultural Code §§ 80001 et seq.) shall comply with the provisions of the Act before the issuance of a development permit or approval of a land use application. Provide a plant protection plan or removal plan prepared by a licensed biologist to be approved by the County LUS. Per the County General Plan Environmental Impact Report, provide a biological report and associated plan (uploaded as a separate attachment in the EZOP record) that shows any protected species including plant species with stems two inches or greater in diameter or six feet or greater in height including but not limited to those listed in: § 88.01.060 Desert Native Plant Protection. See related links: <https://countywideplan.com/resources/document-download/> [https://countywideplan.com/wp-content/uploads/sites/68/2021/01/CWP\\_PolicyPlan\\_HardCopy\\_MainText\\_Tables\\_2022\\_Sept\\_Adopted.pdf?x23421](https://countywideplan.com/wp-content/uploads/sites/68/2021/01/CWP_PolicyPlan_HardCopy_MainText_Tables_2022_Sept_Adopted.pdf?x23421) [https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncty\\_ca/0-0-0-175924](https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncty_ca/0-0-0-175924)
- 33 **Tributary Drainage** - Status: Outstanding  
Adequate provisions should be made to intercept and conduct the tributary off-site and on-site 100-year drainage flows around and through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed. The project site shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage areas, outlet points and outlet conditions.

## **Public Works - Solid Waste Management**

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

35 **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](mailto:solid.wastemail@dpw.sbcounty.gov).

36 **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.

37 **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 - Building and Safety

38 **Geotechnical Report** - Status: Outstanding

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

39 **Wall Plans** - Status: Outstanding

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

### Land Use Services - Land Development

40 **FEMA Flood Zone** - Status: Outstanding

The project is located within Flood Zone AO according to FEMA Panel Number 06071C6450H dated 08/28/2008. The first floor will be required to be elevated a minimum 1 foot above the known shallow flooding depth of 1 foot in compliance with FEMA/SBC regulations, with an elevation certificate required. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit.

41 **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](https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html)

**42 Drainage Easements - Status: Outstanding**

Adequate San Bernardino County Drainage Easements (minimum fifteen [15] feet wide) shall be provided over the natural drainage courses, drainage facilities, and/or concentration of runoff from the site. The hydrologic/hydraulic calculations supporting the size of the easement(s) shall be submitted for review/approval by the Land Development Division prior to recording the easement. Proof of recordation shall be provided to the Land Development Division.

**43 Drainage Improvements - Status: Outstanding**

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

**44 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. All drainage and WQMP improvements shall be shown on the grading plans according to the approved final drainage study and WQMP reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.

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

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

**46 WQMP - Status: Outstanding**

A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained prior to construction. A \$2,650 deposit for WQMP review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. Review processed on an actual cost basis. Copies of the WQMP guidance and template can be found at: (<https://dpw.sbcounty.gov/wqmp-templates-and-forms/>)

**47 WQMP Inspection Fee - Status: Outstanding**

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

**Public Health– Environmental Health Services****48 Vector Control Requirement - Status: Outstanding**

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

## PRIOR TO BUILDING PERMIT ISSUANCE

### Land Use Services - Planning

- 49 **Architecture** - Status: Outstanding  
Architectural elevations are considered conceptual. Final details with colors and material samples shall be submitted to the Planning Division for approval prior to building plan check submittal.
- 50 **Landscape and Irrigation Plan** - Status: Outstanding  
Landscape and Irrigation Plans shall be prepared in conformance with Chapter 83.10, Landscaping Standards, of the County Development Code. The developer shall submit four copies of a landscape and irrigation plan to County Planning.
- 51 **Lighting Plans** - Status: Outstanding  
The developer shall submit for review and approval to County Planning a photometric study demonstrating that the project light does not spill onto the adjacent properties, or public streets. Lighting fixtures shall be oriented and focused to the onsite location intended for illumination (e.g. walkways). Lighting shall be shielded away from adjacent sensitive uses, including the adjacent residential development, to minimize light spillover. The glare from any luminous source, including on-site lighting, shall not exceed 0.5 foot-candle at the property line. This shall be done to the satisfaction of County Planning, in coordination with County Building and Safety.
- 52 **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

- 53 **F02 Fire Fee** - Status: Outstanding  
The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division.
- 54 **F09 Building Plans** - Status: Outstanding  
Building Plans shall be submitted to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.
- 55 **F10 Combustible Protection** - Status: Outstanding  
Prior to combustibles being placed on the project site an approved all-weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy.
- 56 **F19 Surface** - Status: Outstanding  
Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Road surface shall meet the approval of the Fire Chief prior to installation. All roads shall be designed to 85% compaction and/or paving and hold the weight of Fire Apparatus at a minimum of 80K pounds.



57 **F21 Turnaround** - Status: Outstanding

An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of forty-five (45) foot radius for all turns. In the Fire Safety Overlay District cul-de-sac length shall not exceed three hundred fifty (350) feet.

58 **F22 Primary Access Paved** - Status: Outstanding

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

59 **F23 Secondary Access Paved** - Status: Outstanding

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

60 **F26 Fire Flow Test** - Status: Outstanding

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

61 **F27 Water System** - Status: Outstanding

Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using California Fire Code. The Fire Flow for this project shall be: 1,625 GPM for a two hour duration at 20 psi residual operating pressure. Fire Flow is based on a 23,957 sq.ft. structure.

62 **F28 Water System Commercial** - Status: Outstanding

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

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

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

## **Land Use Services - Building and Safety**

64 **Construction Plans** - Status: Outstanding

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

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

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

**Land Use Services - Land Development**

- 66 **Elevation Certificate** - Status: Outstanding  
Elevation Certificate. An Elevation Certificate for the structure(s) shall be completed, approved, and on file with County Building and Safety. Elevation Certificate #1: Prior to approval of building plans – Elevation certificate requires review and approval from Land Development.
- 67 **Construction Permits** - Status: Outstanding  
Prior to installation of road and drainage improvements, a construction permit is required from the County Department of Public Works, Permits/Operations Support Division, Transportation Permits Section (909) 387-1863 as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.
- 68 **Road Dedication/Improvements** - Status: Outstanding  
The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE) licensed in the State of California: Phelan Road (Major Arterial per CRMS Notes- MP Variation – 104 feet) • Road Dedication. A 12-foot grant of easement is required to provide a half-width right-of-way of 52 feet. • Street Improvements. Design curb and gutter with match up paving 40 feet from centerline to be built to full width. • Sidewalks. Design sidewalks per County Standard 109 Type C. • Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130. Riggins Road/Westerly Property Line (1/16th Section Line – 60 feet) • Road Dedication. A 30-foot grant of easement is required to provide a half-width right-of-way of 30 feet and a 35-foot radius return grant of easement at the intersection of Pheland Road and Westerly property line (Riggins Road). • Perimeter Paved Access Road. This project is required to have a perimeter access paved road 26 feet minimum per San Bernardino Development Code Chapter 83.09.050 table 83-11. • Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130.
- 69 **Road Standards and Design** - Status: Outstanding  
All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Valley Mountain Desert Road Standards of San Bernardino County and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.
- 70 **Slope Easements** - Status: Outstanding  
Slope rights shall be dedicated where necessary.
- 71 **Soils Testing** - Status: Outstanding  
Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to the County and a written report shall be submitted to the Permits/Operations Support Division, Transportation Permits Section of the County Department of Public Works prior to any placement of base materials and/or paving.
- 72 **Street Gradients** - Status: Outstanding  
Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of the County Department of Public Works confirming the adequacy of the grade.
- 73 **Street Type Entrance** - Status: Outstanding  
Street type entrance(s) with curb returns shall be constructed at the entrance(s) to the development.

- 74 **Transitional Improvements** - Status: Outstanding  
Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing sections shall be required as necessary.

- 75 **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**

- 76 **B California Regional Water Quality Control Board Clearance (CRWQCB)** - Status: Outstanding  
Written clearance shall be obtained from the designated CRWQCB (listed below) and a copy submitted to EHS for projects with design flows greater than 10,000 gallons per day. Lahontan Region, 15095 Amargosa Road, Bldg. 2 Suite 210, Victorville, CA 92392, (760) 241-658
- 77 **B Existing OWTS** - Status: Outstanding  
Existing Onsite Wastewater Treatment System (OWTS) can be used if applicant provides an EHS approved certification that indicated the system functions properly, meets code, has the capacity required for the proposed project, and meets LAMP requirements. Submit an OWTS certification for EHS review and approval. OWTS certification must be completed by a state licensed contractor with license A, C-36, and C42 or other qualified professionals (i.e., Registered Civil Engineer (RCE.), Registered Environmental Health Specialist (REHS), Certified Engineering Geologist (C.E.G.), etc.) Applicable EHS review fee will be invoiced upon receipt of certification.
- 78 **B New OWTS** - Status: Outstanding  
If a sewer is within 200 feet, a connection is required. The sewer connection requirement increases by 100-ft. per one Equivalent Dwelling Unit (EDU). A sewer will/will not serve letter may be required. If sewer connection and/or service are unavailable, onsite wastewater treatment system (OWTS) may then be allowed under the following conditions: a. A soil percolation report shall be submitted for EHS review and approval. b. An Alternative Treatment System (ATS), if applicable, shall be required. Submit an ATS written proposal for EHS review and approval. Soil percolation report and ATS written proposal shall be prepared by qualified professionals (i.e., Registered Civil Engineers (RCE), Registered Environmental Health Specialist (REHS), Certified Engineering Geologist (C.E.G.), etc.). Report and written proposal must be properly documented with the signature, stamp, and professional registration of the qualified professional. Applicable EHS review fee will be invoiced upon receipt of report or written proposal.
- 79 **B 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).
- 80 **Demolition Inspection Required** - Status: Outstanding  
All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any premises. For information, contact EHS Mosquito & Vector Control Program at (800) 442-2283 or West Valley Mosquito & Vector at (909) 635-0307.
- 81 **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.

82 **New OWTS** - Status: Outstanding

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

83 **Water Purveyor** - Status: Outstanding

Water purveyor shall be Sheep Creek Water Company or EHS approved.

84 **Water Service Verification Letter** - Status: Outstanding

Applicant shall procure a verification letter from the water service provider. This letter shall state whether or not water connection and service shall be made available to the project by the water provider. This letter shall reference the File Index Number and Assessor's Parcel Number(s). For projects with current active water connections, a copy of water bill with project address may suffice.

## Public Works - Solid Waste Management

85 **Construction Waste Management Plan (CWMP) Part 1** - Status: Outstanding

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

## Public Works - Traffic

86 **Street Improvements** - Status: Outstanding

Improvements: The applicant shall design their street improvement plans to include the following: • Intersection of Phelan Road and Riggins Road o The intersection of Phelan Road and Riggins Road shall have a "TRUCKS USE PHELAN DRIVEWAY" sign. The sign shall be placed within the property line at the driveway and the owner is responsible for maintaining the sign.

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

The total fair share contribution for this project is required based on the traffic report dated June 22, 2025 from Kittelson & Associates. The fair share breakdown for these improvements is shown below. INTERSECTION: Sheep Creek Road and Phelan Road ESTIMATED COST: \$500,000 FAIR SHARE PERCENTAGE: 4.62% ESTIMATED CONTRIBUTION: \$23,100 The total fair share contribution will be based on the fair share percentages listed above and the estimated construction costs at the time of application for a building permit and shall be paid to the Department of Public Works - Traffic Division. At the present time, the estimated cost is \$23,100. This amount will be adjusted to reflect actual construction costs incurred, if available, or will be adjusted to account for future construction costs using the Caltrans Construction Cost Index.

## PRIOR TO OCCUPANCY

### Land Use Services - Planning

88 **Fees Paid** - Status: Outstanding

Prior to final inspection by Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, the applicant shall pay in full all fees required under actual cost job number PROJ-2024-00098.

## County Fire - Community Safety

- 89 **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".

## Land Use Services - Building and Safety

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

## Land Use Services - Land Development

- 91 **Drainage Improvements** - Status: Outstanding  
All required drainage improvements shall be completed by the applicant. The private Registered Civil Engineer (RCE) shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.
- 92 **Elevation Certificate** - Status: Outstanding  
An Elevation Certificate for the structure(s) shall be completed, approved, and on file with County Building and Safety. Elevation Certificate #2: Prior to forms and footings inspection – Elevation certificate requires review and approval from Land Development. Elevation Certificate #3: Prior to final inspection – Elevation certificate requires review and approval from Land Development.
- 93 **WQMP Improvements** - Status: Outstanding  
All required WQMP improvements shall be completed by the applicant and inspected/approved by the County Department of Public Works. An electronic file of the approved final WQMP shall be submitted to Land Development Division, Drainage Section.
- 94 **LDD Requirements** - Status: Outstanding  
All LDD requirements shall be completed by the applicant prior to occupancy.
- 95 **Road Improvements** - Status: Outstanding  
All required on-site and off-site improvements shall be completed by the applicant and inspected/approved by the County Department of Public Works.
- 96 **Structural Section Testing** - Status: Outstanding  
A thorough evaluation of the structural road section, to also include parkway improvements, from a qualified materials engineer shall be submitted to the County Department of Public Works.

## Public Health– Environmental Health Services

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



## Public Works - Solid Waste Management

### 98 **Construction Waste Management Plan (CDWMP) Part 2** - Status: Outstanding

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

## Public Works - Traffic

### 99 **Improvements** - Status: Outstanding

The applicant shall construct, at 100% cost to the applicant all roadway improvements as shown on their approved street improvement plans. This shall include any software and/or hardware to implement the approved signal coordination plan.

### 100 **Local Area Transportation Facility Fee Area** - Status: Outstanding

This project falls within the High Desert Local Area Transportation Facilities Fee Plan. This fee shall be paid by a cashier's check to the Department of Public Works Business Office. These fees are subject to change. Based on the ITE Trip Generation Manual (11th Edition) and a 43,065 sq. ft. building as shown on the site plan, this project generates approximately 600 vehicle trips on a weekday. This fee is \$193.55 per trip multiplied by the number of vehicle trips 600 and multiplied by an induced trip adjustment factor of 20% as shown in the fee plan. Therefore, the total estimated Local Transportation Fees for this project is \$23,226. The current High Desert Local Area Transportation Facilities plan can be found at the following website: <https://dpw.sbcounty.gov/transportation/transportation-planning/>

## PRIOR TO RECORDATION

## County Fire - Community Safety

### 101 **F16 Access** - Status: Outstanding

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

## Public Health– Environmental Health Services

### 102 **Individual Wells** - Status: Outstanding

If an approved water company cannot serve the project, individual wells are authorized for each daughter parcel providing that County Development Code infrastructure requirements can be met. Conceptual plans, showing that wells and septic system locations meet setback requirements, may be required (§ 83.09.060). If wells are approved, the following notes shall be placed on the Composite Development Plan (CDP), "An individual well shall be utilized as the domestic water source for each lot. The well shall be installed and approved by EHS prior to the issuance of building permits for each lot."

103 **New OWTS for Parcel Maps and Tracts** - Status: Outstanding

1. If sewer connection and/or service are unavailable, onsite wastewater treatment system(s) may then be allowed under the following conditions: a. A soil percolation report shall be submitted to EHS for review and approval. For information, please contact the Wastewater Section at (800) 442-2283. b. The following note shall be placed on a Composite Development Plan (CDP): "An approved percolation report, (EHS reference number) prepared by (person/firm name & credentials) on (date prepared), is on file with EHS."

## PRIOR TO FINAL INSPECTION

### County Fire - Community Safety

104 **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

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

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

106 **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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**114 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.

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

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

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

Department/Agency	Office/Division	Phone Number
Land Use Services Dept.	San Bernardino Govt. Center	(909) 387-8311
(All Divisions)	High Desert Govt. Center	(760) 995-8140
Web Site	<a href="https://lus.sbcounty.gov/">https://lus.sbcounty.gov/</a>	
County Fire	San Bernardino Govt. Center	(909) 387-8400
(Community Safety)	High Desert Govt. Center	(760) 995-8190
Web Site	<a href="https://www.sbcfire.org/">https://www.sbcfire.org/</a>	
County Fire	Hazardous Materials	(909) 386-8401
	Flood Control	(909) 387-7995
Dept. of Public Works	Solid Waste Management	(909) 386-8701

APN: 3066251090000

Effective Date:

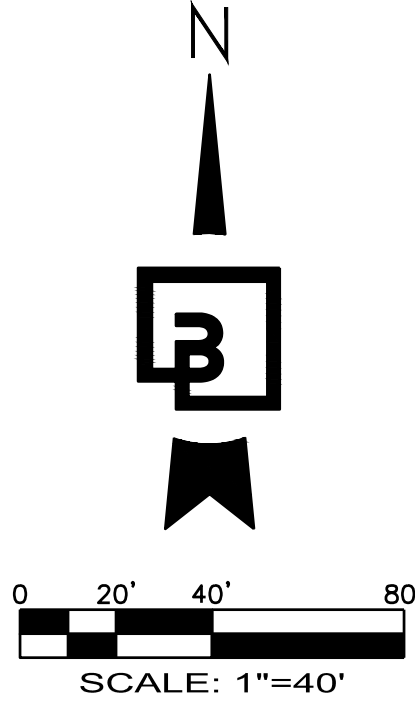
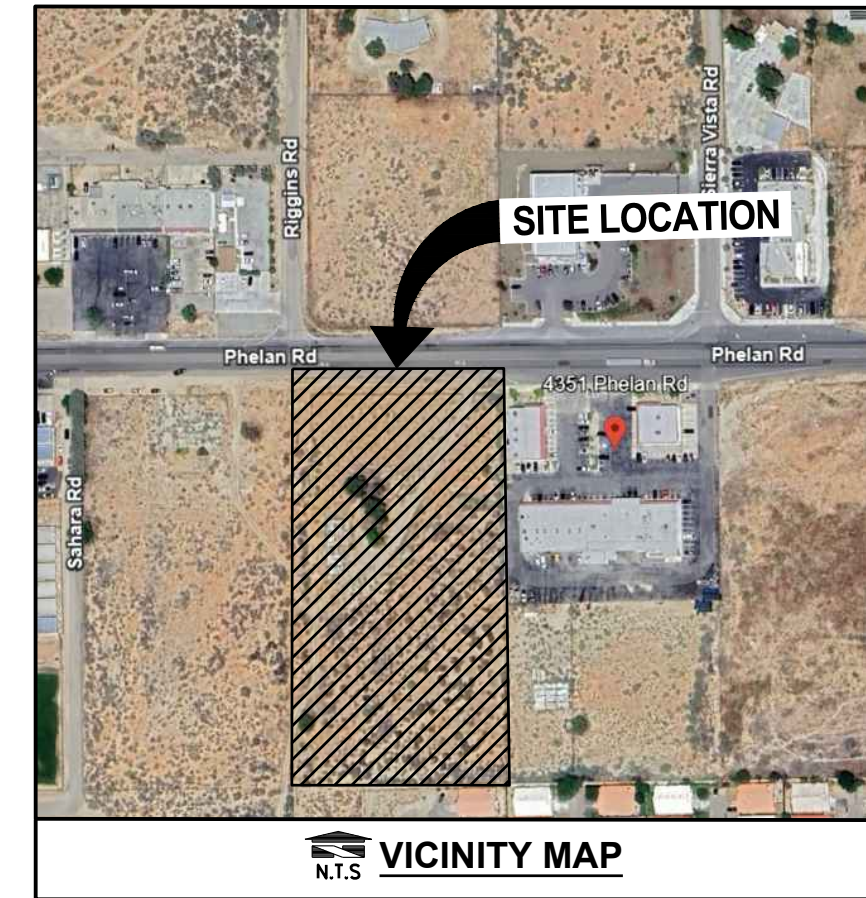
PROJ-2024-00098

Expiration Date:

	Surveyor	(909) 387-8149
	Traffic	(909) 387-8186
Web Site	<a href="https://dpw.sbcounty.gov/">https://dpw.sbcounty.gov/</a>	
Dept. of Public Health	Environmental Health Services	(800) 442-2283
Web Site	<a href="https://ehs.sbcounty.gov">https://ehs.sbcounty.gov</a>	
Local Agency Formation Commission (LAFCO)		(909) 388-0480
Web Site	<a href="http://www.sbclafco.org/">http://www.sbclafco.org/</a>	
	Water and Sanitation	(760) 955-9885
	Administration,	
	Park and Recreation,	
Special Districts	Roads, Streetlights,	(909) 386-8800
	Television Districts, and Other	
<i>External Agencies (Caltrans, U.S. Army, etc.)</i>		<i>See condition text for contact information...</i>

# EXHIBIT C





## PROJECT DATA

NAME: TRACTOR SUPPLY COMPANY - PHELAN, CA

PROJECT SCOPE OF WORK:

CONSTRUCTION OF A 23,957 SQUARE FEET (SF) TRACTOR SUPPLY CO. BUILDING, WITH APPROXIMATELY 15,020 SF OF FENCED OUTDOOR DISPLAY AREA TO INCLUDE A GREENHOUSE, SIDEWALK DISPLAY AREA IMMEDIATELY ADJACENT TO THE STORE FRONT, 3,000 SF OF TRAILER AND EQUIPMENT DISPLAY ADJACENT TO THE NORTHERN PROPERTY LINE, 102 PARKING STALLS, REAR LOADING FACILITY, AND ON-SITE SEPTIC ON A 4.81-ACRE PARCEL PREVIOUSLY ADDRESSED AS 4351 PHELAN ROAD IN PHELAN, CA. THE PROPERTY IS ZONED PH/CO (PHELAN/PINON HILLS/GENERAL COMMERCIAL) AND IS WITHIN A SPECIAL FLOOD HAZARD AREA (AO - DEPTH 1 FOOT/ VELOCITY 4FT/SEC). THE STORE RECEIVES ONE TRUCK DELIVERY PER WEEK. HOURS OF OPERATION ARE 8:00 A.M. TO 9:00 P.M. MONDAY THROUGH SATURDAY AND 9:00 A.M. TO 7:00 P.M. ON SUNDAY. THERE ARE BETWEEN 14 AND 18 EMPLOYEES. APPROXIMATELY 270 VEHICLES PER DAY ARE EXPECTED TO VISIT THE SITE.

BUILDING IS TYPE 2B CONSTRUCTION (TILT UP AND SLAB)

ADDRESS: 4351 PHELAN ROAD  
PHELAN, CALIFORNIA, 92371

APN: 3066-251-09 (209,560 SF = 4.81 AC)

ZONE CLASSIFICATION = GENERAL COMMERCIAL (GC)  
JURISDICTION = SAN BERNARDINO COUNTY

PARKING CALCULATIONS:		
VEHICLE: 1 SPACES PER 250 SF OF GROSS LEASABLE AREA		
REQUIRED SPACES:	96	
ACCESSIBLE SPACES PROVIDED:	4	
STANDARD SPACES PROVIDED:	91	
LARGE TRAILER SPACES	3	
TOTAL	98	

GROUND COVER SUMMARY (DISTURBED AREA):		
BUILDINGS/ROOFS/AWNINGS:	24,617 SF	(11.7%)
PARKING, MANEUVERING, OUTDOOR DISPLAY:	96,232 SF	(46.1%)
WALKWAYS:	6,535 SF	(3.1%)
LANDSCAPE:	55,944 SF	(26.7%)
LAND TO BE INCLUDED IN DEDICATION/R.O.W. EASEMENT	25,896	(12.4%)
TOTAL	209,560 SF	(100.0%)

UTILITIES:

WATER: SHEEP CREEK WATER COMPANY  
4200 SUNNYSLOPE RD, PHELAN, CA 92371  
760-868-3755

SEWER: ON-SITE SEPTIC

ELECTRIC: SOUTHERN CALIFORNIA EDISON  
1955 HUNTS LN, SAN BERNARDINO, CA 92408  
909-890-9516

GAS: SOUTHERN CALIFORNIA GAS COMPANY  
1136 MT VERNON AVE, SAN BERNARDINO, CA 92411  
800-427-2200

FOR APN/PARCEL ID(S): 3066-251-09-0-000  
PHONE & INTERNET: TBD BY DEVELOPER  
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 4 NORTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO GOVERNMENT SURVEY.

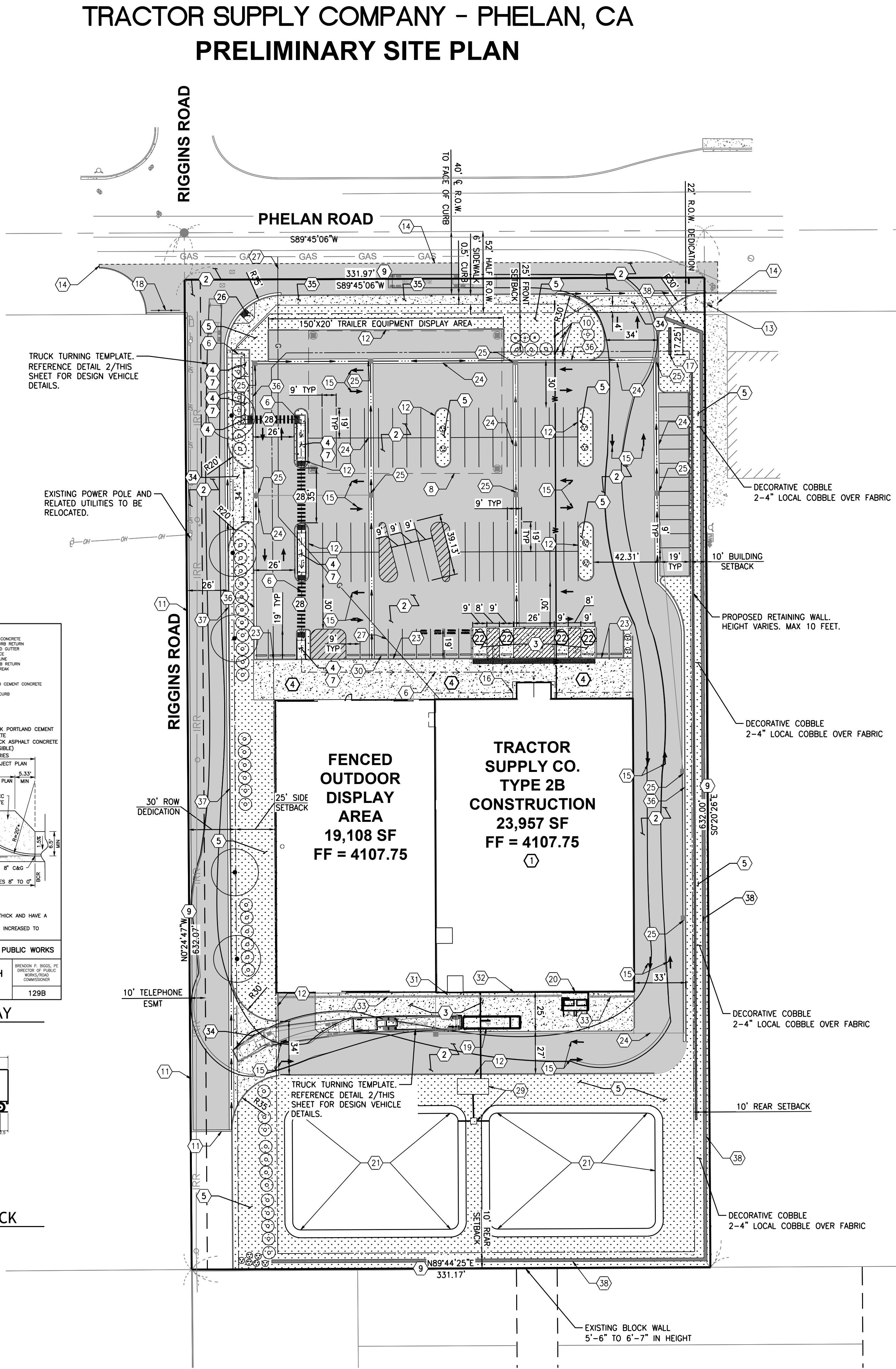
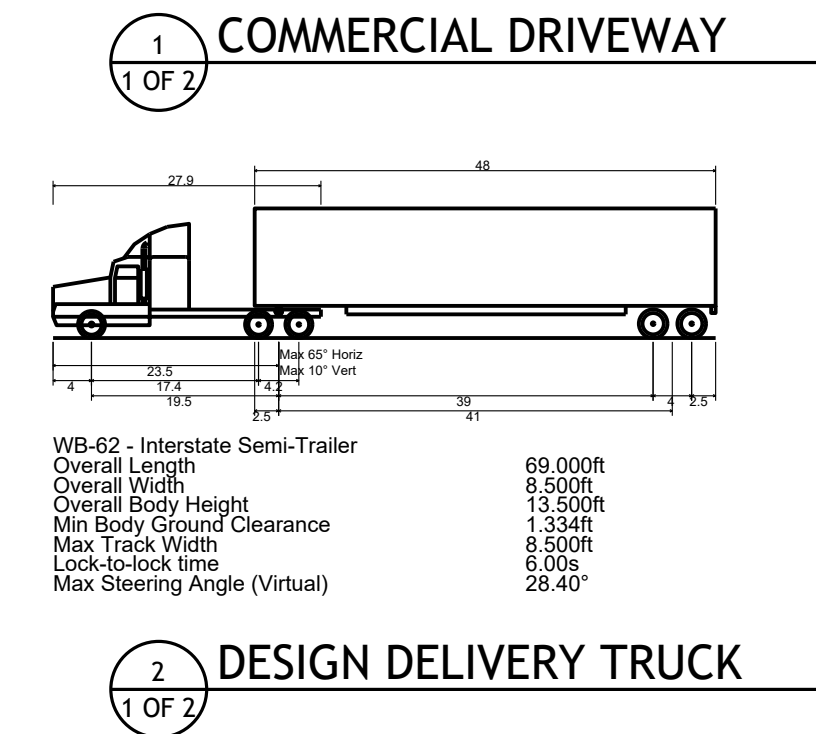
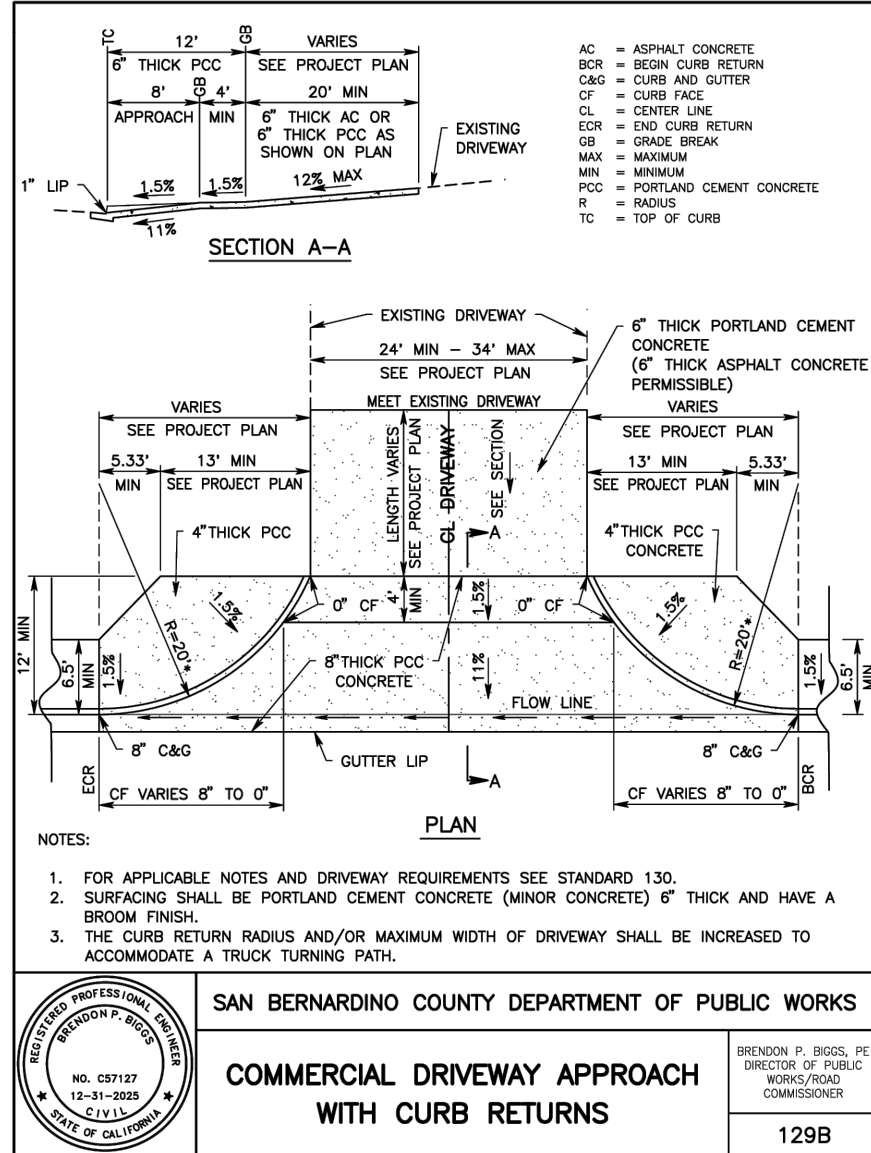
EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE COUNTY OF SAN BERNARDINO, A BODY CORPORATE AND POLITIC OF THE STATE OF CALIFORNIA RECORDED JANUARY 27, 1986 AS INSTRUMENT NO. 1986-20823, OF OFFICIAL RECORDS.

EXCEPTING A 1/16TH OF ALL MINERALS, OIL, GAS AND OTHER HYDRO-CARBON SUBSTANCES IN SAID LAND, AS RESERVED IN THE DEED FROM MANLEY GOLDSBERRY, A WIDOWER, TO LESTER B. MC KINNEY AND ANNA E. MC KINNEY, HUSBAND AND WIFE, AS JOINT TENANTS, DATED DECEMBER 11, 1956, AND FILED FOR RECORD DECEMBER 21, 1956.

## FLOOD INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN ZONE "AO", "AREA WITHOUT A BASE FLOOD ELEVATION" WITH A DEPTH OF 1', VELOCITY OF 4 FEET PER SECOND, OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 0607106450H, WHICH BEARS AN EFFECTIVE DATE OF 08/28/2008 AND IS LOCATED IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

ZONE "AO" - AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD AND FROM 100-YEAR FLOOD.



## OFFICIAL USE ONLY

**OWNER**  
CONTACT: SONG BOK SHIN, ETAL  
5619 PINE GLEN ROAD  
LA CRESCENTA, CA 91214

**DEVELOPER**  
DURBAN DEVELOPMENT FOR TSC  
106 FOSTER AVENUE,  
CHARLOTTE, NC 28203  
CONTACT: STEPHEN KNUDSON  
TEL: (704) 319-8346

**ENGINEER**  
BARGHAUSEN CONSULTING ENGINEERS, INC.  
18215 72ND AVE. SOUTH  
KENT, WA 98032  
TEL: (425) 251-6222  
CONTACT: HAL P. GRUBB, P.E.  
EMAIL: HGRUBB@BARGHAUSEN.COM  
WEBSITE: [HTTPS://WWW.BARGHAUSEN.COM](https://www.barghausen.com)

**SURVEYOR**  
GEOLAND, INC  
8854 GREENBACK LANE, SUITE 3  
ORANGEVALE, CA 95662  
TEL: (916) 871-4789  
CONTACT: CHRISTOPHER D. JOHNSON, PLS  
WEBSITE: [HTTPS://WWW.GEO-LANDINC.COM](https://www.geo-landinc.com)

**GEOTECHNICAL**  
PARTNER ENGINEERING AND SCIENCE, INC.  
100 W WALNUT STREET, SUITE 600  
PASADENA, CA 91124  
TEL: (800) 419-4923  
CONTACT: ANDREW J. ATRY, PE  
WEBSITE: [HTTPS://WWW.PARTNERSEESI.COM](https://www.partnerseesi.com)

## CONSTRUCTION NOTES:

- PROPOSED TRACTOR SUPPLY COMPANY BUILDING (TYPE 2 - TILT-UP/SLAB CONSTRUCTION)
- PROPOSED ASPHALT PAVEMENT.
- PROPOSED CONCRETE PAVEMENT.
- PROPOSED CONCRETE SIDEWALK (WIDTH VARIES), TYPICAL.
- PROPOSED LANDSCAPE AREA, TYPICAL.
- ACCESSIBLE PATH, TYPICAL.
- PROPOSED ADA ACCESSIBLE RAMP.
- PROPOSED UNDERGROUND STORMWATER INFILTRATION FACILITY. REFERENCE 2 OF 2 FOR ADDITIONAL DETAILS.
- PROPERTY LINE, TYP.
- ASPHALT RAISED EDGE CURB, TYP.
- PROPOSED BARRIER CURB, TYP.
- RELOCATE HYDRANT AS REQUIRED TO PROVIDE REQUISITE ADA CLEARANCE.
- PROPOSED SAWCUT LIMIT.
- PROPOSED PAVEMENT MARKING, TYPICAL.
- PROPOSED PYLON SIGN:  
17.25' SIGN LENGTH, 5.75' SIGN HEIGHT  
25' HEIGHT FROM FINISH GRADE TO TOP OF SIGN
- PROPOSED TYPE III BARRICADE.
- PROPOSED LOADING DOCK.
- PROPOSED TRASH ENCLOSURE.
- PROPOSED LEACH FIELD.
- PROPOSED ADA ACCESSIBLE PARKING SPACE.
- PROPOSED FLUSH CURB.
- PROPOSED ON-SITE VALLEY GUTTER.
- PROPOSED ON-SITE STORM DRAIN INLET CATCH BASIN/MANHOLE.
- PROPOSED CURB RAMP TO COUNTY STANDARDS.
- PROPOSED GAS SERVICE TO PROPOSED BUILDING.
- PAINT CONTINENTAL TYPE PEDESTRIAN CROSSWALK STRIPING 1 FOOT WIDE STRIPES SPACED 2.5' ON CENTER
- PROPOSED SEPTIC TANK AND DISTRIBUTION BOX.
- PROPOSED WHEEL STOP, TYP.
- PROPOSED BOLLARD, TYP.
- PROPOSED BUILDING DOWNSPOUT, TYPICAL. REFERENCE ARCHITECTURAL DRAWINGS FOR DETAILS.
- PROPOSED TRENCH DRAIN.
- PROPOSED DRIVEWAY PER SAN BERNARDINO COUNTY STANDARD DRAWING 129B.
- PROPOSED SIDEWALK PER SAN BERNARDINO COUNTY STANDARD 109, TYPE C.
- PROPOSED ON-SITE CURB AND GUTTER.
- PROPOSED CURB AND GUTTER TO SAN BERNARDINO COUNTY STANDARDS.
- INSTALL COBBLE SWALE.

## LEGEND

BUILDING LINE	
EXISTING CURB TO REMAIN	
PROPOSED CURB	
PROPOSED LANDSCAPING	
PROPOSED ASPHALT	
PROPOSED CONCRETE	

## GRADING PLAN LEGEND:

PROPOSED CONTOURS

EXISTING CONTOURS

## LANDSCAPE LEGEND:

TREES:  
ULMUS PARVODOLIA 'TRUE GREEN' LACEBARK ELM

OLEA EUROPAEA 'SWAN HILL' FRUITLESS OLIVE

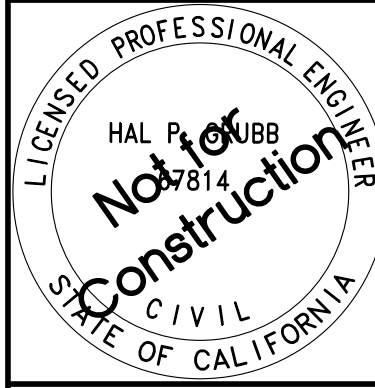
SHRUBS:  
OLEA EUROPAEA 'MONTRA' LITTLE OLLIE OLIVE  
ELYMUS CONDENSATUS 'CANYON PRINCE' WILD RYE  
MUHLNBERGIA CAPILLARIS PINK MUHLY GRASS

PRELIMINARY SITE PLAN  
4351 PHELAN ROAD  
PHELAN, CA

Title:

DURBAN DEVELOPMENT  
106 FOSTER AVENUE, CHARLOTTE,  
NORTH CAROLINA, 28203

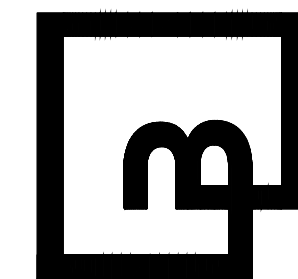
For:



Scale: Horizontal 1" = 20' Vertical N/A

Designed: BB  
Drawn: BB  
Checked: MTL  
Approved: HPG  
Date: 6/11/25

Barghausen  
Consulting Engineers, LLC.  
18215 72nd Avenue South  
Kent, WA 98032  
425-251-6222  
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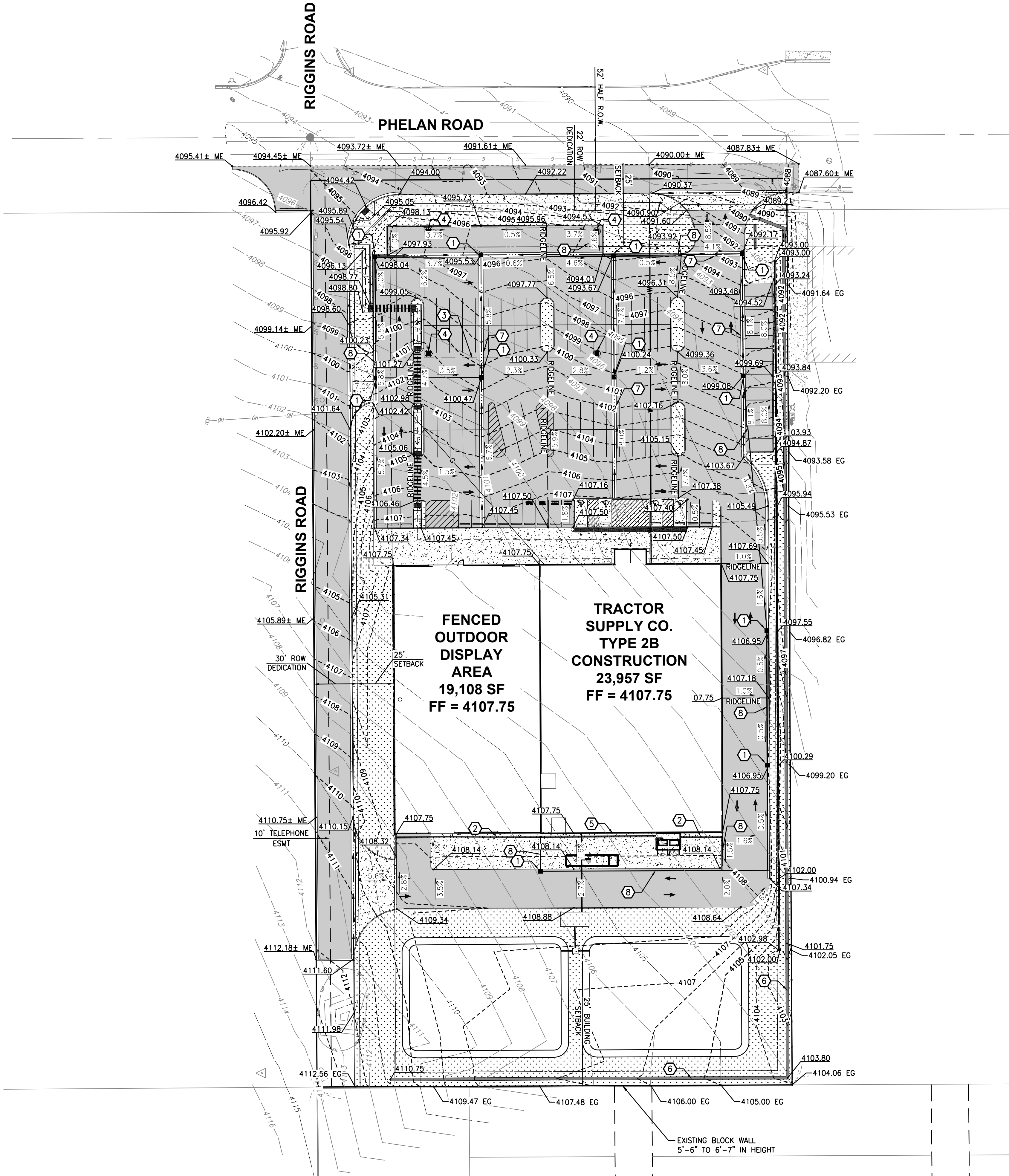
GRADING GENERAL NOTES:

1. ALL GRADING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE PROVISIONS OF THE CURRENT CITY ORDINANCE AND STANDARD PLANS. THE GRADING IS SUBJECT TO THE OBSERVATION AND APPROVAL OF THE PUBLIC WORKS DEPARTMENT.
2. ALL PUBLIC SIDEWALKS BEING CONSTRUCTED WHERE THE EXISTING CURBING IS TO REMAIN SHALL BE CONSTRUCTED AT A CROSS SLOPE OF  $\pm 1.5\%$  FROM THE EXISTING BACK OF CURB ELEVATION (CROSS SLOPE MAY REQUIRE TO BE VARIED: 1.25% TO 1.75%). CONTRACTOR SHALL VERIFY CONSTRUCTION FORMS COMPLY WITH ADA STANDARDS PRIOR TO POURING CONCRETE.
3. ALL TRENCHING IN THE RIGHT-OF-WAY SHALL BE REPLACED AND GRADED TO MATCH EXISTING CONDITIONS, CROSS SLOPES SHALL BE MAINTAINED.
4. ALL EXISTING UTILITY STRUCTURES AND ASSOCIATED LIDS THAT FALL WITHIN THE AREA OF WORK SHALL BE ADJUSTED TO FINISHED GRADE ELEVATIONS, AND BE FREE OF ANY ABRUPT VERTICAL CHANGES. NOTIFY ENGINEER OF ANY DISCREPANCIES.
5. ALL PAVEMENT SAWCUTS ARE DESIGNED TO BE REPLACED TO MATCH EXISTING PAVEMENTS AND SHALL BE FLUSH AND FREE OF ANY VERTICAL CHANGES. NOTIFY ENGINEER OF ANY DISCREPANCIES.
6. FINISH GRADE OF LANDSCAPED AREAS AT A MINIMUM OF 1-2 INCHES BELOW TOP OF CURB, SIDEWALK OR PAVEMENT. REFER TO LANDSCAPING DRAWINGS FOR ADDITIONAL DETAILS.
7. ALL SPOT ELEVATIONS SHOWN ARE TO FINISH SURFACE (TOP OF ASPHALT OR TOP OF CONCRETE PAVEMENT, NOT TOP OF CURB/SIDEWALK) UNLESS OTHERWISE NOTED.
8. CONTRACTOR TO REMOVE AND CLEAN-UP ANY SPILLED DEBRIS WITHIN THE PUBLIC ROW THROUGHOUT THE GRADING OPERATIONS OF THE PROJECT.
9. ALL GRADING CONSTRUCTION DEBRIS MATERIALS SHALL BE REMOVED AND DISPOSED INTO AN APPROVED DUMP SITE PRIOR TO ANY EXCAVATION OF FILL OPERATIONS AND/OR AS SPECIFIED BY THE SOLID WASTE MANAGEMENT PLAN AND/OR DIRECTED BY PUBLIC WORKS. ALL GRADING ACTIVITIES MUST COMPLY WITH ALL STORMWATER REGULATIONS INCLUDING STABILIZATION OF ANY SOIL DISTURBED AREA. ALL EXCESS DIRT SHALL BE LEVELED AND/OR DISPOSED OF CORRECTLY AND MAY NOT BE TAKEN TO A FACILITY THAT IS NOT LISTED IN THE SWPPP OF SOLID WASTE MANAGEMENT PLAN AND/OR APPROVED BY THE CITY.

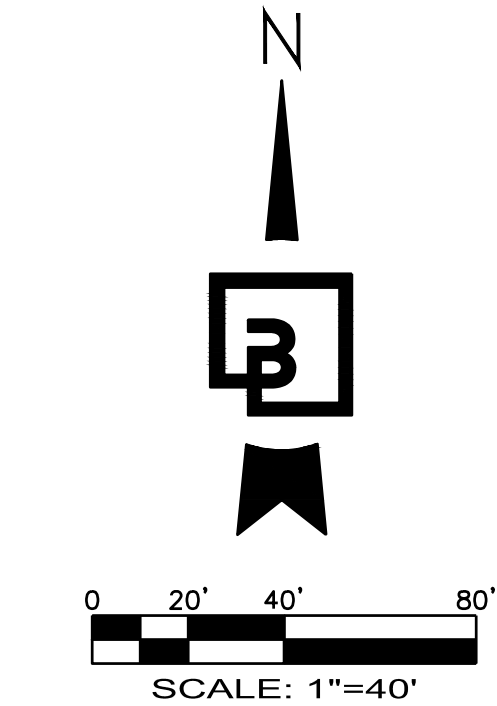
STORM DRAIN GENERAL NOTES:

1. ALL STRUCTURE ELEVATIONS SHOWN ARE TO CENTER OF STRUCTURE AT FINISH SURFACE (TOP OF ASPHALT OR TOP OF CONCRETE PAVEMENT, NOT TOP OF CURB/SIDEWALK) UNLESS OTHERWISE NOTED.
2. ALL STORM DRAINAGE STRUCTURES EXPOSED TO TRAFFIC SHALL BE TRAFFIC RATED INCLUDING STRUCTURE, LID, GRATE, ETC.
3. ALL STORM DRAIN PIPING DENOTED AS "PVC" SHALL CONFORM TO SCHEDULE 40, ASTM D2665.
4. ALL STORM PIPING INSTALL WITH LESS THAN 2 FEET OF COVER SHALL BE BACKFILLED WITH A CONTROLLED DENSITY FILL (SLURRY).
5. ALL STORM DRAINAGE STRUCTURES WITH LIDS EXPOSED TO PEDESTRIAN TRAFFIC SHALL BE HEEL PROOF AND SLIP RESISTANT IN ACCORDANCE WITH ACCESSIBILITY REQUIREMENTS.
6. PROVIDE ALL INCIDENTAL FITTINGS, BENDS, WYES, TEES, COUPLINGS, GASKETS, ETC. REQUIRED TO CONSTRUCT THE INFRASTRUCTURE DEPICTED.
7. ALL TRENCHING SHALL CONFORM TO THE REQUIREMENTS OF THE APPLICABLE PURVEYOR.
8. PROVIDE MARKING TAPE AND LOCATE WIRE WITH ALL TRENCH INSTALLATIONS.
9. CONTRACTOR TO OBTAIN ANY NECESSARY RIGHT-OF-WAY PERMITS IF REQUIRED FOR WORK SHOWN ON PLANS.
10. CONTRACTOR TO RAISE AND ADJUST ALL EXISTING AND PROPOSED CATCH BASIN RIMS TO FINAL GRADE AS NECESSARY. CATCH BASINS WITHIN ADA ACCESSIBLE PATHS SHALL BE ADJUSTED TO FINAL ELEVATIONS IN COMPLIANCE WITH CURRENT ADA REQUIREMENTS.

TRACTOR SUPPLY COMPANY - PHELAN, CA  
PRELIMINARY GRADING AND DRAINAGE PLAN



OFFICIAL USE ONLY



⑦ GRADING AND DRAINAGE NOTES:

1. PROPOSED PRECAST CATCH BASIN.
2. PROPOSED TRENCH DRAIN DRAINING TO PROPOSED UNDERGROUND INFILTRATION BASIN.
3. PROPOSED UNDERGROUND INFILTRATION FACILITY CONSISTING OF ADS LANDMAX PERFORATED 5" DIAMETER PERFORATED HDPE PIPES.
4. PROPOSED ACCESS RISER
5. DRAINAGE DOWNSPOUT FROM ROOF, TYPICAL. RUNOFF COLLECTED BY TRENCH DRAIN AND CONVEYED TO INFILTRATION FACILITY.
6. PROPOSED LANDSCAPED SWALE TO TRANSPORT RUN-OFF FROM PROPOSED LANDSCAPED AREA OFF-SITE MATCHING THE EXISTING DRAINAGE PATTERN.
7. PROPOSED VALLEY GUTTER.
8. PROPOSED PVC STORM DRAIN.

LEGEND

BUILDING LINE	
EXISTING CURB TO REMAIN	
PROPOSED CURB	
PROPOSED LANDSCAPING	
PROPOSED ASPHALT	
PROPOSED CONCRETE	

GRADING PLAN LEGEND:

PROPOSED CONTOURS	
EXISTING CONTOURS	

Title:  
PRELIMINARY GRADING AND DRAINAGE PLAN  
4351 PHELAN ROAD  
PHELAN, CA

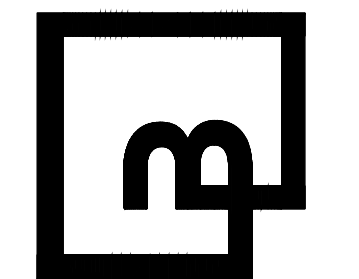
For:  
DURBAN DEVELOPMENT  
106 FOSTER AVENUE, CHARLOTTE,  
NORTH CAROLINA, 28203



Scale:  
Horizontal  
1" = 20'  
Vertical  
N/A

Designed: BB  
Drawn: BB  
Checked: MTL  
Approved: HPG  
Date: 6/11/25

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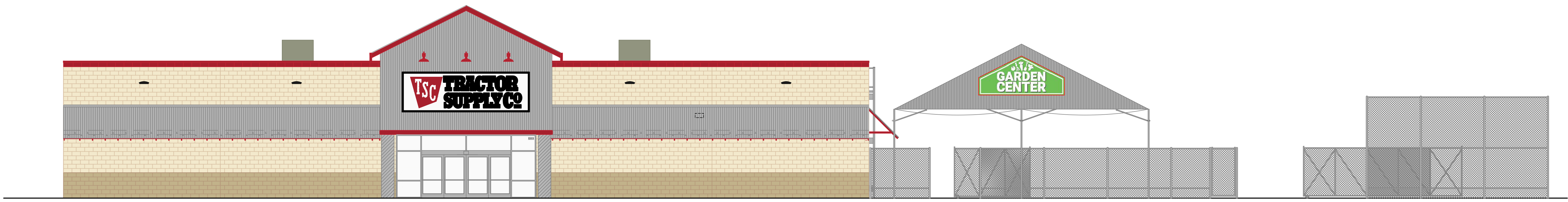


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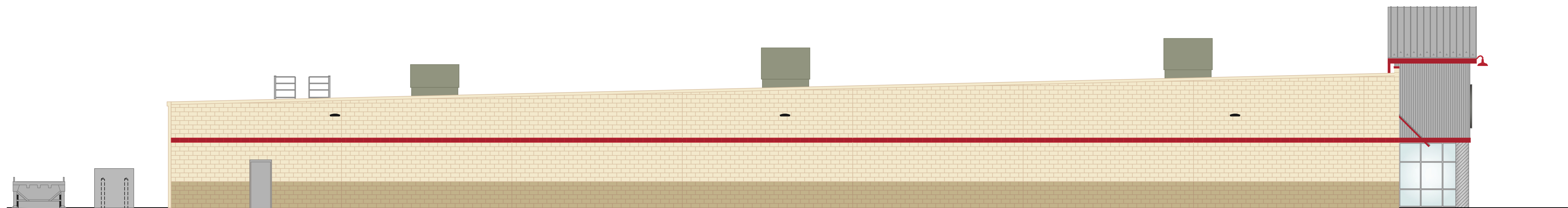
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# **EXHIBIT D**

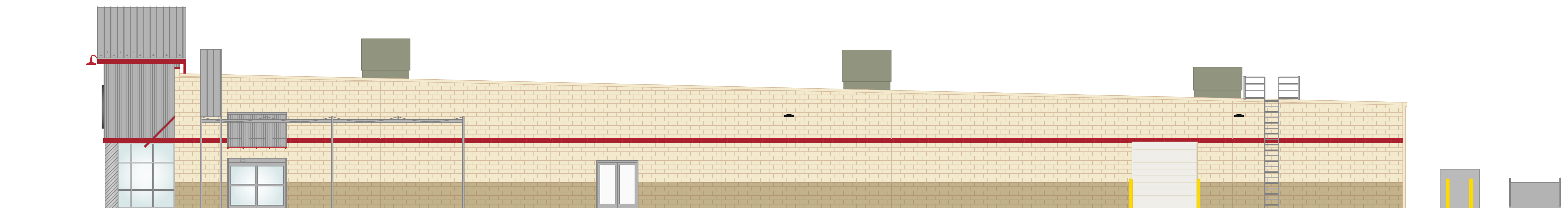




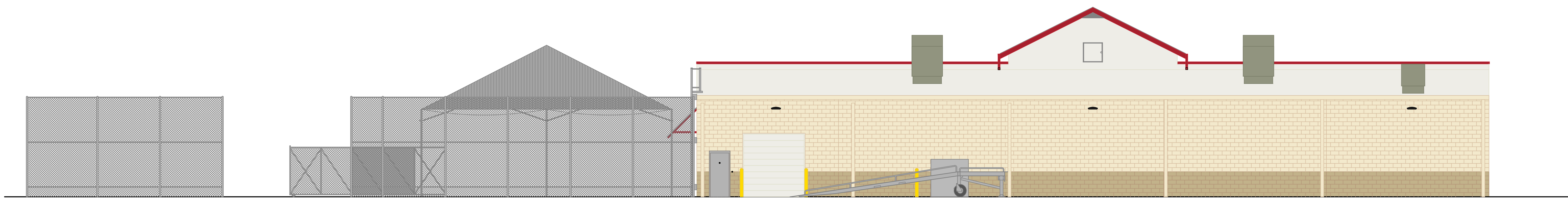
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2 ELEVATION  
SCALE: 1/8"=1'-0" EAST



3 ELEVATION  
SCALE: 1/8"=1'-0" WEST



4 ELEVATION  
SCALE: 1/8"=1'-0" SOUTH

TRACTOR SUPPLY COMPANY  
PHELAN, CALIFORNIA

# **EXHIBIT E**

**DRAFT**

# **CEQA Guidelines Section 15183 PROJ-2024-00098 Phelan Tractor Supply**

## **Countywide Plan Exemption Checklist**

**June 2025**

Prepared for:

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

Mark Wardlaw, Director, Land Use Services Department

Prepared by:



**60 West Alisal Street, Suite 200  
Salinas, California 93901**

**David J. R. Mack, AICP, Planning Manager**

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- Appendix A. Site Plan
- Appendix B. Traffic Impact Assessment
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## ***Acronyms and Abbreviations***

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AB	Assembly Bill
AQMD	Air Quality Management District
BCC	bird of conservation concern
BLMS	Bureau of Land Management - Sensitive Species
CARB	California Air Resources Board
CBC	California Building Code
CEQA	California Environmental Quality Act
CO	Carbon monoxide
CRHR	California Register of Historical Resources
CRPR	California Rare Plant Rank
CWP	Countywide Plan
FHSZ	Fire Hazard Severity Zone
GHG	greenhouse gas
CALGreen	California Green Building Standards
HCP	habitat conservation plans
IUCN	International Union for Conservation of Nature
LC	Least Concern
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MMRP	Mitigation Monitoring and Reporting Program
MS4	municipal separate storm sewer system
NCCP	natural community conservation plans
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
PEIR	Program Environmental Impact Report
PRC	Public Resources Code
RL	Rural Living
RR	Regulatory Requirement
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RWQCB	Regional Water Quality Control Board
SCAG	Southern California Association of Governments
SCH	State Clearinghouse
SO2	sulfur dioxide
SCAB	South Coast Air Basin
SCH	State Clearing House
SRA	State Responsibility Area
SSC	Species of Special Concern
TAC	toxic air contaminants
TPM	Tentative Parcel Map
VMT	vehicle miles traveled
VOC	volatile organic compounds
ZNE	zero net energy

## Section 1 Introduction

---

This document is a California Environmental Quality Act (CEQA) Guidelines Section 15183 Checklist to the Program Environmental Impact Report (PEIR) (State Clearinghouse [SCH] No. 2017101033) for the San Bernardino Countywide Plan (CWP or Countywide Plan), which was certified on November 2, 2020. The CWP was approved at the same public hearing. The certified CWP PEIR analyzed the potential environmental impacts of the proposed land use designations and policies that would accommodate a projected growth of 15,355 residential units and 49,680 people between 2016 and 2040 in the unincorporated areas of the county.

A project is consistent with the CWP if the development density does not exceed what was contemplated and analyzed for the involved parcel in the CWP for which the CWP PEIR prepared and complies with the associated standards applicable to that development density (CEQA Guidelines Section 15183(i)(2)). Development density standards can include the number of dwelling units per acre, the number of people in a given area, floor area ratio, and other measures of building intensity, building height, size limitations, and use restrictions.

This checklist provides an analysis of potential environmental impacts resulting from the approval of the Conditional Use Permit (CUP) for Phelan Tractor Supply (PROJ-2024-00098) (project). Following the format of CEQA Guidelines Appendix G, environmental effects are evaluated to determine if the project would result in an increase or new potentially significant impact (i.e., impact peculiar to the project or project site) not identified in the CWP PEIR that could trigger additional review under Guidelines Section 15183 (Exemption Checklist).

### 1.1 Overview of CEQA Guidelines Section 15183

As set forth in California Public Resources Code (PRC) Section 21083.3 and State CEQA Guidelines Section 15183, projects that are “consistent with the development density established by the existing zoning, community plan or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site” (CEQA Guidelines Section 15183(a) and PRC Section 21083.3(b)). The CEQA Guidelines further state that “[i]f an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards [...] then an additional EIR need not be prepared for the project solely on the basis of that impact” (CEQA Guidelines Section 15183(c)).”

## **1.2 Countywide Plan**

The County of San Bernardino (County) CWP was adopted, and the CWP PEIR was certified by the County in 2020. The CWP serves as the County's business plan and includes a long-term vision and principle-based Policy Plan that function as the County's General Plan.

The CWP PEIR evaluated the potential environmental effects from implementation of the CWP, and development pursuant to the CWP is subject to mitigation measures identified in the CWP PEIR and the requirements of the County's municipal code. A project is consistent with the CWP if the development density does not exceed what was contemplated and analyzed for the parcel(s) in the CWP PEIR and complies with the associated standards applicable to that development density (State CEQA Guidelines Section 15183(i)(2)). Development density standards can include the number of dwelling units per acre, the number of people in a given area, floor area ratio (FAR), and other measures of building intensity, building height, size limitations, and use restrictions.

The project site is in the Phelan-Pinon Hills Community Area, and the project site is designated C (Commercial) by the CWP and zoned Phelon-Pinon Hills/General Commercial (PH/CG).

## **1.3 Project Overview**

The project would develop an existing vacant 4.81-acre parcel (Assessor's Parcel Number [APN] 3066-251-09) located south of Phelan Road, approximately 0.25 miles east of the intersection of Sheep Creek Road/Phelan Road with a 23,957 square feet Tractor Supply Company Building with approximately 19,108 SF of fenced outdoor display area and 3,000 SF of trailer display.

## **1.4 Applicability of State Guidelines Section 15183**

As set forth in State CEQA Guidelines Section 15183(d), the additional environmental review exemption applies to projects which meet the following conditions:

1. The project is consistent with:
  - a. A community plan adopted as part of a general plan,
  - b. A zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development, or
  - c. A general plan of a local agency, and
2. An EIR was certified by the lead agency for the zoning action, the community plan, or the general plan.

Additionally, the CEQA Guidelines Section 15183(e) limits the analysis of only those significant environmental effects for which:

1. Each public agency with authority to mitigate any of the significant effects on the environment identified in the EIR on the planning or zoning action undertakes or requires others to undertake mitigation measures specified in the EIR which the lead agency found to be feasible, and
2. The lead agency makes a finding at a public hearing as to whether the feasible mitigation measures will be undertaken.

The CWP PEIR analyzed the impacts of buildout of the CWP. As discussed in this analysis, the project is consistent with the land uses identified for the site in the CWP. The project site has a CWP land use designation C (Commercial) and is zoned Phelan-Pinon Hills/General Commercial (CG). The project is consistent with the assumptions and land use and growth projections of the CWP. As such, the CWP PEIR adequately anticipated and analyzed the impacts of this project, identified applicable mitigation measures necessary to reduce impacts of the project, and the project implements the applicable mitigation measures. The project, therefore, qualifies for an exemption from additional environmental review as set forth in State CEQA Guidelines Section 15183.

The CEQA Guidelines Section 15183 applies for the project because the following findings can be made:

1. The project is consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified.

The project site involves approval of a Conditional Use Permit (CUP) for the development of a 23,957 square foot Tractor Supply Company Building with approximately 19,108 SF of fenced outdoor display area and 3,000 SF of trailer display. This project is consistent with the current CWP land use designation C (Commercial) and Phelan-Pinon Hill/General Commercial (CG) zoning analyzed in the CWP EIR for the project site.

2. There are no project-specific effects which are peculiar to the project or its site, and which the CWP PEIR failed to analyze as significant effects.

As explained in the Exemption Checklist below, project impacts were adequately analyzed by the CWP PEIR. The CWP PEIR identified that the CWP would have significant and unavoidable environmental effects related to air quality, biological resources, greenhouse gas emissions, hazards and hazardous materials (wildfire), mineral resources, noise, and transportation and traffic. The CWP PEIR also identified four environmental impact areas for which mitigation measures were required to reduce potential environmental impacts to a less than significant level: (1) air quality; (2) biological resources; (3) cultural resources; and (4) noise.



3. There are no potentially significant off-site and/or cumulative impacts which the CWP PEIR failed to evaluate.

The project is consistent with the density and use characteristics of the development considered by the CWP PEIR and would represent a small part of the growth that was forecast for build-out of the Countywide Policy Plan. The CWP PEIR considered the incremental impacts of the project, and as explained further in the Exemption Checklist below, no potentially significant off-site or cumulative impacts have been identified which were not previously evaluated.

4. There is no substantial new information which results in more severe impacts than anticipated by the CWP PEIR.

As explained in the Exemption Checklist below, no new information has been identified which would result in a determination of a more severe impact than what had been anticipated by the CWP PEIR.

5. The project will undertake feasible mitigation measures specified in the CWP PEIR.

As explained in the Exemption Checklist below, the project will undertake feasible mitigation measures specified in the CWP PEIR. These CWP PEIR measures will be undertaken through project design, compliance with regulations and ordinances, the project's conditions of approval, and County permit processing.

## **1.5 Content and Organization of This Exemption Checklist**

This Exemption Checklist relies on the CEQA Guidelines Appendix G and the CWP PEIR, which addresses environmental issues section by section. The completed checklist is included in Section 5.0, Environmental Analysis. Each environmental topic has the following subheadings:

- Summary of Impacts Identified in the CWP PEIR
- Impacts Associated with the project (including environmental checklist)
- Conclusion
- Uniformly Applied Development Policies or Standards
- CWP Goals and Policies
- Adopted CWP PEIR Mitigation Measures Applicable to the Project

## **1.6 CWP PEIR**

This Exemption Checklist incorporates the CWP PEIR (and its constituent parts) by reference. All documents incorporated by reference are available for review at:

- San Bernardino County Govt. Center - Land Use Services Department: 385 N. Arrowhead Ave., 1st floor, San Bernardino, CA 92415

- <https://countywideplan.com/resources/document-download/>

The CWP PEIR evaluated 18 environmental topics and substantiated the following findings:

**Less Than Significant Impacts Without Mitigation**

- Aesthetics
- Agriculture and Forestry Resources
- Geology and Soils
- Hydrology and Water Quality
- Land Use and Planning
- Population and Housing
- Public Services
- Recreation
- Tribal Cultural Resources
- Utilities and Service Systems

**Impacts Mitigated to Less Than Significant with Mitigation Measures**

- Cultural Resources

**Significant and Unavoidable Impacts**

- Air Quality
- Biological Resources
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials (wildfire)
- Mineral Resources
- Noise
- Transportation/Traffic

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## **Section 2 Environmental Setting**

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The CWP PEIR considered the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by buildout of the CWP, within the Policy Plan, and impacts from the resultant population and employment growth in the unincorporated areas of the county. The CWP PEIR evaluated a buildout of 150,964 dwelling units, 357,378 people, and 65,483 jobs. Growth associated with the CWP is not linked to a timeline. However, buildout of the CWP was forecast for the year 2040. The CWP states that areas designated for Commercial should be suitable locations for retail, office and service commercial businesses that serve the needs of local residents, regional markets, and visitors/tourists in addition to providing employment opportunities for residents in the surrounding area.

### **2.1 Project Location**

The 4.81-acre project site located south of Phelan Road approximately 0.25 miles east of the intersection of Sheep Creek Road/Phelan Road (APN 3066-251-09) in the unincorporated community of Phelan-Pinon Hills, San Bernardino County, California (refer to Figure 1, Regional Location, and Figure 2, Project Site). The project site is in the North Desert Region of the CWP.

### **2.2 Existing Land Use**

The project site is an undeveloped/vacant commercial zoned site. Various ground cover/shrubs are contained throughout the site.

### **2.3 Existing Countywide Plan and Zoning Designation**

The project site is within the Countywide Plan designation Commercial (C); zoned Phelan-Pinon Hills/General Commercial (PH/CG) See Figure 3, Countywide Plan Land Use Designation.

### **2.4 Surrounding Land Uses, General Plan, and Zoning Designations**

The area surrounding the project site is a mixture of vacant and development land. Parcels abutting the project site to the west are primarily undeveloped commercially zoned lands. The parcel to the east is an existing commercially developed site. To the north of the parcel is Phelan Road. South of the parcel is undeveloped residentially zoned parcels (PH/RM – Phelan-Pinon Hills/Multiple Residential).

### **2.5 Countywide Plan**

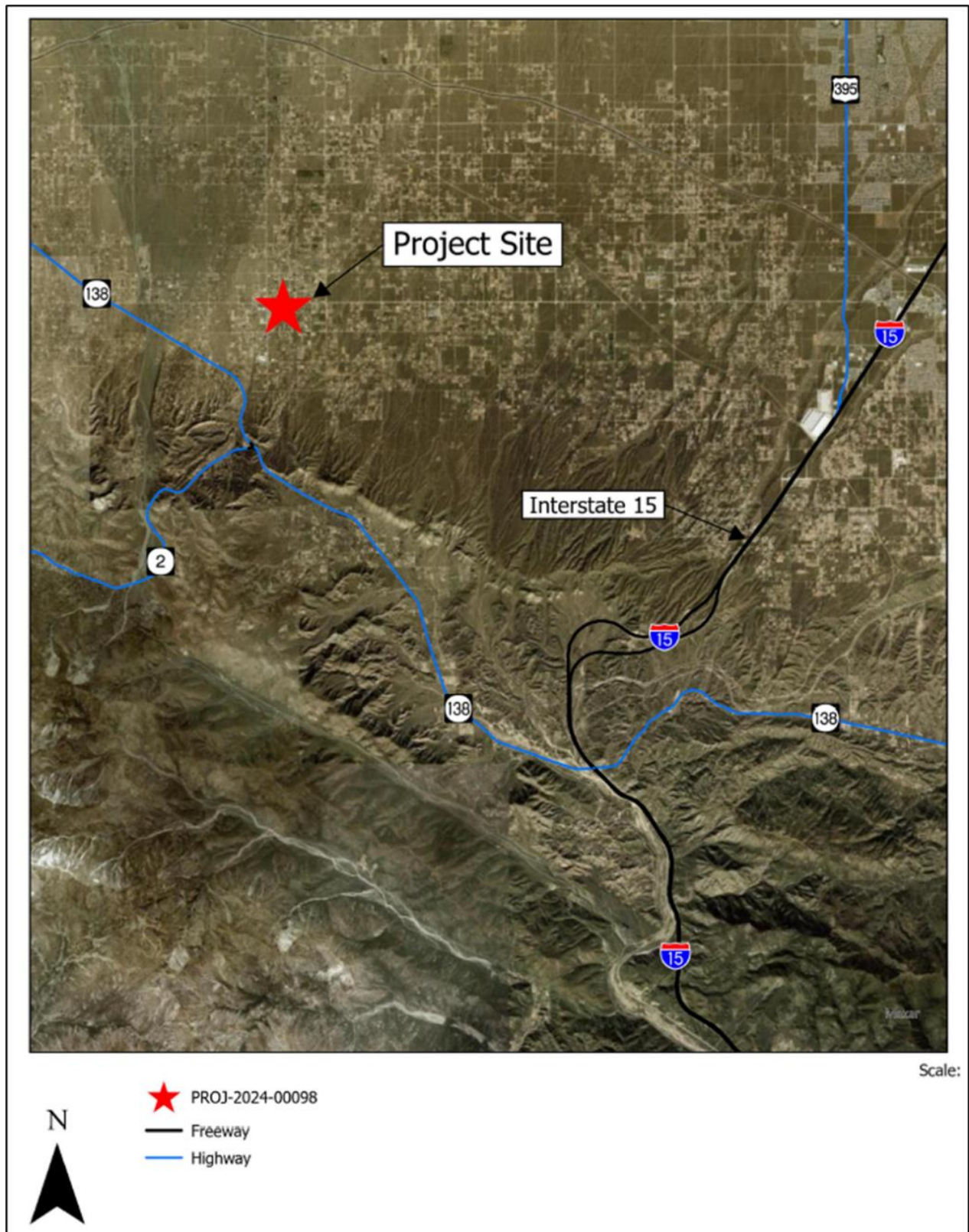
The CWP (2020) updated the County General Plan, which had been last updated in 2007. It reflects the County's efforts since 2010 when the County Board of Supervisors set out to establish a vision for the future of the county as a whole and adopted a Countywide Vision in 2011 after two years of input from the community and the county's 24 cities and towns.

The Countywide Plan has four major components:

- A County Policy Plan, an update and expansion of the County's General Plan, including a new approach to county planning that includes social services, healthcare services, public safety, and other regional County services provided in both incorporated and unincorporated areas.
- A Community Planning Continuum to replace existing Community Plans with a greater focus on community self-reliance, grass-roots action, and implementation. Goals, policies, land use, and infrastructure decisions for the Community Plan areas will be addressed in the County Policy Plan while a set of new action-oriented Community Action Guides will offer a set of potential tools and action plans framed in a set of community-driven values and aspirations.
- A County Business Plan, with governance policies, operational metrics, and implementation strategies that outline the County's approach to providing municipal services in the unincorporated areas and regional services for both incorporated and unincorporated areas.
- A Regional Issues Forum, an online resource for sharing information and resources related to issues confronting the County as a whole, including the work of the Countywide Vision element groups.

The CWP PEIR examined the potential environmental impacts of the CWP and various actions by the County and others to adopt and implement the CWP, including, but not limited to adoption of any ordinance, guidelines, programs, actions, or other mechanisms that implement the CWP.

Figure 1 Regional Location



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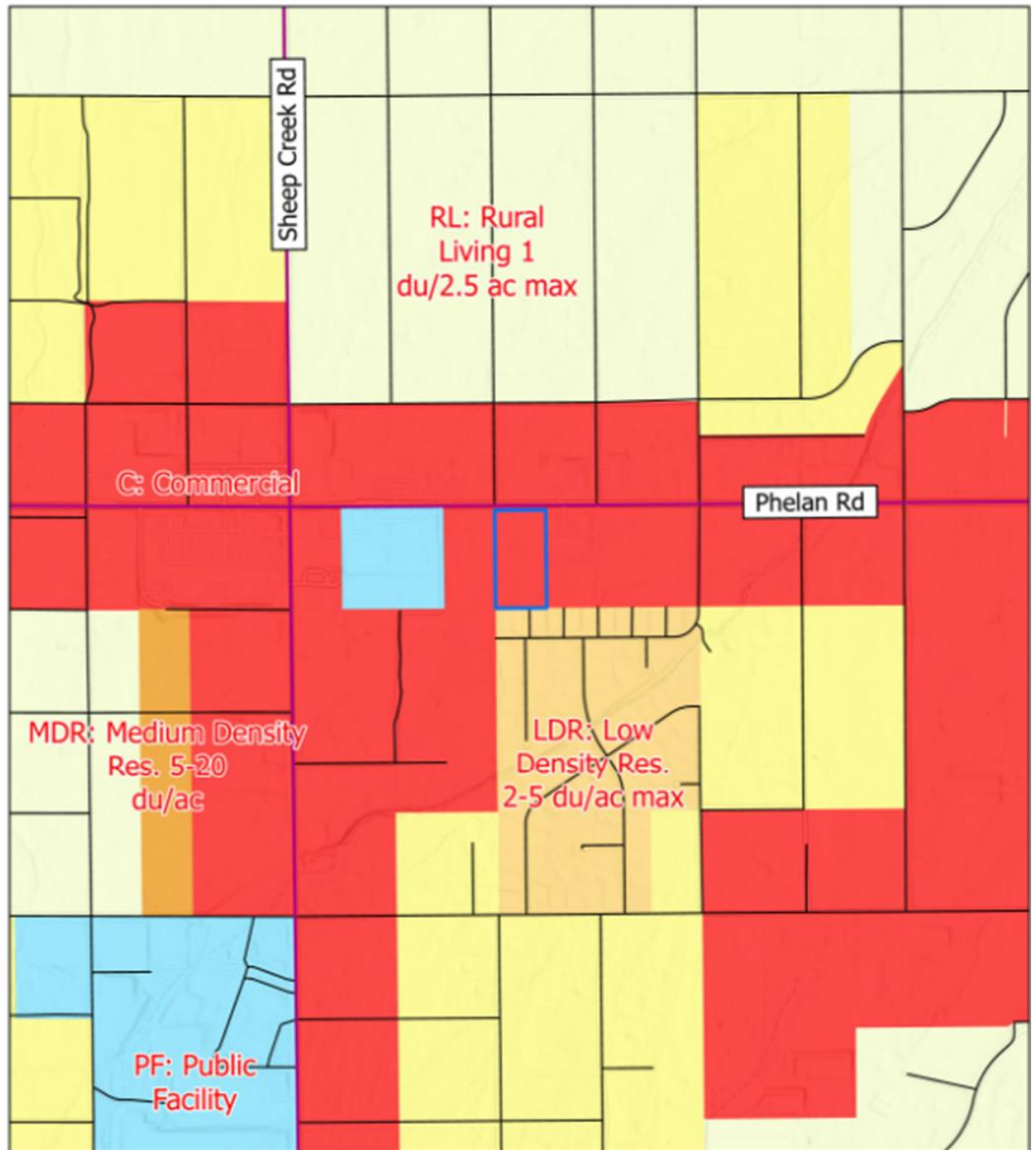


Figure 2 Project Location

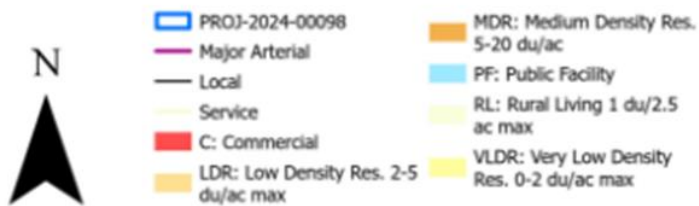


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Figure 3 Countywide Plan Land Use Designation



Scale: 1:12,000



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## **Section 3    Project Description**

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### **3.1    Project Description**

The applicant requests approval of a Conditional Use Permit (CUP) for the development of a 23,957 square foot Tractor Supply Co. building, with approximately 19,108s SF of fenced outdoor display area to include a greenhouse, sidewalk display area immediately adjacent to the store front, trailer and equipment display adjacent to the northern property line, 3 truck/trailer parking stalls, 89 standard parking stalls, 4 ADA parking stalls, rear loading facility, and on-site septic on a 4.81-acre site.

A proposed site plan for the project is included in Appendix A.

The store is expected to receive one truck delivery per week. The Tractor Supply Company store is expected to operate seven (7) days each week; with hours of operation being 8:00 a.m. to 9:00 p.m. Monday through Saturday and 9:00 a.m. to 7:00 p.m. on Sunday. It is anticipated that the facility will employ between 14 and 18 employees. The store is anticipated to generate approximately 270 customer vehicles per day. Parking lot lighting will be turned off an hour after closing and has been designed to be downlit and will not spill over to neighboring properties. Security lighting will be installed and is also designed to be downlit and focused on specific areas of concern.

### **3.2    Discretionary Approvals**

In accordance with State CEQA Guidelines Sections 15050 and 15367, the County is the designated Lead Agency for the project and has principal authority and jurisdiction for CEQA actions and project approval. Responsible Agencies are those agencies that have jurisdiction or authority over one or more aspects associated with the development of a proposed project and/or mitigation. Trustee Agencies are state agencies that have jurisdiction by law over natural resources affected by a proposed project. There are no Responsible Agencies or Trustee Agencies, or any other public agencies, whose approval is required for approving this project.

The following discretionary action is anticipated to be necessary for implementation of the project:

- Approval of the Conditional Use Permit by the County of San Bernardino

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## Section 4 Environmental Checklist

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### 4.1 Background

1. **Project title:** Phelan Tractor Supply Store
2. **Lead agency name and address:** San Bernardino County  
Land Use Services Department  
385 N. Arrowhead Avenue, 1<sup>st</sup> Floor  
San Bernardino, California 92415
3. **Contact person name and phone number:** David J. R. Mack, AICP  
Land Use Services Department  
(831) 320-0413  
David.Mack@lus.sbcounty.gov
4. **Project location:** San Bernardino County
5. **Project sponsor's name and address:** San Bernardino County  
Land Use Services Department  
385 N. Arrowhead Avenue, 1<sup>st</sup> Floor  
San Bernardino, California 92415
6. **General plan designation:** Commercial (C)
7. **Zoning:** Phelan-Pinon Hills/General Commercial (PH/CG)
8. **Description of project:** Conditional Use Permit (CUP) for the development of a 23,957 square foot Tractor Supply Co. building, with approximately 19,108s SF of fenced outdoor display area to include a greenhouse, sidewalk display area immediately adjacent to the store front, trailer and equipment display adjacent to the northern property line, 3 truck/trailer parking stalls, 89 standard parking stalls, 4 ADA parking stalls, rear loading facility, and on-site septic on a 4.81-acre site.
9. **Surrounding land uses and setting:** Vacant/Commercial/Residential
10. **Other public agencies whose approval is required:** Not applicable.



**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.?**

Assembly Bill (AB) 52 (Chapter 532, Statutes of 2014) establishes a formal consultation process for California tribes as part of the CEQA process and equates significant impacts on “tribal cultural resources” with significant environmental impacts (PRC Section 21084.2). AB 52 requires that lead agencies undertaking CEQA review evaluate, just as they do for other historical and archeological resources, a project’s potential impact to a tribal cultural resource. In addition, AB 52 requires that lead agencies, upon request of a California Native American tribe, begin consultation prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project. AB 52 does not apply to a Notice of Exemption or Addendum, such as this Countywide Plan Exemption Checklist (State CEQA Guidelines Section 15183). As such, AB 52 consultation is not required for this project.

## 4.2 Environmental Factors Potentially Affected

The subject areas checked below were determined to be a peculiar impact that was not identified as a significant impact under the prior EIR, a significant impact that was not analyzed as significant in the prior EIR, a potentially significant offsite impact or cumulative impact not discussed in the prior EIR, or a more severe impact due to substantial new information that was not known at the time the prior EIR, as indicated by the checklist and discussion 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"/> Energy                             |
| <input type="checkbox"/> Geology and Soils             | <input type="checkbox"/> Greenhouse Gas Emissions           | <input type="checkbox"/> Hazards and Hazardous Materials    |
| <input type="checkbox"/> Hydrology and Water Quality   | <input type="checkbox"/> Land Use and Planning              | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                         | <input type="checkbox"/> Population and Housing             | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                    | <input type="checkbox"/> Transportation                     | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Wildfire                           | <input type="checkbox"/> Mandatory Findings of Significance |



### 4.3 Determination (to Be Completed by the Lead Agency)

On the basis of this initial evaluation:

- ☒ I find that the project **WOULD NOT** result in: 1) a peculiar impact that was not identified as a significant impact under the prior EIR; 2) a significant impact that was not analyzed as significant in the prior EIR; 3) a potentially significant offsite impact or cumulative impact not discussed in the prior EIR; or 4) a more severe impact due to substantial new information that was not known at the time the prior EIR. **NO FURTHER ACTION** is required and a Notice of Determination (Section 15094) will be filed indicating that the project **IS ELIGIBLE** for an **EXEMPTION** under State CEQA Guidelines Section 15183.
  
- ☐ I find that the project would result in: 1) a peculiar impact that was not identified as a significant impact under the prior EIR; 2) a significant impact that was not analyzed as significant in the prior EIR; 3) a potentially significant offsite impact or cumulative impact not discussed in the prior EIR; or 4) a more severe impact due to substantial new information that was not known at the time the prior EIR. I find that **FURTHER ENVIRONMENTAL REVIEW** is necessary to analyze those effects that are subject to CEQA, and therefore, this project is **NOT ELIGIBLE** for an **EXEMPTION** under State CEQA Guidelines Section 15183.

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Signature

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Date

## 4.4 Evaluation of Environmental Impacts

This Countywide Plan Exemption Checklist provides an analysis of potential environmental impacts resulting from the project. Following the format of CEQA Guidelines Appendix G Checklist, environmental effects are evaluated to determine if the Project would result in a peculiar impact triggering additional review under State CEQA Guidelines Section 15183.

- Items checked “Peculiar Impact that is not Substantially Mitigated” indicates that the Project could result in a peculiar impact, including a physical change that belongs exclusively or especially to the Project or that is a distinctive characteristic of the Project or the Project site and that peculiar impact is not substantially mitigated by the imposition of uniformly applied development policies or standards. (State CEQA Guidelines Section 15183(b)(1)(f))
- Items checked “Impact not Analyzed as Significant Effect in CWP PEIR” indicates that the Project could result in a significant effect that was not analyzed as significant in the CWP PEIR. Such a Project impact is not significant if it can be substantially mitigated by the imposition of uniformly applied development policies or standards. (State CEQA Guidelines Section 15183(b)(2),(c),(f))
- Items checked “Potentially Significant Offsite or Cumulative Impact Not Discussed in CWP PEIR” indicates the Project could result in a significant offsite or cumulative impact that was not discussed in the CWP PEIR. Such an offsite or cumulative Project impact is not significant if it can be substantially mitigated by the imposition of uniformly applied development policies or standards. (State CEQA Guidelines Section 15183(b)(3),(c),(f))
- Items checked “Adverse Impact More Severe Based on Substantial New Information” indicates that there is new information that leads to a determination that the Project impact is more severe than discussed in the CWP PEIR. Such an impact is not more severe if it can be substantially mitigated by the imposition of uniformly applied development policies or standards. (State CEQA Guidelines Section 15183(b)(4)(c)(f)).
- Items checked “No New Impact” indicates that potential impacts from the Project have been adequately analyzed in the CWP PEIR.

A project does not qualify for a Countywide Plan Exemption if it is determined that it would result in one or more of the following: 1) a peculiar impact that was not identified as a significant impact under the CWP PEIR, 2) a significant impact was not analyzed as significant in the CWP PEIR, 3) a potentially significant offsite impact or cumulative impact not discussed in the CWP PEIR, or 4) a more severe impact due to substantial new information that was not known at the time the CWP PEIR was certified. However, if a project having any of the foregoing impacts can be substantially mitigated through the imposition of uniformly applied development policies or

standards. Uniformly applied development policies or standards that are applicable to the project are included within this analysis.

A summary of the County's analysis of each potential environmental effect related to the project is provided in the checklist below for each subject area.

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## **Section 5    Environmental Analysis**

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### **5.1    Aesthetics**

#### **5.1.1    Summary of Impacts Identified in the CWP PEIR**

The CWP PEIR concluded that adoption of the CWP would not result in significant aesthetic impacts. Visual disturbances caused by the CWP would include impacts from development built pursuant to the CWP that could obstruct or partially obstruct scenic vistas, alter scenic resources within a scenic highway, or alter the visual appearance and character of some communities in the County. Although this growth would result in adverse impacts, potential impacts would be minimized by a number of factors. These factors include:

- The Countywide Plan's concentration of future growth within existing urban areas. Growth in most unincorporated areas of the region would consist of infill development that would generally reflect surrounding land uses.
- The fact that much of the unincorporated county is owned and/or managed by federal or state agencies (e.g., U.S. Forest Service, Federal Bureau of Land Management, National Park Service, and U.S. Department of Defense) and therefore, in most cases, accommodates little (if any) new development.
- Implementation of proposed goals and policies, which prioritize conservation of existing natural landscapes.
- The programmatic nature of the Countywide Plan, including the requirements that subsequent, individual projects are subject to environmental review under CEQA.
- Continued implementation of the San Bernardino County Development Code.

These factors would minimize impacts on scenic vistas and the appearance and character of local communities to less than significant.

Buildout pursuant to the CWP could also create new sources of shade and shadow, light, and glare, but none of these would adversely affect day or nighttime views in the area. The CWP would introduce development in most regions that is relatively minimal due to the low density and low-rise nature of development and would not introduce skyscrapers, assemblages of tall buildings, freeway flyovers, or large hillside developments.

#### **5.1.2    Impacts Associated with the Project**

Except as provided in Public Resources Code Section 21099, would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a. Would the project have a substantial adverse effect on a scenic vista?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.1-1) and was determined to have a less than significant impact. Scenic vistas consist of expansive, panoramic views of important, unique, or highly valued visual features that are seen from public viewing areas. The CWP PEIR indicated views across desert landscapes, toward mountains and ridgelines, and toward rock formations and outcroppings as scenic and stated that development in accordance with previously allowed development patterns, level of urbanization, or the types of development are not expected to result in significant adverse impacts on scenic views. The project would be consistent with existing Countywide land use and zoning designations analyzed under the CWP PEIR, therefore, would not result in more severe impacts than already addressed by the CWP PEIR. *No new impact would occur.*

**b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.1-2) and was determined to have a less than significant impact. The project would not damage any scenic resources or historic buildings within a state scenic highway. There are no designated state scenic highways in the vicinity of the project site. The closest scenic highway is US Highway 138. It is a County Scenic Route & Eligible State Scenic Highway. It is 2.45 miles west of the project site. The project site would not be recognizable from these scenic resources. The project would be consistent with existing Countywide land use and zoning designations analyzed under the CWP PEIR, therefore, would not result in more severe impacts than already addressed by the CWP PEIR. No new impact would occur.

**c. Would the project, 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 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?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.1-3) and was determined to have a less than significant impact. The project site is in non-urbanized area of the North Desert Region, and the project site is designated C (Commercial) by the Countywide Plan and zoned Phelan-Pinon Hills/General Commercial (PH/CG). The project would comply with the County Code Section 83.10, Landscaping Standards. No changes to the project analyzed under the CWP PEIR is proposed. No new impact would occur.

**d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.1-4) and was determined to have a less than significant impact. The project site is in non-urbanized area of the North Desert Region, and the project site is designated C (Commercial) by the Countywide Plan and zoned Phelan-Pinon Hills/General Commercial (PH/CG). As indicated in the CWP PEIR (page. 5.1-24), individual development projects could increase nighttime illumination or glare on a localized level, but the minimal amount growth anticipated in the region would have negligible impact the region's overall light environment. No changes to the project analyzed under the CWP PEIR is proposed. No new impact would occur.

## **Conclusion**

With regards to the issue area of Aesthetics, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.

3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific-impacts would be less than significant.

### **Uniformly Applied Development Policies or Standards**

The project is required to comply with the San Bernardino County Development Code. The following Development Codes pertaining to aesthetic and light and glare impacts are applicable to the project.

- Chapter 83.02 (General Development and Use Standards).
- Chapter 83.06 (Fences, Hedges, and Walls)
- Chapter 83.07 (Glare and Outdoor Lighting)
- Chapter 83.10 (Landscaping Standards).
- Chapter 83.13 (Sign Regulation)

The following regulatory requirement (RR) related to aesthetics from the CWP EIR is applicable to the project.

RR AE-1      The County shall enforce adherence with the California Building Code, including provisions of the Building Energy Efficiency Standards related to lighting

### **CWP Goals and Policies**

The following policies from the CWP EIR are applicable to the project to reduce aesthetic impacts.

#### ***Natural Resources Element***

**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.

#### ***Land Use Element***

**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.

### **CWP PEIR Mitigation Measures**

The CWP PEIR did not identify any mitigation measures related to aesthetics.



## **5.2 Agriculture and Forest Resources**

### **5.2.1 Summary of Impacts Identified in the CWP PEIR**

The CWP PEIR concluded that the CWP would not result in significant impacts to agricultural and forestry resources. Buildout of the CWP would convert some mapped important farmland in the Valley and North Desert regions to nonagricultural uses. However, the CWP PEIR found that with the implementation of the CWP policy (i.e., Policy NR-7.2), impacts on mapped important farmland would be less than significant.

There are no Williamson Act lands in the Valley region where most development under the CWP would occur. There are no Williamson Act lands in the part of the North Desert region where most growth would occur. Williamson Act lands are in the Hesperia SOI, Apple Valley SOI, Lucerne Valley CPA, and east and west of Barstow. Much of the Williamson Act lands are in the Rural Living (RL) land use category, and the remainder are in the Resource/Land Management (RLM) category. Impacts to Williamson Act lands were found to be less than significant with implementation of CWP policies and regulatory requirements. Furthermore, the CWP EIR determined that the CWP would not convert substantial areas of forest land to non-forest areas. No mitigation measures related to agricultural or forest resources were required.

### **5.2.2 Impacts Associated with the Project**

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:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a. Would the project 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?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.2-1) and was determined to have a less than significant impact. The CWP PEIR indicated that there is no mapped important farmland in the North Desert Region of the County. The project site is in non-urbanized area of the North Desert Region, and the project site is designated C (Commercial) by the Countywide

Plan and zoned Phelan-Pinon Hills/General Commercial (PH/CG). No changes to the land uses analyzed under the CWP PEIR pertaining to farmland is proposed. No new impact would occur.

**b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?**

**No New Impact.** The CWP PEIR stated that no areas within the East Desert Region of the County are zoned for agricultural use or subject to a Williamson Act contract (page 5.2-5). The project site is in non-urbanized area of the North Desert Region, and the project site is designated C (Commercial) by the Countywide Plan and zoned Phelan-Pinon Hills/General Commercial (PH/CG). No changes to the land uses analyzed in the CWP PEIR related to farmland are proposed. Therefore, no new impacts would occur.

**c. Would the project 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))?**

**No New Impact.** This topic was addressed in the CWP PEIR (Impact 5.2-3) and was determined to have a less than significant impact. The project site is in non-urbanized area of the North Desert Region, and the project site is designated C (Commercial) by the Countywide Plan and zoned Phelan-Pinon Hills/General Commercial (PH/CG). Therefore, no conflict with the existing zoning or cause rezoning of forest land would occur. No changes to the land uses analyzed in the CWP PEIR related to forest land are proposed. Therefore, no new impacts would occur.

**d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?**

**No New Impact.** Refer response to above Section 5.2.2(c).

**e. Would the project 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?**

**No New Impact.** The project site is in non-urbanized area of the North Desert Region, and the project site is designated C (Commercial) by the Countywide Plan and zoned Phelan-Pinon Hills/General Commercial (PH/CG). The project would not convert any farmland or forest land. No changes to the land uses analyzed in the CWP PEIR related to farmland or forest land are proposed. Therefore, no new impacts would occur.

## **Conclusion**

With regards to the issue area of Agricultural/Forestry Resources, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.

2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project-specific impacts would be less than significant.

### **Uniformly Applied Development Policies or Standards**

There are no uniformly applied development policies or standards that are applicable to the project related to agricultural and forestry resources.

### **CWP Goals and Policies**

There are no CWP goals and policies related to agriculture and forest resources that are applicable to the project.

### **CWP PEIR Mitigation Measures**

The CWP PEIR did not identify any mitigation measures related to agriculture and forestry resources.

## 5.3 Air Quality

### 5.3.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that, even after the implementation of mitigation measures, the CWP would result in significant air quality impacts. Criteria air pollutant impacts were compared to the South Coast Air Quality Management District's (South Coast AQMD) and Mojave Desert Air Quality Management District (MDAQMD) significance thresholds. Construction activities related to buildout of the CWP would result in air pollutant levels that exceed South Coast AQMD and MDAQMD significance thresholds. In addition, development allowed under the CWP would exceed the South Coast AQMD's and MDAQMD's regional operational significance thresholds and would have the potential to affect the emissions forecasts in the South Coast AQMD and MDAQMD. The CWP would cumulatively contribute to the nonattainment designations of the South Coast Air Basin (SCAB) and the Mojave Desert Air Basin (MDAB). The CWP would also generate toxic air contaminants (TAC) that would contribute to elevated levels in the air basins and expose sensitive receptors to substantial pollutant concentrations. Odor impacts were identified as less than significant. Carbon monoxide (CO) hotspots were found to be less than significant. Although mitigation measures in the CWP PEIR would reduce air quality impacts of the CWP to the extent feasible, air quality impacts were identified as a significant and unavoidable impact of the CWP.

### 5.3.2 Impacts Associated with the Project

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the Project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a. Would the project conflict with or obstruct implementation of the applicable air quality plan?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.3-1). The CWP PEIR identified inconsistency with South Coast AQMD and MDAQMD AQMPs as a significant unavoidable impact of the CWP. The construction and operation of development pursuant to the CWP was also found to cumulatively contribute to the nonattainment designations of the SCAB and MDAB. Regional growth projections are used by South Coast AQMD and MDAQMD to forecast future emission levels in the SCAB and MDAB. For southern California, these regional growth projections are provided by SCAG and are partially based on land-use designations in city and county general plans.

The assessment of CWP impacts relative to criteria air pollutants is based on totals for development within the respective air basins—the SCAB and MDAB. With the exception of sulfur dioxide, the CWP PEIR concluded the implementation of the CWP would result in exceeding the thresholds for criteria air pollutants for both the SCAB and the MDAB.

MDAQMD requires a consistency evaluation with adopted federal and state AQMPs. If a project is deemed consistent with the existing land use plan, it is considered consistent with the AQMPs. The project site is in non-urbanized area of the North Desert Region, and the project site is designated C (Commercial) by the Countywide Plan and zoned Phelan-Pinon Hills/General Commercial (PH/CG). No changes to the land uses analyzed in the CWP PEIR are proposed, therefore, the land use proposed for the project is assumed to be included in the development projections of the CWP PEIR, therefore, the 2022 AQMP. As such, the project would not conflict or obstruct implementation of the 2022 AQMP, and no new impacts would occur.

**b. Would the project 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)?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impacts 5.3-2 and 5.3-3) and was determined to have a significant and unavoidable impact. Development allowed under the Countywide Plan would contribute to the nonattainment designations of the SCAB and MDAB through direct and indirect emissions of criteria air pollutants from land uses in the unincorporated county.

Construction activities would temporarily increase PM<sub>10</sub>, PM<sub>2.5</sub>, VOC, NO<sub>x</sub>, SO<sub>x</sub>, and CO regional emissions within the SCAB and MDAB. The primary source of NO<sub>x</sub>, CO, and SO<sub>x</sub> emissions is the operation of construction equipment. The primary sources of particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) emissions are activities that disturb the soil, such as grading and excavation, road construction, and building demolition and construction. The primary source of VOC emissions is the application of architectural coating and off-gas emissions associated with asphalt paving. Portions of the MDAB are designated nonattainment for O<sub>3</sub>, particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), and hydrogen sulfide. The Countywide Plan includes policies to reduce construction emissions, to the extent feasible. The County requires that construction activities reduce fugitive dust and utilize low-emissions equipment (Policy NR-1.6). The CWP PEIR found construction-related regional air quality impacts associated with buildout of the Countywide Plan to be significant and unavoidable even with incorporation of mitigation measure. As discussed in this checklist, the project is exempt from further CEQA analysis, and Mitigation Measure AQ-2 would not be applicable. The project would not change the land uses analyzed under the CWP PEIR and would not create new impact or increase impacts.

The CWP PEIR indicated that the buildout of the Countywide Plan in the East Desert and North Desert would result in exceedance of MDAQMD thresholds for VOC, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>, assuming an increase of 22,432 population and 803 jobs. Only a fraction of the increase would be attributed to the project. Therefore, the operation of the project is not anticipated to exceed the MDAQMD criteria air pollutant daily thresholds. The project would not change the land uses analyzed under the CWP PEIR and would not create new impact or increase impacts.

**c. Would the project expose sensitive receptors to substantial pollutant concentrations?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impacts 5.3-4) and was determined to have a significant and unavoidable impact. The CWP PEIR indicated that areas of vehicle congestion have the potential to create pockets of CO called hotspots, exposing sensitive receptors to substantial pollutant concentrations. However, the project site is in a rural area without areas of vehicle congestion. No new impact would occur.

**d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impacts 5.3-5) and was determined to have a less than significant impact. Industrial land uses, including indoor agricultural uses, are

the primary type of land uses that have the potential to generate objectionable odors. The proposed rural living residences from the subdivision would not create uses with the potential for objectionable odors. Also, MDAQMD Rule 402 require abatement of any nuisance generating an odor complaint. During construction activities, construction equipment exhaust and application of asphalt and architectural coatings would temporarily generate odors. Any construction-related odor emissions would be temporary and intermittent in nature. Additionally, noxious odors would be confined to the immediate vicinity of the construction equipment. There are no sensitive receptors in the immediate vicinity of the project site. No new impact would occur.

## **Conclusion**

With regards to the issue area of Air Quality, the following findings can be made:

5. No peculiar impacts to the project or its site have been identified.
6. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
7. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
8. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

## **Uniformly Applied Development Policies or Standards**

The following regulatory requirements (RRs) related to air quality from the CWP EIR is applicable to the project.

- RR AIR-1      New buildings are required to achieve the current California Building Energy and Efficiency Standards (Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11). The 2016 Building Energy Efficiency Standards and CALGreen are effective starting on January 1, 2017 while the 2019 standards are effective starting January 1, 2020. The Building Energy Efficiency Standards and CALGreen are updated tri-annually, and may ultimately require zero net energy (ZNE) construction.
- RR AIR-4      Construction activities within the Mojave Desert Air Basin (MDAB) will be conducted in compliance with any applicable Mojave Desert Air Quality Management District (MDAQMD) rules and regulations, including but not limited to.



- Rules 201, 203, and 219, which regulate permits for installation and use of equipment that may generate air contaminants.
- Rule 402, Nuisance, which states that a project shall not “discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.” Additionally Rule 472, Reduction of Animal, requires that gases or vapors are minimized from animal rendering; and Rule 223, Emissions Reductions Permits for Large Confined Animal Facilities, requires odors from large animal facilities be controlled.
- Rule 403.1, Fugitive Dust for the Searles Valley Planning Area, and Rule 403.2, Fugitive Dust for the Mojave Desert Planning Area, for controlling fugitive dust and avoiding nuisance.
- Regulation IX, Standards of Performance for New Stationary Sources (NSPS), and XXIII, New Source Review.
- Regulation XIV, Emissions Reductions Credit Banking.
- Regulations XI, Source Specific Standards; Regulation, X, Emissions Standards for Additional Specific Air Contaminants; and XV, Emissions Standards for Specific Toxic Air Contaminants.
- Regulation XVII, Indirect Sources and Transportation Control.

## **CWP Goals and Policies**

### ***Natural Resources Element***

**Policy NR-1.6: Fugitive dust emissions.** We coordinate with air quality management districts on requirements for dust control plans, revegetation, and soil compaction to prevent fugitive dust emissions.

**Policy NR-1.9 Building design and upgrades.** We use the CALGreen Code to meet energy efficiency standards for new buildings and encourage the upgrading of existing buildings to incorporate design elements, building materials, and fixtures that improve environmental sustainability and reduce emissions.

### **Mitigation Measures Identified in the PEIR and Applicable to the Project**

There are no mitigation measures that are applicable to the project.

## 5.4 Biological Resources

### 5.4.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that the CWP would result in potentially significant biological impacts because substantial areas of special-status species habitat and special-status vegetation communities are within proposed development areas. The total area of habitat that would be impacted and whether impacts on a project-level could be mitigated to below a level of significance could not be determined; therefore, after implementation of mitigation measures the potential remained for unavoidable impacts to special-status species and special-status vegetation communities. With implementation of CWP policies and mitigation measure, impacts to wildlife corridors, habitat conservation plans (HCP), and natural community conservation plans (NCCP) were found to be less than significant. Impacts to jurisdictional waters were found to be less than significant with no mitigation measures required.

### 5.4.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Have a substantial adverse effect, 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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?					
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

**a. Would the project have a substantial adverse effect, 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 Game or U.S. Fish and Wildlife Service?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impacts 5.4-1 and 5.4-2) and determined to be significant and unavoidable with implementation of existing regulatory requirements and mitigation measure. The CWP PEIR indicated that buildout of the Countywide Plan may result in actions that could adversely affect special-status species directly and indirectly. Direct impacts to special-status vegetation communities could result from the conversion of habitat either temporarily, as a result of grading, excavation, and construction activities, or permanently from the ongoing operation and/or maintenance of a project or plan. Indirect impacts could result from generation of fugitive dust, increased sediment loads in runoff from construction activities or the adverse effect of invasive plant species. However, implementation of the CWP policies as well

as compliance with regulatory requirements would avoid, minimize, and/or mitigate impacts to special-status species by requiring the protection and preservation of such resources.

The species identified as sensitive and protected species are required to be mitigated to reduce significant impacts to less than significant under the County Development Code, RR BIO-3, and Mitigation Measure BIO-1. No changes to the land uses analyzed in the CWP PEIR are proposed under the project, and no impact peculiar to the project would occur. No new impact would occur.

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

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.4-2) and determined to be significant and unavoidable with implementation of existing regulatory requirements and mitigation measure. The CWP PEIR indicated that buildout of the CWP may result in actions that could adversely affect special-status vegetation communities directly and indirectly. However, implementation of the CWP policies as well as compliance with regulatory requirements would avoid, minimize, and/or mitigate impacts to special-status species by requiring the protection and preservation of such resources. Impacts to special status species habitat and special status vegetation communities were analyzed in the CWP PEIR and impacts were determined to be significant and unavoidable even with mitigation. No changes to the land uses analyzed in the CWP PEIR are proposed under the project, and no impact peculiar to the project would occur. No new impact would occur.

**c. Would the project 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?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.4-3) and determined to be less than significant with implementation of existing regulatory requirements and mitigation measure. The CWP PEIR indicated that development resulting from buildout of the Countywide Plan may result in both direct and indirect significant adverse impacts to jurisdictional wetlands or waters. The CWP PEIR also states that the analysis contained in the CWP PEIR does not satisfy the need for project-level CEQA analysis for individual projects. Whether or not individual projects would result in impacts to jurisdictional waters would depend on resources present at the time such projects are pursued and would be analyzed on a project specific level as identified in CWP policy NR-5.7 Development Review, Entitlement, and Mitigation. The CWP PEIR indicated that through implementation of CWP policies and regulatory requirements, potential impacts to jurisdictional waters would be less than significant. No changes to the land uses analyzed in the CWP PEIR are proposed under the project, and no impact peculiar to the project would occur. No new impact would occur.

- d. **Would the project 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?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.4-4) and determined to be less than significant with implementation of existing regulatory requirements and mitigation measure. The project site does not contain established native resident or migratory wildlife corridors and is not used as a native wildlife nursery site. No changes to the land uses analyzed in the CWP PEIR are proposed under the project, and no impact peculiar to the project would occur. No new impact would occur.

- e. **Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.4-5) and determined to be less than significant with implementation of existing regulatory requirements and mitigation measure. No changes to the land uses analyzed in the CWP PEIR are proposed under the project, and no impact peculiar to the project would occur. No new impact would occur.

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

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.4-5) and determined to be less than significant with implementation of existing regulatory requirements and mitigation measure. There are no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans that apply to the project site. No new impact would occur.

## **Conclusion**

With regards to the issue area of Biological Resources, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. Feasible mitigation measures contained within the CWP PEIR (Mitigation Measure BIO-1) will be applied to the project.

## Uniformly Applied Development Policies or Standards

The project is required to comply with the San Bernardino County Development Code. The following Development Codes pertaining to biological resources impacts are applicable to the project.

**Chapter 88.01 (Plant Protection and Management).** This chapter provides regulatory and management guidance for plant resources in unincorporated areas as well as mixed public and private lands. It primarily addresses tree and vegetation removal in public land and private land in unincorporated areas.

**Section 88.01.060, Desert Native Plant Protection,** conserves specified desert plant species.

**Section 88.01.080, Riparian Plant Conservation,** addresses the health of riparian corridors, their impact on waterways within the region, their use as habitat by various plant and wildlife species, and their stabilization of stream banks.

The following regulatory requirement (RR) related to biological resources from the CWP EIR is applicable to the project.

- RR BIO-3      Nesting Birds: The Migratory Bird Treaty Act prohibits “take” of any migratory bird or any part, nest, or eggs of any such bird. California Fish and Game Code sections 3503, 3503.5, and 3513 prohibit the take and possession of bird eggs and nest.
- RR BIO-5      Special-Status Species: The FESA, administered by the USFWS, prohibits unlawful “take” of any listed species (16 U.S.C. 1531–1544). The CESA, administered by CDFW, prohibits “take” of any listed species (California Fish and Game Code, Section 86). The Lacey Act (16 U.S.C. 3371-3378) prohibits illegal take, possession, transport, or sale of protected species. Sections 3511, 4700, 5050, and 5515 of the California Fish and Game Code prohibits take or possession of fully protected species of mammals, birds, reptiles, amphibians, and fish.
- RR BIO-6      Invasive Species: The Plant Protection Act of 2000 (7 U.S.C., Chapter 104) established a federal program to control the spread of noxious weeds and movement of all such weeds in interstate or foreign commerce is prohibited except under permit. The Noxious Weed Act of 1974 provides for the control and management of nonindigenous weeds and to inspect, seize, and destroy products and to quarantine areas if necessary to prevent the spread of such weeds. The National Invasive Species Council of 1999 (Executive Order 13112) requires measures to minimize risk of harm caused by invasive species.

RR BIO-7 Desert Native Plant Protection: The California Desert Native Plants Act prohibits unlawful harvesting of species of the Agavaceae (century plants, nolin, and yuccas); all species of the family Cactaceae; all species of the family Fouquieriaceae (*ocotillo*, *candlewood*); all species of the genus *Prosopis* (mesquites); all species of the genus *Parkinsonia* (paloverdes); catclaw acacia (*Acacia greggii*); desert holly (*Atriplex hymenelytra*); smoke tree (*Psoralea arguta*); and desert ironwood (*Olneya tesota*), both dead and alive. Permanent impacts to these species would require a permit and fee, not be less than \$1 per plant, except for Joshua trees (*Yucca brevifolia*), which will not be less than \$2 per plant.

San Bernardino County Development Code Section 88.01.070, Tree Removal Permits: If the County determines that any onsite trees meet the criteria set forth in Section 88.01.070, a tree removal permit shall be required.

## **CWP Goals and Policies**

The following policies from the CWP EIR are applicable to the project.

### ***Natural Resources Element***

**Policy NR-5.7: Development review, entitlement, and mitigation.** We comply with state and federal regulations regarding protected species of animals and vegetation through the development review, entitlement, and environmental clearance processes.

### ***Infrastructure and Utilities Element***

- **Policy IU-3.4 Natural floodways.** We retain existing natural floodways and watercourses on County-controlled floodways, including natural channel bottoms, unless hardening and channelization is the only feasible way to manage flood risk. On floodways not controlled by the County, we encourage the retention of natural floodways and watercourses. Our priority is to reduce flood risk, but we also strive to protect wildlife corridors, prevent loss of critical habitat, and improve the amount and quality of surface water and groundwater resources.

## **Mitigation Measures Identified in the PEIR and Applicable to the Project**

The CWP PEIR mitigation measure that is applicable to the project include the following:

BIO-1 For each development project that would disturb special status vegetation on vacant land, or that might impact a wildlife movement corridor or jurisdictional waters pursuant to the Countywide Plan and subject to CEQA, a qualified biologist shall determine the potential for a significant biological resource impact and determine whether a field survey of the project site is warranted. If warranted, a qualified biologist shall prepare a



biological resources technical report meeting current requirements of CEQA, and addressing applicable County goals and policies, applicable Habitat Conservation Plans and Natural Community Conservation Plans, and applicable federal, state, and local regulatory requirements. The report shall include documentation of biological resources present or potentially present (including special-status species, special-status vegetation communities, jurisdictional waters, and wildlife movement corridors), an impacts analysis, avoidance measures, and mitigation measures to reduce significant impacts to less than significant if applicable and feasible.

*[Implementation of this measure has been met through preparation of Appendix B. Appendix B identified project-specific mitigation measures to reduce impacts to sensitive plant and wildlife species to reduce potential significant impacts to less than significant level.]*

## **5.5 Cultural Resources**

### **5.5.1 Summary of Impacts Identified in the CWP PEIR**

#### **Historic Resources**

The CWP PEIR indicated that the Cultural Resources Element of the CWP was designed to address potential impacts to historical resources. Specifically, Policies CR-2.1 through 2.5 call for preservation of resources significant at the national, state, and local levels; avoidance and mitigation of impacts; the building of partnerships; and the promotion of public awareness and education. These policies will guide the County's overall approach to historical resources as it implements the CWP. Nevertheless, it is possible that future development or improvements related to changes in land use could potentially affect historic buildings and structures and cause significant adverse impacts to historical resources. Mitigation measures in the CWP PEIR were found to reduce these impacts to less than significant.

#### **Archeological Resources**

The area under County jurisdiction contains archaeological resources, and coordination with tribal organizations indicated that the area under County jurisdiction is culturally sensitive. Future development or improvements related to changes in land use were found to potentially affect surface-level and subsurface archaeological resources through ground-disturbing construction activities. Archaeological resources are present in all geographic regions in the county. The Valley region was found to have fewer archaeological resources than surrounding regions due to disturbance and development.

The Cultural Resources Element of the CWP addresses potential impacts to archaeological resources. Specifically, Policies CR-2.1 through 2.5 call for preservation of resources significant at the national, state, and local levels; avoidance and mitigation of impacts; the building of partnerships; and the promotion of public awareness and education. These policies would guide the County's overall approach to archaeological resources as the County implements the Countywide Plan. However, additional mitigation measures were needed to render potential impacts to archaeological resources from future projects less than significant.

### **5.5.2 Impacts Associated with the Project**

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.5-1) and was determined to have a less than significant impact after implementation of mitigation. According to the listing included in the CWP PEIR, the project site is not identified as a historical resource in the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), or the California Historical Landmark. No changes to the land uses analyzed in the CWP PEIR are proposed under the project. No new impact would occur. No impact peculiar to the project would occur, as the project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. No new impacts would occur.

**b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.5-2) and was determined to be less than significant with mitigation. The project will require grading activities at the time of development. Archaeological resources can be found below ground. Therefore, CWP PEIR required that development as assumed in the CWP PEIR would implement Mitigation Measure CUL-2 through CUL-4 to reduce potential impacts to archaeological resources to a less than significant level. The project site is in non-urbanized area of the North Desert Region, and the project site is designated C (Commercial) by the Countywide Plan and zoned Phelan-Pinon Hills/General Commercial (PH/CG). Although no significant archaeological resources are expected, ground-disturbing activities have the potential to reveal buried deposits not observed on

the surface. Therefore, implementation of Mitigation Measure CUL-4 from the CWP PEIR will ensure that the project would have a less than significant impacts related to archaeological resources. Impacts related to archaeological resources were analyzed in the CWP PEIR and Mitigation Measures CUL-2 through CUL-4 were incorporated to reduce impacts to a less than significant level. The project has implemented Mitigation Measure CUL-2 and will be required to implement CUL-4 prior to grading activities. No new impact would occur.

**c. Would the project disturb any human remains, including those interred outside of dedicated cemeteries?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.5-4) and was determined to be less than significant. The project site is not a cemetery, and no known formal cemeteries are located within the immediate vicinity of the project site. However, human remains could be buried outside of formal cemeteries, including the project site. The CWP PEIR indicated that ground disturbances by projects developed under the Countywide Plan could damage human remains. However, California Health and Safety Code Section 7050.5 requires that if human remains are discovered within a project site, disturbance of the site must stop until the coroner has investigated and made recommendations for the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative. If the coroner has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. The project is required to comply with RR CUL-2 and RR CUL-5, and potential impacts to human remains would be less than significant. No new impact would occur.

## **Conclusion**

With regards to the issue area of cultural/paleontological resources, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. Feasible mitigation measures contained within the CWP PEIR (Mitigation Measures CUL-2 through CUL-4) will be applied to the Project. These mitigation measures, detailed below, provide protection for archaeological resources and reduce potential impacts to a less than significant level.

## Uniformly Applied Development Policies or Standards

The following regulatory requirements (RRs) related to cultural resources from the CWP EIR are applicable to the project.

- RR CUL-1 Cultural and paleontological resources are recognized as nonrenewable resources and receive protection under the PRC and CEQA.
- RR CUL-2 Native American historical and cultural resources and sacred sites are protected under PRC Sections 5097.9 to 5097.991, which require that descendants be notified when Native American human remains are discovered and provide for treatment and disposition of human remains and associated grave goods.
- RR CUL-5 If human remains are discovered within a project site, disturbance of the site must stop until the coroner has investigated and made recommendations for the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative. If the coroner has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. (California Health and Safety Code Section 7050.5)

## CWP Goals and Policies

The following policies from the CWP EIR are applicable to the project to reduce cultural resources impacts.

- **Policy CR-2.1 National and state historic resources.** We encourage the preservation of archaeological sites and structures of state or national significance in accordance with the Secretary of Interior's standards.
- **Policy CR-2.2 Local historic resources.** We encourage property owners to maintain the historic integrity of resources on their property by (listed in order of preference): preservation, adaptive reuse, or memorialization.
- **Policy CR-2.3 Paleontological and archaeological resources.** We strive to protect paleontological and archaeological resources from loss or destruction by requiring that new development include appropriate mitigation to preserve the quality and integrity of these resources. We require new development to avoid paleontological and archeological resources whenever possible. If avoidance is not possible, we require the salvage and preservation of paleontological and archeological resources.

## Mitigation Measures Identified in the PEIR and Applicable to the Project

The CWP PEIR mitigation measures that are applicable to the project include the following:

CUL-2 In areas of documented or inferred archaeological resource presence, archaeological resource assessments shall be required prior to ground disturbance related to a development project. To determine the archaeological sensitivity of a proposed project area, the County may rely on an expert opinion from the County Museum staff, or on the results of a CHRIS records search at the SCCIC [South Central Coastal Information Center] or the Sacred Lands File maintained by the NAHC. Archaeological resources assessments shall be performed under the supervision of an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards (PQS) in either prehistoric or historic archaeology. The archaeological resources assessment shall include a Phase I pedestrian survey, undertaken to locate any surface cultural materials that may be present.

*[Implementation of this measure has been met through preparation of Appendix C.]*

CUL-4 If the archaeological assessment did not identify potentially significant archaeological resources within the proposed project area but indicated the area to be highly sensitive for archaeological resources, a qualified archaeologist shall prepare a monitoring plan for all ground-disturbing construction and pre-construction activities in areas with previously undisturbed soil. The archaeologist shall inform all construction personnel prior to construction activities of the proper procedures in the event of an archaeological discovery.

The training shall be held in conjunction with the project's initial on-site safety meeting, and shall explain the importance and legal basis for the protection of significant archaeological resources. In the event that archaeological resources (artifacts or features) are exposed during ground-disturbing activities, construction activities in the immediate vicinity of the discovery shall be halted while the resources are evaluated for significance by an archaeologist who meets the PQS. If the discovery proves to be significant, it shall be curated with a recognized scientific or educational repository.

## 5.6 Energy

### 5.6.1 Summary of Impacts Identified in the CWP PEIR

Section 5.18, Utilities and Service Systems, of the CWP PEIR, concluded that implementation of the Countywide Plan would not result in wasteful, inefficient, or unnecessary consumption of energy, and would be consistent with the Desert Renewable Energy Conservation Plan. Environmental impacts related to energy were determined to be less than significant.

### 5.6.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Result 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a. Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.18-8) and was determined to be less than significant. Construction activities would primarily consume nonrenewable energy resources such as oil, diesel, and gasoline through operation of construction equipment, material deliveries, and debris hauling. However, construction-related energy consumption would be temporary, and no permanent new source of energy demand would result from construction activities. Development of a commercial/retail store would be similar to other residential construction practices in the region, therefore, would follow typical construction practices and would be subject to existing regulatory requirements related to energy, and is not anticipated to result in any unusual activities that would result in wasteful, inefficient, or unnecessary consumption of energy resources.

Furthermore, new commercial development is required to integrate green building measures consistent with CalGreen Code into the project design. California provides a minimum standard for building design and construction standards through Title 24 of the California Code of Regulations (CCR). Considering increasing energy efficiencies associated with residential energy consumption, commercial development uses would not result in greater energy demands than analyzed in the CWP PEIR. No new impact would occur.

**b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

**No New Impact.** This topic was evaluated in the CWP PEIR and was determined to be less than significant. The project is not anticipated to result in wasteful, inefficient, or unnecessary consumption of energy resource during construction through implementing standard commercial development construction practices nor operation by the required compliance with the CCR Title 24 energy efficiency standards. No new impact would occur.

## **Conclusion**

With regards to the issue area of Energy, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because Project specific impacts would be less than significant.

## **Uniformly Applied Development Policies or Standards**

The following regulatory requirements (RRs) related to energy from the CWP EIR is applicable to the project.

- RR USS-15 Projects will abide by Title 24 Chapter 6 of the California Code of Regulations with respect to energy efficiency standards.
- RR USS-16 Both federally and nonfederally regulated appliances shall abide by the efficiency standards of Title 20, Section 1601 et seq. of the California Code of Regulations.
- RR USS-17 New development shall abide by the requirements of CalGreen Building Code.



## **CWP Goals and Policies**

The following policies from the CWP EIR are applicable to the project to reduce energy impacts.

- **Policy RE-1.9 Building design and upgrades.** We use the CALGreen Code to meet energy efficiency standards for new buildings and encourage the upgrading of existing buildings to incorporate design elements, building materials, and fixtures that improve environmental sustainability and reduce emissions.

## **Mitigation Measures Identified in the PEIR and Applicable to the Project**

The CWP PEIR did not identify significant energy impacts or mitigation measures.

## **5.7 Geology and Soils**

### **5.7.1 Summary of Impacts Identified in the CWP PEIR**

#### **Seismic Hazards**

The CWP PEIR concluded that the CWP could subject residents, workers, and visitors in the county to seismic hazards such as surface rupture of a fault, ground shaking, and liquefaction. Furthermore, people in the county could be subject to hazards arising from landslides, ground subsidence, compressible soils, expansive soils, and erosion. Development pursuant to the CWP could involve the use of septic tanks.

The CWP PEIR concluded that all hazards due to geology and soils would be less than significant with the implementation of the San Bernardino County Building Code, the California Health and Safety Code, County requirements for the installation of septic tanks, the National Pollutant Discharge Elimination System (NPDES) Construction General Permit, and the following CWP policies from the Hazards Element and the Natural Resources Element:

#### **Paleontological Resources**

San Bernardino County contains paleontological resources. The younger alluvium across the valley floor is too young to preserve fossil resources in the upper layers, but the deeper layers and underlying sediments have high paleontological sensitivity. Valley growth areas lie in areas of low to high sensitivity. The broad alluvial plains between the mountains in the North Desert region generally have low to high sensitivity where younger alluvium is mapped at the surface and likely overlies older, high-sensitivity sediments. These older, high-sensitivity sediments are often exposed along the margins of alluvial plains as they approach the intervening mountain ranges.

Policy CR 2.3 of the Countywide Plan protects paleontological and archaeological resources from loss or destruction and requires that new development include appropriate mitigation to preserve the quality and integrity of these resources, avoid them when possible, and salvage and preserve them if avoidance is not possible. However, future development or improvements related to changes in land use were found to have potential to cause significant adverse impacts to paleontological resources, and additional mitigation measures were incorporated to reduce impacts to less than significant.

### **5.7.2 Impacts Associated with the Project**

Would the project:

<b>Environmental Issues</b>	<b>Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies</b>	<b>Significant Impact not Analyzed as Significant in the Prior EIR</b>	<b>Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR</b>	<b>Adverse Impact More Severe based on Substantial New Information</b>	<b>No New Impact</b>
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2013), creating direct or indirect substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>

a. **Would the project 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.**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.6-1) and was determined to have a less than significant impact. However, impacts would be less than significant after compliance with the Alquist-Priolo Earthquake Fault Zoning Act and compliance with the County Development Code. The project site is not located within an earthquake fault zone mapped by the Countywide Policy Map, HZ-1 Earthquake Fault Zones. Therefore, the Project would result in no new impacts related to rupture of a known fault.

ii. **Strong seismic ground shaking?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.6-1) and was determined to have a less than significant impact. The Project site is located in a seismically active region, as is all of southern California. The project site is approximately 6.3 miles north of the San Andreas fault. Project site could be subject to seismically related strong ground shaking. However, pursuant to the existing regulatory requirements, the project is required to adhere to RR GEO-1 of the CWP PEIR and will be designed and constructed in accordance with the San Bernardino County Code. RR GEO-1 requires geotechnical investigation that must evaluate soil classification, site geology, slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on soil-bearing capacity, compressibility, liquefaction, and expansiveness, as necessary,

determined by the County Building Official. Compliance with the requirements of the CBC and the County Code would reduce hazards from strong seismic ground shaking to a less than significant level. Therefore, the project would result in no new impacts on people or structures due to strong seismic ground shaking. No new impact would occur.

**iii. Seismic-related ground failure, including liquefaction?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.6-1) and was determined to have a less than significant impact. The project site is in the Phelan-Pinon Hills community of the North Desert Region, and this area is not identified as having a high liquefaction potential in the CWP PEIR. Additionally, as discussed in Section 5.7.2(a)(ii), pursuant to RR GEO-1, the project is required to comply with the CBC and the County Code to reduce hazards from liquefaction, if appropriate, to a less than significant level. Therefore, the project would result in no new impacts on people or structures due to liquefaction. No new impact would occur.

**iv. Landslides?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.6-1) and was determined to have a less than significant impact. The project site is in the Phelan-Pinon Hills community of the North Desert Region, and this area is not identified as having a high landslide potential in the CWP PEIR. Additionally, as discussed in Section 5.7.2(a)(ii), pursuant to RR GEO-1, the project is required to comply with the CBC and the County Code to reduce hazards from landslide, if appropriate, to a less than significant level. Therefore, the project would result in no new impacts on people or structures due to landslide. No new impact would occur.

**b. Would the project result in substantial soil erosion or the loss of topsoil?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.6-1) and was determined to have a less than significant impact. As stated in the CWP PEIR, during construction activities, soil would be exposed, increasing the potential for soil erosion compared to existing conditions. The project would involve grading for a 23,597 square foot commercial building, along with related driveway access. Since the total ground disturbance does not exceed one acre, the project would not be subject to the most current Statewide Construction General Permit or associated local National Pollutant Discharge Elimination System regulations. However, a grading permit is required for any grading activity that exceeds one hundred cubic yards, per Chapters 17 and 18 and Appendix J of the California Building Code (CBC). Compliance with the grading permit requirement would ensure that impacts from soil erosion or the loss of topsoil are reduced to a less-than-significant level. No new impacts would occur.

**c. Would the project 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?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.6-4) and was determined to have a less than significant impact. The project site is not mapped as having a geologic unit or soils 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 in the CWP PEIR. Furthermore, as discussed in Section 5.7.2(a)(ii), pursuant to RR GEO-1, the project is required to comply with the CBC and the County Code to reduce hazards from unstable geologic units, as necessary, to a less than significant level. Therefore, the project would result in no new impacts on people or structures due to unstable geologic units. No new impact would occur.

**d. Would the project 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?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.6-5) and was determined to have a less than significant impact. The CWP PEIR indicated that much of the Desert Regions has low to moderately expansive soils, but certain areas with alluvial and wind-deposited soils, and soils with salts, have high potential for collapsible soils. The CWP PEIR determined that each development project under the Countywide Plan would conduct a geotechnical investigation of its site that would assess the suitability of site soils for supporting the proposed structures, and such assessments would address expansion potential and collapsibility; and would provide any needed recommendations to minimize hazards arising from expansive and/or collapsible soils, including removal of soils unsuitable for supporting proposed structures and placement of engineered fill soils. Therefore, impacts were determined to be less than significant after compliance with recommendations of geotechnical investigation reports. No changes to the land uses analyzed in the CWP PEIR are proposed under the project. No new impact would occur.

**e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.6-6) and was determined to have a less than significant impact. The project involves the construction of a septic system. As discussed in the CWP PEIR, the County Code Section 33.0894 requires soil percolation tests before the construction of septic tanks, and Section 33.0895 requires that such tests be conducted by a registered or certified professional. Therefore, the project would not result in a more severe impact than analyzed in the CWP PEIR. No new impact would occur.

**f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.5-3) and was determined to have a less than significant impact with implementation of mitigation. The project site is identified as having a map symbol of Q geologic unit in Figure 5.5-2, Paleontological Sensitivity - Mountain Region, of the CWP PEIR. The North Desert Region is characterized by broad alluvial plains

between scattered mountain outcrops. In general, the mountains consist of granitic bedrock or volcanic deposits and will have no paleontological potential. Therefore, the project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. No mitigation measure from the CWP PEIR is required. No new impact would occur.

## **Conclusion**

With regards to the issue area of Geology and Soils, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

## **Uniformly Applied Development Policies or Standards**

The following regulatory requirements (RRs) related to geology and soils from the CWP EIR are applicable to the project.

RR GEO-1 San Bernardino County Code: Building Code. The Project will be designed and constructed in accordance with the San Bernardino County Code, which adopts the California Building Code (CBC) and California Residential Code (CRC), which are based on the International Building Code (IBC). New construction, alteration, or rehabilitation shall comply with applicable ordinances set forth by the County and/or by the most recent County building and seismic codes in effect at the time of Project design. In accordance with Section 1803.2 of the 2022 CBC, and County Code Title 8, Chapter 87.08, a geotechnical investigation is required that must evaluate soil classification, site geology, slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on soil-bearing capacity, compressibility, liquefaction, and expansiveness, as necessary, determined by the County Building Official. The geotechnical investigation must be prepared by registered professionals (i.e., California Professional Civil Engineer and as necessary a Professional Engineering Geologist). Recommendations of the report, as they pertain to structural design and construction recommendations for earthwork, grading, slopes, foundations, pavements, and other necessary geologic and seismic considerations, must be incorporated into the design and construction of the Project.

RR GEO-2 San Bernardino County Code: Septic Tanks. Soil percolation tests are required before construction of septic tanks in unincorporated San Bernardino County under County Code Section 33.0894. Registrations or certifications required for persons performing such tests are specified in Section 33.0895.

## **CWP Goals and Policies**

The following policies from the CWP EIR are applicable to the project to reduce geology and soils impacts.

### ***Hazards Element***

- **Policy HZ-1.1 New subdivisions in environmental hazard areas.** We require all lots and parcels created through new subdivisions to have sufficient buildable area outside of the following environmental hazard areas:
  - Flood: 100-year flood zone, dam/basin inundation area
  - Geologic: Alquist Priolo Earthquake Fault Zone; County-identified fault zone; rockfall/debris-flow hazard area, existing and County-identified landslide area.
- **Policy HZ-1.2 New development in environmental hazard areas.** We require all new development to be located outside of the environmental hazard areas listed below. For any lot or parcel that does not have sufficient buildable area outside of such hazard areas, we require adequate mitigation, including designs that allow occupants to shelter in place and to have sufficient time to evacuate during times of extreme weather and natural disasters.
  - Flood: 100-year flood zone, dam/basin inundation area
  - Geologic: Alquist Priolo Earthquake Fault Zone; County-identified fault zone; rockfall/debris-flow hazard area, medium or high liquefaction area (low to high and localized), existing and County-identified landslide area, moderate to high landslide susceptibility area,
  - Fire: high or very high fire hazard severity zone

### ***Cultural Resources Element***

- **Goal CR-2. Historic and Paleontological Resources.** Historic resources (buildings, structures, or archaeological resources), and paleontological resources that are protected and preserved for their cultural importance to local communities as well as their research and educational potential.
- **Policy CR-2.3. Paleontological and archaeological resources.** We strive to protect paleontological and archaeological resources from loss or destruction by requiring that new development include appropriate mitigation to preserve the quality and integrity of these resources. We require new development to avoid paleontological and



archeological resources whenever possible. If avoidance is not possible, we require the salvage and preservation of paleontological and archeological resources.

**Mitigation Measures Identified in the PEIR and Applicable to the Project**

No mitigation measures identified in the CWP PEIR for geology and soils

## 5.8 Greenhouse Gas Emissions

### 5.8.1 Summary of Impacts Identified in the CWP PEIR

Although the CWP would not result in a substantial magnitude of greenhouse gas (GHG) emissions, the County would not achieve the state's GHG emissions efficiency target for year 2040 or 2050 without implementation of additional local GHG reduction measures. Implementation of the CWP policies and actions of the CWP, combined with mitigation measures identified in the CWP PEIR, were found to reduce GHG emissions to the extent feasible. Adherence to the County's GHG Reduction Plan would also reduce GHG emissions in the unincorporated communities to meet the year 2020 reduction target. However, additional federal, state, and local measures would be necessary to reduce GHG emissions to meet the long-term GHG efficiency goals identified in the 2017 Scoping Plan, and impacts were found to be significant and unavoidable. The CWP was found not to conflict with the California Air Resources Board (CARB) scoping plan or Southern California Association of Governments' (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

### 5.8.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.7-1) and was determined to have a significant and unavoidable impact. The CWP PEIR indicated that development allowed under the Countywide Plan would contribute to global climate change through direct and indirect emissions of GHGs from land uses within the unincorporated County. Although the County would

experience a reduction in GHG emissions from existing conditions despite the anticipated population and employment growth, because the County would not achieve the state's GHG emissions efficiency target for year 2040 or 2050 without implementing additional local GHG reduction measures, and also without additional federal and state reductions, the overall GHG impact was conservatively considered to be significant. No changes to the land uses analyzed in the CWP PEIR are proposed under the project, and no new unanticipated GHG emissions would result from project implementation. Mitigation measures identified in the CWP PEIR are for the County government, and not for individual project. The project would not generate GHG emissions, either directly or indirectly, that exceeds the impact analyzed in the CWP PEIR. No new impact would occur.

**b. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.7-2) and was determined to have a less than significant impact. The CWP PEIR indicated that the applicable plans adopted for the purpose of reducing GHG emissions include CARB's Scoping Plan and SCAG's RTP/SCS. The project does not include any components that would change the Countywide Plan's consistency with the Scoping Plan goals because it includes the same land use types in the same location as adopted Countywide Plan land use plan. The project would also be required to comply with the applicable Building and Energy Efficiency Standards. Similarly, the project also does not include any components that would change the Countywide Plan's consistency with the RTP/SCS because the project would not result in any change to the general land use types or locations. No changes to the land uses analyzed in the CWP PEIR are proposed under the project. No new impact would occur.

## **Conclusion**

With regards to the issue area of Greenhouse Gas Emissions, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

## Uniformly Applied Development Policies or Standards

The following regulatory requirements (RRs) related to GHG emissions from the CWP EIR are applicable to the project.

- RR GHG-1 New buildings are required to achieve the current California Building Energy and Efficiency Standards (Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11). The 2016 Building Energy Efficiency Standards and CALGreen are effective starting on January 1, 2017 while the 2019 standards are effective starting January 1, 2020. The Building Energy Efficiency Standards and CALGreen are updated tri-annually, and may ultimately require zero net energy (ZNE) construction.
- RR GHG-2 Construction activities are required to adhere to Title 13 California Code of Regulations (CCR) Section 2499, which requires that nonessential idling of construction equipment is restricted to five minutes or less.
- RR GHG-3 New development in the unincorporated County of San Bernardino is required to comply with the San Bernardino County GHG Reduction Plan. The 2011 GHG Reduction Plan also directs the County to implement GHG reduction measures to align the County with the GHG reduction goals of AB 32.
- RR GHG-4 The County of San Bernardino requires land uses in the unincorporated area to adhere to the state's Model Water Efficient Landscape Ordinance.
- RR GHG -5 The County of San Bernardino adheres to the requirements of AB 341, AB 1826, and SB 1383. The County of San Bernardino Solid Waste Management Division manages landfill capacity and implements programs to divert waste from landfills, which includes recycling and organics/food waste collection. AB 341 requires business that generate 4 cubic yards of waste or more per week (including multifamily with five or more units) to arrange for recycling services. AB 1826 requires business to recycle their organic waste depending on how much waste they generate per week and also requires the County to implement an organic waste recycling program for business (including multifamily of five or more uses). SB 1383 requires that operators of landfills achieve reductions in short-lived climate pollutants and establishes a target to achieve a 50 percent reduction in statewide disposal of organic waste from 2014 levels by 2020 and 75 percent reduction from 2014 levels by 2025. AB 1383 also establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025.

## **CWP Goals and Policies**

The following policies from the CWP EIR are applicable to the project to reduce aesthetic impacts.

### ***Natural Resources Element***

- **Policy NR-1.9 Building design and upgrades.** We use the CALGreen Code to meet energy efficiency standards for new buildings and encourage the upgrading of existing buildings to incorporate design elements, building materials, and fixtures that improve environmental sustainability and reduce emissions.

### ***Renewable Energy and Conservation Element***

- **Policy RE-1.1 GHG Reduction Plan.** We implement the energy conservation and efficiency measures identified in the County of San Bernardino Greenhouse Gas Emissions Reduction Plan.
- **Policy RE-1.2 Optimized efficiency.** We optimize energy efficiency in the built environment.

## **Mitigation Measures Identified in the PEIR and Applicable to the Project**

No mitigation measures identified in the CWP PEIR are applicable to the Project.

## 5.9 Hazards and Hazardous Materials

### 5.9.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that impacts arising from hazardous materials and hazardous material releases are site specific. Implementation of regulatory requirements and standard conditions of approval would ensure that impacts would be less than significant.

The CWP PEIR concluded that buildout could involve development of some projects within airport safety zones; however, projects proposed within such zones would be required to comply with land use regulations for the respective zones set forth by the affected agencies. Implementation of regulatory requirements and standard conditions of approval would ensure that impacts would be less than significant.

The CWP PEIR concluded that the CWP would not result in potentially significant impacts related to emergency plan hazards.

The CWP PEIR found that unincorporated growth per the CWP would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Measures to confine or avoid fires would be implemented for all future development, and adherence to existing regulations and review of building plans by the San Bernardino County Fire Department would reduce risks from fires in the county.

### 5.9.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.8-1) and was determined to have a less than significant impact with implementation of existing regulatory requirements. The project involves the development of a commercial structure in a commercial zone. No changes to the land uses analyzed in the CWP PEIR are proposed under the project. Furthermore, the types of hazardous materials used during construction of a commercial buildings are typically not acutely

hazardous, and all storage, handling, use, and disposal of these materials are regulated by state and federal laws that the Project is required to strictly adhere to. Therefore, the project would not create any new significant hazard related to the transport, use, or disposal of hazardous materials. Regulatory requirements (RR HAZ-1 through RR HAZ-6) identified in the CWP PEIR would not be necessary. No new impacts would occur.

**b. Would the project 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?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.8-1) and was determined to have a less than significant impact with implementation of existing regulatory requirements. The project involves the development of a commercial structure in a commercial zone. No changes to the land uses analyzed in the CWP PEIR are proposed under the project, and the project would not require any demolition of structures. Therefore, regulatory requirements (RR HAZ-1 through RR HAZ-6) identified in the CWP PEIR would not be necessary. The project would not create any new significant hazard to the public or the environment. No new impacts would occur.

**c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.8-1) and was determined to have a less than significant impact with implementation of existing regulatory requirements. There is no existing or proposed school within one-quarter mile of the project site (Phelan Elementary School is 0.28 miles away). No new impact would occur.

**d. Would the project 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?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.8-2) and was determined to have a less than significant impact with implementation of existing state and federal regulations. The project site is not included on a list of hazardous materials sites compiled as part of the CWP PEIR. A review of the EnviroStor and GeoTracker databases does not include the project site as a hazardous material sites (DTSC 2025, SWRCB 2025). No new impact would occur.

**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?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.8-3) and was determined to have a less than significant impact. The Adelanto Airport-52CL is the closest airport to the project site, located approximately 9.74 miles to the northwest. The project site is not within an airport land use plan or within two miles of a public or public-use airport. No new impacts would occur.



**f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.8-4) and was determined to have a less than significant impact. The closest evacuation routes from the project site is State Route 138, approximately 2.98 miles to the west. The project would not impair or physically interfere with any roadways for an adopted emergency response plan or emergency evacuation plan. No new impact would occur.

**g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.8-5) and was determined to have a less than significant impact with implementation of regulatory requirements. The project site is not located within the State Responsibility Area (SRA). The project is required to comply with the existing regulatory requirements as outlined in the CWP PEIR, RR HAZ-8 through RR HAZ-10, which requires all projects in fire hazard severity zones to be designed, built, and operated in accordance with state regulations specifying building materials and structural designs for structures in such zones. The project would not involve development in High or Very High FHSZ. The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. No changes to the land uses analyzed in the CWP PEIR are proposed under the project. No new impact would occur.

## **Conclusion**

With regards to the issue area of Hazards and Hazardous Materials, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

## **Uniformly Applied Development Policies or Standards**

RR HAZ-1      Transportation of Hazardous Waste. Hazardous materials and hazardous wastes will be transported to and/or from the projects developed under the Countywide Plan in compliance with any applicable state and federal requirements, including

the U.S. Department of Transportation regulations listed in the Code of Federal Regulations (Title 49, Hazardous Materials Transportation Act); California Department of Transportation standards; and the California Occupational Safety and Health Administration standards.

RR HAZ-9 Wildfire State Responsibility Area (SRA) Fire Safe Regulations. All projects will implement the Wildfire SRA Fire Safe Regulations' basic wildland fire protection standards.

RR GEO-1 Refer to the "Uniformly Applied Development Policies or Standards" subsection in Section 5.7, Geology and Soils.

### **CWP Goals and Policies**

Goal HZ-1 and Policy HZ-1.2 Refer to the "CWP Goals and Policies" subsection in Section 5.7.

### **Mitigation Measures Identified in the PEIR and Applicable to the Project**

The CWP PEIR did not identify any mitigation measures related to hazards and hazardous materials.

## **5.10 Hydrology and Water Quality**

### **5.10.1 Summary of Impacts Identified in the CWP PEIR**

The CWP PEIR concluded that development pursuant to the CWP would comply with the requirements of the regulated municipal separate storm sewer system (MS4) NPDES permits, the general Construction Permit, the San Bernardino County Development Code, and the requirements of the San Bernardino County Hydrology Manual and would therefore not increase surface water flows into drainage systems within the watershed and would not provide substantial additional sources of polluted runoff. The CWP encompasses areas within the jurisdiction of the Santa Ana Regional Water Quality Control Board (RWQCB), Lahontan RWQCB, and Colorado River Basin RWQCB. The Santa Ana RWQCB issued a MS4 Permit for the part of the Santa Ana Basin. Projects in the Lahontan RWQCB region creating and/or replacing 2,500 square feet or more of impervious surfaces are subject to the Statewide Small MS4 Permit. County is a permittee on the Statewide Small MS4 Permit, Order No. 2013-0001-DWQ. There are no regulated municipal separate storm sewer systems in the unincorporated County areas in the Colorado River Basin RWQCB. Development within this area is not subject to any MS4 permits but do need to meet the requirements of the Industrial General Permit and the Construction General Permit.

The CWP PEIR was also found to increase the amount of impervious surfaces in the county, but with the implementation of CWP policies from the Infrastructure and Utilities Element, this increase was found not to deplete groundwater or hinder groundwater recharge.

Portions of the county are in the 100-year flood hazard zone and dam inundation zones. Projects in 100-year flood hazard zones would be subject to Floodplain Development Standards Review under the County Code of Ordinances Chapter 85.07. Projects would also be subject to applicable CWP policies from the Hazards Element.

There is no tsunami hazard because the county boundary is about 22 miles inland from the Pacific Ocean. No areas that were planned for development pursuant to the CWP were found to be at risk of flooding from seiches. Altogether, impacts were identified as less than significant in the CWP PEIR.

### **5.10.2 Impacts Associated with the Project**

Would the project:

<b>Environmental Issues</b>	<b>Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies</b>	<b>Significant Impact not Analyzed as Significant in the Prior EIR</b>	<b>Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR</b>	<b>Adverse Impact More Severe based on Substantial New Information</b>	<b>No New Impact</b>
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 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 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: <ul style="list-style-type: none"> <li>(i) Result in substantial erosion or siltation on- or off-site;</li> <li>(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;</li> <li>(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or</li> <li>(iv) Impede or redirect flood flows?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>

**a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impacts 5.9-1) and determined to have a less than significant impact. The project site is located within the Southern Mojave Watershed, under the jurisdiction of the Colorado River Basin RWQCB. There are no regulated municipal separate storm sewer systems in the unincorporated County areas in the Colorado River Basin RWQCB. Development within this area is not subject to any MS4 permits. No changes to the land uses analyzed in the CWP EIR are proposed under the project. This impact was already analyzed in the CWP EIR. Additionally, the project is required to comply with the County's grading program, as applicable. Therefore, the project would not result in substantially greater surface or groundwater quality impacts. No new impacts would occur.

**b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impacts 5.9-2) and was determined to have a less than significant impact. The project site is in non-urbanized area of the North Desert Region, and the project site is designated C (Commercial) by the Countywide Plan and zoned Phelan-Pinon Hills/General Commercial (PH/CG). No changes to the land uses analyzed in the CWP EIR are proposed under the project. Therefore, it would not substantially decrease groundwater supplies or interfere significantly with groundwater recharge. No new impacts would occur.

**c. Would the project 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?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impacts 5.9-1) and determined to have a less than significant impact. There are no regulated municipal separate storm sewer systems in the unincorporated County areas in the Colorado River Basin RWQCB. Additionally, the project is required to comply with the County's grading program, as applicable. Therefore, it would not substantially increase the rate or volume of surface runoff in a manner that would cause on- or off-site flooding. As a result, no new impacts would occur.

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

**No New Impact.** This topic was evaluated in the CWP PEIR (Impacts 5.9-1) and was determined to have a less than significant impact. The project site is in non-urbanized area of the North Desert Region, and the project site is designated C (Commercial) by the Countywide Plan and zoned Phelan-Pinon Hills/General Commercial (PH/CG). Therefore, the project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite. Therefore, no new impact would occur.

**iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

**No New Impact.** Refer to Section 5.10.2(c)(i).

**iv. Impede or redirect flood flows?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.9-3) and was determined to have a less than significant impact with implementation of existing regulatory requirements. The project does not appear to be within the area identified as 100-year California Department of Water Resources (DWR) Awareness by the CWP PEIR Figure 5.9-3, Flood Hazard Zones. The Federal Emergency Management Agency Flood Insurance Rate Map identifies the project site as within Zone AO (06071C6450H), which is defined as areas determined to be outside the 100- and 500-year flood zone. A Preliminary Drainage Study was prepared to determine the rate of storm water runoff which will flow through the southerly portion of the project site during a 100-year storm event and determine any mitigations are necessary to protect the project. The Preliminary Drainage Study is included as Appendix C to this Exemption Checklist. Therefore, the project would not result in flooding impacts and would not impede or redirect flood flows. The project would not result in peculiar impacts that were not previously analyzed in the CWP PEIR. No new impact would occur.

**d. Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.9-5) and was determined to have a less than significant impact with implementation of existing regulatory requirements. The

project site is approximately 57 miles inland from the Pacific Ocean. No tsunami impact is anticipated. There are no large water bodies in the vicinity of the project site; therefore, no seiche impact is anticipated. As discussed in Section 5.10.2(c)(iv), the project does not appear to be within the area identified as 100-year California Department of Water Resources (DWR) Awareness by the CWP PEIR Figure 5.9-3, Flood Hazard Zones. The Federal Emergency Management Agency Flood Insurance Rate Map identifies the project site as within Zone AO (06071C6450H), which is defined as areas determined to be outside the 100- and 500-year flood zone. The project would not result in flooding impacts and would not result in peculiar impacts that were not previously analyzed in the CWP PEIR. No new impact would occur.

**e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.9-2) and was determined to have a less than significant impact. The project site is in non-urbanized area of the North Desert Region, and the project site is designated C (Commercial) by the Countywide Plan and zoned Phelan-Pinon Hills/General Commercial (PH/CG). No new impact would occur.

## **Conclusion**

With regards to the issue area of Hydrology and Water Quality, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

## **Uniformly Applied Development Policies or Standards**

None.

## **CWP Goals and Policies**

### ***Hazards Element***

- **Policy HZ-1.3 Floodplain mapping.** We require any new lots or subdivisions partially in, and any new development partially or entirely in 100-year flood zones or 100-year

flood awareness areas to provide detail floodplain mapping for 100- and 200-year storm events as part of the development approval process.

### ***Infrastructure and Utilities Element***

- **Policy IU-3.4 Natural floodways.** We retain existing natural floodways and watercourses on County-controlled floodways, including natural channel bottoms, unless hardening and channelization is the only feasible way to manage flood risk. On floodways not controlled by the County, we encourage the retention of natural floodways and watercourses. Our priority is to reduce flood risk, but we also strive to protect wildlife corridors, prevent loss of critical habitat, and improve the amount and quality of surface water and groundwater resources.
- **Policy IU-1.8 Groundwater management coordination.** We collaborate with water masters, groundwater sustainability agencies, water purveyors, and other government agencies to ensure groundwater basins are being sustainably managed. We discourage new development when it would create or aggravate groundwater overdraft conditions, land subsidence, or other “undesirable results” as defined in the California Water Code. We require safe yields for groundwater sources covered by the Desert Groundwater Management Ordinance.

### **Mitigation Measures Identified in the PEIR and Applicable to the Project**

The CWP PEIR did not identify any mitigation measures related to hydrology and water quality impacts.



## 5.11 Land Use and Planning

### 5.11.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that implementation of the CWP would not conflict with existing land use plans, policies, or regulations of agencies with jurisdiction over unincorporated lands. Implementation of regulatory requirements and standard conditions of approval ensured that no significant impacts would occur. The Land Use Element of the proposed San Bernardino CWP includes policies intended to minimize risks to people and the environment from land use and planning impacts.

### 5.11.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Physically divide an established community?	<input type="checkbox"/>	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### a. Would the project physically divide an established community?

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.10-1) and determined to have a less than significant impact. The project site is in non-urbanized area of the North Desert Region, and the project site is designated C (Commercial) by the Countywide Plan and zoned Phelan-Pinon Hills/General Commercial (PH/CG). The project site is surrounded by vacant land; therefore, the project would not physically divide an established community. No new impact would occur.

#### b. Would the project 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?

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.10-2) and determined to have a less than significant impact. The project does not propose to change its Countywide Plan designation or zoning district. The project site is in non-urbanized area of the North Desert Region, and the project site is designated C (Commercial) by the Countywide Plan and zoned Phelan-Pinon Hills/General Commercial (PH/CG). The project does not involve conflict with any other land use related policy, as detailed throughout this exemption checklist, and impacts related to conflict with a policy adopted for the purpose of avoiding or mitigating an environmental effect would not occur. Therefore, the project would not result in a new impact.

## **Conclusion**

With regards to the issue area of Land Use and Planning, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

## **Uniformly Applied Development Policies or Standards**

None.

## **CWP Goals and Policies**

None.

## **Mitigation Measures Identified in the PEIR and Applicable to the Project**

The CWP PEIR did not identify mitigation measures related to land use and planning.

## 5.12 Mineral Resources

### 5.12.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that buildout of the CWP in areas of the county mapped within MRZ-2 and MRZ-3 would result in the loss of available known mineral resources valuable to the region. Therefore, impacts were determined to be significant and unavoidable even with incorporation of mitigation measures.

### 5.12.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	<input type="checkbox"/>	<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 type="checkbox"/>	<input checked="" type="checkbox"/>

**a. Would the project 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?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.11-1) and determined to have significant and unavoidable impact where development occurs within the MRZ-2 and 3 area designations. The project site is in the North Desert Region of the CWP. According to Figure 5.11-2, Mineral Resource Zones 2 & 3 in the Eastern Half of the County, the project site is not within the MRZ-2 and 3 area designations. The project would not 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. No new impact would occur.

**b. Would the project 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?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.11-1) and determined to have significant and unavoidable impact where development occurs within the MRZ-2 and 3 area designations. According to Figure 5.11-2, Mineral Resource Zones 2 & 3 in the Eastern Half of the County, the project site is not within the MRZ-2 and 3 area designations and does not include a locally-important mineral resource recovery site on the CWP. Therefore, no new impacts would occur.

## **Conclusion**

With regards to the issue area of Mineral Resources, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

## **Uniformly Applied Development Policies or Standards**

None.

## **CWP Goals and Policies**

None.

## **Mitigation Measures Identified in the PEIR and Applicable to the Project**

No mitigation measures identified in the CWP PEIR are applicable to the project.

## 5.13 Noise

### 5.13.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR identified significant and unavoidable noise impacts associated with construction activities, traffic noise, and groundborne vibration. Implementation of policies and mitigation measures would reduce noise-related impacts to the extent feasible, but impacts would still be significant and unavoidable. Noise impacts related to airports and airstrips were found to be less than significant.

### 5.13.2 Impacts Associated with the Project

Would the project result in:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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, exposure of people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a. Would the project result in 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?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impacts 5.12-1 and 5.12-2) and was determined to have a significant and unavoidable impact. The project site is surrounded by vacant

properties, and the closest residential development is located immediately to the south of the project site, although it is currently undeveloped. Construction of the project could generate a substantial temporary construction noise. Construction equipment generates high levels of noise, with maximums ranging from 71 dBA (concrete pump) to 101 dBA (pile driver) measured at 50 feet from the source, temporarily increasing the ambient noise environment and potentially affect noise-sensitive land uses. Development of residential units on the project site is not anticipated to require a pile drive. Noise levels from point sources, such as construction sites, typically attenuate at a rate of about 6 dBA per doubling of distance (Caltrans 2013). Considering that the residential land located to the south of the project is currently undeveloped, the project is not anticipated to generate a substantial temporary increase in ambient noise in excess of 80 dBA Leq over an 8-hour workday at a sensitive receptor based on the standard provided in the Federal Transit Administration Manual. The County Development Code does not provide any limits to the noise levels from construction activities. According to the Development Code Section 83.01.080, construction activities are exempt from the noise standards between 7:00 AM and 7:00 PM, except on Sundays and federal holidays. Therefore, the project would result in a less than significant construction noise impact, and the mitigation from the CWP PEIR is not applicable.

The project site is in non-urbanized area of the North Desert Region, and the project site is designated C (Commercial) by the Countywide Plan and zoned Phelan-Pinon Hills/General Commercial (PH/CG). No changes to the land uses analyzed in the CWP PEIR are proposed, and there would be no new impact.

**b. Would the project result in the generation of excessive groundborne vibration or groundborne noise levels?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.12-3) and was determined to have a less than significant impact with implementation of mitigation.

County Development Code Section 83.01.090 prohibits vibration that can be felt without the aid of instruments or produces a particle velocity greater than or equal to two-tenths inch per second (i.e., 0.20 in/sec PPV) at or beyond the lot line of the source. The primary source of vibration during construction of a typical commercial building would be from the operation of a bulldozer. From the FTA Manual (FTA 2018), a large bulldozer would create a vibration level of 0.089 inch per second PPV at 25 feet. If a vibratory roller is used during construction, it could create a vibration level of 0.210 inch per second PPV at 25 feet. However, considering that the nearest sensitive receptor is approximately 400 feet from the project site, considering typical propagation rates, the vibration level would not exceed the County's 0.2 inch per second PPV threshold. Thus, impacts would be less than significant, and no mitigation measure from the CWP PEIR is required. No groundborn vibration is anticipated during operation of rural living residences. The project would not result in new impacts related to groundborne vibration.

- 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 result in exposure of people residing or working in the project area to excessive noise levels?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.12-4) and was determined to have a less than significant impact. The project is not located within an airport land use plan or within two miles of an airport. The Adelanto Airport is the closest airport to the project site, located approximately 9.74 miles to the northeast. Therefore, the project would not result in airport related noise impacts to people residing or working within the project site. No new impact would occur.

## **Conclusion**

With regards to the issue area of Noise, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

## **Uniformly Applied Development Policies or Standards**

The following regulatory requirement (RR) related to aesthetics from the CWP EIR is applicable to the project.

- RR-NOI-1 California Building Code. The California Building Code (CBC), Title 24, Part 2, Volume 1, Chapter 12, Interior Environment, Section 1207.11.2, Allowable Interior Noise Levels, requires that interior noise levels attributable to exterior sources shall not exceed 45 dB in any habitable room. The noise metric is evaluated as either the day-night average sound level (Ldn) or the community noise equivalent level (CNEL), consistent with the noise element of the local general plan. The California Green Building Standards Code (CALGreen), Chapter 5, Division 5.5, has additional requirements for insulation that affect exterior-interior noise transmission for nonresidential structures: Pursuant to Section 5.507.4.1, Exterior Noise Transmission, Prescriptive Method, wall and roof-ceiling assemblies making up the building or addition envelope or altered envelope and exposed to the noise source shall meet a composite sound transmission class (STC) rating of at least 50 or a composite outdoor-indoor transmission class (OITC) rating of no less than 40,

with exterior windows of a minimum STC of 40 or OITC of 30 within a 65 dBA CNEL noise contour of an airport, or within a 65 dBA CNEL or Ldn noise contour of a freeway, expressway, railroad, industrial source, or fixed-guideway source, as determined by the noise element. Where noise contours are not readily available, buildings exposed to a noise level of 65 dBA Leq for one hour during any hour of operation shall have building, addition, or alteration exterior wall and roof-ceiling assemblies that are exposed to the noise source meet a composite STC rating of at least 45 (or OITC 35), with exterior windows of a minimum of STC 40 (or OITC 30).

- Prior to issuance of building permits for projects that include sensitive receptors and are located in ambient noise environments exceeding the “Normally Acceptable” noise and land use compatibility standards shown in Table 5.12-2, the project applicant shall submit an acoustical study to the County of San Bernardino that demonstrates that the proposed residential building design would provide an interior noise level of 45 dBA CNEL or less for residential uses, as required by the California Building Code, or acceptable levels for nonresidential uses per CALGreen standards. Acceptable methods for reducing noise exposure may include, but are not limited to:
- Noise barriers, berms, or other noise reduction techniques could be constructed to reduce noise transmission where reasonable and feasible. Final design of such barriers should be completed during project level review.
- Alternative noise reduction techniques could be implemented, such as repaving streets with “quiet” pavement types, including open-grade rubberized asphaltic concrete. The use of quiet pavement can reduce noise levels by up to 7 dBA, depending on the existing pavement type, traffic speed, traffic volumes, and other factors.
- Traffic-calming measures to slow traffic, such as speed bumps.
- Adequate building sound insulation, such as sound-rated windows and doors, on a case-by-case basis as a method of reducing noise levels in interior spaces.

RR-NOI-2      San Bernardino County Development Code, Construction Noise Sources. Section 83.01.080 establishes standards concerning acceptable noise levels for both noise-sensitive land uses and noise-generating land uses. It prohibits construction



activities between 7:00 PM and 7:00 AM on weekdays, or at any time on Sunday or a federal holiday.

RR-NOI-3 San Bernardino County Development Code, Stationary Noise Sources. Section 83.01.080 establishes standards for stationary noise sources in Table 83-2.

RR-NOI-4 San Bernardino County Development Code Mobile Noise Sources. Section 83.01.080 establishes standards for mobile noise sources in Table 83-3 including:

- Limiting construction to the daytime hours between 7 AM to 7 PM on Monday through Friday and 9 AM to 6PM on Saturday. Construction is prohibited on Sundays.

RR-NOI-5 San Bernardino County Development Code Vibration. Section 83.01.090 prohibits vibration that can be felt without the aid of instruments or produces a particle velocity greater than or equal to two-tenths inch per second peak particle velocity (i.e., 0.20 in/sec PPV) at or beyond the lot line of the source. Exceptions are made for temporary construction, maintenance, repair, or demolition activities between 7:00 AM and 7:00 PM, except Sundays and federal holidays; and motor vehicles not under control of the industrial or commercial use.

### **CWP Goals and Policies Applicable to the Project**

None.

### **Mitigation Measures Identified in the PEIR and Applicable to the Project**

No mitigation measures identified in the CWP PEIR are applicable to the project.

## 5.14 Population and Housing

### 5.14.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that the CWP would directly result in population growth in the project area within the range projected by SCAG. Buildout of the CWP would not displace people or housing and would not necessitate the construction of replacement housing. Furthermore, implementation of the Countywide Plan would result in a jobs-housing balance of 1.1 countywide in 2040, in line with SCAG's projection of 1.1 when considering housing units and 1.2 when considering households. Therefore, implementation of the Countywide Plan would not contribute to a significant cumulative population and housing impact.

### 5.14.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
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 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 type="checkbox"/>	<input checked="" type="checkbox"/>

- a. **Would the project 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)?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.13-1) and was determined to have a less than significant impact. The project is consistent with the Countywide Plan land use and zoning designations for the site, which are used by both local and regional agencies to determine anticipated growth. Development of the project site with an approximate 24,000 square foot retail store is consistent with the current zoning of Phelan-Pinon Hills/General Commercial

(PH/CG). Therefore, development of the project is planned by the Countywide Plan, and the Project would not induce substantial unplanned population growth in the surrounding area.

**b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.13-2) and was determined to have a less than significant impact. The project site is vacant and would be developed with commercial development, consistent with the zoning. The project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. No new impact would occur.

**Conclusion**

With regards to the issue area of Population and Housing, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

**Uniformly Applied Development Policies or Standards**

None.

**CWP Goals and Policies Applicable to the Project**

None.

**Mitigation Measures Identified in the EIR and Applicable to the Project**

The CWP PEIR did not identify any mitigation measures related to population and housing impacts.

## 5.15 Public Services

### 5.15.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that the CWP would cause fire protection, police, and library services to expand due to buildout. However, impacts were found to be less than significant upon implementation of the regulatory requirements and CWP policies, and standard conditions of approval.

The CWP PEIR concluded that the CWP would generate new students in the county and result in the need for new and/or expanded school facilities, the construction of which could result in environmental impacts. However, the required compliance with the Senate Bill 50 (SB 50) would reduce impacts to a less than significant level.

### 5.15.2 Impacts Associated with the Project

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:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Libraries or local daycare facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- 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?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.14-1) and was determined to have a less than significant impact. The San Bernardino County Fire Protection District covers the unincorporated County area, which includes the project site. The services provided include fire prevention and suppression, emergency medical services, technical rescue, and hazardous materials response. The closest fire station to the site is Station 10, which is located at 9625 Beekley Road, Phelan, 1.38 miles west of the project site. In addition, CAL Fire BDU-Phelan Fire Station is located at 9600 Centola Road, Phelan, approximately 2.20 miles to the southeast of the project site. The CWP PEIR did not identify the need for new or expanded fire service facilities in the North Desert Region. The project is consistent with the Countywide Plan and zoning designation for the project site, therefore, the need for additional fire service facilities is not anticipated. The project would be required to adhere to the California Fire Code. No new impacts related to fire protection services would occur.

### **Police protection?**

**No new Impact.** This topic was evaluated in the CWP PEIR (Impact 5.14-2) and was determined to have a less than significant impact. The San Bernardino County Sheriff's Department provides policing services in the project vicinity from its Phelan Patrol Station located at 4050 Phelan Road approximately 0.33 miles west of the project site. This station's area of responsibility includes the incorporated communities of Phelan, Pinon Hills, and Wrightwood. The CWP PEIR determined that little growth is forecast in the North Desert Region, and existing police facilities are anticipated to serve this growth. The project is consistent with the Countywide Plan and zoning designation for the project site, therefore, the need for additional police service facilities is not anticipated. No new impacts related to police protection services would occur.

### **Schools?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.14-3) and was determined to have a less than significant impact. The project site is within the Snowline Joint Unified School District. The CWP PEIR indicated that implementation of the CWP could contribute to a potentially significant adverse impact on school facilities and services. However, under state law, development projects are required to pay established Senate Bill 50 school impact fees at the time of building permit issuance. The funding program pursuant to SB 50 has been found by the legislature to constitute "full and complete mitigation of the impacts of any legislative or adjudicative act...on the provision of adequate school facilities" (Government Code Section 65995[h]). The fees authorized for collection under SB 50 are conclusively deemed full and adequate mitigation of impacts on school district facilities. The project may be required to pay the school impact fees levied by the Snowline Joint Unified School District to mitigate impacts to schools. Therefore, no new impact related schools would occur.

## **Parks?**

**Impact.** Impacts related to parks were evaluated in the CWP PEIR as part of Impacts 5.15-1 and 5.15-2 in Section 5.15, Recreation and were determined to have a less than significant impact. The CWP PEIR indicated that growth in the North Desert Region is anticipated to occur incrementally over 20 years and is not considered to substantially increase the use of existing park and recreation facilities. The project is consistent with the Countywide Plan land use designation and no changes in land use assumptions used in the CWP PEIR are proposed, therefore, development of a commercial building in the commercial zone would not generate additional need for new or expanded parks. Therefore, no new impact would occur.

## **Other public facilities?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.14-4), which specified other public facilities as library facilities and was determined to have a less than significant impact. The CWP PEIR stated that with new tax revenues from future development and various funding sources consisting of property taxes, state assistance, and revenue from fines, fees, and other miscellaneous revenue, the potential library facilities impacts would be less than significant. The project is consistent with the Countywide Plan land use designation and no changes in land use assumptions used in the CWP PEIR are proposed, therefore, development of three residential units resulting from the proposed subdivision would not generate additional need for new or expanded library. Therefore, no new impact would occur.

## **Conclusion**

With regards to the issue area of Public Services, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

## **Uniformly Applied Development Policies or Standards**

RR FP-1 Fire Code: The California Fire Code (CFC; California Code of Regulations, Title 24, Part 9) contains fire safety–related building standards that are referenced in other parts of Title 24 of the California Code of Regulations. Compliance with the fire code ensures that new and remodeled structures are designed to minimize fire risks related to human safety

(including that of emergency responders), loss of property, and other impacts to the environment.

California Senate Bill 50: School Facilities Bond Act of 1998

**CWP Goals and Policies**

None.

**Mitigation Measures Identified in the PEIR and Applicable to the Project**

The CWP PEIR did not identify significant public services impacts or mitigation measures.

## 5.16 Recreation

### 5.16.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that the CWP would generate additional residents, which would increase the use of existing park and recreational facilities. Project implementation would result in environmental impacts from the provision of new and/or expanded recreational facilities. Upon implementation of regulatory requirements and compliance with CWP policies and programs, impacts of the CWP would be less than significant.

### 5.16.2 Impacts Associated with the Project

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
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 would occur or be accelerated?	<input type="checkbox"/>	<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 type="checkbox"/>	<input checked="" type="checkbox"/>

**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 would occur or be accelerated?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.15-1) and was determined to have a less than significant impact. The CWP PEIR indicated that growth in the North Desert Region is anticipated to occur incrementally over 20 years and is not considered to increase the use of existing park and recreation facilities in a manner that would cause or accelerate substantial physical deterioration. The project is commercial in nature, which does not result in the need for additional recreational facilities. The project is consistent with the Countywide Plan land use designation and no changes in land use assumptions used in the CWP PEIR are proposed. Therefore, no new impact would occur.



**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?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.15-2) and was determined to have a less than significant impact. The project does not include recreational facilities or require the construction or expansion of recreational facilities. The CWP PEIR indicated that existing federal and state, and local regulations would mitigate potential adverse impacts to the environment that may result from the expansion of parks, recreational facilities, and trails pursuant to buildout of the CWP. The project is consistent with the Countywide Plan land use designation and no changes in land use assumptions used in the CWP PEIR are proposed. No new impact would occur.

**Conclusion**

With regards to the issue area of Recreation, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

**Uniformly Applied Development Policies or Standards**

None.

**CWP Goals and Policies**

None.

**Mitigation Measures Identified in the PEIR and Applicable to the Project**

The CWP PEIR did not identify significant recreation impacts or mitigation measures.

## 5.17 Transportation

### 5.17.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR approached setting vehicle miles traveled (VMT) thresholds by first evaluating the appropriateness of recommended Office of Planning and Research (OPR) thresholds. OPR's Technical Advisory on Evaluating Transportation Impacts in CEQA concludes that achieving 15 percent lower per capita (for residential uses) and per employee (for office uses) VMT than existing development "is both generally achievable and is supported by evidence that connects this level of reduction to the State's emissions goals." The County determined that OPR's recommended 15 percent VMT reduction threshold would not be feasible throughout most of the unincorporated county. Therefore, the CWP PEIR was based on county-specific significance thresholds. A residential VMT/person above 19.7 would be considered significant, and an employment VMT above 23.1 would be considered significant. The CWP PEIR concluded that VMT averages would exceed both these targets under the CWP buildout and remain a significant and unavoidable impact with mitigation and implementation of CWP policies. The CWP was not found to conflict with any program, plan, ordinance, or policy addressing the circulation system, and impacts due to geometric design features or incompatible uses were found to be less than significant. Impacts to emergency access were also found to be less than significant.

### 5.17.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a. Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.16-1) and was determined to be less than significant. The project site is served by Phelan Road. Transit near the project site is operated by Victor Valley Transit. Bus stops for routes 20 and 21 are located near the intersection of Phelan Road and Riggins Road, directly adjacent to the project site, as well as various stops along Phelan Road. There are no bicycle or pedestrian facilities in the vicinity of the project site. No change to the land uses analyzed under the CWP PEIR pertaining to transportation facilities is proposed. No new impact would occur.

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

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.16-3) and was determined to be significant and unavoidable. According to the County's Transportation Impact Study Guidelines (2019), local-serving retail establishments under 50,000 square feet are not required to undergo a VMT assessment. The project is sized at approximately 24,000 square feet, and will help address a service gap in the area by providing a closer and more convenient option for residents, farmers, and businesses. Currently, the nearest Tractor Supply Company stores are located approximately 10 miles east, 22 miles northeast, and 35 miles northwest. By establishing a store at this new location, the Project will reduce travel distances for customers and employees in and around Phelan, thereby improving accessibility and supporting local economic activity. Additionally, reducing the need for long-distance travel to similar stores potentially lowers overall vehicle emissions and congestion in the region. Based on these projections, the Project is exempt from a VMT analysis as it is designed to serve the local community. Therefore, the project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b), and no new impact would occur.

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

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.16-4) and was determined to have a less than significant impact. The project would provide right-of-way and development of the extension of Riggins Road, along the western boundary of the project site, to meet the County's roadway standards and would not create sharp curves or dangerous intersections or incompatible uses. No change to the land uses analyzed under the CWP PEIR pertaining to transportation is proposed. No new impact would occur.

**d. Would the project result in inadequate emergency access?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.16-4) and was determined to have a less than significant impact. The project site fronts one roadway – Phelan Road- and would develop the extension of Riggins Road along the western boundary of the project, which will provide adequate access to emergency vehicles. The closest evacuation route from the project site is State Route 138, approximately 2.45 miles to the west. The project would not adversely impact this evacuation route. No new impact related to emergency access would occur.

**Conclusion**

With regards to the issue area of Transportation and Traffic, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

**Uniformly Applied Development Policies or Standards**

None.

**CWP Goals and Policies**

None.

**Mitigation Measures Identified in the PEIR and Applicable to the Project**

No mitigation measures identified in the CWP PEIR are applicable to the project.

## 5.18 Tribal Cultural Resources

### 5.18.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that with implementation of regulatory requirements and CWP policies impacts on tribal cultural resources would be less than significant. The Cultural Resources Element of the Countywide Plan was designed to address potential impacts to tribal cultural resources. Specifically, Policies CR-1.1 through 1.4 call for notification, planning, avoidance, or mitigation and monitoring. In the course of implementing the Countywide Plan and these specific policies, and in complying with requirements of Assembly Bill (AB) 52, the County will identify and address any impacts of specific projects to tribal cultural resources.

### 5.18.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) 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: <ul style="list-style-type: none"> <li>(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</li> <li>(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?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.17-1) and was determined to be less than significant with mitigation. As discussed in Section 5.5.2(a), the project site is not identified as a historical resource and does not contain any significant historical resources as defined in Public Resources Code Section 5020.1(k). The project site does not involve demolition of any structures that are at least 45 years of age. The project would not result in impacts to historic resources that are listed or eligible for listing. Mitigation Measure CUL-1 from the CWP PEIR is not required. The project would not result in new impacts to historical resources as defined in Public Resources Code section 5020.1(k). No new impact would occur.

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.**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.17-1) and was determined to be less than significant with implementation of existing regulatory requirements. Assembly Bill (AB) 52 establishes a formal consultation process for California tribes as part of the CEQA process and equates significant impacts on “tribal cultural resources” with significant environmental impacts (Public Resources Code [PRC] § 21084.2). Public Resources Code Section 21080.3.1 stipulates that consultation must take place prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project. Because this document is not a negative declaration, mitigated negative declaration, or environmental impact report, the project is not subject to AB 52 requirements.

Public Resources Code Section 5024.1(c) provides the National Register of Historic Places criteria for determining a resource to be listed as a historical resource in the California Register. As discussed in Section 5.5.2(a), the project site is not identified as a historical resource and does not contain any significant historical resources pursuant to criteria set forth in Public Resources Code Section 5024.1(c). . As discussed in section 5.5.2(b), there are no previously documented historical or archaeological resources. Further mitigation and avoidance would occur in accordance with the existing regulatory requirements under PRC Sections 5097.9 to 5097.991, which require that descendants be notified when Native American human remains are discovered and provide for treatment and disposition of human remains and associated grave goods. CWP Cultural Resources Element policies CR-1.3 and CR-1.4 also includes provisions for protecting tribal cultural

resources. As discussed in Section 5.5.2(b), the project is required to implement CUL-4 when disturbing previously undisturbed soil to reduce impacts related to subsurface archaeological resources. The project would not result in peculiar impacts that were not previously analyzed in the CWP PEIR. No new impact would occur.

## **Conclusion**

With regards to the issue area of Tribal Cultural Resources, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. Feasible mitigation measures contained within the CWP PEIR (CUL-2 through CUL-4) will be applied to the project. The mitigation measures and the existing regulatory requirements provide protection for tribal cultural resources and reduce potential impacts to a less than significant level.

## **Uniformly Applied Development Policies or Standards**

The following regulatory requirements (RRs) related to tribal cultural resources from the CWP EIR are applicable to the project.

- RR TCR-2 Native American historical and cultural resources and sacred sites are protected under PRC Sections 5097.9 to 5097.991, which require that descendants be notified when Native American human remains are discovered and provide for treatment and disposition of human remains and associated grave goods.
- RR CUL-5 If human remains are discovered within a project site, disturbance of the site must stop until the coroner has investigated and made recommendations for the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative. If the coroner has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. (California Health and Safety Code Section 7050.5).

## **CWP Goals and Policies**

The following policies from the CWP are applicable to the project.

- Goal CR-1 Tribal Cultural Resources. Tribal cultural resources that are preserved and celebrated out of respect for Native American beliefs and traditions.
- Policy CR-1.1 Tribal notification and coordination. We notify and coordinate with tribal representatives in accordance with state and federal laws to strengthen our working relationship with area tribes, avoid inadvertent discoveries of Native American archaeological site and burials, assist with the treatment and disposition of inadvertent discoveries, and explore options of avoidance of cultural resources early in the planning process.
- Policy CR-1.3 Mitigation and avoidance. We consult with local tribes to establish appropriate project-specific mitigation measures and resource-specific treatment of potential cultural resources. We require project applicants to design projects to avoid known tribal cultural resources, whenever possible. If avoidance is not possible, we require appropriate mitigation to minimize project impacts on tribal cultural resources.
- Policy CR-1.4 Resource monitoring. We encourage active participation by local tribes as monitors in surveys, testing, excavation, and grading phases of development projects with potential impacts on tribal resources.

### **Mitigation Measures Identified in the PEIR and Applicable to the Project**

The CWP PEIR did not identify significant tribal cultural resources impacts or mitigation measures. However, Mitigation Measures CUL-2 through CUL-4 as listed in Section 5.5.3 of this Checklist are applicable to the project.



## 5.19 Utilities and Service Systems

### 5.19.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that the CWP would require the construction of new or expanded wastewater facilities to serve the growth associated with Countywide Plan. The buildout would have the potential to have impacts. Projects developed in the county are required to comply with the existing wastewater treatment regulations. With implementation of regulatory requirements and Countywide Plan policies, impacts of the Countywide Plan related to wastewater collection and treatment would be less than significant. The CWP buildout would be adequately served by existing and proposed water supply and delivery systems, and stormwater flow would be adequately served by existing and proposed drainage systems. The CWP EIR determined that the development pursuant to the CWP would not exceed the capacity of the existing storm drain system. Additionally, existing and/or proposed facilities could accommodate project-generated solid waste and comply with related solid waste regulations, and the existing and/or proposed facilities would be able to accommodate project-generated utility demands. Overall, impacts related to utilities and service systems were determined to be less than significant with implementation of existing regulations.

### 5.19.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. **Would the project 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?**

**No New Impact.**

## Water

The topic of water was evaluated in the CWP PEIR (Impact 5.18-5) and was determined to be less than significant with implementation of existing regulatory requirements. The CWP PEIR anticipated a net increase in water demand by Countywide Plan buildout. Since the project would be served by Sheep Creek Water Company, the project would not result in the relocation or construction of new or expanded water facilities that could cause significant environmental effects. As outlined in the CWP PEIR, the project would be required comply with the permitting requirements of the Department of Environmental Health and Safety. No impact peculiar to the project would occur that was not previously addressed in the CWP PEIR. No new impact would occur.

## **Wastewater Treatment**

The topic of wastewater treatment was evaluated in the CWP PEIR (Impact 5.18-3) and was determined to be less than significant. The project site would be served by septic system, therefore, would not require or result in the relocation or construction of new expanded wastewater treatment facilities, which could cause significant environmental impacts. No existing regulatory requirements are applicable to the project. No impact peculiar to the project would occur that was not previously addressed in the CWP PEIR. No new impacts would occur.

## **Stormwater Drainage**

This topic was evaluated in the CWP PEIR (Impacts 5.9-1) and determined to have a less than significant impact. See Section 5.10.2 (a).

## **Electric Power**

The project site is within the service boundaries of Southern California Edison for electric power service. The project would not change any land use assumptions analyzed in the CWP PEIR. Therefore, although the project would require new service connections for electricity, such connections are not expected to result in significant environmental effects. No impact peculiar to the project would occur that was not previously addressed in the CWP PEIR. No new impacts would occur.

## **Natural Gas**

The project site is within the service boundaries for Southern California Gas Company and would not require new gas service connections. No new or expanded gas service facilities that could cause significant environmental impacts are needed. No impact peculiar to the project would occur that was not previously addressed in the CWP PEIR. No new impacts would occur.

## **Telecommunications**

The project site has the option to be served by either Xfinity/Comcast or Spectrum for telephone, internet and/or cable tv service. The construction of telecommunication facilities is not anticipated to cause significant environmental impacts beyond those assumed for the land uses analyzed in the CWP PEIR. No impact peculiar to the project would occur that was not previously addressed in the CWP PEIR. No new impacts would occur.

### **b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.18-4) and was determined to be less than significant. The project site is in the Community of Phelan in the North Desert

Region. The project would be served by Sheep Creek Water. The CWP PEIR indicated that the CWP buildout would involve slight growth and the net increase in water demands, but the growth would be dispersed among many purveyors' service areas, and impacts to each purveyor's water supplies would be minor with compliance with the existing regulatory requirements. No changes to the land uses analyzed in the CWP PEIR are proposed under the project. No impact peculiar to the project would occur that was not previously addressed in the CWP PEIR. No new impact would occur.

**c. Would the project 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?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.18-1) and was determined to be less than significant. The CWP PEIR indicated that most communities in the Desert Region are serviced by private septic systems because the infrastructure, both for collection and treatment, is limited in number and capacity. The project site is in the Community of Phelan in the North Desert Region and would be served by private septic system. No new impact would occur.

**d. Would the project 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?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.18-7) and was determined to be less than significant. The project would generate limited amount of solid waste during construction activities. The project site is vacant therefore no demolition is required. Commercial development is required to comply with the latest California Green Building Standards Code which requires construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction waste. Furthermore, operation of a commercial building in a commercial zone is not anticipated to generate unusual amount of solid waste in excess of amount analyzed in the CWP PEIR. No changes to the land uses analyzed in the CWP PEIR are proposed under the project, and no new impact would occur.

**e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.18-7) and was determined to be less than significant. As discussed above in section 5.19.2(d), the project would comply with the California Green Building Standards Code during construction and recycle or reuse a minimum of 65 percent of the nonhazardous construction waste. The project would also comply with the AB 939, AB 341, and AB 1826 by adhering to the County's solid waste policies. No changes to the land uses analyzed in the CWP PEIR are proposed under the project, and no new impact would occur.

## **Conclusion**

With regards to the issue area of Utilities and Service Systems, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

## **Uniformly Applied Development Policies or Standards**

- RR USS-12 The County and cities within the County shall abide by AB 939 and AB 341 and divert 75 percent of their waste from landfills by the year 2020. The County shall show 15 years disposal capacity for all jurisdictions within the county or show a plan to transform or divert its waste.
- RR USS-13 Projects will be constructed in accordance with the California Green Building Standards Code, which requires a minimum of 50 percent of the “non-hazardous construction and demolition debris” (by weight or volume) to be recycled or reused.
- RR USS-14 Projects will store and collect recyclable materials in compliance with AB 341. Green waste will be handled in accordance with AB 1826.

## **CWP Goals and Policies**

None.

## **Mitigation Measures Identified in the PEIR and Applicable to the Project**

The CWP PEIR did not identify significant utilities and service system impacts or mitigation measures.

## 5.20 Wildfire

### 5.20.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that unincorporated growth may require the installation or maintenance of associated infrastructure but that fire risks associated with this infrastructure would not result in impacts to the environment. Impacts to emergency and evacuation plans were also found to be less than significant. However, the CWP PEIR identified that due to slope, prevailing winds, and other factors, unincorporated growth in or near state responsibility areas or lands classified as very high fire hazard severity zones could expose occupants to or exacerbate risks from pollutant concentrations from a wildfire or from the uncontrolled spread of a wildfire. Additionally, unincorporated growth was found to expose people or structures to significant risks, including downslope or downstream flooding or landslides, because of post-fire slope instability. These impacts were found to be significant and unavoidable.

### 5.20.2 Impacts Associated with the Project

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.8-4) and was determined to have a less than significant impact. Figure 5.8-6, Fire Severity Zones and Potential Growth Areas in the North Desert Region, of the CWP PEIR identifies the project site as being outside of a high or very high fire severity zone. However, the project site is located within the SRA and is mapped in a moderate FHSZ by the California Department of Forestry and Fire Protection (CALFire 2024). Furthermore, the project site does not contain any emergency facilities, and the roadways that front the project site do not serve as an emergency evacuation route. The closest emergency route is State Route 138, approximately 2.45 miles to the west. The CWP PEIR indicated that projects developed under the Countywide Plan would not block or otherwise interfere with use of evacuation routes. It also stated that projects would not interfere with operation of the County Emergency Operations Center and would not interfere with operations of emergency response agencies or with coordination and cooperation between such agencies. No changes to the land uses analyzed in the CWP PEIR are proposed under the project, and no new impact would occur.

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

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.8-6) and was determined to have a significant impact. The CWP PEIR includes figures that map areas of Moderate and High or Very high FHSZs and indicate that various existing regulations and Countywide Plan policies would minimize impacts of wildfire, however, it was determined that it is not possible to eliminate the impact from pollutant concentrations from a wildfire or from the uncontrolled spread of a wildfire to less than significant. Implementation of the project would be required to adhere to the California Fire Code, as adopted by the San Bernardino County Fire Department, and would be reviewed by the County's Building and Safety Division during the permitting process when the

development occur to ensure that the project plans meet the fire protection requirements. The project site does not include significant slope, however, there could be prevailing winds and other factors that could exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations or uncontrolled spread of a wildfire. No changes to the land uses analyzed in the CWP PEIR are proposed under the project, and no new impact would occur.

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

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.8-7) and was determined to have a less than significant impact. The CWP PEIR assumed that growth under the CWP would add structures, residents, and workers in the County's service boundaries, however, it was determined that implementation of Countywide policies and fire safety regulations would reduce the impacts to a less than significant level. The project site is in the SRA. No changes to the land uses analyzed in the CWP PEIR are proposed under the project, and the project would be required to comply with the existing California Fire Code, as adopted by the County Fire. Therefore, no new impact would occur.

**d. Would the project 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?**

**No New Impact.** This topic was evaluated in the CWP PEIR (Impact 5.8-8) and was determined to have a less than significant impact. The project site is in the Phelan-Pinon Hills Community Area, and the project site is designated C (Commercial) by the CWP and zoned Phelon-Pinon Hills/General Commercial (PH/CG). No changes to the land use analyzed in the CWP PEIR are proposed under the project. All grading would be conducted in compliance with the County's grading and erosion control guidance. Therefore, the project would result in no new impacts related to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. No new impact would occur.

## **Conclusion**

With regards to the issue area of Wildfire, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified. 2
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.



4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

**Uniformly Applied Development Policies or Standards**

None.

**CWP Goals and Policies**

None.

**Mitigation Measures Identified in the PEIR and Applicable to the Project**

No mitigation measures identified in the CWP PEIR are applicable to the project.

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## Section 6    **References**

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## **Appendix A. Proposed Site Plan**

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## **Appendix B. Traffic Impact Assessment**

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## **Appendix C. Preliminary Drainage Study**

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