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

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

PROJECT LABEL:

APNs:	0351-171-55	***USGS Quad:***	7.5-minute Cajon, California
Applicant:	Bajwa Group of Companies 800 N. Haven Ave, Suite 428 Ontario, CA 91764	***T, R, Section:***	Section 35, Township 3 North, Range 6 West
Location	Between Wagon Train Road and Interstate 15	***Thomas Bros***	
Project No:	PROJ-2022-00047	***LUC***	Commercial (C)
Rep:	3rd Supervisorial District	***ZONE:***	General Commercia - Sign Control primary (CG-SCp)
Proposal:	MINOR USE PERMIT (MUP) TO CONSTRUCT GAS STATION WITH A 4,900 SQ. FT. CONVENIENCE STORE, A 5,570 SQ. FT. FUELING CANOPY WITH NINE (9) MULTI-PRODUCT DISPENSERS AND A 1,140 SQ. FT. DRIVE-THROUGH CAR WASH. INCLUDING UNDERGROUND STORAGE TANKS, A MONUMENT SIGN, AND A 25' HEIGHT POLE SIGN ON A 1.42-ACRE	***Overlays:***	Sign control (primary) (SCp) Overlay; Fire Safety Overlay (FS1)

PROJECT CONTACT INFORMATION:

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

Contact person: Alexander Lee, Planner II
Phone No: (909) 361-7258 ***Fax No:*** (909) 387-4359
E-mail: Alexander.Lee@lus.sbcounty.gov

Project Sponsor Jerry Bajwa, President
Bajwa Group of Companies
800 N. Haven Avenue, Suite 428
Ontario, CA 91764

PROJECT DESCRIPTION:

Summary

The project includes the removal of existing trees/vegetation, the development of a 4,900-square-foot, one-story (24.6-foot-tall) convenience store; a 5,570-square-foot fuel facility with an 18-foot-tallcanopy and 9 multiple product dispensers for fueling up to 18 vehicles; a 1,140-square-foot, one-story (24.6-foot-tall) drive-through car wash, and the installation of two underground fuel storage tanks located southwest of the fueling station canopy and 8 Tesla electric vehicle charging stations (V3 Superchargers) with charging posts and cabinets in the southeastern portion of the site. The project also includes 18 additional auto parking stalls, 2 of which are designed in accordance with the Americans with Disabilities Act (ADA), a separate loading area for the convenience store, and a trash enclosure facility (see **Figure 1: Site Plan**). The proposed project would generate approximately 16 employees, with 4 employees per shift. The proposed uses on the project site would operate 24 hours per day, 7 days a week.

Access to the project site is proposed via two 35-foot-wide driveways off Wagon Train Road along the northern frontage of the site. The proposed convenience store would be located on the northwestern portion of the site, and the drive-through car wash would be located between the northwestern property line and convenience store. The convenience store entrance would face the southeast toward the 18 fueling stations, and the drive-through car wash entrance would be 11 feet wide and located on the northeast side of the convenience store and exit would be on the southwest side of the convenience store. The proposed site design would be designed and constructed in accordance with Chapter 83.02 (General Development and Use Standards) and Chapter 83.11 (Parking and Loading Standards) of the County Development Code.

The project site would include approximately 14,470 square feet of landscaping, including trees, shrubs, groundcover, and shrub mass. Proposed landscaping design would be consistent with landscaping of adjacent developed commercial uses to the northwest and would comply with landscaping requirements codified in Chapter 83.10 (Landscaping Standards) and Chapter 83.06 (Fencing, Hedges and Walls) of the County Development Code. Additionally, all landscaping on the project site would comply with the Fuel Modification Requirements prescribed in the Fire Protection Plan (FPP) prepared for the project. The project also includes installation of a 25-foot-tall sign on the property that would be visible from Interstate 15, which would be consistent with Chapter 82.21 (Sign Control Overlay) and Chapter 83.13 (Sign Regulations) of the County Development Code. All lighting on the project site would be consistent with Chapter 83.07 (Glare and Outdoor Lighting).

Pursuant to Chapter 83.09 (Infrastructure Improvement Standards), the project would interconnect to existing utilities along the Wagon Train Road right-of-way adjacent to the site. Currently, the project is not anticipated to include any off-site utility or infrastructure improvements. As previously stated, the wastewater system in the project area is in the process of being improved through a separate action that is not part of the proposed project. The proposed project would connect to the improved wastewater system via the existing 8-inch gravity sewer and 2-inch pressure sewer pipes located along the northeast boundary of the project site/southwest side of Wagon Train Road, which lead to the existing CJPWTP approximately 140 feet southeast of the project site.

Surrounding Land Uses and Setting

The project site is currently undeveloped, but hosts two sets of septic seepage pits, each containing 9 seepage pits and a distribution box. Adjacent uses include mountainous open space areas, travel-oriented services (e.g., fueling stations, food establishments, car washes), and roadways (e.g., Interstate 15 and Wagon Train Road). Properties immediately northwest of the site are developed with commercial uses (e.g., McDonalds restaurant, Chevron gas station, and convenience store).

Existing Land Use and Land Use Zoning Districts

Location	Existing Land Use	Land Use Zoning District
Project Site	Vacant & underground seepage pits	General Commercial-Sign Control Primary (CG-SCp)
North	Restaurant	General Commercial (CG) & Single Residential-1 Acre Minimum (RS-1)
South	Vacant & utility easement & underground seepage pits & Cajon Pass Wastewater Treatment Plant	General Commercial-Sign Control Primary (CG-SCp)
East	Wagon Train Road & vacant land	General Commercial (CG) & Single Residential – 1 acre minimum parcel size (RS-1)
West	Interstate 15 & Vacant Land	General Commercial-Sign Control Primary (CG-SCp)

Sources: San Bernardino County. n.d. Public San Bernardino County Parcel Viewer. https://www.arcgis.com/apps/webappviewer/index.html?id=87e70bb9b6994559ba7512792588d57a (accessed September 22, 2023).

County of San Bernardino. 2020. 2020 Countywide Plan, LU-1 (A-E) Land Use Map

The existing San Bernardino County land use designations are illustrated in **Figure 2: Existing Land Use Designations/Photograph Location Key Map.**

Project Site Location, Existing Site Land Uses and Conditions

The Cajon Pass Commercial Project (herein referred to as either the "proposed project" or "project") is located in an unincorporated area of San Bernardino County on Assessor's Parcel Number (APN) 0351-171-55. The project site is located within Cajon Pass, which is a mountain pass between the San Bernardino Mountains to the east and the San Gabriel Mountains to the west. The project site is approximately 1.42 acres and is bounded by commercial uses to the northwest; Wagon Train Road and open space to the northeast; open space, a Southern California Gas utility easement, underground seepage pits, and the Cajon Pass Wastewater Treatment Plant to the southeast; and Interstate 15 to the southwest (see **Figure 3: Regional and Project Location**). The project site is located at the base of an alluvial fan within the San Bernardino Mountains and is generally level due to previous grading. The site consists of disturbed ruderal vegetation and is currently being used for staging shipping containers. Illegal dumping of domestic refuse also occurs on the site (see **Figures 4a** through **4e: Site Photographs**).

Existing utilities in the area include electrical and natural gas facilities maintained by Southern California Edison (SCE) and Southern California Gas (SCG), respectively, along Wagon Train Road. Additionally, potable water is supplied to the site via a groundwater well and pump that leads to a 20,000-gallon potable water storage tank and 100,000-gallon fire protection water storage tank with ancillary equipment located approximately 650 feet northwest of the project site. These utilities serve the existing commercial uses adjacent to and northwest of the project site.

Wastewater service in the area is facilitated via two sets of seepage pits, each containing nine pits and a distribution box, that are in the process of being relocated off-site, approximately 140 feet southeast of the project site next to the existing Cajon Pass Wastewater Treatment Plant (CJPWTP) by the Cajon Junction Property Owners Association (CJPOA) through a separate, independent action that is not part of the proposed project. These pits are owned and operated by the CJPOA to serve the existing commercial uses adjacent to the northwest of the project site as well as future development anticipated on the project site. The seepage pits connect to existing 8-inch gravity sewer and 2-inch pressure sewer pipes along the southwest side of Wagon Train Road that lead to the CJPWTP approximately 140 feet southeast of the project site. The CJPWTP has an average treatment capacity of 14,000 gallons per day and includes a 40,000-gallon flow equalization basin to account for potential spikes in demand. The CJPWTP is also upgrading the capacity and reliability of overall wastewater system to serve existing commercial uses adjacent to the northwest and future development anticipated on the project site through a separate, independent action that is not part of the proposed project.

The project site has a San Bernardino Countywide Plan Land Use Designation of General Commercial and has a zoning designation of General Commercial-Sign Control primary (CG-SCp). Additionally, the project site is located within the County's Sign Control (SC) Overlay and Fire Safety Overlay (FS1).

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Federal: None.
State of California: None.[1]
County of San Bernardino: Land Use Services Department-Building and Safety, Public Health-Environmental Health Services, and Public Works.
Regional: Mojave Desert Air Quality Management District (MDAQMD, Santa Ana Regional Water Quality Control Board.
Local: None

[1] The project was reviewed by the California Department of Transportation (Caltrans District 8) and was determined not to require a Caltrans Encroachment Permit.

Figure 1 Site Plan

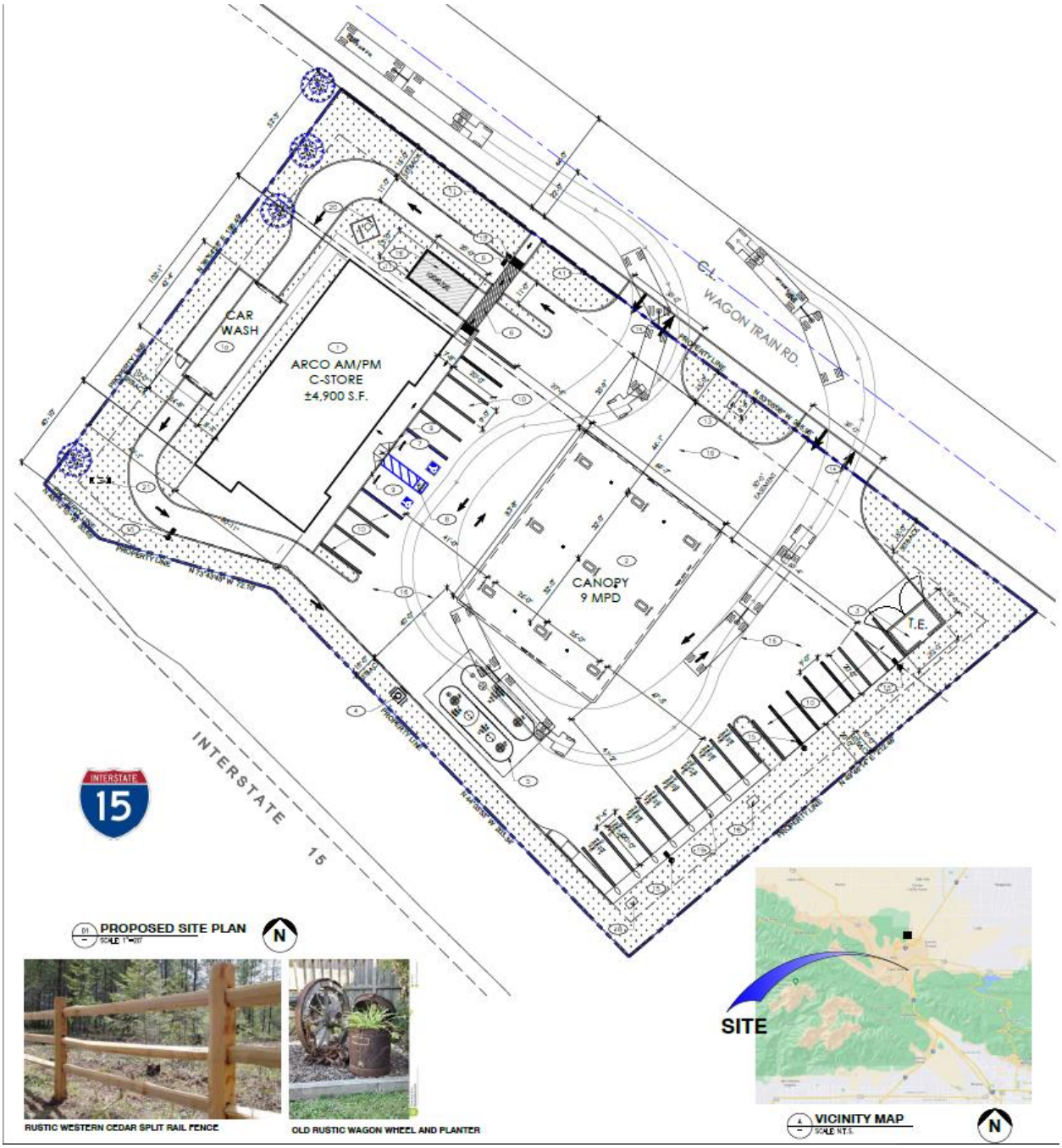

Figure 2 Existing and Surrounding Land Use/Photograph Location Key Map

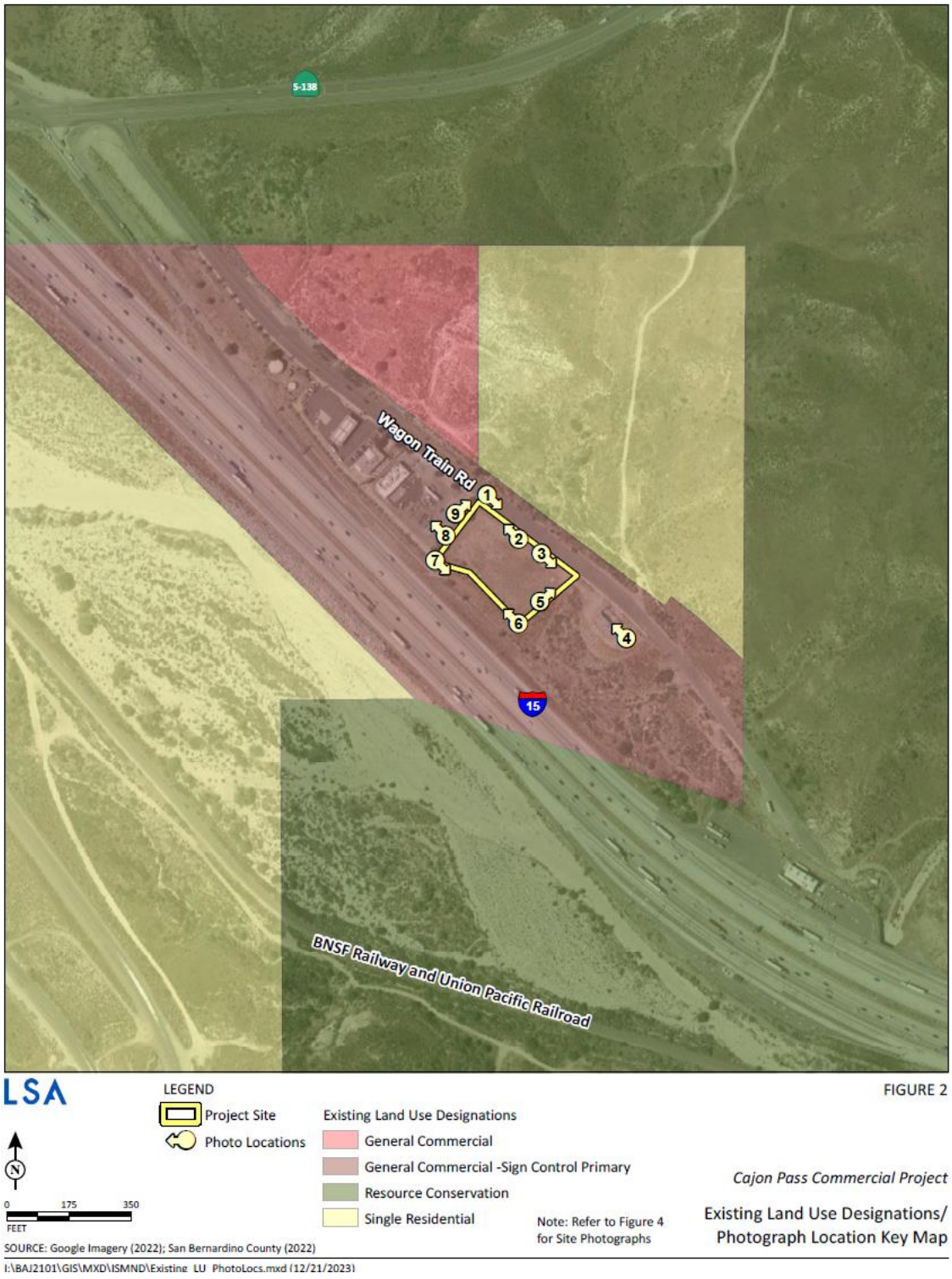

Figure 3 Regional and Project Location

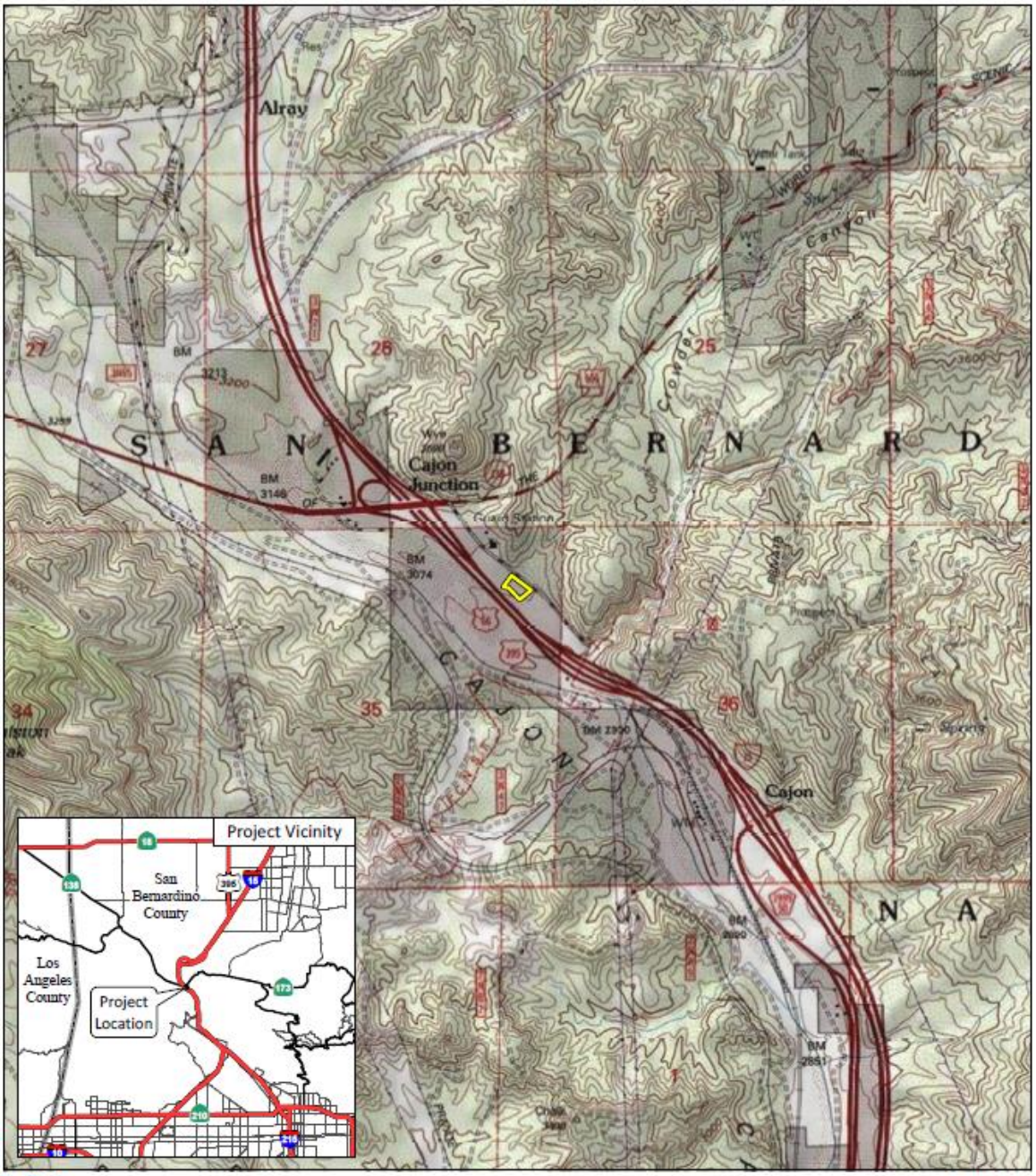

Figure 4a Site Photographs

Photo 001: Northwestern corner of project site, facing southeast.

Photo 002: Northeastern project site boundary along Wagon Train Road, facing northwest.

Figure 4b Site Photographs

Photo 003: Northeastern project site boundary along Wagon Train Road, facing southeast.

Photo 004: Off site Cajon Pass Wastewater Treatment Plant, facing northwest.

Figure 4c Site Photographs

Photo 005: Southeastern project site boundary, facing northeast.

Photo 006: Southeastern corner of project site, facing northwest.

Figure 4d Site Photographs

Photo 007: Southwestern corner of project site, facing southeast.

Photo 008: Off site commercial uses, facing northwest.

Figure 4e Site Photographs

Photo 009: Northwestern project site boundary, facing northeast.

Figure 5 Noise Monitoring Locations

LSA

LEGEND
- Project Site Boundary
ST-1 - Short-term Noise Monitoring Location
LT-1 - Long-term Noise Monitoring Location

FIGURE 5

0 100 200
FEET

SOURCE: Google Earth (2023)

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Cajon Pass Commercial Project
Noise Monitoring Locations

CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

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

- Consultation notices pursuant to AB 52 were sent by the County on May 17, 2023 to the following Native American Tribes: Fort Mojave, Morongo, San Gabriel, and San Manuel.

The Morongo Band of Mission Indians (MBMI) office requested government-to-government consultation under Assembly Bill (AB) 52 (California Public Resources Code § 21080.3.1). Please see Section XVII of this Initial Study/Mitigated Negative Declaration for a full analysis on Tribal Cultural Resources.

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

EVALUATION FORMAT

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

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant	No Impact

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

1. **No Impact**: No impacts are identified or anticipated and no mitigation measures are required.

2. **Less than Significant Impact**: No significant adverse impacts are identified or anticipated and no mitigation measures are required.

3. **Less than Significant Impact with Mitigation Incorporated**: Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required

as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List of mitigation measures)

4. **Potentially Significant Impact**: Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are (List of the impacts requiring analysis within the EIR).

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

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

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

Alex Lee — 02/06/24

Signature: (prepared by Alexander Lee, Planner) — Date

Chris Warrick — 2/6/2024

Signature:(Chris Warrick, Supervising Planner) — Date

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

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

- ***2020 Countywide Plan (San Bernardino County 2020)***
- ***San Bernardino Countywide Plan Draft Environmental Impact Report (San Bernardino County 2019)***
- ***2020 Census Urban Areas Map (US Census Bureau 2020)***
- ***Caltrans State Scenic Highway Map (Caltrans 2018).***
- ***Submitted Project Materials***

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

Less than Significant Impact. The project site is located within the Cajon Pass, which is a mountain pass between the San Bernardino Mountains to the east and the San Gabriel Mountains to the west. These landforms provide scenic vistas to the north and south from State Route 138 (SR-138) and to the east and west from Interstate 15 within the project area.

The project site is visible from SR-138, which is located approximately 0.25-mile north of the site. However, SR-138 sits at an elevation approximately 100 feet higher (at its

lowest elevation near the project site) than the project site. The tallest structure on the project site would be the 25-foot-high freeway sign located in the northwest corner of the property. The proposed project facilities would sit at a lower elevation than SR-138 and therefore development of the proposed structures on the project site would not impact views of the San Bernardino or San Gabriel mountains to the south as motorists travel along SR-138.

The project site is located immediately east of Interstate 15 at the base of an alluvial fan within the San Bernardino Mountain range that has previously been graded to generally level conditions. The 1.42-acre project site is undeveloped and consists of ruderal vegetation. Given the location and undeveloped setting of the project site, development of the site has the potential to impact views of the San Bernardino Mountains to the east as vehicles travel along Interstate 15 through the Cajon Pass.

The project site is located within the Mountain Region of the County and has a San Bernardino Countywide Plan Land Use Designation of General Commercial and a zoning designation of General Commercial – Sign Control primary. The project would be developed in accordance with the applicable development standards for the Mountain Region, General Commercial zone as specified in Table 82-14B of the County Development Code. For example, Table 82-14B restricts the building height to 35 feet and the maximum lot coverage (e.g., impervious surfaces) to 80 percent. The heights of the proposed car wash (24.6 feet), convenience store (24.6 feet), and fueling canopy (18 feet) would not exceed 35 feet and the proposed impervious surface area (76.6 percent) would not exceed 80 percent. Additionally, the proposed signage on the project site would comply with Chapter 82.21 (Sign Control Overlay) of the County Development Code, which restricts signage height to 25 feet. As detailed in **Figure 1: Site Plan**, the proposed freeway sign would be 25 feet high and located in the northwest corner of the property. Finally, as part of the project's review process, the project's design plans would be reviewed by the County's Design Review Committee to ensure site development is consistent with applicable San Bernardino County Zoning development standards.

As discussed above, the project would be developed in accordance with the applicable development standards for the General Commercial zone. Additionally, given the site's land use and zoning designation, the County anticipates development of the project site for commercial uses, such as the proposed car wash, convenience store, and fueling station. Although development of the proposed commercial uses on a vacant site would alter existing views of the San Bernardino Mountains to the east from Interstate 15, the building and signage heights on the project site would not exceed 25 feet and would not fully obstruct existing views. Views of the San Bernardino Mountains from Interstate 15 near the project site range from the base of the mountain where the project site is located, which has an elevation of approximately 3,060 amsl, to the nearest mountain peak, which has an elevation of approximately 3,360 amsl. Therefore, views of the San Bernardino Mountains at elevations between 3,085 and 3,360 amsl would not be impacted by development of the proposed project.

Since the project would be developed in accordance with all applicable development standards for the General Commercial zone and Sign Control Overlay zone and would

not substantially impact existing views of the San Bernardino Mountains, the proposed project would not have a substantial adverse effect on scenic vistas. Impacts would be **less than significant,** and no mitigation is required.

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

No Impact. The California Department of Transportation (Caltrans) Scenic Highway Program identifies SR-138 approximately 0.25-mile north of the project site as an Eligible State Scenic Highway. There are no officially designated State Scenic Highways within the project area. Implementation of the proposed project would include the removal of existing pine trees in the northwestern portion of the project site. These features have been reviewed for historical significance and have been determined not to be historical resources as defined by CEQA (see Section V, Cultural Resources). Therefore, because the site is not visible from any officially-designated State scenic highways and because development of the proposed project would not substantially damage scenic resources within view of such highways, including but not limited to trees, rock outcroppings, and historic buildings, there would be **no impact** and no mitigation is required.

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

Less than Significant Impact. According to the 2020 Census Urban Areas Map, the project site is located within a non-urbanized area of San Bernardino County pursuant to CEQA Guidelines Section 15387. Accordingly, the project's impacts on the existing visual character and quality of public views of the site and its surrounding during construction and operation are discussed below.

Construction. During construction, the presence of construction vehicles and equipment could temporarily degrade the visual quality of the project site due to the presence of visible construction activity. In the existing condition, the site consists of disturbed ruderal vegetation and pine trees and is currently used to stage shipping containers. Illegal dumping of domestic refuse also occurs on the site. The presence of construction equipment and vehicles would be temporary and would cease once construction is complete. Additionally, construction equipment and vehicles would be primarily located on-site or within Wagon Train Road immediately northeast of the project site. Therefore, construction of the project would not substantially interfere with views or visual character of the surrounding area. Due to the temporary nature of construction activities, impacts to visual character of the site and its surroundings would be **less than significant** during construction, and mitigation is not required.

Operation. The project site is located with the General Commercial– Sign Control Primary zoning designation and within a Sign Control (SC) Overlay. As discussed in Section I.a above, the project's site design plans would be reviewed by the County's

Design Review Committee to ensure compliance with all applicable design and development requirements. Therefore, the project would be developed in accordance with all applicable design and development requirements, including standards for site design, building design, parking, landscaping, signage, and lighting. For example, Table 82-14B restricts the building height to 35 feet and the maximum lot coverage (e.g., impervious surfaces) to 80 percent. The heights of the car wash (24.6 feet), convenience store (24.6 feet), and fueling canopy (18 feet) would not exceed 35 feet and the proposed impervious surface area (76.6 percent) would not exceed 80 percent. Additionally, the proposed signage on the project site would comply with Chapter 82.21 (Sign Control Overlay) of the County Development Code, which restricts signage height to 25 feet. As shown on **Figure 1: Site Plan**, the proposed freeway sign would be 25 feet high and located in the northwest corner of the property.

As previously discussed, the project site is located within the Cajon Pass, which separates the San Bernardino Mountains and the San Gabriel Mountains. Accordingly, mountainous open space areas, travel-oriented services (e.g., fueling stations, food establishments, car washes), and roadways (e.g., Interstate 15 and Wagon Train Road) constitute the primary visual character of the project area. Properties immediately northwest of the site are developed with commercial uses (e.g., McDonalds restaurant, Chevron gas station, and convenience store). Therefore, development of the proposed project with a car wash, convenience store, and fueling station would be consistent with the existing visual character and quality of the surrounding area.

Since the proposed project would be consistent with the development and design standards set forth by the County Development Code and is consistent with the visual quality of the surrounding area, the proposed project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. Impacts would be **less than significant,** and mitigation is not required.

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

Less than Significant Impact. There are no sources of light and glare on the project site. Sources of light and glare in the project area include lighting produced by commercial development to the northwest, vehicle lighting on Interstate 15 to the southwest, which is heavily lit and well-traveled by vehicles, and vehicle lighting on Wagon Train Road to the northeast.

Development of the project site would introduce new sources of light into the project area through development of the car wash, fueling station with canopy, and convenience store (totaling 11,610 square feet) with security lighting on the building façades and installation of yard lights throughout the surface parking lot and landscaped areas. Additionally, the project would operate 24 hours per day and 7 days a week. Therefore, vehicles accessing the project site between sunset and sunrise would also introduce new sources of light and glare into the project area.

All lighting on the project site would be installed in accordance with Chapter 83.07 (Glare and Outdoor Lighting) of the County Development Code, which requires light shielding,

functional and aesthetic design, and compatibility with surrounding uses. Additionally, as discussed in Section I.a. above, the project would be subject to the County's Design Review process, which would ensure compliance with all applicable lighting standards. The purpose of these lighting standards is to minimize light pollution, glare, and spillover; conserve energy; and reduce adverse effects on the nighttime views in the project vicinity. Therefore, the proposed project would not adversely affect daytime or nighttime views in the project vicinity. Impacts would be **less than significant**, and mitigation is not required.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
II.	**AGRICULTURE AND FORESTRY RESOURCES** - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒

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

SUBSTANTIATION: *(Check ☐ if project is located in the Important Farmlands Overlay):*

- ***2020 Countywide Plan (San Bernardino County 2020)***
- ***Farmland Mapping and Monitoring Program (California Department of Conservation 2018)***
- ***Williamson Act Contract Land (California Department of Conservation 2017)***
- ***San Bernardino Countywide Plan Draft Environmental Impact Report (San Bernardino County 2019)***
- ***Submitted Project Materials***

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?*

No Impact. The State's Farmland Mapping and Monitoring Program (FMMP) identifies the project site as an "area not mapped", which is an area that is outside the National Resources Conservation Service (NRCS) soil survey and not mapped by the FMMP. Implementation of the proposed project, therefore, would not convert Prime Farmland, Farmland of Statewide Importance, or Unique Farmland to a non-agricultural use. **No impact** would occur, and no mitigation is required.

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

No Impact. The project site is zoned as General Commercial – Sign Control primary and is not zoned for agricultural use. Based on review of San Bernardino County Williamson Act data, the project site is not under a Williamson Act Contract. Therefore, implementation of the proposed project would not conflict with existing zoning for agricultural use, nor would it conflict with a Williamson Act Contract. **No impact** would occur, and no mitigation is required.

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))?*

No Impact. The project site is zoned as General Commercial – Sign Control primary. The project site is not zoned as forest land (as defined in PRC Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)); therefore, implementation of the proposed project would not conflict with existing zoning for forest or timberland resources. No impact would occur, and no mitigation is required.

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

No Impact. The project site has previously been graded and is vacant. The project site is not occupied by forest land. Implementation of the proposed project would not result in the loss of forest land or conversion of forest land to non-forest uses. **No impact** would occur, and no mitigation is required.

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?*

No Impact. The project site is not adjacent to farmland or forest land. Therefore, implementation of the proposed project would not involve other changes in the existing environment which, due to its location or nature, could result in conversion of Farmland to non-agricultural use or the conversion of forest land to non-forest use. **No impact** would occur, and no mitigation is required.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
III.	**AIR QUALITY -** Where available, the significance criteria established by the applicable air quality management district or air pollution control district might be relied upon to make the following determinations. Would the project:				
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☒	☐

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

- ***2020 Countywide Plan (San Bernardino County 2020)***
- ***Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis (LSA 2023a)***
- ***2017 MDAQMD Federal 75 ppb Ozone Attainment Plan (MDAQMD 2017)***
- ***San Bernardino Countywide Plan Draft Environmental Impact Report (San Bernardino County 2019)***
- ***Submitted Project Materials***

The Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis (LSA 2023a) is provided in this Initial Study as Appendix A.

The project site is located within the Mojave Desert Air Basin (Basin). The Mojave Desert Air Quality Management District (MDAQMD) is the regional government agency that monitors and regulates air pollution within the Basin. The federal Clean Air Act and the California Clean Air Act mandate the control and reduction of specific air pollutants. Under these acts, the United States Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) have established ambient air quality standards (AAQS) for specific "criteria" pollutants, designed to protect public health and welfare. Primary criteria pollutants include carbon monoxide (CO), volatile organic compounds (VOC), nitrogen oxides (NOX), particulate matter less than 10 microns in size (PM_{10}), sulfur dioxide (SO_2), and lead (Pb). Secondary criteria pollutants include ozone (O_3), and particulate matter less than 2.5 microns in size ($PM_{2.5}$). The AAQS for each criteria pollutant represents the level that is considered safe to the public and avoids specific adverse health effects associated with each criteria pollutant.

The Basin is in nonattainment for the federal and State standards for O_3 and PM_{10}, and nonattainment for the State $PM_{2.5}$ standard. In addition, the Basin is in attainment for the federal $PM_{2.5}$ and for the state and federal CO, SO_2, and nitrogen dioxide (NO_2) standards. The MDAQMD has established project-level thresholds for VOC, NO_X, CO, SO_x, PM_{10}, and $PM_{2.5}$ shown in **Table III.A**. The MDAQMD considers any project in the Basin with construction- or operation-related emissions that exceed any of the emission thresholds below to have a potentially significant project-specific impact and potentially significant cumulative impact.

Table III.A: MDAQMD Construction and Operation Thresholds of Significance (lbs/day)

Emission Source	Pollutant Emissions Threshold (lbs/day)					
	VOCs	**NO_X**	**CO**	**PM_{10}**	**$PM_{2.5}$**	**SO_X**
Construction Thresholds	137	137	548	82	65	137
Operation Thresholds	137	137	548	82	65	137

Source: MDAQMD California Environmental Quality Act (CEQA) And Federal Conformity Guidelines (2020).
CO = carbon monoxide
lbs/day = pounds per day
NO_X = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
MDAQMD = Mojave Desert Air Quality Management District
SO_X = sulfur oxides
VOCs = volatile organic compounds

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

Less than Significant Impact. An Air Quality Attainment Plan (AQAP) describes air pollution control strategies to be undertaken by a city or county in a region classified as a nonattainment area to meet the requirements of the federal Clean Air Act. The main purpose of an AQAP is to bring an area into compliance with the requirements of federal and State AAQS. The Basin is in nonattainment for the federal and State standards for O_3 and PM_{10} and State standards for $PM_{2.5}$. Therefore, the Basin is classified as a nonattainment area and an AQAP is required. The applicable air quality plan is the adopted 2017 MDAQMD Air Quality Attainment Plan (2017 AQAP).

A consistency determination plays an essential role in local agency project review by linking local planning and unique individual projects to the air quality plans. A consistency determination fulfills the CEQA goal of fully informing local agency decision-makers of the environmental costs of the project under consideration at a stage early enough to ensure that air quality concerns are addressed. Only new or amended General Plan elements, Specific Plans, and significantly unique projects need to undergo a consistency review given that the air quality plan strategy is based on projections from local Countywide Plans.

The 2017 AQAP is based on emissions predictions predicated on the aggregation of individual emissions predictions from jurisdictions throughout the MDAQMD. The County provided emissions predictions based on the land use designations in its Countywide Plan. The project is within the General Commercial land use and zoning designation, which "provides sites for 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" (Chapter 82.01 of the County Development Code). Additionally, according to Table 82-11 of the County Development Code, the proposed convenience store, car wash, and gas station uses are permitted within the General Commercial zoning district with a Minor Use Permit (MUP). The proposed project would include a MUP to allow for the development of the proposed use on the project site; however, the project would not require a land use or zoning change. Since the project would be consistent with the land use designation used to generate the 2017 AQAP's emissions projections, the project would not conflict with or obstruct implementation of the 2017 AQAP. Impacts would be **less than significant**, and no mitigation is required.

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?*

Less than Significant Impact. As identified above, the Basin is currently designated as nonattainment for the federal and State standards for O_3 and PM_{10} and State standards for $PM_{2.5}$. The Basin's nonattainment status is attributed to the region's development history. Past, present, and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of AAQS. Instead, a project's individual emissions contribute to existing cumulatively significant

adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant.

In developing thresholds of significance for air pollutants, the MDAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified MDAQMD significance thresholds identified above in Table III.A, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. Therefore, additional analysis to assess cumulative impacts is not necessary. The following analysis assesses the potential project-level air quality impacts associated with construction and operation of the proposed project.

Construction Emissions. During construction, short-term degradation of air quality may occur due to the release of particulate matter emissions (i.e., fugitive dust) generated by site preparation, and grading activities. Emissions from construction equipment are also anticipated and would include CO, NO_X, VOC, directly emitted $PM_{2.5}$ or PM_{10}, and toxic air contaminants such as diesel exhaust particulate matter.

Project construction activities would include site preparation, grading, building construction, architectural coating, and paving activities. Construction-related effects on air quality from the proposed project would be greatest during the site preparation phase due to the disturbance of soils. If not properly controlled, these activities would temporarily generate particulate emissions. Sources of fugitive dust would include disturbed soils at the construction site. Unless properly controlled, vehicles leaving the site would deposit dirt and mud on local streets, which could be an additional source of airborne dust after it dries. PM_{10} emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. PM_{10} emissions would depend on soil moisture, silt content of soil, wind speed, and amount of operating equipment. Larger dust particles would settle near the source, whereas fine particles would be dispersed over greater distances from the construction site.

Water or other soil stabilizers can be used to control dust, resulting in emission reductions of 50 percent or more. MDAQMD has established Rule 403: Fugitive Dust, which would require the Project Applicant to implement measures that would reduce the amount of particulate matter generated during the construction period. The Rule 403 measures that were incorporated in this analysis include:

- Water active sites at least twice daily (locations where grading is to occur shall be thoroughly watered prior to earthmoving).

- Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 2 feet (0.6 meter) of freeboard (vertical space between the top of the load and the top of the trailer) in accordance with the requirements of California Vehicle Code Section 23114.

- Reduce traffic speeds on all unpaved roads to 15 miles per hour or less.

In addition to dust-related PM_{10} emissions, heavy trucks and construction equipment powered by gasoline and diesel engines would generate CO, sulfur oxides (SO_X), NO_X, VOCs, and some soot particulate ($PM_{2.5}$ and PM_{10}) in exhaust emissions. If construction activities were to increase traffic congestion in the area, CO and other emissions from traffic would increase slightly while those vehicles idle in traffic. These emissions would be temporary in nature and limited to the immediate area surrounding the construction site.

Construction emissions were estimated for the project using the California Emissions Estimator Model version 2022.1 (CalEEMod). This analysis assumes compliance with SCAQMD Rule 403 measures. All other construction details are not yet known; therefore, default assumptions (e.g., construction equipment, construction activities, off-road equipment, and on-road construction fleet mix and trip lengths) from CalEEMod were used. Construction emissions are summarized in **Table III.B** below. Appendix A provides CalEEMod output sheets.

As shown in **Table III.B**, construction emissions associated with the project would not exceed the MDAQMD's thresholds for VOC, NO_X, CO, SO_X, $PM_{2.5}$, and PM_{10}. Therefore, construction of the proposed project would not result in a cumulatively considerable increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State ambient air quality standard. Impacts would be **less than significant,** and mitigation is not required.

Table III.B: Short-Term Regional Construction Emissions

Construction Phase	Total Regional Pollutant Emissions (lbs/day)							
	VOCs	NO_X	CO	SO_X	PM_{10}		$PM_{2.5}$	
					Exhaust	Fugitive	Exhaust	Fugitive
Site Preparation	2	15	14	<1	<1	2	<1	<1
Grading	2	18	17	<1	<1	2	<1	<1
Building Construction	1	10	10	<1	<1	<1	<1	<1
Architectural Coating	<1	<1	1	<1	<1	<1	<1	<1
Paving	<1	5	8	<1	<1	<1	<1	<1
Peak Daily	**2**	**18**	**17**	**<1**	**3**		**1**	
MDAQMD Threshold	**137**	**137**	**548**	**137**	**82**		**65**	
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**		**No**	

Source: LSA Associates, Inc. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed Cajon Pass Commercial Project (LSA Project No. BAJ2101)*. Table I. December 2023. Appendix A.

Note: It was assumed that the architectural coatings were applied during the building construction and paving phases.

CO = carbon monoxide
lbs/day = pounds per day
NO_X = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
MDAQMD = Mojave Desert Air Quality Management District
SO_X = sulfur oxides
VOCs = volatile organic compounds

Operational Emissions. The proposed project would generate emissions from daily operations and vehicle trips associated with project operations. The proposed project would include a fueling station, convenience store, drive through car wash, parking, and landscaping. Long-term air pollutant emissions associated with operation of the proposed project include emissions from area, energy, and mobile sources, and are discussed below.

Typically, area source emissions consist of direct sources of air emissions located at a project site, including architectural coatings, the use of consumer products, and the use of landscape maintenance equipment.

Energy source emissions result from activities in buildings for which electricity and natural gas are used. The quantity of emissions is the product of usage intensity (i.e., the amount of natural gas) and the emission factor of the fuel source. Major sources of energy demand include building mechanical systems, such as heating and air conditioning, lighting, and plug-in electronics, such as computers. Greater building or appliance efficiency reduces the amount of energy for a given activity, which lowers the resultant emissions. The emission factor is determined by the fuel source. Therefore, cleaner energy sources, such as renewable energy, produce fewer emissions than conventional sources.

Mobile source emissions are generated by the vehicle trips associated with project operations, including PM_{10} and exhaust. Trip generation rates used in CalEEMod for the project were based on the Traffic Impact Analysis prepared for the project (Appendix G), which determined that the proposed project would generate 1,134 net daily trips. PM_{10} emissions result from running exhaust, tire and brake wear, and the entrainment of dust into the atmosphere from vehicles traveling on paved roadways. Entrainment of PM_{10} occurs when vehicle tires pulverize small rocks and pavement and the vehicle wakes generate airborne dust. The contribution of tire and brake wear is small compared to the other PM emission processes. Additionally, gasoline-powered engines have small rates of particulate matter emissions compared to diesel-powered vehicles.

Long-term operational emissions associated with the proposed project were calculated using CalEEMod and are summarized in **Table III.C** below. Appendix A provides CalEEMod output sheets.

Table III.C: Project Operation Emissions (lbs/day)

Source Category	VOCs	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Area Source Emissions	<1	0	0	0	0	0
Energy Source Emissions	<1	<1	<1	<1	<1	<1
Mobile Source Emissions	8	14	119	<1	9	2
Total Project Emissions	**9**	**15**	**120**	**<1**	**10**	**3**
MDAQMD Significance Threshold	**137**	**137**	**548**	**137**	**82**	**65**
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: LSA Associates, Inc. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed Cajon Pass Commercial Project (LSA Project No. BAJ2101).* Table J. December 2023. Appendix A.

CO = carbon monoxide
lbs/day = pounds per day
NO_X = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
MDAQMD = Mojave Desert Air Quality Management District
SO_X = sulfur oxides
VOCs = volatile organic compounds

As shown in **Table III.C**, the proposed project would not exceed the significance criteria for daily VOC, NO_X, CO, SO_X, PM_{10}, or $PM_{2.5}$ emissions. Therefore, operation of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State

ambient air quality standard. Impacts would be **less than significant**, and no mitigation is required.

Long Term Microscale (CO Hot Spot) Analysis. Although the Basin is designated as in attainment/maintenance for CO, localized CO concentrations are evaluated to determine whether project-related CO impacts would exceed State or national AAQS. This is because vehicular trips associated with the proposed project could contribute to congestion at intersections and along roadway segments in the project vicinity. Localized air quality impacts would occur when emissions from vehicular traffic increase as a result of the proposed project. The primary mobile-source pollutant of local concern is CO, a direct function of vehicle idling time and, thus, of traffic flow conditions. CO transport is extremely limited; under normal meteorological conditions, CO disperses rapidly with distance from the source. However, under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthy levels, affecting local sensitive receptors (e.g., residents, schoolchildren, the elderly, and hospital patients). Typically, high CO concentrations are associated with roadways or intersections operating at unacceptable levels of service or with extremely high traffic volumes. In areas with high ambient background CO concentrations, modeling is recommended to determine a project's effect on local CO levels.

An assessment of project-related impacts on localized ambient air quality requires that future ambient air quality levels be projected. Existing CO concentrations in the immediate project vicinity are not available. Ambient CO levels monitored at Victorville station, the closest monitoring station to the project site, show a highest recorded 1-hour concentration of 1.6 parts per million (ppm) (the State standard is 20 ppm and the federal standard is 35 ppm) and a highest recorded 8-hour concentration of 1.4 ppm (the State and federal standard is 9 ppm) during the past 3 years. The highest CO concentrations would normally occur during peak traffic hours; therefore, CO impacts calculated under peak traffic conditions represent a worst-case analysis.

The proposed project would generate 118 net a.m. peak hour trips and 102 net p.m. peak-hour trips. However, as discussed in Section XVII, Transportation, the project would not adversely affect the surrounding transportation network or increase the congestion on roadways within the project vicinity from baseline conditions with implementation of recommended improvements. Therefore, it is assumed that the addition of the proposed project traffic would not create any significant adverse impacts to nearby intersections. Given the extremely low level of CO concentrations in the project area and lack of traffic impacts at any intersections, project-related vehicles are not expected to contribute significantly to CO concentrations or contribute to the result of CO concentrations exceeding the State or federal CO standards. Impacts would be **less than significant**, and mitigation is not required.

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

Less than Significant Impact. Sensitive receptors are people who have an increased sensitivity to air pollution or environmental contaminants, including residences such as private homes, condominiums, apartments, and living quarters, schools, preschools, daycare centers, in-home daycares, health facilities such as hospitals, long-term care

facilities, retirement and nursing homes, community centers, places of worship, parks (excluding trails), prisons, and dormitories.

The nearest receptors sensitive to adverse air quality in proximity to the project site is a single-family residence located approximately 2.5 miles to the west along SR-138. At this distance, the project would not result in a health risk impact to any sensitive receptors during project construction or operation. Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations and impacts would be **less than significant**. Mitigation is not required.

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

Less than Significant Impact. The project includes construction and operation of a car wash, fueling station with canopy, and convenience store (totaling 11,610 square feet) on 1.42 acres of undeveloped land where other emissions such as those leading to odors generally do not occur under baseline conditions.

Construction. Project construction would generate limited odors over the short term, primarily from equipment exhaust. The painting of buildings and structures or the installation of asphalt surfaces may also create odors. However, construction activity would be temporary and would cease after individual construction is completed. Additionally, construction activities that would generate odors are expected to be isolated to the immediate vicinity of the construction site. Therefore, odors from construction equipment exhaust, painting, and installation of asphalt surfaces would not adversely affect a substantial number of people.

Additionally, the Project Applicant would be required to implement standard control measures to limit fugitive dust and construction equipment emissions, which would reduce odor impacts, in accordance with the following regulations:

- **MDAQMD Rule 402:** A person 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.

- **MDAQMD Rule 403:** Requires that fugitive dust be controlled with best available control measures so the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Implementation of dust suppression techniques is also required to prevent fugitive dust from creating a nuisance off-site. Applicable dust suppression techniques include the following:

    - Water active sites at least twice times daily (locations where grading is to occur will be thoroughly watered prior to earthmoving).

    - All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet (ft) of freeboard in accordance with the

requirements of California Vehicle Code Section 23114 (freeboard means vertical space between the top of the load and top of the trailer).

- Traffic speeds on all unpaved roads shall be reduced to 15 miles per hour or less.

- **Title 13, Section 2449(d)(D) of the California Code of Regulations:** Requires operators of off-road vehicles (i.e., self-propelled diesel-fueled vehicles 25 horsepower and up that were not designed to be driven on road) to limit vehicle idling to five minutes or less.

The Project Applicant would also be required to comply with MDAQMD Rule 1113, which limits the volatile organic compound (VOC) content of architectural coatings (e.g. paint), to reduce emissions and objectionable odors impacts.

Adherence to the MDAQMD Rules identified above and Title 13, Section 2449(d)(D) of the California Code of Regulations would reduce odor impacts to people on or near the project site during construction. Additionally, as previously discussed, construction activities would be temporary and odors generated from construction activities would be isolated to the immediate vicinity of the construction site. Therefore, project construction activities would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. Impacts would be **less than significant**, and no mitigation is required.

Operation. Land uses generally associated with long-term objectionable odors include agricultural uses, wastewater treatment plants, food-processing plants, chemical plants, composting operations, refineries, landfills, dairies, and fiberglass molding facilities. The project includes commercial uses that would not generate long-term objectionable odors. Therefore, operation of the proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. Impacts would be **less than significant**, and no mitigation is required.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
IV.	**BIOLOGICAL RESOURCES -** Would the project:				
a)	Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐

b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☐	☒
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	☐	☐	☐	☒

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

- ***2020 Countywide Plan 2020 (San Bernardino County 2020)***
- ***Biological Resources Assessment (LSA 2023b)***
- ***San Bernardino Countywide Plan Draft Environmental Impact Report (San Bernardino County 2019)***
- ***Submitted*** Project Materials

The Biological Resources Assessment (LSA 2023b) is included in this Initial Study as Appendix B.

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

Less than Significant Impact. The project site is bounded by commercial uses to the northwest; Wagon Train Road and open space to the northeast; open space, Southern

California Gas utility easement, underground seepage pits, and the Cajon Pass Wastewater Treatment Plant to the southeast; and Interstate 15 to the southwest. The project site is located at the base of an alluvial fan within the San Bernadino Mountains and has been previously graded to a generally level condition. The project site primarily consists of disturbed ruderal vegetation (1.4 acres), with smaller portions of the site consisting of disturbed Riversidian sage scrub (0.04 acre) and ornamental landscaping (0.06 acre), including pine trees and gazania, in the northwestern portion of the site. **Figures 4a through 4e: Site Photographs**, include photographs of the project site and surrounding land uses.

A Biological Resources Assessment was prepared to evaluate the biological resources on the project site (Appendix B). The report included a literature review, review of aerial photographs, and a field survey to determine the existence or potential occurrence of candidate, sensitive, or special-status plant and animal species and critical habitats on the project site and in the project vicinity.

A reconnaissance field survey of the project site was conducted by a qualified LSA Biologist on November 11, 2021. No special-status animal or plant species were observed on the project site during the field survey. The field survey also determined that no special-status animal or plant species are expected to occur on the project site due to the lack of suitable habitat and/or conditions on the project site.

The project site is mapped by the United States Fish and Wildlife Service within designated or proposed critical habitat for arroyo toad (*Anaxyrus californicus*). Critical habitat designations identify physical or biological features that are essential to the conservation of the species. Primary features that are essential to the conservation of the arroyo toad include the following:

1. Rivers or streams with hydrologic regimes that supply water to provide space, food, and cover needed to sustain eggs, tadpoles, metamorphosing juveniles, and adult breeding toads;

2. Riparian and adjacent upland habitats, particularly low-gradient stream segments and alluvial streamside terraces with sandy or fine gravel substrates that support the formation of shallow pools and sparsely vegetated sand and gravel bars for breeding and rearing of tadpoles and juveniles;

3. A natural flood regime; and

4. Stream channels and adjacent upland habitats that allow for the movement to breeding pools, foraging areas, overwintering sites, upstream and downstream dispersal, and connectivity to the areas that contain suitable habitat.

The field survey determined that the project site does not include any of the above features required for the life cycle needs of the arroyo toad. Therefore, the arroyo toad is not expected to occur within the project site or vicinity, and the project would not impact the arroyo toad.

Given the above, the project site would not have an adverse impact on any species identified as a candidate, sensitive, or special-status species. Impacts would be **less than significant**, and no mitigation is required.

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

No Impact. No riparian habitat or sensitive natural communities were identified on the project site during the November 2021 field survey. As such, implementation of the proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations by the CDFW and USFWS. No impact would occur, and no mitigation is required.

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

No Impact. The field survey conducted in November 2021 confirmed that no streambeds, definable channels, wetland/riparian vegetation or hydric soils were located on the project site. In the absence of any such feature, no impact to State or federally protected wetlands through direct removal, filling, hydrological interruption, or other means would occur. No mitigation is required.

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?*

Less Than Significant with Mitigation Incorporated. Habitat fragmentation occurs when a single, contiguous habitat area is divided into two or more areas, or where an action isolates the two or more new areas from each other. Isolation of habitat occurs when wildlife cannot move freely from one portion of the habitat to another or from/to one habitat type to another. Habitat fragmentation may occur when a portion of one or more habitats is converted into another habitat, as when scrub habitats are converted into annual grassland habitat because of frequent burning. Wildlife movement includes seasonal migration along corridors as well as daily movements for foraging. Examples of migration corridors may include areas of unobstructed movement for deer, riparian corridors providing cover for migrating birds, routes between breeding waters and upland habitat for amphibians, and between roosting and feeding areas for birds.

The California Essential Habitat Connectivity Project designates the site as within an Essential Connectivity Area. However, given that the project site is surrounded by existing commercial development and paved roadways (including 10 lanes within Interstate 15 immediately south of the project site) and is not directly connected to larger areas of undeveloped land, development of the project site would not substantially interfere with wildlife movement in the project vicinity when compared to existing conditions. Additionally, the project site contains unfavorable habitat conditions for

native wildlife species (e.g., disturbed vegetation). As a result, the project site is not considered to be within a wildlife corridor and does not contain nursery sites. However, the project site contains suitable nesting habitat (disturbed/ruderal vegetation and pine trees in the northwestern portion of the project site) for common bird species. Since the project would include the removal of on-site vegetation and trees that may contain nesting birds and/or construction noise may deter nesting birds from the project area, the project would have the potential to interfere with wildlife movement of nesting birds. Therefore, mitigation is required to protect nesting birds on the project site and/or adjacent to the project site during project construction.

Mitigation Measure BIO-1 is prescribed to ensure impacts to nesting birds are avoided if construction activities occur during nesting bird season, in accordance with Sections 3503–3801 of the California Fish and Game Code. With implementation of **Mitigation Measure BIO-1**, nesting birds would be protected during project construction activities. Therefore, impacts to wildlife movement opportunities, including nesting birds, would be reduced to **less than significant with mitigation incorporated**.

Mitigation Measures. The following mitigation measure is required to reduce potentially significant impacts to nesting birds to less-than-significant levels.

Mitigation Measure BIO-1 If vegetation removal, construction, or grading activities are proposed during nesting bird season (February 15 to August 31), a qualified biologist (Project Biologist) shall conduct a pre-construction nesting survey of the project site and areas immediately adjacent to the site within 72 hours prior to start of work pursuant to Sections 3503–3801 of the California Fish and Game Code. If the survey indicates nesting birds are present, an appropriate buffer to be established by the Project Biologist shall be marked off around the nest(s), and no construction activity shall occur in that area during nesting activities. Construction may resume within the established buffer when the Project Biologist determines the nest is no longer occupied and all juveniles have left the nest.

Evidence of completion of the nesting bird survey and establishment of appropriate buffers shall be provided to the County prior to the final approval of any construction, grading, or vegetation removal permits.

This measure shall be implemented to the satisfaction of the County's Land Use Services Department Director or designee.

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

No Impact. The San Bernardino Plant Protection Ordinance (Development Code Section 88.01) requires land use application or development permits to include a Tree or Plant Removal Permit for the removal of regulated trees on a site. Regulated trees include native trees, palm trees, and oak trees. Additionally, the County's Plant Protection Ordinance prohibits the removal of vegetation within 200 feet of a stream.

The project site contains non-native ornamental trees (pine trees) and is not located within 200 feet of a stream. Therefore, implementation of the proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. **No impact** would occur, and no mitigation is required.

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?*

No Impact. The project site does not lie within an area covered by any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Therefore, the project would not conflict with a conservation plan and **no impact** would occur. Mitigation is not required.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
V.	**CULTURAL RESOURCES** - Would the project:				
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☒	☐
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c)	Disturb any human remains, including those outside of formal cemeteries?	☐	☒	☐	☐

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

- ***2020 Countywide Plan (San Bernardino County 2020)***
- ***Cultural Resources Assessment (LSA 2021).***
- ***San Bernardino Countywide Plan Draft Environmental Impact Report (San Bernardino County 2019)***
- ***Submitted Project Materials***

The Cultural Resources Assessment (LSA 2021) is included in this Initial Study as Appendix C.

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

Less than Significant Impact. Cultural resources are broadly defined as any physical manifestations of human activity that are at least 50 years of age and may include archaeological resources as well as historic-era buildings and structures. Archaeological resources include both precontact remains and remains dating to the historical period. Precontact (or Native American) archaeological resources are physical manifestations of human activities that predate written records and may include village sites, temporary camps, lithic (stone tool) scatters, rock art, roasting pits/hearths, milling features, rock features, and burials. Historic archaeological resources can include refuse heaps, bottle dumps, ceramic scatters, privies, foundations, and burials and are generally associated in California with the Spanish Mission Period (1769 through 1833) through the mid-late 20th century (1970).

Archaeological resources that are eligible for listing in the National Register of Historic Places (National Register), California Register of Historical Resources (California Register), or a local register are considered historical resources pursuant to CEQA Guidelines Section 15064.5. CEQA Guidelines Section 15064.5 defines the term "historical resource" as:

1. A resource listed in or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources [California Register] (PRC Section 5024.1, Title 14 California Code of Regulations [CCR], Section 4850 et seq.).

2. A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements of section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (PRC Section 5024.1, Title 14 CCR, Section 4852) including the following:

a. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.

b. Is associated with the lives of persons important in our past.

c. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possess high artistic values.

Has yielded, or may be likely to yield, information important in prehistory or history

A "substantial adverse change" to a historical resource, according to PRC Section 5020.1(q), "means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired."

A Cultural Resources Assessment (Appendix C) was prepared for the project site and included an archaeological and historical records search, an intensive pedestrian survey of the project site, and additional research.

The records search of the project site was completed on November 18, 2021, at the South Central Coastal Information Center (SCCIC) and included a 1-mile search radius. The records search identified 39 previously conducted cultural resources studies within 1 mile of the site, three of which encompassed the project site. The records search did not identify any precontact or historic archaeological resources on the project site. However, a portion of a linear built environment resource (a telephone pole line) was once located near the eastern project boundary along Wagon Train Road. Additionally, the records search identified 17 precontact and historic archaeological resources within 1 mile of the project site. The closest precontact archaeological resource in proximity to the project site is located approximately 0.19 mile north of the project site.

Additional research included review of online historic period maps and aerial photographs of the project site. The research determined that the project site and vicinity did not consist of any buildings or structures during the historic period.

The pedestrian survey conducted on November 11, 2021, did not result in the identification of any historic or precontact archaeological resources on the project site. Additionally, the survey results determined that the site consisted graded fill pad with no native soil. Two shipping containers were also observed in the northeastern portion of the site and modern refuse was noted throughout the site.

Based on the results of the records search, pedestrian survey, and additional research identified in the Cultural Resources Assessment, the project site does not contain any "historical resources" as defined under CEQA Guidelines Section 15064.5. Therefore, impacts to historical resources from project development would ***be less than significant***. Mitigation is not required.

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

Less than Significant with Mitigation Incorporated. As discussed in Section V.a above, the records search, pedestrian survey, and additional research conducted as part of the Cultural Resources Assessment prepared for the project (Appendix C) did not identify any archaeological resources as defined under CEQA Guidelines Section 15064.5 on the project site. Additionally, the Cultural Resources Assessment determined that the potential for encountering subsurface archaeological resources during construction is low due to the site consisting of a graded fill pad with no native soil or original ground surfaces. Nevertheless, the proposed project must comply with all applicable regulations protecting archaeological resources, including Title 14, California Code of Regulations (CCR) Section 15064.5 and [California] Public Resources Code (PRC) Section 21083.2 California Environmental Quality Act-Archaeological Resources, which enable the County to require the Project Applicant to make reasonable effort to preserve or mitigate impacts to any affected significant or unique archaeological resource.

Pursuant to CEQA Statute § 21080.3.2, the Morongo Band of Mission Indians have requested specific mitigation to be implemented to ensure that archaeological resources are protected if any are discovered during project construction. The project would be required to implement **Mitigation Measures TCR-1** through **TCR-8** detailed in Section XVIII below in accordance with regulatory requirements. Therefore, the project would be conditioned to include Native American and professional archaeological monitoring during ground-disturbing activities. Excavation and/or construction activities would cease if cultural, tribal cultural, or archaeological resources or human remains are identified and would be managed in accordance with a project-specific Cultural Resource Management Plan (CRMP). These measures also would ensure further consultation with interested Native American Tribes for the appropriate treatment of tribal cultural resources. Impacts to archaeological resources pursuant to §15064.5 would be reduced to a **less than significant level with implementation of MM TCR-1** through **MM TCR-8.**

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

Less than Significant with Mitigation Incorporated. Considering the extensive ground disturbances that have occurred on the project site, the likelihood of encountering human remains is low.

However, Section 7050.5 of the California Health and Safety Code requires that excavation be stopped in the vicinity of the discovered human remains while the coroner determines whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the Project Applicant shall comply with the State relating to the disposition of Native American burials that fall within the jurisdiction of the Native American Heritage Commission (NAHC) (PRC Section 5097). Additionally, Section 7052 of the California Health and Safety Code states that disturbance of Native American cemeteries is a felony.

Accordingly, the Morongo Band of Mission Indians have requested specific mitigation to be implemented to ensure that human remains, including Native American human remains, are protected if human remains (or remains that may be human) are discovered during project construction. The project would be required to implement **Mitigation Measure TCR-7** detailed in Section XVIII in accordance with regulatory requirements. Therefore, human remains would be protected during project construction and impacts would be **less than significant with mitigation incorporated**.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
VI.	**ENERGY** – Would the project:				
a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

SUBSTANTIATION:

- ***2020 Countywide Plan (San Bernardino County 2020)***
- ***Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis (LSA 2023a)***
- ***California Energy Commission (CEC 2015)***
- ***California Energy Commission (CEC n.d.)***
- ***San Bernardino Countywide Plan Draft Environmental Impact Report (San Bernardino County 2019)***
- ***Submitted Project Materials***
- ***Southern California Edison (SCE 2020)***
- ***Southern California Gas Company (SoCalGas n.d.)***
- ***Transportation Impact Study (LSA 2023e)***
- ***United States Department of Transportation (DOT 2021)***

The Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis (LSA 2023a) is provided in this Initial Study as Appendix A

The project site is within the service territory of Southern California Edison (SCE). SCE provides electricity to more than 15 million people in a 50,000-square-mile area of Central, Coastal, and Southern California (SCE 2020). According to the California Energy Commission (CEC), total electricity consumption in San Bernardino County in 2022 was 16,629.6 GWh (16,629,614,195 kilowatt-hours [kWh]).

The Southern California Gas Company (SoCalGas) is the natural gas service provider for the project site. SoCalGas provides natural gas to approximately 21.8 million people in a 24,000-square-mile service area throughout Central and Southern California, from Visalia to the Mexican border (SoCalGas n.d.). According to the CEC, total natural gas consumption in San Bernardino County in 2022 was approximately 562.1 million therms (562,123,065 therms).

Gasoline is the most used transportation fuel in California, with 97 percent of all gasoline consumed by light-duty cars, pickup trucks, and sport utility vehicles. Total gasoline consumption in California was 289,918 thousand barrels or 1,464.7 trillion British Thermal Units (BTU) in 2020. Of the total gasoline consumption, 273,289 thousand barrels or 1,380.7 trillion BTU were consumed for transportation. Based on fuel consumption obtained from CARB's California Emissions Factor Model, Version 2021 (EMFAC2021), approximately 907.3 million gallons of gasoline and approximately 325 million gallons of diesel will be consumed from vehicle trips in San Bernardino County in 2023.

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

Less than Significant Impact. The proposed project would increase the demand for electricity, natural gas, and gasoline when compared to existing site conditions. The discussion and analysis provided below is based on the data included in the CalEEMod output, which is included in Appendix A.

Construction-Period Energy Use. The anticipated construction schedule assumes that the proposed project would be built over approximately 6 months. The proposed project would require site preparation, grading, building construction, paving, and architectural coating during construction.

Construction of the proposed project would require energy for the manufacture and transportation of building materials and for preparation of the site for grading activities and building construction. Petroleum fuels (e.g., diesel and gasoline) would be the primary sources of energy for these activities.

Construction activities are not anticipated to result in an inefficient use of energy because gasoline and diesel fuel would be supplied by construction contractors who would conserve the use of their supplies to minimize their costs on the proposed project. Energy usage on the project site during construction would be temporary in nature and would be relatively small in comparison to the State's available energy sources. Therefore, construction energy impacts would be **less than significant**, and no mitigation would be required.

Operational Energy Use. Energy use includes both direct and indirect sources of emissions. Direct sources of emissions include on-site natural gas usage for heating, while indirect sources include electricity generated by off-site power plants. Natural gas use in CalEEMod is measured in units of a thousand British thermal units (kBTU) per

year; however, this analysis converts the results to natural gas in units of therms. Electricity use in CalEEMod is measured in kWh per year.

CalEEMod divides building electricity use and natural gas use into uses that are subject to Title 24 standards and those that are not. For electricity, Title 24 uses include the major building envelope systems covered by Part 6 (California Energy Code) of Title 24 (e.g., space heating, space cooling, water heating, and ventilation). Non-Title 24 uses include all other end uses (e.g., appliances, electronics, and other miscellaneous plug-in uses). Because some lighting is not considered as part of the building envelope energy budget, CalEEMod considers lighting as a separate electricity use category. For natural gas, uses are likewise categorized as Title 24 or non-Title 24. Title 24 uses include building heating and hot water end uses. Non-Title 24 natural gas uses include appliances.

Table VI.A shows the estimated potential increased electricity, natural gas, gasoline, and diesel demand associated with the proposed project. The electricity rates and natural gas rates are from the CalEEMod analysis, while the gasoline and diesel rates are based on the *Transportation Impact Study* (see Appendix G) in conjunction with United States Department of Transportation (DOT) fuel efficiency data.

Table VI.A: Estimated Annual Energy Use of the Proposed Project

Land Use	Electricity Use (kWh/yr)	Natural Gas Use (kBTU/yr)	Gasoline (gal/yr)	Diesel (gal/yr)
Commercial	230,973	102,712	401,628	281,654

Source: LSA Associates, Inc. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed Cajon Pass Commercial Project (LSA Project No. BAJ2101)*. Table N. December 2023. Appendix A.

gal/yr = gallons per year
kBTU/yr = thousand British thermal units per year
kWh/yr = kilowatt-hours

As shown in **Table VI.A**, the estimated potential increase in electricity demand associated with the proposed project is 230,973 kWh per year. As discussed above, total electricity consumption in San Bernardino County in 2022 was 16,629.6 GWh or 16,629,614,195 kWh. Therefore, electricity demand associated with the proposed project would be less than 0.0014 percent of San Bernardino County's total electricity demand.

As shown in **Table VI.A**, the estimated potential increased natural gas demand associated with the proposed project is 102,712 kBTU per year or 1,027 therms. In 2022, San Bernardino County consumed 562,123,065 therms. Therefore, natural gas demand associated with the proposed project would be approximately 0.000182 percent of San Bernardino County's total natural gas demand.

Although there would be an overall increase in energy demand resulting from the proposed project, the CALGreen Code (California Code of Regulations, Title 24, Part 11), sets performance standards for nonresidential development to reduce environmental impacts and encourage sustainable construction practices. The CALGreen Code addresses energy efficiency, water conservation, materials

conservation, planning and design, and overall environmental quality. CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2022 California Green Building Code Standards, effective January 1, 2023.

The project would be required to adhere to all federal, State, and local requirements for energy efficiency, including current Title 24 and CALGreen standards which establish minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting, which would reduce energy usage. In addition, proposed new development would be constructed using energy efficient modern building materials and construction practices, and the proposed project also would use new modern appliances and equipment, in accordance with the Appliance Efficiency Regulations (Title 20, CCR Sections 1601 through 1608). The expected energy consumption during construction and operation of the proposed project would be consistent with typical usage rates for commercial uses; however, energy consumption is largely a function of personal choice and the physical structure and layout of buildings.

As discussed above, SCE is the private utility that would supply the proposed project's electricity services. SCE is positioned to meet the State's 60 percent by 2030 renewable energy and 100 percent carbon neutrality by 2045 mandate set forth in Senate Bill (SB) 100. In addition, SCE plans to continue to provide reliable service to their customers and upgrade their distribution systems as necessary to meet future demand.

The proposed project would result in energy usage associated with gasoline and diesel to fuel project-related trips. The average fuel economy for light-duty vehicles (automobiles, pickups, vans, and sport utility vehicles) in the United States has steadily increased, from about 13.1 mpg in 1975 to 25.3 mpg in 2021 (EPA 2021). The average fuel economy for heavy-duty trucks in the United States has also steadily increased, from 5.7 mpg in 2013 to a projected 8.0 mpg in 2021 (CEC 2015).

Using the EPA gasoline fuel economy estimates for 2021, the California diesel fuel economy estimates for 2021, and the traffic data from the project traffic analyses, the proposed project would result in the annual consumption of 401,628 gallons of gasoline and 281,654 gallons of diesel fuel. Based on fuel consumption obtained from CARB's California Emissions Factor Model, Version 2021 (EMFAC2021), approximately 907.3 million gallons of gasoline and approximately 325 million gallons of diesel will be consumed from vehicle trips in San Bernardino County in 2023. Therefore, gasoline and diesel demand generated by vehicle trips associated with the proposed project would represent respectively 0.044 percent and 0.087 percent of gasoline and diesel fuel consumption in San Bernardino County.

In addition, vehicles associated with trips to and from the project site would be subject to fuel economy and efficiency standards, which are applicable throughout the State. As such, the fuel efficiency of vehicles associated with project operations would increase throughout the life of the proposed project. Therefore, implementation of the proposed project would not result in a substantial increase in transportation-related energy uses.

Given the analysis above, the proposed project would not result in the wasteful, inefficient, or unnecessary consumption of fuel or energy and would incorporate renewable energy or energy efficiency measures into building design, equipment uses, and transportation. Impacts would be **less than significant**, and no mitigation measures would be necessary.

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

Less than Significant Impact. As indicated above, energy usage on the project site during construction would be temporary in nature. In addition, energy usage associated with operation of the proposed project would be relatively small in comparison to the State's available energy sources and energy impacts would be negligible at the regional level. Because California's energy conservation planning actions are conducted at a regional level, and because the project's total impacts to regional energy supplies would be minor, the proposed project would not conflict with California's energy conservation plans as described in the 2022 Integrated Energy Policy Report Update. In addition, the proposed project would comply with Title 24 and CALGreen standards. Thus, as shown above, the proposed project would avoid or reduce the inefficient, wasteful, and unnecessary consumption of energy and would not result in any irreversible or irretrievable commitments of energy. Therefore, the proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Impacts would be **less than significant**, and no mitigation measures would be necessary.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
VII.	**GEOLOGY AND SOILS** - Would the project:				
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
	ii. Strong seismic ground shaking?	☐	☒	☐	☐
	iii. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
	iv. Landslides?	☐	☐	☐	☒

b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☒	☐	☐
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

SUBSTANTIATION: *(Check ☐ if project is located in the Geologic Hazards Overlay District):* ***Countywide Plan; Submitted Project Materials***

- ***2020 Countywide Plan (San Bernardino County 2020)***
- ***Geotechnical Engineering Report (GEO-CAL, INC. 2021)***
- ***San Bernardino Countywide Plan Draft Environmental Impact Report (San Bernardino County 2019)***
- ***Submitted Project Materials***

The Geotechnical Engineering Report (GEO-CAL, INC. 2021) is included in this Initial Study as Appendix D. Countywide Plan; Submitted Project Materials.

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

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

No Impact. The Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act) passed in 1972 and was implemented to mitigate the hazard of surface faulting to structures

used for human occupancy. The project site is not located within an Alquist-Priolo Earthquake Fault Zone. In addition, there is no evidence of any faults or faulting activity on the project site. The risk of ground rupture due to fault displacement beneath the site is low. No impact related to fault rupture would result from the implementation of the project. Mitigation is not required.

ii. Strong seismic ground shaking?

Less than Significant with Mitigation Incorporated. The project site is located within a seismically active region, with a number of faults traversing or in proximity to the County, including the San Andreas Fault located approximately 5 miles southwest of the project site.

Due to the presence of active and inferred faults in proximity to the project site, the project site is expected to be subject to occasionally moderate to severe ground-shaking, as well as some background shaking from other seismically active areas of the Southern California region. The extent of ground-shaking associated with an earthquake is dependent upon the size of the earthquake and the geologic material of the underlying area. Therefore, the project would have the potential to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death from seismic ground-shaking.

However, construction and development of the project would be required to comply with applicable provisions of the California Building Code (CBC). State law requires the design and construction of new structures to comply with current CBC requirements, which address general geologic, seismic (including ground shaking), and soil constraints for new buildings. Additionally, the Geotechnical Engineering Report prepared for the proposed project (Appendix D) provided recommendations for the project's design and construction in conformance with the CBC requirements as codified in Title 6, Division 3, Chapter 1 (California Building Code) of the County Development Code. The project-specific Geotechnical Engineering Report determined that implementation of the report's recommendations would ensure that post-construction differential movements of shallow foundations would occur within CBC tolerable limits of post-construction static and differential settlements.

Mitigation Measure GEO-1 is prescribed to ensure that the project is constructed in conformance with the current CBC, applicable County standards, and recommendations identified in the project-specific Geotechnical Engineering Report to ensure that project development would be safeguarded against the effects of seismic related activity that may occur on-site. Therefore, impacts from seismic ground-shaking would be reduced to **less than significant with mitigation incorporated**.

Mitigation Measures. The following mitigation measure is required to reduce potentially significant impacts from seismic ground-shaking to less than significant levels.

Mitigation Measure GEO-1 Prior to issuance of grading and/or building permits, the Project Applicant shall provide evidence to the

San Bernardino County for review and approval that proposed structures, features, and facilities have been designed and would be constructed in conformance with applicable provisions of the 2022 edition of the California Building Code (CBC) or the most current edition of the CBC in effect at the time the Project Applicant's development application is deemed complete by the County.

Additionally, the Project Applicant shall prepare a site-specific geotechnical report for the project and provide evidence to the County that the recommendations cited in the geotechnical report are incorporated into project plans and/or implemented as deemed appropriate by the County. Geotechnical recommendations may include, but are not limited to, removal of existing vegetation, structural foundations, floor slabs, utilities, seepage pits, septic systems, and any other surface and subsurface improvements that would not remain in place for use with the new development. Remedial earthwork and ground improvement shall occur to depths specified in the geotechnical report to provide a sufficient layer of engineered fill or densified soil beneath the structural footings/foundations, as well as proper surface drainage devices and erosion control. Fill soils shall low susceptibility for expansion. Construction of concrete structures in contact with subgrade soils determined to be corrosive shall include measures to protect concrete, steel, and other metals, especially if fill is imported. Verification testing must be performed upon completion of ground improvements to confirm that the compressible soils have been sufficiently densified. The structural engineer must determine the ultimate thickness and reinforcement of the building floor slabs based on the imposed slab loading.

As necessary, the County may require additional studies and/or engineering protocols to meet its requirements. This measure shall be implemented to the satisfaction of the San Bernardino County Building and Safety Division or designee.

iii. Seismic-related ground failure, including liquefaction?

No Impact. Liquefaction occurs when loose, unconsolidated, water-laden soils are subject to shaking, causing the soils to lose cohesion. The primary factors that influence the potential for liquefaction include groundwater table elevation, soil type and plasticity

characteristics, relative density of the soil, initial confining pressure, and intensity and duration of ground shaking. The depth within which the occurrence of liquefaction may impact surface improvements is generally identified as the upper 50 feet below the existing ground surface.

The project site is not located within an area identified by the County of San Bernardino as having a potential for liquefaction (San Bernardino County 2019). Additionally, testing of on-site soils indicated that soils are dense and would not be subject to liquefaction. Finally, groundwater was not encountered during the subsurface field exploration conducted on the project site, which drilled to a maximum depth of 36.5 feet below ground surface (bgs). Based on the dense nature of on-site soils and substantial groundwater depth near the project site, the site is not located in an area susceptible to liquefaction. Therefore, the likelihood of liquefaction occurring on the project site is low and there would be **no impact** associated with liquefaction. Mitigation is not required.

iv. Landslides?

No Impact. Factors that contribute to slope failure include slope height and steepness, shear strength and orientation of weak layers in the underlying geologic units, and pore water pressures. As previously noted, the project site is located at the base of an alluvial fan that has been previously graded flat. The project site is not located within an area identified by the County as subject to earthquake-induced landslides (San Bernardino County 2019). Furthermore, the project-specific Geotechnical Engineering Report determined that existing fill slopes adjacent to the northeast and southwest are not susceptible to landslides. Therefore, the likelihood of a landslide on the project site is low and there would be **no impact** associated with landslides. Mitigation is not required.

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

Less than Significant Impact. As previously discussed, the project site consists of a graded, fill pad, which is underlain by natural young alluvial fan deposits. Fill soils were classified as medium dense and the underlying alluvial deposits were classified as dense.

Development of the proposed project would increase the impervious surface on the 1.42-acre project site by 1.09 acres. Therefore, the potential for soil erosion from the site is low during project operation. However, earthwork activities as part of the construction process would expose soils to the potential for soil erosion or loss of topsoil.

Potential erosion impacts from project construction would be reduced through the implementation of a Stormwater Pollution Prevention Plan (SWPPP) and incorporation of best management practices (BMPs) intended to reduce soil erosion pursuant to **Standard Conditions HYD-1 and HYD-2**, as identified in Section X, Hydrology and Water Quality. As noted above, the potential for soil erosion from the site would be low once the proposed project is developed. Additionally, potential erosion impacts from project operation would be reduced through implementation of the project-specific Water Quality Management Plan (WQMP), which incorporates measures to capture

excess stormwater runoff and prevent soil erosion to downstream water courses from new development and significant redevelopment of the site pursuant to **Standard Condition HYD-3**. Refer to Section X, Hydrology and Water Quality, for additional information regarding the project's compliance with regulations to reduce potential erosion impacts during project construction and operation.

Adherence to the BMPs contained in the SWPPP and WQMP would ensure appropriate measures are taken to prevent the substantial loss of topsoil and erosion from occurring during project construction and operation. Therefore, impacts related to soil erosion would be **less than significant** and no mitigation is required.

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?*

Less than Significant with Mitigation Incorporated. The project site is located at the base of an alluvial fan that has been previously graded flat. There is no evidence of landslides and/or slope instabilities on the project site. As detailed in Section VII.a.iii and VII.a.iv above, the project site is not located in an area considered susceptible to liquefaction or landslides. Lateral spreading is a type of liquefaction-induced ground failure associated with the lateral displacement of surficial blocks of sediment resulting from liquefaction in a subsurface layer. Since liquefaction would not occur on the project site, lateral spreading would also not occur. Therefore, there would be no impact associated with on- or off-site landslides, liquefaction, or lateral spreading.

The soils underlying the project site consist of compacted, artificial fill soils extending to depths of 20 feet bgs. With the recommendations specified in the project-specific Geotechnical Engineering Report (**Mitigation Measure GEO-1**), the proposed building structures would be safely supported, and subsidence or collapse would not occur. Specifically, implementation of **Mitigation Measure GEO-1** would ensure establishment of a sufficient layer of engineered fill or densified soil beneath any proposed structural footings/foundations and that pavement and verification testing would be performed upon completion of ground improvements to confirm that compressible soils have been sufficiently densified. With implementation of **Mitigation Measure GEO-1**, soils would be sufficiently compacted and densified during construction to bear the weight of proposed on-site structures, which would stabilize soils and prevent subsidence and/or collapse from occurring on-site. Therefore, impacts from subsidence and/or collapse would be reduced to **less than significant with mitigation incorporated**.

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

Less than Significant with Mitigation Incorporated. amount and types of clay present in the soil influence the extent or range of the shrink/swell. The occurrence of clayey soils is often associated with geologic units having marginal stability. Expansive

soils can be widely dispersed, and they can occur along hillside areas as well as low-lying alluvial basins.

The soils underlying the project site consist of compacted artificial fill soils up to 20 feet bgs, which consists of medium dense silty sand with traces of coarse sand and gravel. Soils extending beyond 20 feet bgs consisted of native alluvium soils consisting of dense poorly graded sand, fine to coarse grained with gravel and rock chips. Therefore, the project-specific Geotechnical Engineering Report determined that sub-surface soils are non-expansive.

As discussed in Section VII.a.ii, the project would be required to comply with all applicable CBC, County standards, and recommendations of the project-specific geotechnical report pursuant to **Mitigation Measure GEO-1**. Specifically, implementation of **Mitigation Measure GEO-1** would ensure that fill soils used during project construction would consist of soils resistant to expansion. Additionally, **Mitigation Measure GEO-1** would ensure a sufficient layer of engineered fill or densified soil is prepared beneath any proposed structural footings/foundations during grading activities, and pavement and verification testing would be performed upon completion of ground improvements to confirm that compressible soils have been sufficiently densified. Therefore, implementation of **Mitigation Measure GEO-1** would ensure that impacts from expansive soils would not occur, and the project would not create substantial direct or indirect risks to life or property. As such, impacts would be **less than significant with mitigation incorporated**.

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

No Impact. The project site contains two sets of septic seepage pits, each containing 9 seepage pits and a distribution box. These pits are owned and operated by the Cajon Junction Property Owners Association (CJPOA) to serve the existing commercial uses adjacent to the northwest of the project site as well as future development anticipated on the project site. The seepage pits connect to existing 8-inch gravity sewer and 2-inch pressure sewer pipes along the southwest side of Wagon Train Road that lead to the existing Cajon Pass Wastewater Treatment Plant (CJPWTP) approximately 140 feet southeast of the project site. The CJPOA is in the process of replacing the abandoned seepage pits to a location approximately 140 feet to the southeast of the project site next to the CJPWTP and is also upgrading the capacity and reliability of the overall wastewater system to serve existing commercial uses adjacent to the northwest and future development anticipated on the project site through a separate, independent action that is not part of the proposed project. The proposed project would connect to the improved wastewater system via the existing 8-inch gravity sewer and 2-inch pressure sewer pipes located along Wagon Train Road, and no septic systems are proposed on the project site. Therefore, **no impact** related to the septic system or alternative wastewater disposal systems would occur. Mitigation is not required.

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

Less than Significant Impact. The project site is underlain by young alluvial fan deposits (Qyf) ranging in age from Holocene (less than 10,000 years) to late Pleistocene (126,000 years ago). Generally, Holocene sediments are too young to yield paleontological resources, but they are likely underlain by Pleistocene sediments, which have yielded significant paleontological resources elsewhere in San Bernardino, Riverside, Los Angeles, and Orange counties.

As previously discussed, the project site is located at the base of an alluvial fan that has been previously graded flat. The upper 20 feet of soils on the project site consist of compacted fill soils, which are underlain by young alluvial fan deposits. Excavations during construction would extend approximately 15 to 20 feet bgs for the installation of the underground storage tanks. As discussed above, native soils on the project site are generally considered too young to yield paleontological resources; however, these soils may be underlain with sediments that contain paleontological resources. Since excavation depths would most likely uncover fill soils and would not uncover the native soils that are present 20 feet bgs, it is unlikely that paleontological resources would be discovered during project construction. Nevertheless, there is the potential to encounter paleontological resources during project construction.

Accordingly, **Standard Conditions GEO-1 and GEO-2** are prescribed to ensure project compliance with applicable provisions protecting paleontological resources, including California Administrative Code, Title 14, Section 4307, which states that no person shall remove, injure, deface or destroy any object of paleontological, archaeological, or historical interest or value. Implementation of **Standard Conditions GEO-1 and GEO-2** would ensure that paleontological resources, if encountered during project construction, would be protected. Therefore, impacts to paleontological resources would be **less than significant**, and no mitigation is required.

Standard Conditions. No mitigation is required; however, the following Standard Conditions are regulatory requirements that would be implemented to ensure impacts related to paleontological resources remain less than significant.

Standard Condition GEO-1 Prior to issuance of grading permits, the County of San Bernardino (County) shall verify that the following directive is included on all grading plans:

"If paleontological resources are encountered during the course of ground disturbance, work within 60 feet of the find shall be halted, and an exclusionary buffer shall be established. A qualified paleontologist (defined as an individual with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project

supervisor for a least one year) shall be contacted to assess the find for scientific significance. Construction personnel shall not collect or move any suspected paleontological materials or further disturb any soils within the exclusionary buffer without the consent of the paleontologist and the County Land Use Services Department, but construction activity may continue unimpeded on other portions of the project site. If the paleontologist determines the find is not a paleontological resource, no further evaluation shall be required within the exclusionary buffer, and construction activity shall be allowed to resume therein. However, if the paleontologist determines the find is a paleontological resource, construction activity shall not resume within the exclusionary buffer, and Standard Condition GEO-2 shall apply."

This measure shall be implemented to the satisfaction of the County Land Use Services Department Director or designee.

Standard Condition GEO-2

If the qualified paleontologist determines paleontological resources are encountered on the project site, the paleontologist shall prepare a Paleontological Resource Impact Mitigation Plan (PRIMP) to be implemented during the balance of ground-disturbing activities. Implementation of the PRIMP shall include (but not be limited to) the following:

- Review of project-specific geotechnical report data, with particular regard to location and depth of earthmoving and the rock unit(s) encountered;
- Development of a formal agreement between the Project Applicant and the San Bernardino County Museum, Natural History Museum of Los Angeles County, Western Science Center, San Diego Natural History Museum, Riverside Municipal Museum, or other accredited museum repository for the final disposition, permanent storage, and maintenance of any fossil collections and associated data;
- The construction schedule, term/schedule of on-site paleontological monitor(s) and the extent of areas and activities to be monitored;

- Authority of paleontological monitor(s) to temporarily redirect construction activity in the vicinity of any paleontological discovery;
- Procedures for the evaluation and option to recover large fossil specimens and for the evaluation, recovery, and processing of small fossil specimens;
- Fossil specimen preparation, identification to the lowest taxonomic level possible, curation, and cataloging; and
- A report of findings.

The paleontologist shall monitor remaining ground-disturbing activities in native soils at the project site and shall be equipped to record and salvage fossil resources that may be unearthed during construction. The paleontologist shall temporarily halt or divert construction equipment to allow recording and removal of the unearthed resources. Significant fossils shall be offered for curation at an accredited museum repository in accordance with the PRIMP. A report of findings, including, when appropriate, an itemized inventory of recovered specimens and a discussion of their significance, shall be prepared upon completion of the steps outlined above. The report and inventory, when submitted to and approved by the County of San Bernardino (County), would signify completion of the program. This measure shall be implemented to the satisfaction of the County Land Use Services Department Director or designee.

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

SUBSTANTIATION:

- ***2020 Countywide Plan (San Bernardino County 2020)***
- ***Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis (LSA 2023a)***
- ***California's 2017 Climate Change Scoping Plan (CARB 2017)***
- ***GHG Development Review Process (DRP) (San Bernardino County 2015)***
- ***San Bernardino County Transportation Authority (SCBTA's) Greenhouse Gas Emissions Reduction Plan Update (SBCTA 2021)***
- ***San Bernardino Countywide Plan Draft Environmental Impact Report (San Bernardino County 2019)***
- ***Submitted Project Materials***

The Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis (LSA 2023a) is provided in this Initial Study as Appendix A.

Greenhouse gases (GHGs) are present in the atmosphere naturally, are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. The gases that are widely seen as the principal contributors to human-induced global climate change are:

- Carbon dioxide (CO2);
- Methane (CH4);
- Nitrous oxide (N2O);
- Hydrofluorocarbons (HFCs);
- Perfluorocarbons (PFCs); and
- Sulfur hexafluoride (SF6).

Over the last 200 years, humans have caused substantial quantities of GHGs to be released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere and enhancing the natural greenhouse effect, believed to be causing global warming. While manmade GHGs include naturally occurring GHGs such as CO2, methane, and N2O, some gases, like HFCs, PFCs, and SF6 are completely new to the atmosphere.

Certain gases, such as water vapor, are short-lived in the atmosphere. Others remain in the atmosphere for significant periods of time, contributing to climate change in the long term. Water vapor is excluded from the list of GHGs above because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

These gases vary considerably in terms of Global Warming Potential (GWP), which is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. The GWP is based on several factors, including the relative effectiveness of a gas to absorb infrared radiation and length of time that the gas remains in the atmosphere ("atmospheric lifetime"). The GWP of each gas is measured relative to CO2, the most abundant GHG; the definition of GWP for a particular GHG is the ratio of heat trapped by one unit mass of the GHG to the ratio of heat trapped by

one unit mass of CO2 over a specified time period. GHG emissions are typically measured in terms of pounds or tons of "CO2 equivalents" (CO2e).

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

Less than Significant Impact. State CEQA Guidelines Section 15064(b) provides that the "determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data," and further states that an "ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting."

Appendix G of the State CEQA Guidelines includes significance thresholds for GHG emissions. A project would normally have a significant effect on the environment if it would result in either of the following:

- Generation of GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflicts with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Currently, there is no Statewide GHG emissions threshold that has been used to determine the potential GHG emissions impacts of a project. Threshold methodology and thresholds are currently developed and revised by air districts in California.

This analysis considers whether the project is compliant with the San Bernardino County Transportation Authority (SCBTA's) Greenhouse Gas Emissions Reduction Plan Update (GHG Plan) (SBCTA 2021) and GHG Development Review Process (DRP) (County of San Bernardino 2015). All projects need to apply the GHG performance standards identified in the DRP and comply with State requirements. For projects exceeding the review standard of 3,000 MT CO_2e per year, the use of screening tables or a project-specific technical analysis to quantify and mitigate project emissions is required. If the GHG emissions from the project are less than 3,000 MT CO_2e per year and the project would apply GHG performance standards and State requirements, project-level and cumulative GHG emissions would be less than significant.

This section discusses the project's impacts related to the release of GHG emissions for the construction and operational phases of the project. Construction and operational GHG emissions were estimated using CalEEMod using the same methodology for the criteria pollutants described in Section III Air Quality.

Construction Activities. Construction activities associated with the proposed project would produce combustion emissions from various sources. During construction, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically use fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO_2, CH_4, and N_2O.

Furthermore, CH_4 is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change. As shown in **Table VIII.A**, project construction emissions would total 125 MT CO_2e (See the CalEEMod output in Appendix A for details).

The MDAQMD does not provide a separate GHG significance threshold for construction emissions. However, lead agencies are required to quantify and disclose GHG emissions that would occur during construction. In addition, other air districts recommend amortizing GHG emissions over the life of the project based on the total GHG emissions for construction activities divided by the project life (i.e., 30 years) then adding that number to the annual operational phase GHG emissions. **Table VIII.A** presents the estimated GHG emissions by construction phase and amortized emissions for the proposed project. Since there is no separate GHG significance threshold for construction emissions, project-level and cumulative GHG emissions during construction activities alone would be **less than significant**, and no mitigation is required.

Table VIII.A: Construction Greenhouse Gas Emissions

Construction Phase	Total Emissions per Phase (MT)			Total Emissions per Phase (MT CO_2e)
	CO_2	CH_4	N_2O	
Site Preparation	5	<1	<1	5
Grading	18	<1	<1	18
Building Construction	84	<1	<1	85
Architectural Coating	5	<1	<1	5
Paving	12	<1	<1	12
Total Emissions for the Entire Construction Process				**125**
Construction Emissions Amortized over 30 years				**4**

Source: LSA Associates, Inc. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed Cajon Pass Commercial Project (LSA Project No. BAJ2101).* Table K. December 2023. Appendix A.

CH_4 = methane
CO_2 = carbon dioxide
CO_2e = carbon dioxide equivalent
MT CO_2e = metric tons of carbon dioxide equivalent
MT = metric tons
N_2O = nitrous oxide

Operational GHG Emissions. Long-term GHG emissions are typically generated from mobile sources (e.g., cars, trucks, and buses), area sources (e.g., maintenance activities and landscaping), indirect emissions from sources associated with energy consumption, waste sources (land filling and waste disposal), and water sources (water supply and conveyance, treatment, and distribution). Mobile-source GHG emissions would include project-generated vehicle and truck trips to and from the project site. Area-source emissions would be associated with activities such as landscaping and maintenance on the project site. Waste source emissions generated by the proposed project include energy generated by land filling and other methods of disposal related to transporting and managing project-generated waste. As shown in **Table VIII.B**, the project would generate 4,392 MT CO_2e/yr.

Table VIII.B: Long-Term Operational Greenhouse Gas Emissions

Source	Pollutant Emissions per Year (MT)					
	Bio-CO_2	**Nbio-CO_2**	**Total CO_2**	**CH_4**	**N_2O**	**CO_2e**
Construction Emissions Amortized over 30 Years						9
Operational Emissions						
Area	0	<1	<1	<1	<1	<1
Energy	0	61	61	<1	<1	61
Mobile	0	4,254	4,254	<1	<1	4,322
Water	<1	3	3	<1	<1	3
Waste	2	<1	2	<1	<1	6
Refrigerant	-	-	-	-	-	8
Total Project Emissions	**3**	**192**	**194**	**<1**	**<1**	4,392
San Bernardino County Review Threshold						**3,000**
Emissions Exceed Threshold?						**Yes**

Source: LSA Associates, Inc. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed Cajon Pass Commercial Project (LSA Project No. BAJ2101).* Table L. December 2023. Appendix A.

Bio-CO_2 = biologically generated carbon dioxide
CH_4 = methane
CO_2 = carbon dioxide
CO_2e = carbon dioxide equivalent
MT = metric tons
N_2O = nitrous oxide
Nbio-CO_2 = non-biologically generated carbon dioxide

For projects exceeding 3,000 $MTCO_2e$ per year of GHG emissions, the County provides Screening Tables as a tool to assist with calculating GHG reduction measures and the determination of a significance finding. Projects that garner 100 or greater points would not require quantification of project specific GHG emissions. The point system was devised to ensure project compliance with the reduction measures in the GHG Plan such that the GHG emissions from new development, when considered together with existing development, support the County's reductions in GHG emissions beyond 2020. Consistent with the CEQA Guidelines, such projects are consistent with the GHG Plan and therefore will be determined to have a less than significant individual and cumulative impact for GHG emissions. As previously stated, projects that total 100 or more points on the Screening Tables would not require quantification of project specific GHG emissions and are considered consistent with the GHG Plan. Table M in Appendix A shows that the project would total 115 points on the Screening Tables. Therefore, the project would be consistent with the GHG Plan and would not result in the generation of GHG emissions that would have a significant impact on the environment. Impacts would be **less than significant,** and no mitigation is required.

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

Less than Significant Impact. Since the proposed project would apply the San Bernardino County's Greenhouse Gas Emissions Development Review Processes performance standards and adhere to State requirements, project-level and cumulative GHG emissions would be **less than significant**.

The following discussion evaluates the proposed project for consistency with the goals of the CARB 2022 Scoping Plan.

Scoping Plan. Executive Order (EO) B-30-15 added the immediate target of reducing GHG emissions to 40 percent below 1990 levels by 2030. CARB released a second update to the Scoping Plan (the 2017 Scoping Plan), to reflect the 2030 target set by EO B-30-15 and codified by Senate Bill (SB) 32. SB 32 affirms the importance of addressing climate change by codifying into statute the GHG emissions reductions target of at least 40 percent below 1990 levels by 2030 contained in EO B-30-15. SB 32 builds on AB 32 and keeps the State on the path toward achieving the 2050 objective of reducing emissions to 80 percent below 1990 levels. The companion bill to SB 32 (i.e., AB 197) provides additional direction to the CARB related to the adoption of strategies to reduce GHG emissions. Additional direction in AB 197 intended to provide easier public access to air emissions data that are collected by the CARB was posted in December 2016.In addition, the 2022 Scoping Plan assesses progress toward the statutory 2030 target, while laying out a path to achieving carbon neutrality no later than 2045. The 2022 Scoping Plan focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology, energy deployment, natural and working lands, and others, and is designed to meet the State's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities.

The 2022 Scoping Plan focuses on building clean energy production and distribution infrastructure for a carbon-neutral future, including transitioning existing energy production and transmission infrastructure to produce zero-carbon electricity and hydrogen, and utilizing biogas resulting from wildfire management or landfill and dairy operations, among other substitutes. The 2022 Scoping Plan states that in almost all sectors, electrification will play an important role. The 2022 Scoping Plan evaluates clean energy and technology options and the transition away from fossil fuels, including adding four times the solar and wind capacity by 2045 and about 1,700 times the amount of current hydrogen supply. As discussed in the 2022 Scoping Plan, EO N-79-20 requires that all new passenger vehicles sold in California will be zero-emission by 2035, and all other fleets will have transitioned to zero-emission as fully possible by 2045, which will reduce the percentage of fossil fuel combustion vehicles.

Energy efficient measures are intended to maximize energy efficiency building and appliance standards, pursue additional efficiency efforts (including new technologies and new policy and implementation mechanisms), and pursue comparable investment in energy efficiency from all retail providers of electricity in California. In addition, these measures are designed to expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings. As discussed in Section VI, Energy, the proposed project would comply with the CALGreen Code regarding energy conservation and green building standards. Therefore, the proposed project would comply with applicable energy measures.

Water conservation and efficiency measures are intended to continue efficiency programs and use cleaner energy sources to move and treat water. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions. As noted above, the project would comply with the CALGreen Code, which includes a variety of different measures, including reduction of wastewater and water use. In addition, the proposed project would be required to comply with the California Model

Water Efficient Landscape Ordinance. Therefore, the proposed project would not conflict with any of the water conservation and efficiency measures.

The goal of transportation and motor vehicle measures is to develop regional GHG emissions reduction targets for passenger vehicles. Specific regional emission targets for transportation emissions would not directly apply to the proposed project. The second phase of the Pavley standards will reduce GHG emissions from new cars by 34 percent from 2016 levels by 2025, resulting in a 3 percent decrease in average vehicle emissions for all vehicles by 2020. Vehicles traveling to the project site would comply with the Pavley II (LEV III) Advanced Clean Cars Program (CARB 2012). Therefore, the proposed project would not conflict with the identified transportation and motor vehicle measures. Impacts would be **less than significant**. No mitigation required.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
IX.	**HAZARDS AND HAZARDOUS MATERIALS –** Would the project:				
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒

f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☒	☐	☐
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☒	☐	☐

SUBSTANTIATION:

- ***2020 Countywide Plan (San Bernardino County 2020)***
- ***Comprehensive Land Use Plan, Hesperia Airport (San Bernardino County ALUC 1991)***
- ***Cortese List (DTSC n.d.-b)***
- ***EnviroStor Database (DTSC n.d.-a)***
- ***Fire Hazard Severity Zone Viewer (CAL FIRE n.d.)***
- ***GeoTracker Database (SWRCB n.d.)***
- ***San Bernardino Countywide Plan Draft Environmental Impact Report (San Bernardino County 2019)***
- ***Submitted Project Materials***

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

Less Than Significant with Mitigation Incorporated. Hazardous materials are chemicals that could cause harm during an accidental release or mishap, and are defined as toxic, corrosive, flammable, reactive, or an irritant or strong sensitizer. Hazardous substances include all chemicals regulated under DOT "hazardous materials" regulations and EPA "hazardous waste" regulations. Hazardous wastes require special handling and disposal because of their potential to damage public health and the environment. The probable frequency and severity of consequences from the routine transport, use, or disposal of hazardous materials are affected by the type of substance, the quantity used or managed, and the nature of the activities and operations.

Construction of the project has the potential to create a hazard to the public or environment through the routine transportation, use, and disposal of construction-related hazardous materials such as fuels, soils, solvents, and other materials. The amount of hazardous chemicals present during construction would be limited and would be in compliance with existing government regulations. Any associated risk would be adequately reduced to a level that is less than significant through compliance with applicable standards and regulations; therefore, the limited use and storage of hazardous materials during construction of the proposed project would not pose a significant hazard to the public or the environment. Accordingly, the potential for the release of hazardous materials during project construction would be low and, even if a release were to occur, it would not result in a significant hazard to the public, surrounding land uses, or

environment due to the small quantities of these materials associated with construction. Potential impacts would be **less than significant**, and mitigation is not required.

The proposed project would utilize hazardous materials on a daily basis including gasoline, oil, solvents, and cleaning products. Additionally, the project would install two underground storage tanks (USTs) southwest of the proposed fueling station to provide gasoline for 9 multiple product dispensers (18 total fueling stations) on the project site. Therefore, the project would have the potential to create a significant hazard to the public or environment through the use and storage of hazardous materials on the project site. Accordingly, as prescribed by **Mitigation Measure HAZ-1,** the Project Applicant would be required to submit building plans to the SBCFD's Hazardous Materials Division for review and approval to ensure hazardous materials on the project site (gasoline storage tanks) are designed and installed in accordance with all applicable requirements intended to safeguard the public from hazardous material impacts.

Additionally, the project would be required to comply with all applicable local, State, and federal standards, ordinances, and regulations to safeguard the public and environment from hazardous material impacts. For example, pursuant to California Health and Safety Code Section 25507, the project would be required to develop a Hazardous Materials Business Emergency Plan administered by the San Bernardino County Fire Department, as applicable. Additionally, pursuant to the Federal Hazard Communication Standard (29 CFR 1910.1200) and the Laboratory Standard (29 CFR 1910.1450), Safety Data Sheets (SDS) outlining procedures to address spills and leaks for individual chemicals would be used to conduct chemical safety training for all employees who work with chemicals in order to minimize the occurrence of accidental chemical releases and ensure that, when one does occur, it is handled in a safe manner. These regulations inherently safeguard life and property from the hazards of fire/explosion arising from the storage, handling, and disposal of hazardous substances, materials, and devices, as well as hazardous conditions due to the use or occupancy of buildings.

Therefore, through compliance with all applicable federal, State, and local laws and implementation of **Mitigation Measure HAZ-1**, impacts to the public or environment from the routine transportation, use and disposal of hazardous materials would be **less than significant with mitigation incorporated**.

Less Than Significant with Mitigation Incorporated. Hazardous materials are chemicals that could cause harm during an accidental release or mishap, and are defined as toxic, corrosive, flammable, reactive, or an irritant or strong sensitizer. Hazardous substances include all chemicals regulated under DOT "hazardous materials" regulations and EPA "hazardous waste" regulations. Hazardous wastes require special handling and disposal because of their potential to damage public health and the environment. The probable frequency and severity of consequences from the routine transport, use, or disposal of hazardous materials are affected by the type of substance, the quantity used or managed, and the nature of the activities and operations.

Construction of the project has the potential to create a hazard to the public or environment through the routine transportation, use, and disposal of construction-related hazardous materials such as fuels, soils, solvents, and other materials. The amount of

hazardous chemicals present during construction would be limited and would be in compliance with existing government regulations. Any associated risk would be adequately reduced to a level that is less than significant through compliance with applicable standards and regulations; therefore, the limited use and storage of hazardous materials during construction of the proposed project would not pose a significant hazard to the public or the environment. Accordingly, the potential for the release of hazardous materials during project construction would be low and, even if a release were to occur, it would not result in a significant hazard to the public, surrounding land uses, or environment due to the small quantities of these materials associated with construction. Potential impacts would be **less than significant**, and mitigation is not required.

The proposed project would utilize hazardous materials on a daily basis including gasoline, oil, solvents, and cleaning products. Additionally, the project would install two underground storage tanks (USTs) southwest of the proposed fueling station to provide gasoline for 9 multiple product dispensers (18 total fueling stations) on the project site. Therefore, the project would have the potential to create a significant hazard to the public or environment through the use and storage of hazardous materials on the project site. Accordingly, as prescribed by **Mitigation Measure HAZ-1,** the Project Applicant would be required to submit building plans to the SBCFD's Hazardous Materials Division for review and approval to ensure hazardous materials on the project site (gasoline storage tanks) are designed and installed in accordance with all applicable requirements intended to safeguard the public from hazardous material impacts.

Additionally, the project would be required to comply with all applicable local, State, and federal standards, ordinances, and regulations to safeguard the public and environment from hazardous material impacts. For example, pursuant to California Health and Safety Code Section 25507, the project would be required to develop a Hazardous Materials Business Emergency Plan administered by the San Bernardino County Fire Department, as applicable. Additionally, pursuant to the Federal Hazard Communication Standard (29 CFR 1910.1200) and the Laboratory Standard (29 CFR 1910.1450), Safety Data Sheets (SDS) outlining procedures to address spills and leaks for individual chemicals would be used to conduct chemical safety training for all employees who work with chemicals in order to minimize the occurrence of accidental chemical releases and ensure that, when one does occur, it is handled in a safe manner. These regulations inherently safeguard life and property from the hazards of fire/explosion arising from the storage, handling, and disposal of hazardous substances, materials, and devices, as well as hazardous conditions due to the use or occupancy of buildings.

Therefore, through compliance with all applicable federal, State, and local laws and implementation of **Mitigation Measure HAZ-1**, impacts to the public or environment from the routine transportation, use and disposal of hazardous materials would be **less than significant with mitigation incorporated**.

Mitigation Measures. The following mitigation measure is required to reduce potentially significant impacts from hazardous materials to less than significant levels.

Mitigation Measure HAZ-1 Prior to issuance of grading and/or building permits, the Project 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.

This measure shall be implemented to the satisfaction of the San Bernardino County Building and Safety Division or designee and the SBCFD.

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?*

Less Than Significant with Mitigation Incorporated. The project site and a 0.5-mile radius encompassing the project site were evaluated via the State Water Resources Control Board (SWRCB) GeoTracker database, the Department of Toxic Substances Control (DTSC) EnviroStor database, and the Hazardous Waste and Substances Sites (Cortese) List for the purposes of identifying Recognized Environmental Conditions (RECs) or Historical Recognized Environmental Conditions (HRECs).

An REC means the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. The term is not intended to include de minimis conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be de minimis are not RECs. An HREC means an environmental condition that in the past would have been considered an REC, but which may or may not be considered an REC currently. If a past release of any hazardous substances or petroleum products has occurred in connection with the property, with such remediation accepted by the responsible regulatory agency (for example, as evidenced by the issuance of a case closed letter or equivalent), this condition shall be considered an HREC.

Hazardous materials (RECs or HRECs) identified on properties within the project vicinity have the potential to contaminate soil on the project site via vapor migration, which could be released during soil excavation activities during project construction.

Historically, the project site has been undeveloped since at least 2002, when the site was graded to its current configuration. The databases listed above did not identify any RECs or HRECs on the project site or within 2,000 feet of the project site, and a review of the Cortese List indicated no affected properties on or within five miles of the project site. One property (Circle K) with an HREC (gasoline leak possibly contaminating drinking water) was identified approximately 0.5-mile northwest of the project site; however, the property was granted environmental closure in October 2009 regarding potential contaminants of concern or appropriate cleanup activities. There are no active cases in the area that could potentially impact the project site. Therefore, the possibility of vapor

migration affecting the project site from off-site sources is low. Additionally, as discussed in Section IX.a above, the potential for the release of hazardous materials during project construction would be low and, even if a release were to occur, it would not result in a significant hazard to the public, surrounding land uses, or environment due to the small quantities of these materials associated with construction activities. Therefore, impacts associated with the release of hazardous materials into the environment during project construction would be **less than significant** and no mitigation is required.

As discussed in Section IX.a above, the proposed project would utilize hazardous materials on a daily basis including gasoline, oil, solvents, and cleaning products and includes the installation of two USTs to provide gasoline for the fueling station, which could result in significant hazardous material impacts. Accordingly, as prescribed by **Mitigation Measure HAZ-1,** the Project Applicant would be required to submit building plans to the SBCFD's Hazardous Materials Division for review and approval to ensure hazardous materials on the project site (gasoline storage tanks) are designed and installed in accordance with all applicable requirements intended to safeguard the public from hazardous material impacts. Additionally, the project would be required to develop a Hazardous Materials Business Emergency Plan administered by the San Bernardino County Fire Department, as applicable, in accordance with California Health and Safety Code Section 25507. Finally, pursuant to the Federal Hazard Communication Standard (29 CFR 1910.1200) and the Laboratory Standard (29 CFR 1910.1450), Safety Data Sheets (SDS) outlining procedures to address spills and leaks for individual chemicals would be used to conduct chemical safety training for all employees who work with chemicals in order to minimize the occurrence of accidental chemical releases and ensure that, when one does occur, it is handled in a safe manner.

Therefore, through compliance with applicable local, State, and federal regulations and implementation of **Mitigation Measure HAZ-1,** impacts from reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment during operation would be **less than significant with mitigation incorporated**.

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

No Impact. There are no existing or planned schools within a 0.25-mile radius of the project site. The nearest school in proximity to the project site is Kimbark Elementary School at 18021 Kenwood Avenue, approximately 8 miles southeast of the project site. As discussed in Sections IX.a-b above, the transport, use, and storage of hazardous materials during construction and operation of the proposed project would comply with existing government regulations to safeguard the public and environment from hazardous materials.

Since no schools are located or proposed within 0.25 mile of the project site, and any transport, use, and storage of hazardous materials associated with construction or operation of the proposed project would be in accordance with applicable regulatory policy, there would be **no impacts** related to an accidental release of hazardous

materials or emissions of hazardous substances within one-quarter mile of an existing or proposed school. No mitigation is required.

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?*

No Impact. Hazardous materials sites compiled pursuant to Government Code Section 65962.5 are listed on the "Cortese List" (named after the Legislator who authored the legislation that enacted it), which is maintained by the California DTSC. The project site is not on any list of hazardous material sites compiled pursuant to Government Code Section 65962.5. Therefore, **no impact** related to the Cortese List or other governmental databases compiled pursuant to Government Code Section 65962.5 would occur, and no mitigation is required.

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 Impact. The project site is located approximately 9.6 miles southwest of Hesperia Airport. The project site is located outside the Airport Influence Area and Airport Compatibility Zones of Hesperia Airport. No impacts related to the project site's proximity to a public airport would occur, and no mitigation is required.

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

Less Than Significant with Mitigation Incorporated. Please refer to Section XX.a for a detailed discussion and analysis of the project's impacts on an adopted emergency response plan or evacuation plan. As discussed in Section XX.a, the project would be required to prepare a site-specific Fire Protection Plan (FPP), which would include an Evacuation Plan, and would be reviewed and approved by the County and San Bernardino County Fire Department (SBCFD) in accordance with **Mitigation Measure WF-1.** With implementation of **Mitigation Measure WF-1,** project impacts on an adopted emergency response plan or emergency evacuation plan would be **less than significant with mitigation incorporated.**

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

Less Than Significant with Mitigation Incorporated. According to California Department of Forestry and Fire Protection (CAL FIRE) mapping, the project site is located in a State Responsibility Area (SRA) within a Very High Fire Hazard Severity Zone (VHFHSZ). Additionally, the project site is located within the County's Fire Safety Overlay (FS1).

As discussed in Section XX, Wildfire, wildfire behavior is largely driven by topography, fuel, climatic conditions, and weather (such as low humidity and high winds). The Cajon

Pass is characterized by rugged terrain and steep hillsides to the east and west. During summer and fall, before the rainy period, there is a significant threat of wildfire in the County, especially during dry Santa Ana wind events. The seasonal Santa Ana winds can be particularly strong in the project area (up to 75 mph) as warm and dry air is channeled through the San Gabriel and San Bernardino mountains. The Santa Ana winds dry out and preheat vegetation and accelerate oxygen supply, thereby making possible the burning of fuels that otherwise might not burn under cooler, moister conditions.

Therefore, any development on the project site would have the potential to expose people or structures to significant wildfire hazards. However, as discussed in detail in Section.XX, Wildfire, the project would be required to implement several preventative measures to minimize potential hazards to people and structures on the project site should a wildfire occur in the project vicinity. For example, as prescribed by **Mitigation Measure WF-1**, the project would be required to prepare a Fire Protection Plan (FPP), which would require the use of ignition resistant materials and irrigated, non-combustible vegetation. Additionally, the project would be required to comply with all applicable County Fire Code requirements in accordance with **Mitigation Measure WF-2** and all applicable County hazardous material requirements (gasoline storage tanks) in accordance with **Mitigation Measure HAZ-1** (see Section IX, Hazards and Hazardous Materials). The project would also be required to install SBCFD approved identification placards for hazardous materials contained on the project site in all locations deemed appropriate by the SBCFD to disclose the locations of hazardous materials on the project site in accordance with **Mitigation Measure WF-3**. Finally, the project would be required to ensure that adequate emergency water supply is available to serve the project site in accordance with **Mitigation Measure WF-4.**

Therefore, with implementation of **Mitigation Measures WF-1 through WF-4 and HAZ-1**, it is not expected that the proposed project would expose people or structures to significant loss or injury from wildland fires. Impacts would be **less than significant with mitigation incorporated**.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
X.	**HYDROLOGY AND WATER QUALITY -** Would the project:				
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede	☐	☐	☒	☐

	sustainable groundwater management of the basin?				
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
	i. result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
	ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	☐	☐	☒	☐
	iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or	☐	☐	☒	☐
	iv. impede or redirect flood flows?	☐	☐	☒	☐
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

SUBSTANTIATION:

- ***2020 Countywide Plan (San Bernardino County 2020)***
- ***SGMA Basin Prioritization Dashboard (DWR n.d.)***
- ***Federal Emergency Management Agency Flood Insurance Rate Map (FEMA 2008)***
- ***Geotechnical Engineering Report (GEO-CAL, INC. 2021)***
- ***San Bernardino Countywide Plan Draft Environmental Impact Report (San Bernardino County 2019)***
- ***Submitted Project Materials***
- ***Water Quality Control Plan, Santa Ana River Basin (California Water Boards, Santa Ana-R8 June 2019)***
- ***Water Quality Management Plan (Gilbert Engineering & Associates Inc. 2023)***

The Geotechnical Engineering Report (GEO-CAL, INC. 2021) and Water Quality Management Plan (Gilbert Engineering & Associates, Inc. 2023) are included in this Initial Study as Appendix D and Appendix E, respectively

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

Less Than Significant Impact. Construction of the proposed project would excavate and expose soils on the project site and operation of the proposed project would result in an increase of impervious surfaces on the project site, both of which could result in the degradation of surface or groundwater quality.

Construction. Pollutants of concern during construction include sediment, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. Each of these pollutants on its own or in combination with other pollutants can have a detrimental effect on water quality. During construction activities, excavated soil would be exposed, and there would be an increased potential for soil erosion and sedimentation compared to existing conditions. In addition, chemicals, liquid products, petroleum products (e.g., paints, solvents, and fuels), and concrete-related waste may be spilled or leaked during construction. Any of these pollutants have the potential to be transported via stormwater runoff from the project site and into receiving waters (i.e., Cajon Wash and Lytle Creek [both unlined]).

The proposed project would result in development of the entire 1.42-acre project site. Because project construction would disturb greater than 1 acre of soil, the project would be subject to the requirements of the State Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES) Permit Waste Discharge Requirements for Discharges of Stormwater Runoff Associated with Construction and Land Disturbance Activities (Order No. 2022-0057-DWQ, NPDES No. CAS000002) (Construction General Permit). The proposed project would also be required to comply with County Development Code Chapter 85.11.030 (Erosion Control Plan and Inspection Required), which prohibits land disturbance or construction activities without first obtaining approval of erosion control measures, including coverage under the State Construction General Permit, development of a Stormwater Pollution Prevention Plan (SWPPP), and implementation of Best Management Practices (BMPs) to ensure that construction practices include measures to address erosion. As specified in **Standard Condition HYD-1** and **Standard Condition HYD-2** and as required by the Construction General Permit and County Development Code, the construction contractor would be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) and implement construction BMPs detailed in the SWPPP during construction activities. Construction BMPs would include, but not be limited to, erosion and sediment control designed to minimize erosion and retain sediment on site and good housekeeping practices to prevent spills, leaks, and discharge of construction debris and waste into receiving waters.

According to the Geotechnical Report prepared for the project, groundwater was not encountered within the maximum depth of 36.5 feet explored. Excavations during construction would extend up to approximately 20 feet below existing grade to accommodate foundations, floor slabs, and the underground storage tanks. Therefore, it is unlikely excavation activities would have the potential to encounter groundwater,

and groundwater dewatering is not anticipated to be required during construction activities.

With implementation of **Standard Conditions HYD-1 and HYD-2,** which require compliance with the Construction General Permit and County Development Code requirements, including implementation of construction BMPs, impacts associated with a violation of water quality standards or waste discharge requirements during project construction would be **less than significant**, and no mitigation is required.

Operation. During operation, anticipated pollutants of concern associated with the proposed project include metals, oil and grease, trash and debris, and organic compounds. There are no current impairments or applicable total maximum daily loads (TMDLs) for the proposed project's receiving waters (i.e., Cajon Wash and Lytle Creek [both unlined]). Therefore, pollutants of concern generated by the proposed project are not anticipated to exacerbate current pollution concerns for receiving waters.

The County is a co-permittee under the Santa Ana Regional Water Quality Control Board (RWQCB) NPDES Permit and Waste Discharge Requirements for the San Bernardino County Flood Control District, the County of San Bernardino, and the Incorporated Cities of San Bernardino County within the Santa Ana Region Area-Wide Urban Storm Water Runoff Management Program (Order No. R8-2010-0036, NPDES No. CAS618036) (San Bernardino County MS4 Permit). The San Bernardino County MS4 Permit requires the preparation of project-specific Water Quality Management Plans (WQMPs) for priority projects. The proposed project is considered a priority project because it involves development of retail gasoline outlets that are either 5,000 square feet or more or have a projected average daily traffic of 100 or more vehicles per day. As specified in **Standard Condition HYD-3** and as required by the San Bernardino County MS4 Permit, the proposed project would prepare a Final WQMP. The Final WQMP would specify the Site Design, Source Control, Low Impact Development (LID), and Treatment Control BMPs that would be implemented to capture, treat, and reduce pollutants of concern in stormwater runoff.

Site Design BMPs and are stormwater management strategies that emphasize conservation and use of existing site features to reduce the amount of runoff and pollutant loading generated from a site. Source Control BMPs are preventative measures that are implemented to prevent the introduction of pollutants into stormwater. LID BMPs mimic a project site's natural hydrology by using design measures that capture, filter, store, evaporate, detain, and infiltrate runoff rather than allowing runoff to flow directly to piped or impervious storm drains. Treatment Control BMPs are structural BMPs designed to treat and reduce pollutants in stormwater runoff prior to releasing it to receiving waters.

A Preliminary WQMP has been prepared for the project (Appendix E), which includes the following BMPs that would be implemented to reduce impacts to water quality from operation of the proposed project:

- Site Design BMPs include minimizing impervious areas; preserving existing drainage patterns; and disconnecting impervious surface areas.

- Non-Structural Source Control BMPs include education for property owners, tenants, and occupants on stormwater BMPs; landscape management BMPs; BMP (storm drain catch basin, underground detention basin, and modular wetland) maintenance; gasoline spill contingency plan; underground storage tank compliance/maintenance; hazardous materials disclosure compliance; uniform fire code implementation/training; litter and debris control program; employee training on stormwater BMPs; catch basin inspection program; and vacuum sweeping of parking lots.

- Structural Source Control BMPs include catch basin signage and stenciling; waste storage areas that are designed and constructed to reduce pollution introduction; efficient irrigation systems and landscape design; landscape design (finish grade of landscaped areas at a minimum of 1-2 inches below top of curb, sidewalks, or pavement); and compliance with BMPs for fueling areas and community car wash racks.

- LID BMPs include a catch basin, underground detention basin, and modular wetland.

The project site includes one Drainage Management Area (DMA) (DMA 1) to manage stormwater runoff from the entire project site. Stormwater runoff from impervious areas on the project site (e.g. concrete, asphalt, and roofs) would be directed to a catch basin located in the southeastern corner of the site, which would convey flows to the underground detention basin located beneath the southeastern parking lot via a 12-inch storm drain pipe. The underground detention basin would be designed to store the entire Design Capture Volume (DCV) for DMA 1 (7,187 cubic feet) in accordance with the County of San Bernardino's technical guidance for WQMPs. The DCV is the volume of stormwater runoff that must be captured and treated by stormwater BMPs. Stormwater would then be directed to a modular wetland located in the southeastern portion of the site via a 6-inch storm drain pipe. The modular wetland would treat the required DCV of stormwater prior to discharging the stormwater off-site via a 12-inch storm drain pipe that would connect to the existing v-ditch down drain located beyond the southeastern corner of the project site. Overflows from the underground detention basin (stormwater runoff volume that exceeds the required DCV) would be directed off-site via a 12-inch storm drain pipe that would connect to the existing v-ditch down drain.

Infiltration of stormwater could have the potential to affect groundwater quality. However, as indicated in the project-specific WQMP, infiltration would only occur within landscaped areas on the project site and the majority of stormwater runoff collected on the project site would be conveyed off-site in accordance with the San Bernardino County MS4 Permit. Additionally, any stormwater that infiltrates on-site would be absorbed by soils and plants, which filters pollutants and reduces the potential for pollutants of concern to reach groundwater.

With implementation of **Standard Condition HYD-3**, which requires adherence to the San Bernardino County MS4 Permit, including preparation of a Final WQMP to address pollutants of concern in stormwater runoff, project impacts associated with the violation of water quality standards or waste discharge requirements would be **less than significant**, and no mitigation is required.

Standard Conditions. No mitigation is required; however, the following Standard Conditions are regulatory requirements that would be implemented to ensure impacts related to water quality standards or waste discharge requirements remain less than significant.

Standard Condition HYD-1 **Construction General Permit.** Prior to issuance of a grading permit, the Project Applicant shall obtain coverage under the State Water Resources Control Board (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order No. 2022-0057-DWQ, National Pollutant Discharge Elimination System No. CAS000002) (Construction General Permit). This shall include submission of Permit Registration Documents (PRDs), including a Notice of Intent for coverage under the permit to the SWRCB via the Stormwater Multiple Application and Report Tracking System (SMARTs). The Project Applicant shall provide the Waste Discharge Identification Number (WDID) to the County of San Bernardino (County), or designee, to demonstrate proof of coverage under the Construction General Permit. Project construction shall not be initiated until a WDID is received from the SWRCB and is provided to the County, or designee. A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and implemented for the proposed project in compliance with the requirements of the Construction General Permit. The SWPPP shall identify construction Best Management Practices (BMPs) to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in stormwater runoff as a result of construction activities. Upon completion of construction and stabilization of the site, a Notice of Termination shall be submitted via SMARTs.

Standard Condition HYD-2 Prior to the commencement of any land-disturbing activities, the Project Applicant shall obtain coverage under the Construction General Permit, develop a SWPPP, and submit an erosion control plan to the

County for review and approval that incorporates BMPs to prevent erosion during construction activities pursuant to Chapter 85.11.030 of the County Development Code.

Standard Condition HYD-3 Prior to issuance of a grading permit, the Project Applicant shall submit a Final Water Quality Management Plan (Final WQMP) to the County for review and approval in compliance with the requirements of the Santa Ana Regional Water Quality Control Board (RWQCB) NPDES Permit Waste Discharge Requirements for the San Bernardino County Flood Control District, the County of San Bernardino, and the Incorporated Cities of San Bernardino County Within the Santa Ana Region Area-Wide Urban Stormwater Runoff Management Program (Order No. R8-2010-0036, NPDES No. CAS618036). The Final WQMP shall specify the BMPs to be incorporated into the project design to target pollutants of concern in stormwater runoff from the project site and the necessary operation and maintenance activity for each BMP. The County shall ensure that the BMPs specified in the Final WQMP are incorporated into the final project design. The proposed BMPs specified in the Final WQMP shall be incorporated into the grading and development plans submitted to the County for review and approval. Project occupancy and operation shall be in accordance with the schedule outlined in the WQMP.

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

Less Than Significant Impact. Construction of the proposed project would include excavation activities on the project site and operation of the proposed project would result in an increase in impervious surfaces on the project site, both of which could decrease groundwater supplies or interfere with groundwater recharge.

Construction. According to the Geotechnical Report prepared for the project, no groundwater was encountered to an exploration depth of 36.5 feet below ground surface (bgs). During construction, the depth of excavation would not exceed approximately 20 feet bgs. Based on depth to groundwater and depth of excavation, groundwater dewatering activities are not anticipated during project construction. Therefore, construction impacts related to a decrease in groundwater supplies or interference with groundwater recharge in a manner that may impede sustainable

groundwater management would be **less than significant**, and no mitigation is required.

Operation. Currently, the project site is 100 percent pervious. Once developed, the project site would be 76.8 percent impervious for a total impervious surface area of 1.09 acres, which would decrease on-site infiltration when compared to existing conditions. However, as indicated in the Geotechnical Report, soils on the project site have low infiltration rates. Therefore, development of the proposed project would not substantially decrease the amount of stormwater that infiltrates when compared to existing conditions.

The project site is located within the Upper Santa Ana Valley-Cajon Groundwater Basin (Basin). As discussed in Section X.e) below, this Basin is identified by the California Department of Water Resources (DWR) as a very low priority basin and therefore is not required to prepare a Groundwater Sustainability Plan (GSP). Potable water is provided to the project site and adjacent properties via a groundwater well, which pumps water from the Basin to an off-site water storage tank located approximately 650 feet northwest of the project site. The proposed uses on the project site (e.g., car wash, convenience store bathrooms) would increase the water system's demand compared to existing conditions; however, as discussed in Section XIX.b), the County of San Bernardino Department of Health Services (DEHS) regulates the amount of groundwater extracted from the Basin through issuance of an annual permit to the property owners. Similar to the other property owners, the Project Applicant would be required to obtain this permit from the County DEHS, which would regulate the project's water demand and ensure the project does not deplete groundwater supplies.

Therefore, the proposed project's water demand would not substantially decrease groundwater supplies. Impacts related to depletion of groundwater supplies or interference with groundwater recharge in a manner that may impede sustainable groundwater management would be **less than significant**, and no mitigation is required.

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:*

In the existing condition, stormwater sheet flows from northwest to southeast across the project site and drains to a v-ditch down drain just beyond the southeast corner of the project site. The project would maintain the existing drainage pattern. In the post-project condition, stormwater would continue to flow from northwest to southeast but would be intercepted by a catch basin located in the southeast corner of the site. The catch basin would flow into a storm drain that would discharge to an underground detention basin before draining to a modular wetland[2] in the southeast corner of the site. Stormwater

[2] A modular wetland is a multi-stage, storm water treatment system that incorporates screening, sedimentation, filtration, adsorption, and biological remediation for removal of trash, floating and neutrally buoyant debris, suspended sediments, nutrients, heavy metals, and hydrocarbons from the storm water.

would then be directed into the existing v-ditch down drain located off-site just beyond the southeast corner of the project site.

i. Result in substantial erosion or siltation on- or off-site;

Less than Significant Impact. The project site is currently undeveloped and is 100 percent permeable. Construction of the proposed project would excavate and expose soils on the project site, which could result in erosion on- or off-site. However, operation of the proposed project would increase impervious surfaces on the project site, which would reduce on- or off-site erosion compared to existing conditions.

Construction. During grading and construction activities, soil would be exposed and disturbed, drainage patterns would be temporarily altered, and there would be an increased potential for soil erosion and siltation compared to existing conditions. Additionally, during a storm event, soil erosion and siltation could occur at an accelerated rate. As discussed above in response to Section X.a, and as specified in **Standard Conditions HYD-1 and HYD-2**, the Project Applicant would be required to obtain coverage under the Construction General Permit and County Development Code, both of which require preparation of a SWPPP. The SWPPP would detail Erosion Control and Sediment Control BMPs to be implemented during construction to minimize erosion and retain sediment on-site. Compliance with the requirements of the Construction General Permit and implementation of the construction BMPs would ensure that construction impacts related to on- and off-site erosion or siltation would be **less than significant**, and no mitigation is required.

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

Less Than Significant Impact. Under existing conditions, the project site is 100 percent pervious and stormwater sheet flows to the southeast and exits the site via a v-ditch drain located just beyond the southeastern corner of the project site. Construction and operation of the project would have the potential to cause on-or off-site flooding through the development of impervious surfaces on the project site, which increases the rate and volume of stormwater runoff.

Construction. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06071C7190H the project site is located in Zone D. Zone D areas are defined by FEMA as areas of minimal flood hazard, which are the areas outside of the Special Flood Hazard Area where flood hazards are undetermined but possible. As discussed above under Section X.a, project construction would comply with the requirements of the Construction General Permit and County Development Code, which would include the preparation and implementation of a SWPPP (**Standard Conditions HYD-1 and HYD-2**). The SWPPP would specify construction BMPs to control and direct on-site surface runoff to ensure that project construction does not increase the rate or amount of surface runoff or impede or redirect flood flows in manner that would result in on- or off-site flooding. With implementation of a SWPPP and associated BMPs (**Standard Conditions HYD-1 and HYD-2**), construction activities would not result in a substantial increase in the rate or amount of surface runoff or

impeding or redirecting flood flows in a manner that would result in on- or off-site flooding. Impacts would be **less than significant,** and no mitigation is required.

Operation. As stated previously, development of the proposed project would result in a total impervious surface area of 1.06 acres (76.8 percent), which would increase stormwater runoff and could potentially result in flooding. However, as discussed above, the project site is not within a 100-year floodplain and therefore would not impede or redirect flood flows. Additionally, the proposed LID BMPs (modular wetland and underground detention basin), which have been designed to be consistent with the requirements of the San Bernardino County MS4 Permit (**Standard Condition HYD-3**), would capture and treat stormwater runoff consistent with the requirements of the San Bernardino County MS4 Permit. Compliance with the San Bernardino County MS4 Permit (**Standard Condition HYD-3**) would ensure that operational activities would not result in a substantial increase in the rate or amount of surface runoff or impede or redirect flood flows in a manner that would result in on- or off-site flooding and impacts would be **less than significant**. No mitigation is required.

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

Less Than Significant Impact. Under existing conditions, the project site is 100 percent pervious and stormwater sheet flows to the southeast and exits the site via a v-ditch down drain located just beyond the southeastern corner of the project site. Stormwater runoff captured on the project site during construction and operation of the proposed project would have the potential to increase stormwater runoff volumes and pollutants that could affect stormwater drainage systems.

Construction. As discussed above, project construction would comply with the requirements of the Construction General Permit and County Development Code and would include the preparation and implementation of a SWPPP (**Standard Conditions HYD-1 and HYD-2**). The SWPPP would specify construction BMPs to control and direct on-site surface runoff to ensure that stormwater runoff from the construction site does not exceed the capacity of the stormwater drainage system and does not discharge polluted runoff during construction activities. With implementation of **Standard Conditions HYD-1 and HYD-2**, construction impacts related to exceeding the capacity of the stormwater drainage system or additional polluted runoff would be **less than significant**, and no mitigation is required.

Operation. As discussed in Section X.a above, the proposed project would capture and retain the DCV and gradually release it so that stormwater runoff does not exceed the capacity of the existing stormwater system pursuant to the requirements of the San Bernardino County MS4 Permit (**Standard Condition HYD-3**). Additionally, as discussed above, the proposed project would adequately treat pollutants of concern in stormwater runoff with a modular wetland system before discharging off-site and entering the existing v-ditch down drain located south of the project site in accordance with the San Bernardino County MS4 Permit (**Standard Conditions HYD-3**). Therefore, implementation of **Standard Condition HYD-3** would ensure the proposed project

would not exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be **less than significant**, and no mitigation is required.

iv. Impede or redirect flood flows?

Less than Significant Impact. Please refer to the Response to Checklist Question X(c)(ii).

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

Less Than Significant Impact. As discussed above, the project site is not located within a 100-year flood zone; therefore, there is no risk of a release of pollutants from the project site due to inundation from a flood.

The project site is approximately 64 miles east of the Pacific Ocean and the San Gabriel Mountains are between the project site and the Pacific Ocean. Based on the distance from the Pacific Ocean and the presence of an intervening mountain range, there is no risk of a release of pollutants from the project site due to inundation from a tsunami.

Seiches are oscillations in enclosed bodies of water that are caused by a number of factors, most often wind or seismic activity. The nearest major water feature is Silverwood Lake located approximately 8 miles east of the project site. Given the distance of large standing bodies of water from the project site, there is no risk of a release of pollutants from the project site due to seiche-related flooding. Given that the project site is not located within a flood hazard zone and the distance from the Pacific Ocean and from closed bodies of water, implementation of the proposed project would not result in a flood hazard, tsunami, or seiche, risking release of pollutants due to project site inundation. Impacts would be **less than significant**, and no mitigation is required.

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

Less Than Significant Impact. The project site is within the jurisdiction of the Santa Ana RWQCB. The Santa Ana RWQCB adopted a Water Quality Control Plan (i.e., Basin Plan) (January 1995, updated June 2019) that designates beneficial uses for all surface and groundwater within its jurisdiction and establishes the water quality objectives and standards necessary to protect those beneficial uses. The proposed project would comply with the Construction General Permit and the existing San Bernardino County MS4 Permit, which requires preparation of a SWPPP, preparation of a Final WQMP, and implementation of construction and operational BMPs to reduce pollutants of concern in stormwater runoff. Therefore, the proposed project would not result in water quality impacts that would conflict with the Basin Plan. Impacts related to a conflict with the Basin Plan would be **less than significant,** and no mitigation is required.

The Sustainable Groundwater Management Act (SGMA) was enacted in September 2014. The SGMA requires governments and water agencies of high- and medium-priority basins to halt overdraft of groundwater basins. The SGMA requires the formation of local Groundwater Sustainability Agencies, which are required to adopt Groundwater Sustainability Plans (GSPs) to manage the sustainability of the groundwater basins. The project site is located within the Upper Santa Ana Valley-Cajon Groundwater Basin. This Basin is identified by the Department of Water Resources as a very low priority basin; therefore, development of a GSP or an approved GSP alternative is not required.

As discussed previously, due to the depth to groundwater, it is not expected that any stormwater that may infiltrate during construction would affect groundwater quality because the groundwater table is deep. Additionally, on-site soils have low infiltration rates. After the project site is developed, stormwater would only infiltrate in the landscaped areas on the project site and stormwater collected by the impervious surface areas on the site would not infiltrate into the soil. Furthermore, pollutants in stormwater are generally removed by soil through absorption as water infiltrates. Therefore, in areas of deep groundwater, there is more absorption potential and, as a result, less potential for pollutants to reach groundwater. Therefore, due to the depth to groundwater, it is not expected that any storm water that may infiltrate during construction or operation would affect groundwater quality because there is not a direct path for pollutants to reach groundwater.

As previously discussed, the project site is 100 percent pervious, and implementation of the proposed project would increase impervious surface area on the project site by 1.06 acres. Although development of the proposed project would increase the impervious surface area on the project site and decrease on-site infiltration, the soils on the project site have low infiltration rates. Therefore, the proposed project would not substantially impact groundwater supplies when compared to existing conditions. Furthermore, the project site is located within a very low priority basin and therefore the SGMA provisions do not apply. Impacts related to a conflict with or obstruction of a water quality control plan or sustainable groundwater management plan would be **less than significant**. No mitigation is required.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XI.	**LAND USE AND PLANNING** - Would the project:				
a)	Physically divide an established community?	☐	☐	☐	☒
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☒	☐	☐

SUBSTANTIATION:

- ***Countywide Plan;***
- ***Submitted Project Materials***

a) *Physically divide an established community?*

No Impact. The physical division of an established community typically refers to the construction of a physical feature (such as an interstate or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying area. For instance, the construction of an interstate highway or railroad track through an existing community may constrain travel from one side of the community to another; similarly, such construction may also impair travel to areas outside the community.

The project site is located within Cajon Pass, which is a mountain pass between the San Bernardino Mountains to the east and the San Gabriel Mountains to the west. The project site is bounded by commercial uses to the northwest (McDonalds, Chevron), Wagon Train Road and open space to the northeast, open space and the Cajon Pass Wastewater Treatment Plant to the southeast, and Interstate 15 to the southwest. The project site is not located within an existing community and does not include the installation of infrastructure or roadways that would have the potential to divide an existing community. Additionally, the proposed project would develop the 1.42 acre project site with a gas station, car wash, and convenience store, which is similar to the existing development immediately north of the project site. Therefore, there would be **no impacts** from the physical division of an established community, and mitigation is not required.

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?*

Less Than Significant with Mitigation Incorporated. As previously discussed, the project site is located within the General Commercial General Plan Land Use Designation and the General Commercial – Sign Control primary zoning district within the County's Mountain Region. Additionally, the project site is located within the County's Sign Control (SC) Overlay and Fire Safety Overlay (FS1).

Chapter 82.01 of the County Development Code indicates that the General Commercial zoning district "provides sites for 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". According to Table 82-11 of the County Development Code, the proposed convenience store, car wash, and gas station uses are permitted within the General Commercial zoning district with a Minor Use Permit (MUP). The proposed project would include a MUP to allow for the development of the proposed use on the project site.

Additionally, as discussed in Section IV.c, the proposed project would be designed and developed in accordance with the standards prescribed in Table 82-14B of the County Development Code. For example, the heights of the proposed buildings would not exceed 35 feet and the proposed impervious surface area would not exceed 80 percent. Furthermore, the proposed freeway sign on the project site (see **Figure 1: Site Plan**) would comply with the requirements of the SC Overlay, which restricts the height of freestanding stands to 25 feet as codified in Chapter 82.12 of the County Development Code.

Finally, the FS1 Overlay designation corresponds to the geographic areas and associated wildfire hazard primarily due to native fuel types, topography, and prevailing weather conditions (e.g., Santa Ana winds). Accordingly, the FS1 Overlay designation prescribes permit application requirements, including the preparation of a fuel modification plan, and development standards related to emergency access, fuel modification areas, building material requirements, and access to water supplies as codified in Chapter 82.13 of the County Development Code. As discussed in Section IX, Hazards and Hazardous Materials and Section XX, Wildfire, the project would be required to implement **Mitigation Measures HAZ-1 and WF-1 through WF-4**, which would ensure compliance with all applicable FS1 Overlay requirements.

Finally, the proposed project would be subject to the County's design review and plan check process, which would ensure that the proposed project complies with all applicable requirements for development within the General Commercial zoning district, SC Overlay, and FS1 overlay. Therefore, with adherence to all applicable requirements and implementation of **Mitigation Measures HAZ-1 and WF-1 through WF-4,** the project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect and impacts would be **less than significant with mitigation incorporated**.

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

SUBSTANTIATION: *(Check ☐ if project is located within the Mineral Resource Zone Overlay):*

- ***2020 Countywide Plan (San Bernardino County 2020)***
- ***San Bernardino Countywide Plan Draft Environmental Impact Report (San Bernardino County 2019)***
- ***Submitted Project Materials***

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

Less Than Significant Impact. In 1975, the California Legislature enacted the Surface Mining and Reclamation Act which, among other things, provided guidelines for the classification and designation of mineral lands. Areas are classified on the basis of geologic factors without regard to existing land use and land ownership. The areas are categorized into four Mineral Resource Zones (MRZs):

MRZ-1 An area where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.

MRZ-2 An area where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence.

MRZ-3 An area containing mineral deposits, the significance of which cannot be evaluated.

MRZ-4 An area where available information is inadequate for assignment to any other MRZ zone.

Of the four categories, lands classified as MRZ-2 are of the greatest importance. Such areas are underlain by demonstrated mineral resources or are located where geologic data indicate that significant measured or indicated resources are present. MRZ-2 areas are designated by the State of California Mining and Geology Board as “regionally significant.” Such designations require that a Lead Agency’s land use decisions involving designated areas are to be made in accordance with its mineral resource management policies and that it considers the importance of the mineral resource to the region or the State as a whole, not just to the Lead Agency’s jurisdiction.

According to the San Bernardino Countywide Plan Draft Environmental Impact Report, the project site and vicinity are not located within MRZ-2 or MRZ-3. Therefore, the probability of the project site containing valuable mineral resources is low. Additionally, the County designates the project site and land to the north, south, and west for General Commercial uses, and commercial uses are developed immediately northwest of project site. Therefore, mineral resources mining is not a use compatible with the proposed on-site uses or the existing and planned uses adjacent to the project site. Finally, the project site and vicinity are not considered a State-designated mineral resource extraction zone. Mineral resources extraction would conflict with the purpose and scope of the existing

General Plan land use designation and Zoning District in this part of the County. Therefore, impacts from the loss of available mineral resources would be **less than significant**. Mitigation is not required

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?*

Less Than Significant Impact. Please refer to Section XII.a, above.

Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XIII. NOISE - Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

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

- ***2020 Countywide Plan (San Bernardino County 2020a)***
- ***Noise Calculations (Appendix F)***
- ***Hesperia Airport Comprehensive Land Use Plan Report (San Bernardino County Airport Land Use Commission 1991)***
- ***San Bernardino Countywide Plan Draft Environmental Impact Report (San Bernardino County 2019)***
- ***Submitted Project Materials***
- ***Transportation Impact Study (LSA 2023e)***

Noise. Noise is usually defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, or sleep. Several noise measurement scales exist that are used to describe noise in a particular location. A decibel (dB) is a unit of measurement that indicates the relative intensity of a sound. Sound levels in decibels are calculated on a logarithmic basis. An increase of 10 dB represents a tenfold increase in acoustic energy, while 20 dB is 100 times more intense, and 30 dB is 1,000 times more intense. Each 10 dB increase in sound level is perceived as approximately a doubling of loudness; similarly, each 10 dB decrease in sound level is perceived as half as loud. Sound intensity is normally measured through the A-weighted sound level (dBA). This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. The A weighted sound level is the basis for 24-hour sound measurements, which better represents how humans are more sensitive to sound at night.

As noise spreads from a source, it loses energy; therefore, the farther away the noise receiver is from the noise source, the lower the perceived noise level. Geometric spreading causes the sound level to attenuate or be reduced, resulting in a 6 dB reduction in the noise level for each doubling of distance from a single point source of noise to the noise-sensitive receptor of concern.

There are many ways to rate noise for various time periods, but an appropriate rating of ambient noise affecting humans also accounts for the annoying effects of sound. The equivalent continuous sound level (L_{eq}) is the total sound energy of time-varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the L_{eq}, the community noise equivalent level (CNEL), and the day-night average level (L_{dn}) based on A-weighted decibels. CNEL is the time-varying noise over a 24-hour period, with a 5 dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours), and a 10 dBA weighting factor applied to noises occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). L_{dn} is similar to the CNEL scale but without the adjustment for events occurring during the evening hours. CNEL and L_{dn} are within 1 dBA of each other and are normally exchangeable.

The County uses the CNEL noise scale for long-term noise impact assessment. Other noise rating scales of importance when assessing the annoyance factor include the maximum instantaneous noise level (L_{max}), which is the highest exponential time-averaged sound level that occurs during a stated time period. The noise environments discussed in this analysis for short-term noise impacts are specified in terms of maximum levels denoted by L_{max}, which reflects peak operating conditions and addresses the annoying aspects of intermittent noise.

A project would result in a significant noise effect if it would substantially increase the ambient noise levels for adjoining areas or conflict with adopted environmental plans and goals of applicable regulatory agencies, including, as appropriate, the County of San Bernardino. Section 83.01.080 of the County Development Code establishes standards concerning acceptable noise levels for both noise-sensitive land uses and noise-generating land uses. Noise limits are based on the receiving land uses as shown in

Table XIII.A: Noise Standards for Stationary Noise Sources. Areas are designated "noise impacted" if exposed to existing or projected future exterior noise levels exceeding these standards. If the noise consists entirely of impact noise or simple tone noise, each of the noise levels in **Table XIII.A** should be reduced by 5 dBA.

Section 83.01.080(d) of the San Bernardino County Code identifies mobile noise source related standards (see **Table XIII.B: Noise Standards for Adjacent Mobile Noise Sources**). Exterior transportation (mobile) noise level standards for residential land uses in the project study area 60 dBA CNEL, while non-noise sensitive land uses, such as office uses, require exterior noise levels of 65 dBA CNEL.

Table XIII.A: Noise Standards for Stationary Noise Sources

Affected Land Uses (Receiving Noise)	7:00 AM to 10:00 PM L_{eq}	10:00 PM to 7:00 AM L_{eq}
Residential	55 dBA	45 dBA
Professional Services	55 dBA	55 dBA
Other Commercial	60 dBA	60 dBA
Industrial	70 dBA	70 dBA

Source: Table 5.12-5, *San Bernardino Countywide Plan Draft Environmental Impact Report (County of San Bernardino 2022)*.
Note: Noise levels at receiving properties may not exceed the standards:
[1] For a cumulative period of more than 30 minutes in any hour (equivalent to the L50 statistical sound level).
[2] +5 dBA for a cumulative period of more than 15 minutes in any hour (equivalent to the L25 statistical sound level).
[3] +10 dBA for a cumulative period of more than 5 minutes in any hour (equivalent to the L8 statistical sound level).
[4] +15 dBA for a cumulative period of more than 1 minute of any hour (equivalent to the L2 statistical sound level).
[5] +20 dBA for any period of time (equivalent to the L_{max} statistical sound level).
If the measured ambient level exceeds any for the first four noise limit categories, the allowable noise exposure standard shall be increased to reflect the ambient noise level. If the ambient noise level exceeds the fifth noise limit category, the maximum allowable noise level under this category shall be increased to reflect the maximum ambient noise level.
L_{eq} = equivalent continuous sound level

Table XIII.B: Noise Standards for Adjacent Mobile Noise Sources

Categories	Land Uses	L_{dn} (or CNEL), dBA	
		Interior[1]	Exterior[2]
Residential	Single-family and multifamily, duplex, mobile homes	45	60[3]
Commercial	Hotel, motel, transient housing	45	60[3]
	Commercial retail, bank, restaurant	50	N/A
	Office Building, research and development, professional offices	45	65
	Amphitheater, concert hall, auditorium, movie theater	45	N/A
Institutional/ Public	Hospital, nursing home, school classroom, religious institution, library	45	65
Open Space	Park	N/A	65

Source: Table 5.12-10, *San Bernardino Countywide Plan Draft Program Environmental Impact Report (County of San Bernardino 2019)*.
[1] The indoor environment shall exclude bathrooms, kitchens, toilets, closets, and corridors.
[2] The outdoor environment shall be limited to: hospital/office building patios; hotel and motel recreation areas; mobile home parks; multifamily private patios or balconies; park picnic areas; private yard of single-family dwellings; and, school playgrounds.
[3] An exterior noise level of up to 65 dBA L_{dn} (or CNEL) shall be allowed provided exterior noise levels have been substantially mitigated through a reasonable application of the best available noise reduction technology, and interior noise exposure does not exceed 45 dBA (or CNEL) with windows and doors closed. Requiring that windows and doors remain closed to achieve an acceptable interior noise level shall necessitate the use of air conditioning or mechanical ventilation.
CNEL = Community Noise Equivalent Level
dBA = A-weighted decibels
L_{dn} = day-night average noise level
N/A = Not Applicable

Under Development Code Section 83.01.080(g)(3), the County exempts construction activities from 7:00 a.m. to 7:00 p.m., except on Sundays and federal holidays; motor vehicles not under the control of the commercial or industrial use; and emergency equipment, vehicles, and devices. Neither the 2020 Countywide Plan or Development Code establish numeric maximum acceptable construction source noise levels (numerical construction threshold) at potentially affected receivers, which would otherwise allow for a quantified determination of what CEQA constitutes a substantial temporary or periodic noise increase. Therefore, a threshold based on Federal Transit Administration (FTA) *Transit Noise and Vibration Impact Assessment Manual* (2018) is used for analysis of daytime construction impacts. **Table XIII.C: Detailed Assessment Construction Noise Criteria** identifies the FTA's Construction Noise Criteria based on the composite noise levels per construction phase.

Table XIII.C: Detailed Assessment Construction Noise Criteria

Land Use	Daytime 1-hour L_{eq} (dBA)	Nighttime 1-hour L_{eq} (dBA)
Residential	80	70
Commercial	85	85
Industrial	90	90

Source: *Transit Noise and Vibration Impact Assessment Manual* (FTA 2018).
dBA = A-weighted decibels
L_{eq} = equivalent continuous sound level

Vibration. Vibration refers to ground-borne noise and perceptible motion. Ground-borne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors where the motion may be discernible. However, without the effects associated with the shaking of a building, there is less adverse reaction. Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. Building damage is not a factor for normal operation and construction activities with the occasional exception of blasting and pile driving during construction. Typical sources of ground-borne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. Impacts with ground-borne vibration and noise from these sources are usually localized to areas within approximately 100 feet of the vibration source.

The County of San Bernardino Development Code, Section 83.01.090(a) states that vibration shall be no greater than or equal to 0.2 inch per second measured at or beyond the lot line. Therefore, to determine the vibration levels due to the operation and construction of the project, the peak particle velocity (PPV) vibration level standard of 0.2 inch per second (in/sec) is used.

Existing Noise Environment. The project site is located in an unincorporated portion of the County where commercial buildings are the dominant uses. The ambient noise environment includes vehicle/truck traffic along Interstate 15 (I-15) to the west of the project site.

Existing noise level measurements were specifically taken for the project site, as shown in **Figure 5: Noise Monitoring Locations.** A long-term noise measurement was conducted on December 2, 2021, at three locations: near the northwest and north boundaries of the project site (LT-1 and LT-2) and east of project site opposite Wagon Train Road (LT-3). The long-term noise measurements indicated a range of ambient noise level from 71.6 to 83.3 dBA CNEL.

Certain land uses are considered more sensitive to noise than others. Examples of these include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The project site is generally surrounded by commercial uses and vacant land. The land use opposite Wagon Train Road is zoned as residential (RS-1) and is considered a potential sensitive noise receptor.

Existing Traffic Noise Contours. The guidelines included in the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (1977; FHWA RD-77-108) were used to evaluate traffic-related noise conditions along roadway segments in the project vicinity. This model requires various parameters, including traffic volumes, vehicle mix, vehicle speed, and roadway geometry to compute typical equivalent noise levels during daytime, evening, and nighttime hours. The resultant noise levels are weighted and summed over 24-hour periods to determine the CNEL values. Existing traffic noise contours along modeled roadway segments are shown in **Table XIII.D: Existing Traffic Noise Levels**. These noise levels represent the worst-case scenario, which assumes that no shielding is provided between the traffic and the locations where the noise contours are drawn.

Table XIII.D: Existing Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 dBA CNEL (ft)	Centerline to 65 dBA CNEL (ft)	Centerline to 60 dBA CNEL (ft)
SR-138 West of I-15 Southbound Ramp	22,140	86	178	381
SR-138 East of I-15 Northbound Ramp	11,810	62	120	252
Wagon Train Road South of SR-138	2,060	<50	<50	<50

Source: LSA, Appendix F. (June 2023).
ADT = average daily traffic
CNEL = Community Noise Equivalent Level
dBA = A-weighted decibels
ft = feet

a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards*

Less Than Significant Impact. Noise impacts from the proposed project would be associated with construction and operational stationary noise. The project would consist of the construction of a new convenience store, gasoline station, and drive-through car wash on a site that is currently vacant.

Construction Noise Impacts. Construction of the proposed project would include activities that would result in a temporary increase in ambient noise levels in the project

site vicinity. Maximum construction noise levels would be short-term, generally intermittent depending on the construction phase, and variable depending on receiver distance from the active construction zone. The duration of noise impacts generally would be from one day to several days, depending on the phase of construction. Two types of short-term noise impacts could occur during construction of the proposed project. First, construction crew commutes and the transport of construction equipment and materials to the project site would incrementally increase noise levels on roads leading to the site. Although there would be a relatively high single-event noise exposure potential during heavy trucks passing by and causing intermittent noise nuisance (passing trucks at 50 feet would generate up to a maximum of 72 dBA), the effect on longer-term (hourly or daily) ambient noise levels would be small when compared to existing daily traffic volume on I-15 and Wagon Train Road. At all phases, construction noises do not exceed the County threshold of 80 dBA L_{eq} at all receiver locations. Therefore, short-term, construction-related impacts associated with worker commute and equipment transport to the project site would be **less than significant**. Mitigation is not required.

The second type of potential short-term noise impact is related to noise generated during site preparation, grading, building construction, paving, and architectural coating. Construction is completed in discrete steps, each of which has its own mix of equipment and consequently its own noise characteristics. The site preparation and grading phase, which includes excavation and grading of the site, tends to generate the highest noise levels because earthmoving equipment is the noisiest construction equipment. Additionally, this phase would be the longest of the phases expected to occur near the project site boundary. The three loudest pieces of equipment during this phase are estimated to include an excavator, grader, and dozer. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full-power operation followed by 3 or 4 minutes at lower power settings.

Consistent with FTA guidance, utilizing the equations from the methodology above, and the reference information in **Table XIII.E: Typical Maximum Construction Equipment Noise Levels**, the composite noise level of the two loudest pieces of equipment during construction, typically the concrete saw and tractor/truck, as required by the FTA criteria, would be 85.5 dBA L_{eq} at a distance of 50 feet from the construction area. Once composite noise levels are calculated, reference noise levels can then be adjusted for distance. In general, this equation shows that doubling the distance would decrease noise levels by 6 dBA, while halving the distance would increase noise levels by 6 dBA.

The average noise level during the construction at the nearest noise-sensitive use (the potential residential units approximately 170 feet east of the center of project site), would be 76 dBA L_{eq}. The noise generated by construction activities on the project site would be lower than the 80 dBA L_{eq} criteria established by the FTA for residential uses. Additionally, the County Development Code Section 83.01.080 exempts construction activities from 7:00 a.m. to 7:00 p.m. except on Sundays and federal holidays. As such, construction noise would not be considered an impact unless construction activities occurred outside of this exemption time. Impacts associated with project construction activities would be **less than significant,** and mitigation is not required.

Table XIII.E: Typical Maximum Construction Equipment Noise Levels (L_{max})

Type of Equipment	Acoustical Usage Factor	Suggested Maximum Sound Levels for Analysis (dBA L_{max} at 50 feet)
Air Compressor	40	80
Backhoe	40	80
Cement Mixer	50	80
Concrete/Industrial Saw	20	90
Crane	16	85
Excavator	40	85
Forklift	40	85
Generator	50	82
Grader	40	85
Loader	40	80
Pile Driver	20	101
Paver	50	85
Roller	20	85
Rubber Tire Dozer	40	85
Scraper	40	85
Tractor	40	84
Truck	40	84
Welder	40	73

Source: Table 9.1, *Highway Construction Noise Handbook*. (FHWA 2006).
dBA = A-weighted decibel(s)
FHWA = Federal Highway Administration
L_{max} = maximum instantaneous noise level

Long-Term Off-Site Noise Impacts. The proposed project has the potential to result in noise impacts to off-site surrounding uses from increases in traffic and operations related to parking lot, car wash operations, and HVAC equipment. The following sections provide further details for these potential impacts and support the determination of **less than significant** and requiring no mitigation.

Traffic Noise Impacts. The FHWA Highway Traffic Noise Prediction Model (FHWA RD-77-108) was used to evaluate traffic-related noise conditions along roadway segments in the project vicinity. This model requires various parameters, including traffic volumes, vehicle mix, vehicle speed, and roadway geometry, to compute typical equivalent noise levels during daytime, evening, and nighttime hours. The resulting noise levels are weighted and summed over 24-hour periods to determine the CNEL values. **Table XIII.F: Opening Year Traffic Noise Levels** and **Table XIII.G: Build-out (2040) Traffic Noise Levels** shows the Opening Year with and without project and the Build-out Year with and without project traffic noise levels along the studied roadway segments.

These noise levels represent the worst-case scenario, which assumes that no shielding is provided between the traffic and the location where the noise contours are drawn. As detailed in **Table XIII.F** and **Table XIII.G,** the project-related noise increases would be up to 4.8 dBA on Wagon Train Road to reach a level of approximately 60 dBA CNEL.

Table XIII.F: Opening Year Traffic Noise Levels

Opening Year Without Project Conditions						Opening Year With Project Conditions						
Roadway Segment	**ADT**	**Centerline to 70 CNEL (ft)**	**Centerline to 65 CNEL (ft)**	**Centerline to 60 CNEL (ft)**	**CNEL (dBA) 50 ft from Centerline of Outermost Lane**	**ADT**	**Increase in ADT**	**Centerline to 70 CNEL (ft)**	**Centerline to 65 CNEL (ft)**	**Centerline to 60 CNEL (ft)**	**CNEL (dBA) 50 ft from Centerline of Outermost Lane**	**Increase from Baseline Conditions**
SR-138 West of I-15 Southbound Ramp	22,620	87	181	387	71.1	23,380	760	89	185	395	71.2	0.1
SR-138 East of I-15 Northbound Ramp	12,150	63	122	257	68.0	14,410	2,260	68	136	287	68.8	0.8
Wagon Train Road South of SR-138	2,230	<50	<50	<50	54.8	6,630	4,400	< 50	<50	66	59.6	4.8

Source: LSA, Appendix F. (June 2023).
ADT = average daily traffic
CNEL = Community Noise Equivalent Level
dBA = A-weighted decibels
ft = feet

Table X.III.G: Build-Out (2040) Traffic Noise Levels

Build-Out (2040) Without Project Conditions						Build-Out (2040) With Project Conditions						
Roadway Segment	**ADT**	**Centerline to 70 CNEL (ft)**	**Centerline to 65 CNEL (ft)**	**Centerline to 60 CNEL (ft)**	**CNEL (dBA) 50 ft from Centerline of Outermost Lane**	**ADT**	**Increase in ADT**	**Centerline to 70 CNEL (ft)**	**Centerline to 65 CNEL (ft)**	**Centerline to 60 CNEL (ft)**	**CNEL (dBA) 50 ft from Centerline of Outermost Lane**	**Increase from Baseline Conditions**
SR-138 West of I-15 Southbound Ramp	28,290	100	209	449	72.0	29,050	760	101	213	457	72.1	0.1
SR-138 East of I-15 Northbound Ramp	18,660	79	160	341	69.9	20,920	2,260	84	173	367	70.4	0.5
Wagon Train Road South of SR-138	2,380	< 50	< 50	< 50	55.1	6,780	4,400	< 50	< 50	67	59.7	4.6

Source: LSA, Appendix F. (June 2023).
ADT = average daily traffic
CNEL = Community Noise Equivalent Level
dBA = A-weighted decibels
ft = feet

This level is well below the existing ambient noise level at the site of 71.6 CNEL, with traffic on I-15 as the major noise contributor, and would not cause an increase of 3 dBA or more to the residential parcel north of the project site. The noise increase resulting from project traffic are below the significance criteria for off-site noise-sensitive receptors. Therefore, off-site traffic noise impacts would be **less than significant,** and mitigation is not required.

HVAC Equipment. The proposed project would have various rooftop mechanical equipment including HVAC units on the proposed building. To be conservative, it is assumed the project could have two (2) rooftop HVAC units and operate 24 hours per day. The HVAC equipment could operate 24 hours per day and would generate sound power levels (SPL) of up to 87 dBA SPL or 72 dBA L_{eq} at 5 feet, based on manufacturer data (Trane).

Truck Delivery and Truck Loading and Unloading Activities. Truck delivery and truck loading/unloading activities for the proposed project would be located on the east side of the project site. These activities would occur both during daytime and nighttime hours. Noise levels generated from these activities would generate a noise level of 75 dBA L_{eq} at 20 feet based on measurements taken by LSA (*Operational Noise Impact Analysis for Richmond Wholesale Meat Distribution Center* [LSA 2016]). Although a typical truck-unloading process takes an average of 15–20 minutes, this maximum noise level occurs in a much shorter period of time (less than 5 minutes). The closest sensitive receptor (potential single-family residential unit) to the project's truck delivery and truck loading/unloading zone is located approximately 110 feet east.

Car Wash Operations. The project includes a drive-through car wash, which would generate operational noise. Based on reference noise level measurements conducted by LSA at a similar car wash facility (LSA 2023d), noise levels at the car wash tunnel exit are 78.7 dBA L_{eq} at a distance of 25 feet. Additionally, noise levels at the car wash tunnel entrance are 75.8 dBA L_{eq} at a distance of 25 feet.

Trash Enclosure Activity. The proposed project would include a trash enclosure near the southeastern end of the project site. Noise levels generated by trash enclosures are of short-term duration, less than 1 minute. Noise levels that occur during the unloading of trash enclosures by large trucks typically generate noise levels of approximately 84 dBA at 50 feet based on measurements presented in *Investigation of Dumpster Noise Controls* (Daly-Standlee & Associates, Inc. 2003).

Using the hourly noise levels for noise sources[3] cited above, the combined daytime and nighttime operational noise levels would range from 43.1–50.9 dBA L_{eq} at the closest commercial use to the north (Refer to Appendix F for noise calculations). These operational noise levels do not exceed the County noise level standards of 60 dBA L_{eq} for commercial uses (or the existing ambient noise levels of 62.4–78.5 dBA L_{eq} daytime and 64.4–77.2 dBA L_{eq} nighttime). Furthermore, the combined daytime and nighttime operational noise levels at nearby potential sensitive receptors to the east would range from 52.2–53.8 dBA L_{eq}. These operational noise levels do not exceed the County noise

[3] HVAC Equipment, Truck Delivery and Truck Loading and Unloading Activities, Car Wash Operations, and Trash Enclosure Activity.

level standards for residential uses for daytime (or the existing ambient noise levels of 58.9–68.0 dBA L_{eq} daytime and 63.2–67.0 dBA L_{eq} nighttime). At these same receptors; therefore, the project is consistent with Section 83.01.080 of the County Development Code. The noise increase between the ambient and future (ambient plus operational noise) condition ranges from 0.2 to 1.2 dBA L_{eq} at the nearest receptors. This level of noise increase is not perceptible to humans and does not exceed the significance threshold for noise increases (minimum 1.5 dBA L_{eq}). As the operational noise levels would not exceed established thresholds, impacts would be **less than significant,** and mitigation is not required.

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

Less Than Significant Impact. Construction can generate varying degrees of ground-borne vibration depending on the construction procedures and the construction equipment used. Construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings located in the vicinity of the construction site often varies depending on soil type, ground strata, and construction characteristics of the receptor buildings. The results from ground-borne vibration can range from no perceptible effects at the lowest ground-borne vibration levels to low rumbling sounds and perceptible ground-borne vibration at moderate levels, to slight damage at the highest levels. Ground-borne vibration from construction activities rarely reaches the levels that damage structures. As described above, County Development Code Section 83.01.0 prohibits vibration that can be felt without the aid of instruments or procedures greater than or equal to 0.20 in/sec PPV at or beyond the line of the source. **Table XIII.H: Vibration Amplitudes for Construction Equipment** lists the vibration source amplitudes for construction equipment.

Table XIII.H: Vibration Amplitudes for Construction Equipment

Equipment	Reference PPV at 25 feet (in/sec)
Large Bulldozer[1]	0.089
Loaded Trucks	0.076
Jackhammer	0.035
Small Bulldozer	0.003

Source: *Transit Noise and Vibration Impact Assessment Manual* (FTA 2018).
[1] Equipment shown in bold is expected to be used on site.
FTA = Federal Transit Administration PPV = peak particle velocity
in/sec = inches per second

Table XIII.H identifies the PPV values at 25 feet from the construction vibration source. Bulldozers and other heavy-tracked construction equipment (except for pile drivers and vibratory rollers) generate approximately 0.089 inch/sec PPV of ground-borne vibration when measured at 25 feet. The greatest levels of vibration are anticipated to occur during the site preparation phase, which is expected to use a bulldozer and a loaded truck. Project construction would not require the use of pile drivers. All other phases are expected to result in lower vibration levels.

The closest building to the proposed construction activities is the existing restaurant (McDonald's) located north of the project site, approximately 200 feet from the edge of construction. County Development Code Section 83.01.0 prohibits vibration that can be

felt without the aid of instruments or procedures greater than or equal to 0.20 in/sec PPV at or beyond the line of the source. Vibration levels created by heavy construction activities associated with the project would approach 0.004 PPV in/sec at a distance of 200 feet and would not exceed 0.2 in/sec PPV across the project boundary line. Therefore, construction vibration impacts would be **less than significant,** and mitigation is not required.

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

No Impact. The project site is located approximately 9.6 miles southwest of Hesperia Airport. The project site is located well outside the 60-65 dBA CNEL contour line. As a result, the proposed project would not expose people residing or working in the project area to excessive noise levels from aircraft. Therefore, no impacts from airport-related noise would occur, and mitigation is not required.

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

SUBSTANTIATION:

• 2020 Countywide Plan (San Bernardino County 2020)

• San Bernardino Countywide Plan Draft Environmental Impact Report (San Bernardino County 2019)

• Submitted Project Materials

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)?*

Less than Significant. CEQA Guidelines Section 15126.2[d] identifies a project as growth inducing if it fosters economic or population growth, or the construction of additional housing either directly or indirectly in the surrounding environment. New employees from commercial or industrial development and new population from residential development represent direct forms of growth, which have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area.

Under CEQA, growth inducement is not considered necessarily detrimental, beneficial, or of little significance to the environment. Typically, the growth-inducing potential of a project would be considered substantial if it fosters growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning agencies (e.g., SCAG).

The proposed project does not include development of residential uses and there would be no direct increase in population. However, implementation of the project would generate employees, which may result in population growth. According to the Project Applicant, the project is anticipated to generate up to approximately 16 employees.

Although the project would generate up to approximately 16 employees, growth-inducing potential of a project would only be considered substantial under CEQA if it fosters growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning agencies (e.g., SCAG). As discussed in Section XI, Land Use and Planning, the project site is located within the General Commercial land use designation, and implementation of the proposed project would be consistent with the County's General Plan land use designation prescribed for the project site. Therefore, development of the project site with the proposed commercial uses is consistent with the growth projections of the Countywide General Plan, and the project would not foster growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning agencies (e.g., SCAG).

Since the proposed project would be consistent with the County's land use designation for the project site, the project would not generate employment growth beyond what is anticipated by pertinent master plans, land use plans, or in projections made by regional planning agencies (e.g., SCAG). Therefore, the proposed project would not directly or indirectly induce substantial growth in the County. Impacts would be **less than significant,** and mitigation is not required.

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

No Impact. The project site is currently vacant, and no housing occurs on the project site. Therefore, implementation of the proposed project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. **No impact** would occur, and no mitigation is required.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XV.	**PUBLIC SERVICES**				
a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	Fire Protection?	☐	☒	☐	☐
	Police Protection?	☐	☐	☒	☐
	Schools?	☐	☐	☐	☒
	Parks?	☐	☐	☒	☐
	Other Public Facilities?	☐	☐	☒	☐

SUBSTANTIATION:

- **2020 Countywide Plan (San Bernardino County 2020)**
- **An Evaluation of the School Facility Fee Affordable Housing Assistance Programs (California Legislative Analyst's Office 2001)**
- **Fire Hazard Severity Zone Viewer (CALFIRE n.d.)**
- **Fire Protection Plan (FIREWISE2000, LLC 2023)**
- **San Bernardino Countywide Plan Draft Environmental Impact Report (San Bernardino County 2019)**
- **Submitted Project Materials**
- **Traffic Impact Analysis (LSA 2023e)**

The Traffic Impact Analysis (LSA 2023e) and the Fire Protection Plan (FIREWISE2000, LLC 2023) are included in this Initial Study as Appendix G and Appendix H, respectively.

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?

Less Than Significant with Mitigation Incorporated. The San Bernardino County Fire Department (SBCFD), Division 5, provides fire protection, fire prevention, and emergency services to the project site. The County Fire Department covers a 19,278-

square-mile territory through 85 fire stations and facilities that serve more than 60 unincorporated communities and areas within San Bernardino County.

The project site is located within the Cajon Pass, which is a mountain pass between the San Bernardino Mountains to the east and the San Gabriel Mountains to the west. As discussed in Section XX, Wildfire, the project site is mapped within CAL FIRE's Very High Fire Hazard Severity Zone (VHFHSZ). Mormon Rocks Fire Station 14 is located 2.1 miles west of the site and is the closest fire station to the project site; however, this fire station is within the U.S. Department of Agriculture's (USDA) Forest Service jurisdiction, which provides fire protection services within the San Bernardino National Forest. San Bernardino County Fire Station 40 is the closest SBCFD fire station to the project site and is located approximately 7.0 miles northeast of the project site. Average travel time between Fire Station 40 and the project site is 11 minutes. As discussed in XVII, Transportation, the project would not adversely affect the surrounding transportation network or increase the congestion on roadways within the project vicinity with recommended improvements. Therefore, the project is not expected to reduce the SBCFD's response times due to increased congestion on area roadways.

As discussed in Section XIV, Population and Housing, the project would generate approximately 16 employees (4 employees per shift). Additionally, the proposed uses on the project site (car wash, gas station, convenience store) would attract customers to the site while driving through the Cajon Pass area. Therefore, development of the proposed project may incrementally increase the demand for fire protection services. As discussed in Section XX.a, the Fire Protection Plan (FPP) prepared for the project (Appendix H) determined that given the location and capacity of existing fire stations near the project site and mutual aid agreements with other nearby fire stations not within SBCFD's jurisdiction, the SBCFD would have adequate capacity to serve the proposed project. Additionally, with implementation of **Mitigation Measures HAZ-1 and WF-1 through WF-4,** the project would include several preventative measures to reduce the risk of wildfires originating on-site or exacerbating wildfires that originate off-site, including compliance with all applicable County requirements associated with reducing wildfire risks (flammable hazardous materials, emergency water supply, building code, fire code) and the preparation of an FPP (and Fuel Modification Plan). Therefore, given the existing capacity of nearby fire stations and with implementation of the mitigation measures identified above, the project is not anticipated to increase the demand of existing fire protection services to the degree that would require the construction of new or expanded facilities. Impacts would be **less than significant with mitigation incorporated.**

Police Protection?

Less Than Significant Impact. Police protection services in the County and at the project site are provided by the San Bernardino County Sheriff's Department (Sheriff's Department). The closest Sheriff Department station in proximity to the project site is located approximately 12.7 miles northwest of the site in Phelan. Average travel time between the Sheriff Department station and the project site is 19 minutes. As discussed above, the project would not adversely affect the surrounding transportation network or increase the congestion on roadways within the project vicinity with recommended

improvements. Therefore, the project is not expected to reduce the Sheriff Department's response times due to increased congestion on area roadways.

Implementation of the project would generate approximately 16 employees (4 employees per shift) and attract customers to the site, which could incrementally increase the demand for police services. However, the project would be equipped with formal surveillance through the use of closed-circuit television and electronic monitoring as well as informal surveillance such as architecture, landscaping, and lighting designed to minimize visual obstacles and eliminate places of concealment.

Additionally, the County monitors staffing levels to ensure that adequate police protection and response times continue to be provided as individual development projects are proposed and on an annual basis as part of the County's Board of Supervisors' budgeting process. The continual monitoring of police staffing levels by the County would ensure the proposed project would not result in a significant reduction in police response times.

Based on the information and analysis provided above, the proposed project would not require new or physically altered police protection facilities, the construction of which could cause significant environmental effects. Therefore, impacts would be **less than significant,** and mitigation is not required.

Schools?

No Impact. The project does not include housing; therefore, no increase in the number of school-age students would occur. California Government Code (Section 65995[b]) establishes the base amount of allowable developer fees imposed by school districts. These base amounts are commonly referred to as "Level 1 fees" and are subject to inflation adjustment every two years. School districts are placed into a specific "level" based on school impact fee amounts that are imposed on the development. With the adoption of Senate Bill 50 and Proposition 1A in 1998, schools meeting certain criteria can now adopt Level 2 and 3 developer fees. The amount of fees that can be charged over the Level 1 amount is determined by the district's total facilities needs and the availability of State matching funds. If there is State facility funding available, districts are able to charge fees equal to 50 percent of their total facility costs, termed "Level 2" fees. If, however, there are no State funds available, "Level 3" fees may be imposed for the full cost of their facility needs.

Per California Government Code Section 65995, "The payment or satisfaction of a fee, charge, or other requirement levied or imposed … are hereby deemed to be full and complete mitigation of the impacts on the provision of adequate school facilities." The Project Applicant would be required to pay these development fees in accordance with Government Code 65995 and Education Code 17620. Through payment of applicable development fees, **no impacts** related to school services would occur. Mitigation is not required.

Parks?

Less Than Significant Impact. Please refer to Sections XVI.a-b below. Impacts would be **less than significant**, and no mitigation is required.

Other Public Facilities?

Less Than Significant Impact. The type of use proposed by the project (convenience store, gas station, and car wash) within the Cajon Pass area would not generate substantial unplanned population in the County that would require access to public facilities, including libraries. Additionally, as discussed in Section XIV, Population and Housing, the project would not result in a substantial unplanned population growth in the County. As such, there would be no substantial increase in the need for a number of public services, such as libraries and other County administrative facilities.

Based on the information and analysis provided above, the proposed project is not expected to result in the need to construct or expand other public facilities, including libraries. Therefore, impacts would be **less than significant**, and mitigation is not required.

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

SUBSTANTIATION:

Submitted Project Materials

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

Less Than Significant Impact. As previously discussed, the project site is located within the Cajon Pass, which is a mountain pass between the San Bernardino Mountains

to the east and San Gabriel Mountains to the west. There are no parks or recreational facilities located near the project site. The closest park in proximity to the project site is Phelan Community Park located approximately 14 miles northwest of the site in the City of Phelan.

As discussed in Section XIV, Population and Housing, the proposed project is anticipated to generate approximately 16 employees working at the project site; however, employment growth caused by the proposed project would not induce substantial population growth in the County or adjacent cities. Additionally, given the distance between the project site and existing recreational facilities, it is unlikely that project employees would utilize these facilities while working at the project site. Therefore, implementation of the proposed project would not increase the use of existing recreational facilities that would result in the substantial physical deterioration of the facility. Impacts would be **less than significant**, and no mitigation is required.

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?*

Less Than Significant Impact. The project would result in the development of a gas station, convenience store, and car wash and does not include the development of recreational facilities. As discussed in Section XIV, Population and Housing, the proposed project is anticipated to generate approximately 16 employees working at the project site; however, employment growth caused by the proposed project would not induce substantial population growth in the County or adjacent cities. Therefore, the project would not affect the use of existing parkland in the County or adjacent cities and recreational facilities would not need to be expanded or constructed to serve the proposed project. Impacts would be **less than significant**, and no mitigation is required.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XVII.	**TRANSPORTATION** – Would the project:				
a)	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	☐	☐	☒	☐
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves	☐	☐	☒	☐

	or dangerous intersections) or incompatible uses (e.g., farm equipment)?				
d)	Result in inadequate emergency access?	☐	☐	☒	☐

SUBSTANTIATION:

- ***2020 Countywide Plan (San Bernardino County 2020)***
- ***Submitted Project Materials***
- ***Transportation Impact Study (LSA 2023e)***

The Transportation Impact Study (LSA 2023e) is included in this Initial Study as Appendix G.

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

Less Than Significant Impact. This section discusses potential impacts to the traffic circulation system, transit services, bicycle facilities, and pedestrian system.

Traffic Circulation. The project would construct two 35-foot-wide ingress/egress driveways along the frontage of Wagon Train Road. The segment of Wagon Train Road along the site's frontage currently operates as a two-lane, undivided local road and is not designated in the County's General Plan Roadway Network. Additionally, the project would interconnect to existing sewer, water, electric, gas, and telecommunications utilities within the Wagon Train Road right-of-way adjacent to the project site. Finally, as detailed in Section 9 of the Transportation Impact Study (TIS) (Appendix G), the project would pay its fair share to install traffic signals at the Wagon Train Road/SR-138 intersection and at the I-15 northbound ramps/SR-138 intersection approximately 0.25-mile and 0.28-mile northwest of the site, respectively. As indicated in Tables 9-A and 9-B of the TIS, the installation of traffic signals at these two intersections would result in an acceptable level of service (LOS B) with project generated traffic under the Opening Year and Cumulative scenarios.

Accordingly, implementation of the proposed project would not conflict with a program, plan, ordinance, or policy addressing the traffic circulation system, and this impact would be **less than significant**. No mitigation would be required.

Transit Services, Bicycle Facilities, and Pedestrian System. The project site is located within the service area of the Victor Valley Transit Authority (VVTA). The VVTA Inter-City Route 15 passes through the project vicinity and provides access to Barstow, Victorville, San Bernardino, and Fontana. However, there are no transit stops near the project site that would provide direct access to the project site. Additionally, while there are bicycle facilities planned along both sides of SR-138 (east of the SR-138 and Wagon Train Road intersection), there are no existing bicycle facilities within the project vicinity that would provide direct bicycle access to the site. Under existing conditions, there is a pedestrian sidewalk along the frontage of the site adjacent to Wagon Train Road that

would promote safe pedestrian access to the site and the adjacent commercial uses (McDonalds, Chevron) located northwest of the site.

The proposed project would not require new transit stops or the significant relocation of existing transit stops and would not preclude development and/or use of existing public and alternative transit facilities. Therefore, implementation of the proposed project would not conflict with a program, plan, ordinance, or policy addressing the transit services, pedestrian system, or bicycle facilities and this impact would be **less than significant**. No mitigation measures would be required.

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

Less than Significant Impact. CEQA Guidelines Section 15064.3, subdivision (b) establishes "vehicle miles traveled" criteria in lieu of LOS for analyzing transportation impacts and was signed into law as Senate Bill (SB) 743 in 2013. The Office of Planning and Research (OPR) approved regulatory changes to the CEQA Guidelines that implement SB 743 on December 28, 2018. However, lead agencies were able to use LOS for analyzing transportation impacts until July 1, 2020. Pursuant to SB 743, the County adopted Transportation Impact Study Guidelines (TIS Guidelines) (July 2019), which includes screening criteria, VMT analysis methodology, VMT impact thresholds, and VMT mitigation measures to analyze a project's transportation impacts.

According to the County's TIS Guidelines, local-serving retail that has a total square footage less than 50,000 square feet are presumed to have a less than significant VMT impact and can be screened out from a VMT analysis. The proposed project includes development of a fueling station with canopy, convenience store, and car wash, totaling 11,610 square feet. Therefore, the proposed project is presumed to have a less than significant VMT impact and a VMT analysis is not required. Impacts would be **less than significant**, and mitigation is not required.

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

Less than Significant Impact. Roadway improvements in and around the project site would be designed and constructed to satisfy all County and Caltrans requirements for street widths, corner radii, intersection control, as well as incorporate design standards tailored specifically to site access requirements.

As previously noted, passenger vehicle and pedestrian access to the project site would be provided by two 35-foot-wide ingress/egress driveways along Wagon Train Road. Passenger vehicles would enter and exit the site from either of the two project driveways. According to the TIS prepared for the project (refer to Section 10 of Appendix G), project driveways would not result in any adverse queuing impacts on Wagon Train Road or corner clearance issues along the project frontage. Therefore, project driveways would not result in any site access or safety impacts on vehicles entering and exiting the project site. Additionally, an on-site drive aisle connecting the two project driveways would be designed and constructed at an adequate width (at least 35 feet wide) to facilitate

internal access within the project site. Finally, the proposed project driveways and internal drive aisle would ensure adequate access throughout the site for first responders to an emergency.

A safety analysis is required at all Caltrans facilities for which project generated traffic may create an operational deficiency and/or safety concern. Since the project contributes traffic to two Caltrans facilities (SR-138 and I-15), a collision analysis and queuing analysis was conducted as part of the TIS (see Section 11 of Appendix G) in accordance with Caltrans' Interim Local Development and Intergovernmental Review (LDIGR) Safety Review Practitioners Guidance (December 2020). According to the TIS, recommended improvements identified in Section 9 of the TIS would eliminate the existing and forecasted operational deficiencies and would reduce collision rates at these Caltrans facilities. Additionally, since the project would add more than two car lengths (50 feet) in the peak hour that would extend into the freeway mainline (SR-138 and I-15), the TIS evaluated the speed differential between the off-ramp queue and the freeway mainline during the same peak hour. Based on the safety review guidelines, if the speed differential exceeds 30 miles per hour (mph), traffic safety improvements would be required. As indicated in Table 11-D of the TIS, the speed differential between the freeway mainlines and off-ramps at both SR-138 northbound and southbound off-ramps would be less than 30 mph and therefore project generated traffic during the peak hour would not result in a safety impact and safety improvements would not be required.

Given the above, the project would not substantially increase hazards due any sharp curves or dangerous intersections. Therefore, impacts would be **less than significant,** and mitigation is not required.

d) *Result in inadequate emergency access?*

Less than Significant Impact. Implementation of the proposed project would increase the number of vehicles and trucks operating near the site and would generate an increase in the amount and volume of traffic on Wagon Train Road. In accordance with the California Fire Code, the project applicant would be required to design, construct, and maintain structures, roadways, and facilities to maintain appropriate emergency/evacuation access to, from, and within the project site.

As previously discussed, access to and from the project site for passenger vehicles would be available via two 35-foot-wide ingress/egress driveways along the project frontage of Wagon Train Road (refer to **Figure 1**). On-site drive aisles would connect the project driveways and facilitate internal access throughout the site, including emergency access for first responders. Therefore, all site access points and driveway aprons are designed and would be constructed to adequate widths for public safety and emergency access pursuant to the California Fire Code and County Municipal Code requirements.

Proper site design and compliance with standard and emergency access requirements would allow for evacuation if necessary during project operations. This would ensure

that long-term impacts related to circulation system operations affecting emergency access and evacuation are **less than significant**. Mitigation is not required.

Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XVIII. TRIBAL CULTURAL RESOURCES				
a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☒	☐	☐
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☐	☒	☐	☐

SUBSTANTIATION:

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

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

Less Than Significant with Mitigation Incorporated. The term "California Native American tribe" is defined as "a federally recognized California Native American tribe

or a non-federally recognized California Native American tribe that is on the contact list maintained by the Native American Heritage Commission (NAHC)."

Chapter 532, Statutes of 2014 (i.e., AB 52), requires Lead Agencies to evaluate a project's potential to affect "tribal cultural resources". Such resources include "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are eligible for inclusion in the California Register of Historical Resources (California Register) or included in a local register of historical resources." AB 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource qualifies as a "tribal cultural resource". CEQA defines a "historical resource" as a resource that meets one or more of the following criteria: (1) is listed in, or determined eligible for listing in, the California Register; (2) is listed in a local register of historical resources as defined in PRC Section 5020.1(k); (3) is identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); or (4) is determined to be a historical resource by a project's Lead Agency (PRC Section 21084.1 and State CEQA Guidelines Section 15064.5[a]). "Local register of historical resources" is defined as a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.

A Cultural Resources Assessment (Appendix C) was prepared for the project, including a records search at the SCCIC on November 18, 2021, and an archaeological field survey of the site (November 11, 2021.) Data from the SCCIC indicate there have been 39 cultural resource studies previously conducted within 1 mile of the project site, including 3 that encompassed the project stie. The records search did not identify any precontact or historic archaeological resources on the project site. However, the records search identified 17 precontact and historic archaeological resources within 1 mile of the project site. The closest precontact archaeological resource in proximity to the project site is located approximately 0.19 mile north of the project site.

As previously discussed, the project site consists of a graded pad consisting of fill (non-native) soil. The archaeological field survey did not result in the identification of any historic or precontact archaeological resources on the project site.

Native American consultation was conducted by the County in compliance with AB 52. The County sent letters for the purposes of AB 52 consultation to Native American tribal contacts provided by the NAHC as well as local Native American tribal representatives that previously requested to be notified of future projects proposed by the County on May 17, 2023.

From this initial correspondence, the Morongo Band of Mission Indians (MBMI) responded on June 30, 2023, requesting formal consultation with the County regarding the proposed project. Requested documents were forwarded to MBMI for review on December 12, 2023.

A formal consultation meeting occurred on December 18, 2023, among MBMI, County staff, the project Applicant, and the Applicant's environmental consultant, during which

MBMI informed the project team that even though the project-specific Cultural Resources Assessment concluded the potential to encounter subsurface archaeological resources during project construction is low, known tribal cultural resources occur in the vicinity of the project site, and tribal cultural resources have the potential to occur even in disturbed contexts. Accordingly, MBMI recommended **Mitigation Measures (MM) TCR-1 through MM TCR-8** to ensure that potential impacts to resources of importance to MBMI would be avoided or reduced to the extent feasible.

Mitigation Measures. The following mitigation measures are required to reduce potentially significant impacts to tribal cultural resources to less-than-significant levels.

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

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

well as the procedures to be followed in such an event.

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

Mitigation Measure TCR-4 **Pre-Grade Meeting.** The retained qualified archeologist and Consulting Tribe(s) representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.

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

Mitigation Measure TCR-6 **Inadvertent Discovery of Cultural Resources** In the event that previously unidentified cultural resources are unearthed during construction, the Qualified Archaeologist and the Tribal Monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbance operations in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates

and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

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

a. Full avoidance.

b. If avoidance is not feasible, preservation in place.

c. If preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or deed restriction.

d. If all other options are proven to be infeasible, data recovery shall be conducted through excavation, followed by curation of the items in a curation facility that meets the Federal Curation Standards (CFR Section 79.1).

Mitigation Measure TCR-7 **Inadvertent Discovery of Human Remains.** The Morongo Band of Mission Indians requests the following specific conditions to be imposed in order to protect Native American human remains and/or cremations. **No photographs are to be taken**

except by the Coroner, with written approval by the consulting Tribe(s).

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

b. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5

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

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

Reburial location of human remains and/or cremations will be determined by the Tribe's Most Likely Descendant (MLD), the landowner, and the County Planning Department.

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

Compliance with **MM TCR-1** through **MM TCR-8** would ensure the project would be conditioned to include Native American and professional archaeological monitoring during ground-disturbing activities. Excavation and/or construction activities would cease if cultural, tribal cultural, or archaeological resources or human remains are identified and would be managed in accordance with a project-specific Cultural Resource Management Plan (CRMP). These measures also would ensure further consultation with interested Native American Tribes for the appropriate treatment of tribal cultural resources. Impacts to tribal cultural resources that are (1) listed or eligible for listing in the CRHR or a local register of historical resources as defined in PRC Section 5020.1(k) and/or (2) determined by the lead agency to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1 would be reduced to a **less than significant level with implementation of MM TCR-1** through **MM TCR-8.**

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?

Less Than Significant with Mitigation Incorporated. Please refer to Section XVIII.a.i, above.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XIX.	**UTILITIES AND SERVICE SYSTEMS -** Would the project:				
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or	☐	☒	☐	☐

	telecommunications facilities, the construction or relocation of which could cause significant environmental effects?				
b)	Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c)	Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d)	Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

SUBSTANTIATION:

- ***2020 Countywide Plan (San Bernardino County 2020)***
- ***Executive Order N-7-22 (California Executive Department 2021)***
- ***Fire Protection Plan (FIREWISE2000, LLC 2023)***
- ***Personal Communication Email (Valadez 2022)***
- ***Preliminary Design Report for the Wagon Train Road Utilities Improvement (Dudek 2019)***
- ***San Bernardino Countywide Plan Draft Environmental Impact Report (San Bernardino County 2019)***
- ***Submitted Project Materials***

The Fire Protection Plan (FIREWISE2000, LLC 2023) is included in this Initial Study as Appendix H.

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?*

Less than Significant with Mitigation Incorporated. As previously discussed, the project site is located within the Cajon Pass, which is a mountain pass between the San

Bernardino Mountains to the east and San Gabriel Mountains to the west. The project site and adjacent properties (e.g., properties bounded by Wagon Train Road to the north and Interstate 15 to the south) are part of the Cajon Junction Property Owners Association (CJPOA), which is responsible for the maintenance of water and wastewater facilities that would serve the project site located northwest and southeast of the site, respectively. Southern California Gas (SCG) provides natural gas to the project site, Southern California Edison (SCE) provides electricity to the site, and Verizon provides telephone and cable service to the site. The project's impacts on water, wastewater, stormwater drainage, electric power, natural gas, and telecommunications facilities are discussed below.

Water. Potable water is provided to the project site and adjacent properties via a groundwater well, which is pumped to a 20,000-gallon storage tank and a 100,000-gallon fire storage tank located northwest of the existing Chevron Station, approximately 650 feet northwest of the project site. Domestic water is delivered to CJPOA parcels, including the project site by a 4-inch water line along Wagon Train Road. Improvements to the CPJOA water system (e.g., repairs to the potable tank overflow pipe, chlorination system, fire pump, and emergency backup generator) are in the process of being constructed as part of an agreement between the CJPOA and Integrated Performance Consultants, Inc. (IPC), and therefore are not part of the proposed project.

The proposed uses on the project site (e.g., car wash, convenience store bathrooms) would contribute to the CJPOA water system demand, with the car wash demanding the most water. Based on water demand data for an existing car wash of similar size and scale, the proposed car wash would demand approximately 420 gallons of water per day (14 gallons per wash multiplied by 30 washes per day). The County of San Bernardino Department of Environmental Health Services (DEHS) regulates the amount of groundwater extracted by the CPJOA water system to serve the CPJOA parcels, including the project site, through issuance of an annual permit to the CPJOA property owners. The Project Applicant has obtained this permit (Permit No. PT0012385) to receive water from the CPJOA water system in accordance with the County's DEHS requirements. As specified in **Standard Condition U-1**, the Project Applicant would also be required to provide a verification letter to the County's DEHS to ensure adequate water supply would be provided to the serve the proposed project.

Additionally, potable water from the fire storage tank would be used to supply the existing fire hydrant located adjacent to the site on Wagon Train Road, which would serve the project site. The existing fire hydrant meets the required fire flow (1,500 gallons per minute) to serve the project site (Dudek 2019). Additionally, the required fire flow for the existing fire hydrant that would serve the project site would be confirmed with implementation of **Mitigation Measure WF-4** (see Section XX, Wildfire). Therefore, the proposed project is anticipated to utilize the existing fire hydrant and is not anticipated to include the installation of new water facilities associated with emergency water supply.

The proposed project would connect to the existing water infrastructure to provide potable water to the site. Water distribution lines would be installed and loop through the project site. The necessary on-site water distribution installation is included as a design feature of the proposed project that is analyzed within the footprint of the site, including

frontage improvements along Wagon Train Road, and therefore would not result in any physical environmental effects beyond what is analyzed in this environmental document.

With adherence to **Standard Condition U-1** and implementation of **Mitigation Measure WF-4**, the proposed project would not require or result in the relocation or construction of new water infrastructure that would cause significant environmental effects. Impacts would be **less than significant with mitigation incorporated**.

Wastewater. Wastewater generated by CPJOA parcels, including the project site, is conveyed to the existing Cajon Pass Wastewater Treatment Plant (CJPWTP) located approximately 140 feet southeast of the site via existing sewer pipes along Wagon Train Road. Improvements to the CJPWTP (e.g., increasing influent storage capacity and performance guarantees for pollutant discharge limits) are in the process of being constructed as part of an agreement between the CJPOA and Integrated Performance Consultants, Inc. (IPC), and therefore are not part of the proposed project.

According to the information obtained by CJPOA, commercial uses adjacent to the project site (e.g., McDonalds and Chevron) generated an average of 2,901.7 gpd to 5,473.8 gpd per month in 2022. The CJPWTP has an average treatment capacity of 14,000 gallons per day (gpd). Therefore, the CJPWTP's surplus capacity ranges from 11,098.3 gpd to 8,526.2 gpd.

The proposed uses on the project site (e.g., car wash, convenience store bathrooms) would contribute to the CJPWTP's demand, with the car wash resulting in the most wastewater. Based on car wash effluent data for an existing car wash of similar size and scale, the proposed car wash would generate approximately 240 gallons of wastewater per day (8 gallons of wastewater per wash multiplied by 30 washes per day). As noted above, the CJPWTP has a treatment capacity of 14,000 gpd and a surplus capacity of 11,098.3 gpd to 8,526.2 gpd. Therefore, there is adequate treatment capacity to serve wastewater generated by the proposed project. As specified in **Standard Condition U-2**, the Project Applicant would be required to provide a verification letter to the County's DEHS to ensure adequate wastewater connection and service to accommodate the proposed project.

As part of the project design, an internal wastewater distribution system would be developed on site and connect to the existing wastewater infrastructure along Wagon Train Road. However, installation of the on-site wastewater distribution system would not result in any physical environmental effects beyond those that are analyzed in this environmental document.

Implementation of the proposed project would not require or result in the relocation or construction of new wastewater infrastructure that would cause significant environmental effects. Impacts would be **less than significant**, and mitigation is not required.

Stormwater. As discussed in Section X, Hydrology and Water Quality, stormwater would be directed to the catch basin located in the southeastern corner of the project site and treated before discharging off-site via a 12-inch storm drain that would connect

to the existing v-ditch located just beyond the southeastern corner of the site. All stormwater drainage facilities on the project site would be developed in accordance with the County of San Bernardino MS4 Permit (refer to **Standard Condition HYD-3**). Installation of the on-site stormwater drainage system would not result in any physical environmental effects beyond those that are analyzed in this environmental document. Accordingly, implementation of the proposed project would not require or result in the relocation or construction of new stormwater drainage infrastructure that would cause significant environmental effects. Impacts would be **less than significant**, and mitigation is not required.

Electricity, Natural Gas, and Telecommunications. The proposed project includes the installation of 8 Tesla Level 3 Superchargers. Electricity for the proposed project, including the Tesla Superchargers, would tie into existing Blue Cut 12 kilovolt (kV) distribution circuit via underground conduit from the nearest utility pole along Wagon Train Road. Additionally, the proposed project would connect to the existing natural gas and telecommunications infrastructure along Wagon Train Road. Such connections may require trenching within the Wagon Train Road right-of-way; however, construction to connect to existing electrical, natural gas, and telecommunications infrastructure would occur in previously disturbed areas and within the analytical footprint of the proposed project. Implementation of the proposed project would not require the relocation or construction of new electrical, natural gas, or telecommunications infrastructure that would cause significant environmental effects. Impacts would be **less than significant**, and mitigation is not required.

Standard Conditions and Mitigation Measures. The following Standard Conditions are regulatory requirements that would be implemented to ensure impacts related to water and wastewater remain less than significant. **Mitigation Measure WF-4** (see Section XX, Wildfire) is also required to reduce impacts related to water supply to less-than-significant levels.

Standard Condition U-1 Prior to issuance of a grading permit, the Project 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).

Standard Condition U-2 Prior to issuance of a grading permit, the Project Applicant shall procure a verification letter from the sewer service provider identified. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewer provider. The letter shall reference the Assessor's Parcel Number(s).

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

Less Than Significant. As discussed in Section XIX.a) above, water is provided to the project site via the CPJOA's water system, which includes groundwater that is distributed to the CPJOA parcels, including the project site. As also discussed above, the Project Applicant has obtained a permit to receive water from the CPJOA water system and would be required to provide the County's DEHS with a verification letter stating that the CPJOA water system would serve the proposed project (**Standard Condition U-1**). As previously discussed, the County's DEHS regulates the amount of groundwater extracted by the CPJOA water system to serve the CPJOA parcels, including the project site, through issuance of an annual permit to the CPJOA property owners.

On March 28, 2022, the California Governor issued EO N-7-22, which encourages all Californians and water agencies to restrict water usage, restrict new and expansion of existing groundwater wells, promote projects that facilitate groundwater recharge, and reduce their reliance on imported water from the State Water Project (SWP). Accordingly, the County's DEHS would establish annual water supply limits provided to CPJOA parcels, including the project site, in accordance with EO N-7-22, and issue permits to the CPJOA property owners in a manner that would ensure established water supply limits are not exceeded. Therefore, sufficient water supplies would be available to serve the proposed project and adjacent CPJOA parcels during normal, dry, and multiple dry years. Impacts would be **less than significant**, and no mitigation is required.

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?*

Less Than Significant. As discussed in Section IX.a above, wastewater generated by CPJOA parcels, including the project site, is conveyed to the CJPWTP, which has an average treatment capacity of 14,000 gpd. As also discussed above, the CJPWTP would have adequate capacity to serve the proposed project in addition to existing commitments (e.g., McDonalds and Chevron). Additionally, the Project Applicant would be required to provide a verification letter to the County to demonstrate that the CJPTWP has adequate capacity to serve the project's demand prior to issuance of a grading permit (**Standard Condition U-2**). Impacts would be **less than significant**, and mitigation is not required.

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?*

Less than Significant. Solid waste collection is a "demand-responsive" service, and current service levels can be expanded and funded through user fees. Solid waste from

the proposed project would be disposed at either the Victorville Sanitary Landfill or the Barstow Sanitary Landfill.

Victorville Sanitary Landfill has an average daily throughput of 1,009 tons per day and a daily maximum throughput of 3,000 tons per day; therefore, the landfill has an average surplus capacity of 1,991 tons per day (County of San Bernardino 2019, Table 5.18-9). Barstow Sanitary Landfill has an average daily throughput of 256 tons per day and a daily maximum throughput of 1,500 tons per day; therefore, the landfill has an average surplus capacity of 1,244 tons per day (San Bernardino County 2019, Table 5.18-9).

Under existing conditions, the project site is vacant. The proposed project would result in the development of a 4,900-square-foot convenience store, 9 MDP fueling dispensers under a 5,570-square-foot canopy, and a 1,140-square-foot car wash, totaling 11,610 square feet of commercial uses. Based on a solid waste generation factor of 0.010 pound per day per square foot of nonresidential use (County of San Bernardino 2019, Table 5.18-11), the proposed project is anticipated to generate 116.1 pounds of solid waste per day (0.06 ton per day). This amount is equivalent to as much as 0.0030 percent and 0.0048 percent of the average daily surplus capacity at Victorville Sanitary Landfill and Barstow Sanitary Landfill, respectively. Therefore, the Victorville Sanitary Landfill and the Barstow Sanitary Landfill each have adequate capacity to serve the proposed project.

Sincere there is adequate daily surplus capacity at the receiving landfills, and the project would comply with local and State waste reduction strategies, the project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure. Impacts would be **less than significant,** and mitigation is not required.

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

No Impact. All land uses within San Bernardino County that generate solid waste are required to coordinate with a waste hauler to collect solid waste on a common schedule as established in applicable local, regional, and State programs. Additionally, all development within the County, including the proposed project, is required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991), AB 939 (CalRecyle), and other local, State, and federal solid waste disposal standards. The proposed project would be required to comply with applicable provisions of AB 1327, AB 939, and AB 341 related to solid waste as a matter of policy. **No impact** would occur, and no mitigation is required.

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

SUBSTANTIATION:

- ***2020 Countywide Plan (San Bernardino County 2020)***
- ***2022 Wildfire Guidance (California Office of the Attorney General 2022)***
- ***Federal Emergency Management Agency Flood Insurance Rate Map (FEMA 2008)***
- ***Fire Hazard Severity Zone Viewer (CALFIRE n.d.)***
- ***Fire Protection Plan (FIREWISE2000, LLC 2023)***
- ***Preliminary Design Report for the Wagon Train Road Utilities Improvement (Dudek 2019)***
- ***San Bernardino Countywide Plan Draft Environmental Impact Report (San Bernardino County 2019)***
- ***Submitted Project Materials***

The Fire Protection Plan (FIREWISE2000, LLC 2023) is included in this Initial Study as Appendix H

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

Less Than Significant with Mitigation Incorporated. According to the California Department of Forestry and Fire Protection (CALFIRE), the project site is located within

a State Responsibility Area (SRA) Very High Fire Hazard Severity Zone (VHFHSZ). Additionally, the project site is within the County's Fire Safety Overlay (FS1).

The SBCFD, Division 5, provides fire protection, fire prevention, and emergency services to the project site. The SBFPD covers 19,278 square miles, operates 85 fire stations and facilities within 6 Regional Service Zones (Mountain, North Desert, South Desert, High Desert, West Valley and East Valley), and serves over 60 unincorporated communities in San Bernardino County.

A Fire Protection Plan (FPP) was prepared for the proposed project to evaluate wildfire hazards using the site's location (e.g., topography, geology, vegetation, climatic conditions, and fire history) and to identify measures necessary to reduce wildfire risks on people and structures that would occupy the project site. To address the project's impacts on emergency response and/or evacuation plans, the FPP included a project-specific Emergency Evacuation Plan.

In October 2022, the State of California Office of the Attorney General released a document that provides best practices for analyzing and mitigating wildfire impacts of development projects under CEQA (here on out referred to as the 2022 Wildfire Guidance), including a proposed project's impacts on wildfire ignition risk, emergency access, and evacuation.

According to the 2022 Wildfire Guidance, projects in high wildfire risk areas should consider the following when considering whether a project has the potential to impact emergency response and/or evacuation plans:

- Capacity of the roadways to accommodate project and community evacuation and simultaneous emergency access;
- Project impacts on evacuation timing;
- Need for alternative evacuation plans;
- Project impacts on existing evacuation plans; and
- Adequacy of emergency access, including the projects proximity to existing fire services and the capacity of the existing services.

The proposed project's impacts on emergency response and/or evacuation plans during project construction and operation are evaluated below.

Capacity of the roadways to accommodate project and community evacuation and simultaneous emergency access.

Construction of the proposed project includes improvements along Wagon Train Road, which could require partial lane closures. Wagon Train Road is a two-lane roadway that would serve as the immediate evacuation route for occupants on the project site and commercial uses northwest of the site (e.g., McDonalds, Chevron) should evacuation be required during project construction. Evacuees would travel north on Wagon Train Road to Highway 138 (major arterial roadway), located approximately 0.3

mile from the project site, and would either travel west to Interstate 15 or continue on Highway 138 to exit the region.

Since the project site is located south of existing development and Wagon Train Road dead ends approximately 0.2 mile southeast of the site, project construction activities, such as temporary lane closures along the project site's frontage on Wagon Train Road, would not affect evacuees exiting commercial uses northwest of the site. Given the size of the development (11,610 square feet of commercial uses on 1.42 acres), the construction crew would be relatively small and is not anticipated to add a substantial amount of traffic on Wagon Train Road should evacuation be required during project construction. Therefore, construction of the project would not affect the capacity of roadways to accommodate project and community evacuation and simultaneous emergency access.

As previously discussed, the project site is located in the Cajon Pass, which is a mountain pass between the San Bernardino Mountains to the east and the San Gabriel Mountains to the west. During project operation, vehicles traveling along Highway 138 (approximately 0.3 mile from the site) or Interstate 15 (immediately south of the site) would utilize Wagon Train Road to access the proposed commercial uses on the project site and/or the existing commercial uses located northwest of the site (McDonalds, Chevron). As discussed in Section XVII, Transportation, the proposed project would add 1,134 net daily trips to the project site and with recommended improvements, would not adversely affect the surrounding transportation network or increase the congestion on roadways within the project vicinity (e.g. Wagon Train Road).

During a wildfire emergency, project occupants (employees and customers) would need to evacuate the project site. The proposed project would employ up to 16 people (4 employees per shift) and would operate 24 hours per day, 7 days a week. Therefore, it is reasonable to assume that no more than 4 employees would be at the project site at one time. Given the proposed uses on the site (car wash, gas station, convenience store), customers visiting the project site would not occupy the site for long periods of time. Therefore, the proposed project would not generate a substantial number of people (employees and customers) needing to evacuate the site via Wagon Train Road during a wildfire emergency.

Given that Wagon Train Road would be utilized by a relatively small number of occupants on the project site and provides immediate access to two highways (Highway 128 and Interstate 15), it is reasonable to conclude that the proposed project in combination with the existing commercial uses located northwest of the site (McDonalds, Chevron) would not substantially impact the existing capacity of roadways to accommodate project and community evacuation and simultaneous emergency access.

Project impacts on evacuation timing.

As previously discussed, Wagon Train Road would serve as the immediate evacuation route for construction workers on the project site and people occupying the existing

commercial uses located northwest of the site during project construction. Wagon Train Road provides direct access to Highway 138 (approximately 0.3 mile from the site), which also provides access to Interstate 15. As discussed above, partial lane closures along Wagon Train Road would not impact vehicles exiting the commercial uses located northwest of the site because evacuees would travel north along Wagon Train Road toward Highway 138. Therefore, project construction activities would not impact evacuation timing for vehicles evacuating existing commercial uses northwest of the site.

Given the size of the project, construction crews are anticipated to be relatively small and would not substantially increase the number of vehicles utilizing evacuation routes (Wagon Train Road, Highway 138, Interstate 15). However, given that the project site is within a VHFHSZ, and evacuation is a time-sensitive issue during a wildfire emergency, the construction of any development project within a VHFHSZ would have the potential to adversely affect evacuation timing.

Accordingly, the proposed project prepared a project-specific Fire Protection Plan (FPP) (Appendix H) to be reviewed and approved by the County and SBCFD and implemented during project construction and operation. The FPP includes a detailed Emergency Evacuation/Shelter-in-Place Plan (Evacuation Plan) (see Appendix E of the FPP), which establishes the project's evacuation routes (e.g., the names and types of roadways to be used for evacuation from the project site and the highway to which it provides access to exit the region), evacuation strategy (e.g., CalFire's Ready, Set, Go program, educating employees on the evacuation plan, signing up for alerts, and instructions for when to shelter in place and when to evacuate depending on location of the wildfire and traffic conditions), and evacuation signage requirements (e.g., installation and maintenance of emergency evacuation route signs at each exit from the property after the project is constructed). Additionally, Mitigation Measure WF-1, is prescribed to ensure that the approved FPP prepared for the project is implemented during project construction (as applicable). With implementation of Mitigation Measure WF-1, construction of the proposed project would not substantially increase evacuation timing when compared to existing conditions.

As previously discussed, Wagon Train Road would serve as the immediate evacuation route for occupants of the project site and existing commercial uses located northwest of the site during project operation. The project site is currently vacant; therefore, development of the project site with commercial uses would add employees and customers to the site that would need to evacuate in the event of a wildfire emergency.

Furthermore, as previously discussed, the proposed project would not contribute to a substantial increase in the number of vehicles that would evacuate the project site at any one time when compared to existing conditions because of the relatively low number of project generated employees (4 employees per shift) and customers who would be at the project site at any one time.

However, similar to construction of the project, the proposed commercial uses on the project site would have the potential to significantly impact evacuation timing. As described above, an FPP (and Evacuation Plan) was prepared for the project and

would be implemented during project operation (see **Mitigation Measure WF-1**). The FPP includes instructions for evacuation and requires evacuation signage to be installed and maintained at each property exit during project operation to reduce potential impacts on evacuation timing. Therefore, with implementation of **Mitigation Measure WF-1,** the proposed project would not substantially increase evacuation timing.

Need for alternative evacuation plans.

As previously discussed, Wagon Train Road would serve as the immediate evacuation route for construction workers on the project site and people occupying the commercial uses located northwest of the site during project construction. Wagon Train Road dead-ends approximately 0.2 mile southeast of the site; therefore, Wagon Train Road is the only route in and out of the project site that provides access to nearby freeways (Highway 138 and Interstate 15) that exit the region. As detailed in the Evacuation Plan (Appendix E of the FPP) prepared for the project, once evacuees access Highway 138 from Wagon Train Road, evacuees would have multiple routes available to exit the region depending on the wildfire's location and conditions, and instruction from local fire and police officials, which include traveling northbound or southbound on Interstate 15 or westbound or eastbound on Highway 138.

As required by **Mitigation Measure WF-1,** the approved Evacuation Plan prepared for the project would be provided to the property owner of the project site and shared with the Construction Contractor to ensure that construction workers on the project site are aware of the evacuation routes to be utilized during a wildfire emergency. Therefore, with implementation of **Mitigation Measure WF-1**, alternative evacuation plans would not be required during project construction.

As previously discussed, Wagon Train Road would serve as the immediate evacuation route for occupants of the project site and commercial uses located northwest of the site during project operation. As discussed above, Wagon Train Road is the only route in and out of the project site that provides direct access to freeways (e.g., Highway 138 and Interstate 15) that exit the region. Once evacuees access Highway 138, there are multiple routes available to exit the region. As required by **Mitigation Measure WF-1**, the approved Evacuation Plan prepared for the project would be provided to the property owner, and all employees working on the project site would be educated on the evacuation protocols and routes to be taken during a wildfire emergency. Additionally, evacuation routes would be posted at each of the businesses so that evacuation information is available to customers. Finally, since the Evacuation Plan prepared for the project would be approved by the County and SBCFD during the County's development review process, the Evacuation Plan would be consistent with existing evacuation plans. Therefore, with implementation of **Mitigation Measure WF-1**, alternative evacuation plans would not be required during project operation.

Project impacts on existing evacuation plans.

As previously discussed, Wagon Train Road would serve as the immediate evacuation route for construction workers on the project site and people occupying the commercial

uses located northwest of the site during project construction. Construction of the proposed project may require temporary lane closures on Wagon Train Road; however, these lane closures would be located south of existing development and would not affect existing evacuation plans for the businesses located northwest of the site utilizing Wagon Train Road. Additionally, as discussed above and as required by **Mitigation Measure WF-1**, the Evacuation Plan prepared for the project would be approved by the County prior to construction of the proposed project and would be shared with the Construction Contractor to ensure that construction workers needing to evacuate the project site would be aware of the evacuation plan to be following during a wildfire emergency. Therefore, with implementation of **Mitigation Measure WF-1**, construction of the proposed project would not substantially impact existing evacuation plans.

As previously discussed, Wagon Train Road would serve as the immediate evacuation route for occupants of the project site and commercial uses located northwest of the site during project operation. Given that Wagon Train Road would only serve evacuees of the project site and the commercial uses northwest of the site (McDonalds, Chevron), it is unlikely that the Emergency Plan prepared for the proposed project would impact existing evacuation plans in the County. Additionally, as previously discussed and as required by **Mitigation Measure WF-1**, the Evacuation Plan prepared for the proposed project would be subject to the County's development review process to ensure consistency with existing evacuation plans. Therefore, with implementation of **Mitigation Measure WF-1**, the proposed project would not substantially impact existing evacuation plans in the County.

Adequacy of emergency access, including the projects proximity to existing fire services and the capacity of the existing services.

The project includes construction of off-site improvements along the project frontage on Wagon Train Road, which could require partial lane closures. However, as previously discussed, since there is no existing development located southeast of the site and Wagon Train Road dead-ends approximately 0.2 mile southeast of the site, construction of these off-site improvements along Wagon Train Road are not anticipated to impair existing emergency access to commercial uses located northwest of the site (McDonalds, Chevron).

As discussed in Section XV, Public Services, the closest fire station to the project site is the Mormon Rocks Fire Station 14 located 2.1 miles west of the site; however, this fire station is within the U.S. Department of Agriculture's (USDA) Forest Service jurisdiction, which provides fire protection services within the San Bernardino National Forest. San Bernardino County Fire Station 40 is the closest SBCFD fire station to the project site and is located approximately 7.0 miles northeast of the project site. SBCFD maintains mutual aid agreements with nearby fire departments, including the Mormon Rocks Fire Station 14, to assist the County during major emergencies. According to the FPP prepared for the project, the existing fire stations have adequate capacity to provide acceptable emergency services within an acceptable response time. Since the number of occupants on the project site during project construction would likely be less than or similar to the number of occupants during project operation, it is reasonable to

conclude that the SBCFD has adequate capacity to serve the project site if there were to be a wildfire emergency during project construction.

Access to and from the project site would be provided via two 35-foot-wide ingress/egress driveways along Wagon Train Road. As shown on **Figure 1: Site Plan,** an internal drive aisle wide enough to accommodate emergency vehicle access would facilitate access throughout the site. Therefore, emergency vehicle access, which generally requires a minimum of 30-foot-wide driveways and drive aisles to be provided, would be available to provide adequate emergency access to, from, and within the project site. As discussed above, the FPP determined that given the location and capacity of existing fire stations near the project site and mutual aid agreements with other nearby fire stations not within SBCFD's jurisdiction, the SBCFD has adequate capacity to serve the proposed project. Finally, as discussed below in Section XX.b), the proposed project would replace on-site weedy vegetation (an ignition source) with predominantly impervious surfaces and comply with the requirements in the FPP, including the project-specific Fuel Modification Plan and the use of ignition resistant building materials in accordance with the County's building code (refer to **Mitigation Measure WF-1**). Therefore, with implementation of **Mitigation Measure WF-1,** the proposed project would reduce the project site's potential contribution to the spread of wildfire when compared to existing conditions. For these reasons, the proposed project would not result in inadequate emergency access or impact the capacity of emergency responders to provide emergency services to the project site.

As discussed in detail above, with adherence to the FPP prepared for the project, which would be reviewed and approved prior to project construction (**Mitigation Measure WF-1**), construction and operation of the proposed project would not reduce the capacity of roadways to accommodate project and community evacuation and simultaneous emergency access; would not substantially increase evacuation timing; would not result in the need for alternative evacuation plans; would not significantly impact existing evacuation plans; and would not result in inadequate emergency access, including the project's proximity to existing fire services and capacity of existing services. Therefore, with implementation of **Mitigation Measure WF-1,** construction and operation of the proposed project would not physically interfere with or impair an adopted emergency response or emergency evacuation plan, and impacts would be **less than significant with mitigation incorporated**.

Mitigation Measures. The following mitigation measure is required to reduce potentially significant impacts to evacuation and simultaneous emergency access to less than significant levels.

Mitigation Measure WF-1: Prior to issuance of grading and/or building permits, the Project Applicant shall prepare a site-specific Fire Protection Plan (FPP) for the project and provide evidence to the County and SBCFD that the requirements identified in the Fire Protection Plan are incorporated into project plans and/or implemented as deemed appropriate by the County. Requirements may include, but are not limited to, the use of ignition

resistant building materials, approved plant materials, prohibited plant materials (combustible vegetation), evacuation signage, providing the Construction Contractor with a copy of the FPP, owner/employee education, posting the Evacuation Plan in public areas, and the preparation of a Fuel Modification Plan and Evacuation Plan.

As necessary, the County and/or SBCFD may require additional studies and/or protocols to meet its requirements. This measure shall be implemented to the satisfaction of the San Bernardino County Building and Safety Division or designee and the SBCFD.

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

Less Than Significant with Mitigation Incorporated. Wildfire behavior is largely driven by topography, fuel, climatic conditions, and weather (such as low humidity and high winds). Project placement on the landscape relative to fire history, topography and wind patterns combined with project design and project density influences its potential risk of exacerbating wildfires. For example, fire spread and structure loss is more likely to occur in low- to intermediate-density developments because there are more people present to ignite a fire (as compared to undeveloped land), and the development is not concentrated enough (as compared to high-density developments) to disrupt fire spread by removing or substantially fragmenting wildland vegetation. Another example is if a residential project is developed in rugged terrain or on the top of steep hills, the project may increase the wildfire risk because the residences could be a source of ignition and steep terrain results in faster fire spread up-slope. By contrast, if a project site includes landscape features that could prevent or slow the spread of fire, such as a lake or an irrigated golf course, the design of the development may provide fuel breaks that will reduce the potential for a fire to spread.

As previously discussed, the project site is mapped within CAL FIRE's State Responsibility Area (SRA) Very High Fire Hazard Severity Zone (VHFHSZ) and the County's Fire Safety Overlay (FS1). The Cajon Pass is characterized by rugged terrain and steep hillsides to the east and west. During summer and fall, before the rainy period, there is a significant threat of wildfire in the County, especially during dry Santa Ana wind events. The seasonal Santa Ana winds can be particularly strong in the project area (up to 75 mph) as warm and dry air is channeled through the San Gabriel and San Bernardino Mountains. The Santa Ana winds dry out and preheat vegetation and accelerate oxygen supply, thereby making possible the burning of fuels that otherwise might not burn under cooler, moister conditions.

Under existing conditions, wildfires may potentially occur within the fire-prone vegetation areas within the project site and adjacent to the project site to the northeast,

southeast, and southwest. The types of potential ignition sources that currently exist in the project area include vehicles, commercial uses to the northwest, including the Chevron fueling station, gas powered landscaping equipment, powerlines, and arson. Because the canyon is subject to Santa Ana winds, high temperatures, and large swaths of vegetated open space, physical conditions would present a challenge to firefighters trying to protect the project area during a wildfire. Therefore, any development within the project site would have the potential to result in significant wildfire hazard impacts by exposing project site occupants to wildfire hazards (concentration of pollutants from a wildfire or uncontrollable wildfire spread).

The 1.42-acre project site is currently undeveloped and consists of fire-prone vegetation. Development of the proposed project would increase the impervious surfaces on the project site by 1.09 acres, thereby reducing the fire-prone vegetation area by 1.09 acres. The 0.33 acre (23.2 percent) of pervious surface area (e.g., landscaping) on the project site would be located along the perimeter of the site adjacent to paved areas (parking lots, internal drive aisles) with low flammability, thereby limiting ignition potential.

Additionally, the FPP prepared for the project (Appendix H) includes a Fuel Modification Plan, which establishes fuel modification zones and specific requirements (e.g., permitted/prohibited vegetation and vegetation maintenance) for each zone to reduce the spread of wildfire on the site and adjacent properties in accordance with County Development Code Chapter 82.13 (Fire Safety Overlay). There are typically three fuel modification zones with the first zone covering the immediate area surrounding the on-site structures and prescribing the most restrictive requirements and the third zone covering the area 50-100 feet from on-site structures. According to the FPP, the fuel modification zones would result in total of 100 feet of area without wildland fuels to the north, south, and west, and 90 feet of area without wildland fuels to the east (as measured from on-site structures). As required by **Mitigation Measure WF-1**, the FPP (and Fuel Modification Plan) prepared for the project would be reviewed and approved by the County and SBCFD prior to project construction.

The project would also be required to comply with the construction standards (e.g., ignition resistant building materials) prescribed by the FPP (see Appendix C of the FPP), which are consistent with the County's Building Code as required by **Mitigation Measure WF-1**, and all other applicable County Fire Codes as required by **Mitigation Measure WF-2**.

The project would introduce new potential ignition sources including vegetation for landscaping, vehicles, and gasoline. However, the project site currently contains 1.42 acres of highly flammable vegetation that would be replaced with 0.33 acre of irrigated, less flammable, and regularly maintained vegetation. Therefore, proposed landscaping on the project site would reduce ignition sources on the site when compared to existing conditions. Additionally, as discussed in Section XIX, Hazards and Hazardous Materials, the project would be required to comply with the County's hazardous materials requirements to reduce impacts from installing hazardous materials (gasoline storage tanks) on the project site. For example, the Project Applicant would be required to prepare a Hazardous Materials Business Emergency Plan administered by the San

Bernardino County Fire Protection District to obtain an Underground Storage Tank (UST) Permit for the gas station in accordance with SBCFD standards, which would identify protocols to remedy gasoline spills and leaks. Therefore, potential gasoline spills and/or leaks on the project site are not anticipated to exacerbate wildfires within the project area. Additionally, as discussed in Section IX, Hazards and Hazardous Materials, and as required by **Mitigation Measure HAZ-1**, the Project Applicant would submit building plans to the SBCFD's Hazardous Materials Division for review and approval prior to project construction to ensure hazardous materials on the project site (gasoline storage tanks) are designed and installed in accordance with all applicable requirements intended to safeguard the public from hazardous material impacts. Finally, as required by **Mitigation Measure WF-3,** the Project Applicant would be required to install SBCFD approved identification placards for hazardous materials contained on the project site in all locations deemed appropriate by the SBCFD to disclose the locations of hazardous materials on the project site. Therefore, the project would include preventative measures to reduce the risks of utilizing flammable hazardous materials (gasoline storage tanks) within a fire prone area.

Given the discussion above, implementation of **Mitigation Measures WF-1 through WF-3 and HAZ-1** would ensure the proposed project is designed and constructed to prevent the start of a wildfire on the project site and reduce the spread of a wildfire on the site if the wildfire originates off-site. Therefore, with implementation of **Mitigation Measures WF-1 through WF-3 and HAZ-1**, impacts associated with exposing project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire would be **less than significant with mitigation incorporated**.

Mitigation Measures. The following mitigation measures, **Mitigation Measure WF-1** (identified above), and **Mitigation Measure HAZ-1** (see Section IX Hazards and Hazardous Materials) are required to reduce potentially significant impacts to less than significant levels.

Mitigation Measure WF-2

Prior to any construction occurring on any parcel, the Project Applicant shall contact the SBCFD for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable status, codes, ordinances and standards of the SBCFD.

Permission to occupy or use the building (certificate 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".

This measure shall be implemented to the satisfaction of the San Bernardino County Building and Safety Division or designee and the SBCFD.

Mitigation Measure WF-3 Prior to final inspection, the Project 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.

This measure shall be implemented to the satisfaction of the San Bernardino County Building and Safety Division or designee and the SBCFD.

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

Less Than Significant with Mitigation Incorporated. As previously discussed, the project site is located within the Cajon Pass and on a parcel that is within the jurisdiction of the CJPOA. Potable water is supplied to the site via an existing groundwater well and pump that leads to a 20,000-gallon potable water storage tank and 100,000-gallon fire protection water storage tank with ancillary equipment located approximately 650 feet northwest of the project site. Fire flow is supplied to the CJPOA parcels by an existing 8-inch water line along Wagon Train Road (Dudek 2019). There is an existing fire hydrant located on Wagon Train Road near the project site that is anticipated to provide the required fire flow (1,500 gallons per minute) to the project site (Dudek 2019). Additionally, the required fire flow for the existing fire hydrant would be verified during the County's development review process pursuant to **Mitigation Measure WF-4.**

The CJPOA owns and maintains the water facilities that would serve the proposed project. Water infrastructure would be installed on the project site and would interconnect to existing water lines maintained by the CJPOA along Wagon Train Road.

As discussed in Section XIX, Utilities and Service Systems, the project includes the installation of 8 Tesla Level 3 Superchargers. Electricity for the proposed project, including the Tesla Superchargers, would connect to the existing Blue Cut 12 kilovolt (kV) distribution circuit via underground conduit from the nearest utility pole along Wagon Train Road. Additionally, the proposed project would connect to the existing natural gas and telecommunications infrastructure along Wagon Train Road.

The proposed on-site utility and infrastructure improvements described above would be reviewed and approved by the County's Public Works Department as part of the project's approval process to ensure the proposed project complies with all applicable regulations of the CBC, California Fire Code, and local ordinances. The temporary physical impacts associated with the construction of project-related utility and infrastructure improvements are part of the footprint of the proposed project and are therefore addressed in the environmental analysis for each topical analysis that is provided within this document.

Since the proposed project would not require the installation of new off-site infrastructure and on-site infrastructure would be installed in accordance with all applicable regulations of the CBC, California Fire Code, and local ordinances, the proposed project is not anticipated to require the installation or maintenance of associated infrastructure that may exacerbate fire risk. Additionally, **Mitigation Measure WF-4** would ensure that the existing fire hydrant that would serve the project site complies with fire flow requirements, thereby eliminating the need to install additional emergency water supply sources to serve the project site. With implementation of **Mitigation Measure WF-4,** impacts would be **less than significant with mitigation incorporated**.

Mitigation Measures. The following mitigation measure is required to reduce potentially significant impacts to less than significant levels.

Mitigation Measure WF-4 Prior to issuance of grading and/or building permits, the Project Applicant shall provide the SBCFD with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job site. This measure shall be implemented to the satisfaction of the San Bernardino County Building and Safety Division or designee and the SBCFD.

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?*

Less Than Significant. After a wildfire passes through an area, post-fire hazards can occur due to the site's topography (e.g., steep slopes). Post-fire landslide hazards include fast-moving, highly destructive debris flows that can occur in the years following a wildfire event in response to high intensity rainfall events. Post-fire debris flows are specifically hazardous because they can occur with little warning, can exert great impulsive loads on objects in their paths, can strip vegetation, block drainage ways, damage structures, and endanger human life.

The project site is situated at the base of an alluvial fan that has previously been graded flat. As discussed in Section VII, Geology and Soils, the project site is not located within an area identified by the County as being subject to earthquake induced landslides. The elevations on the site range from approximately 3,065 feet amsl at the northwest corner to 3,051 feet amsl at the southeast corner of the site. Therefore, the project site does not contain any steep slopes. Furthermore, the project-specific Geotechnical Engineering Report determined that existing fill slopes adjacent to the northeast and southwest are not susceptible to landslides. Therefore, the potential for landslides at or near the site is low.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06071C7190H the project site is located in Zone D. Zone D areas are defined by FEMA as areas of minimal flood hazard, which are the areas outside of the Special Flood Hazard Area where flood hazards are undetermined but possible. As discussed in Section X, Hydrology and Water Quality, the proposed project would include site design, source control, and Low Impact Development (LID) BMPs to capture and treat stormwater runoff consistent with the requirements of the San Bernardino County MS4 Permit (**Standard Condition HYD-3**), which would reduce on- or off-site flooding, including any post-fire flows that originate off-site.

Given the discussion above, the proposed project would not expose people or structures to significant landslide or flooding risks as a result of runoff, post-fire slope instability, or drainage changes. Impacts would be **less than significant**, and no mitigation is required.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XXI.	**MANDATORY FINDINGS OF SIGNIFICANCE:**				
a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable"	☐	☒	☐	☐

	means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				
c)	Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

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a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

Less Than Significant with Mitigation Incorporated. The project site is located at the base of an alluvial fan within the San Bernardino Mountains and has been previously graded flat. The project site is bounded by commercial uses to the northwest, Wagon Train Road and open space to the northeast, open space to the southeast, and Interstate 15 to the southwest. Under existing conditions, the project site is undeveloped and consists of ruderal/disturbed vegetation.

No riparian or sensitive natural community is located on site. The project site is mapped within a designated or proposed critical habitat area for arroyo toad. However, as discussed in Section IV, Biological Resources, the project site does not include any of the essential primary features required to meet the life cycle needs of the arroyo toad. Therefore, the arroyo toad is not expected to occur within the project site or vicinity and the project would not impact the arroyo toad.

The project site does not include any federally protected wetlands or any drainage features, ponded areas, wetlands, or riparian habitat subject to jurisdiction by the CDFW, USACE, and/or RWQCB. The Biological Resources Assessment prepared for the project included a literature search and pedestrian survey of the site and determined that the threatened, endangered, or candidate species with potential to occur in the project vicinity are considered absent from the site due to lack of suitable habitat. Pine trees and vegetation that provide suitable nesting habitat for common bird species are located on the project site and would be removed from the site with implementation of the project. The project would be conditioned to ensure a qualified biologist conducts a pre-construction survey for nesting birds to ensure that nesting birds are protected during project construction (**Mitigation Measure BIO-1**).

With implementation of **Mitigation Measure BIO-1**, impacts to native resident or migratory fish or wildlife species (including nesting birds), established native resident or migratory wildlife corridors, and native wildlife nursery sites would be reduced to **less than significant with mitigation incorporated**.

Based on the results of the cultural records search, no precontact or historic cultural resources have been previously recorded within the project site. Additionally, an archaeological field survey conducted at the project site was negative for surficial evidence of precontact or historic cultural resources. Therefore, implementation of the proposed project would not result in impacts to historic resources.

Although there were no precontact or historic cultural resources identified on the project site, the project would be required to comply with all applicable regulations protecting cultural, tribal cultural, or archaeological resources and/or human remains in the event that these resources and/or human remains are encountered during project construction. Therefore, **Mitigation Measures TCR-1** through **TCR-8** are prescribed to ensure that the project would be conditioned to cease excavation or construction activities if cultural, tribal cultural, or archaeological resources and/or human remains are identified during construction and would incorporate archaeological and Native American Monitoring of ground-disturbing activities to ensure any unanticipated encounters are managed in accordance with applicable regulations. These measures also would ensure further consultation with interested Native American Tribes for the appropriate treatment of tribal cultural resources. Additionally, implementation of **Standard Conditions GEO-1** and **GEO-2** would ensure unanticipated paleontological resources encountered during construction would be managed pursuant to applicable regulatory policy. Accordingly, impacts to important examples of major periods of California history or prehistory would be **less than significant with mitigation incorporated**.

The proposed project has either no impact, a less than significant impact, or a less than significant impact with mitigation incorporated with respect to all natural resources issues pursuant to CEQA. Due to the limited scope of physical impacts to the environment associated with the proposed project, implementation of the mitigation measures described above would ensure impacts to the quality of the environment would be reduced to **less than significant with mitigation incorporated**.

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

Less Than Significant with Mitigation Incorporated. CEQA defines cumulative impacts as "two or more individual effects which, when considered together, are considerable, or which can compound to increase other environmental impacts." Section 15130 of the CEQA Guidelines requires evaluation of potential environmental impacts when the project's incremental effect is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of "reasonably foreseeable probable future" projects, per CEQA Section 15355. Cumulative impacts can result from a combination of the proposed project together with other closely related projects that cause an

adverse change in the environment. Cumulative impacts can result from individually minor but collectively significant projects taking place over time.

The proposed project's impacts would be individually limited and not cumulatively considerable, because these impacts are either temporary in nature (e.g., limited to the construction period) or are limited to the project site (e.g., potential discovery of unknown cultural or paleontological resources). The potentially significant impacts that would be reduced to a less-than-significant level with implementation of recommended mitigation measures include the topics of biological resources, geology, hazards, public services (fire protection services), land use (consistency with Fire Safety (FS1) Overlay), utilities (construction of water facilities for emergency water supply), and wildfire.

Specifically, implementation of **Mitigation Measure BIO-1** would ensure that impacts related to nesting birds are reduced to a less-than-significant level. For the topics of geological hazards, potentially significant impacts to humans and structures would be reduced to less-than-significant levels with implementation of **Mitigation Measure GEO-1**. Furthermore, implementation of **Mitigation Measure HAZ-1** would ensure that impacts (including wildfire impacts) from the storage and use of flammable hazardous materials, including the gasoline storage tanks, would be reduced to less-than-significant levels. Finally, **Mitigation Measures WF-1** through **WF-4** would ensure that impacts associated with wildfire, including the project's impacts on fire protection services and installation of emergency water supplies and the project's consistency with the FS1 Overlay requirements would be reduced to less-than-significant levels.

Adherence to Standard Conditions would also further ensure that impacts related to construction-period cultural, tribal cultural, and paleontological resources; soil erosion and loss of topsoil; construction- and operation-period water quality; and construction-and-operation period water, wastewater, and stormwater facilities would remain less than significant.

For the topics of aesthetics, agricultural and forestry resources, air quality, energy, greenhouse gases, mineral resources, noise, population and housing, recreation, and transportation, the project would have no impacts or less-than-significant impacts, and therefore, the project would not substantially contribute to any potential cumulative impacts for these topics.

All environmental impacts that could occur as a result of the proposed project would be reduced to a less-than-significant level through the implementation of the mitigation measures recommended in this document.

When future development proposals are considered by the County, these proposals would undergo environmental review pursuant to CEQA, and when necessary, mitigation measures would be adopted as appropriate. In most cases, this environmental review and compliance with project conditions of approval, relevant policies and mitigation measures, and the General Plan, and compliance with applicable

regulations would ensure that significant impacts would be avoided or otherwise mitigated to less-than-significant levels.

Implementation of these measures would ensure that the impacts of the project and other projects within the vicinity would be below established thresholds of significance and that these impacts would not combine with the impacts of other cumulative projects to result in a cumulatively considerable impact on the environment as a result of project development. Therefore, this impact would be **less than significant with mitigation incorporated**.

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

Less Than Significant with Mitigation Incorporated. All development associated with the proposed project must comply with applicable provisions of the 2022 CBC and the County's building regulations. Accordingly, proper engineering design and construction in conformance with the 2022 CBC standards and a site-specific geotechnical investigation prepared in conformance the current CBC and applicable County standards (**Mitigation Measure GEO-1**) would ensure that the project does not subject people to significant geologic hazards.

The proposed project would store and use flammable hazardous materials on the project site (gasoline storage tanks) which could create a significant hazard to the environment or public. Additionally, the project site is located within a fire prone area; therefore, the gasoline storage tanks on the project site could be a source of ignition for wildfires. However, the project would include several measures to reduce the risk of wildfires originating on-site or exacerbating wildfires that originate off-site. With implementation of **Mitigation Measures HAZ-1** and **WF-1** through **WF-4,** impacts to the public and environment associated with hazardous materials and wildfires would be reduced to **less than significant with mitigation incorporated**.

Through compliance with existing regulations and policy as codified in **Mitigation Measure GEO-1**, **Mitigation Measure HAZ-1, Mitigation Measures WF-1 through WF-4**, substantial direct or indirect effects on human beings would be reduced to **less than significant with mitigation incorporated**.

XXII. MITIGATION MEASURES AND STANDARD CONDITIONS

STANDARD CONDITIONS

Geology and Soils

Standard Condition GEO-1

Prior to issuance of grading permits, the County of San Bernardino (County) shall verify that the following directive is included on all grading plans:

"If paleontological resources are encountered during the course of ground disturbance, work within 60 feet of the find shall be halted, and an exclusionary buffer shall be established. A qualified paleontologist (defined as an individual with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project supervisor for a least one year) shall be contacted to assess the find for scientific significance. Construction personnel shall not collect or move any suspected paleontological materials or further disturb any soils within the exclusionary buffer without the consent of the paleontologist and the County Land Use Services Department, but construction activity may continue unimpeded on other portions of the project site. If the paleontologist determines the find is not a paleontological resource, no further evaluation shall be required within the exclusionary buffer, and construction activity shall be allowed to resume therein. However, if the paleontologist determines the find is a paleontological resource, construction activity shall not resume within the exclusionary buffer, and Standard Condition GEO-2 shall apply."

This measure shall be implemented to the satisfaction of the County Land Use Services Department Director or designee.

Standard Condition GEO-2

If the qualified paleontologist determines paleontological resources are encountered on the project site, the paleontologist shall prepare a Paleontological Resource Impact Mitigation Plan (PRIMP) to be implemented during the balance of ground-disturbing activities. Implementation of the PRIMP shall include (but not be limited to) the following:

- Review of project-specific geotechnical report data, with particular regard to location and depth of earthmoving and the rock unit(s) encountered;

- Development of a formal agreement between the Project Applicant and the San Bernardino County Museum, Natural History Museum of Los Angeles County, Western Science Center, San Diego Natural History Museum, Riverside Municipal Museum, or other accredited museum repository for the final disposition, permanent storage, and maintenance of any fossil collections and associated data;

- The construction schedule, term/schedule of on-site paleontological monitor(s) and the extent of areas and activities to be monitored;

- Authority of paleontological monitor(s) to temporarily redirect construction activity in the vicinity of any paleontological discovery;

- Procedures for the evaluation and option to recover large fossil specimens and for the evaluation, recovery, and processing of small fossil specimens;

- Fossil specimen preparation, identification to the lowest taxonomic level possible, curation, and cataloging; and

- A report of findings.

The paleontologist shall monitor remaining ground-disturbing activities in native soils at the project site and shall be equipped to record and salvage fossil resources that may be unearthed during construction. The paleontologist shall temporarily halt or divert construction equipment to allow recording and removal of the unearthed resources. Significant fossils shall be offered for curation at an accredited museum repository in accordance with the PRIMP. A report of findings, including, when appropriate, an itemized inventory of recovered specimens and a discussion of their significance, shall be prepared upon completion of the steps outlined above. The report and inventory, when submitted to and approved by the County of San Bernardino (County), would signify completion of the program. This measure shall be implemented to the satisfaction of the County Land Use Services Department Director or designee.

Hydrology and Water Quality

Standard Condition HYD-1 **Construction General Permit.** Prior to issuance of a grading permit, the Project Applicant shall obtain coverage under the State Water Resources Control Board (SWRCB) National

	Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order No. 2022-0057-DWQ, National Pollutant Discharge Elimination System No. CAS000002) (Construction General Permit). This shall include submission of Permit Registration Documents (PRDs), including a Notice of Intent for coverage under the permit to the SWRCB via the Stormwater Multiple Application and Report Tracking System (SMARTs). The Project Applicant shall provide the Waste Discharge Identification Number (WDID) to the County of San Bernardino (County), or designee, to demonstrate proof of coverage under the Construction General Permit. Project construction shall not be initiated until a WDID is received from the SWRCB and is provided to the County, or designee. A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and implemented for the proposed project in compliance with the requirements of the Construction General Permit. The SWPPP shall identify construction Best Management Practices (BMPs) to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in stormwater runoff as a result of construction activities. Upon completion of construction and stabilization of the site, a Notice of Termination shall be submitted via SMARTs.
Standard Condition HYD-2	Prior to the commencement of any land-disturbing activities, the Project Applicant shall obtain coverage under the Construction General Permit, develop a SWPPP, and submit an erosion control plan to the County for review and approval that incorporates BMPs to prevent erosion during construction activities pursuant to Chapter 85.11.030 of the County Development Code.
Standard Condition HYD-3	Prior to issuance of a grading permit, the Project Applicant shall submit a Final Water Quality Management Plan (Final WQMP) to the County for review and approval in compliance with the requirements of the Santa Ana Regional Water Quality Control Board (RWQCB) NPDES Permit Waste Discharge Requirements for the San Bernardino County Flood Control District, the County of San Bernardino, and the Incorporated Cities of San Bernardino County Within the Santa Ana Region Area-Wide Urban Stormwater Runoff Management Program (Order No. R8-2010-0036, NPDES No. CAS618036). The Final WQMP shall specify the BMPs to be incorporated into the project design to target pollutants of concern in stormwater runoff from the project site and the necessary operation and maintenance activity for each BMP.

The County shall ensure that the BMPs specified in the Final WQMP are incorporated into the final project design. The proposed BMPs specified in the Final WQMP shall be incorporated into the grading and development plans submitted to the County for review and approval. Project occupancy and operation shall be in accordance with the schedule outlined in the WQMP.

Utilities and Service Systems

Standard Condition U-1 Prior to issuance of a grading permit, the Project 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).

Standard Condition U-2 Prior to issuance of a grading permit, the Project Applicant shall procure a verification letter from the sewer service provider identified. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewer provider. The letter shall reference the Assessor's Parcel Number(s).

MITIGATION MEASURES

Biological Resources

Mitigation Measure BIO-1 If vegetation removal, construction, or grading activities are proposed during nesting bird season (February 15 to August 31), a qualified biologist (Project Biologist) shall conduct a pre-construction nesting survey of the project site and areas immediately adjacent to the site within 72 hours prior to start of work pursuant to Sections 3503–3801 of the California Fish and Game Code. If the survey indicates nesting birds are present, an appropriate buffer to be established by the Project Biologist shall be marked off around the nest(s), and no construction activity shall occur in that area during nesting activities. Construction may resume within the established buffer when the Project Biologist determines the nest is no longer occupied and all juveniles have left the nest.

Evidence of completion of the nesting bird survey and establishment of appropriate buffers shall be provided to the County prior to the final approval of any construction, grading, or vegetation removal permits.

This measure shall be implemented to the satisfaction of the County's Land Use Services Department Director or designee.

Cultural Resources

Refer to **Mitigation Measures TCR 1** through **TCR-8**

Geology and Soils

Mitigation Measure GEO-1

Prior to issuance of grading and/or building permits, the Project Applicant shall provide evidence to the San Bernardino County for review and approval that proposed structures, features, and facilities have been designed and would be constructed in conformance with applicable provisions of the 2022 edition of the California Building Code (CBC) or the most current edition of the CBC in effect at the time the Project Applicant's development application is deemed complete by the County.

Additionally, the Project Applicant shall prepare a site-specific geotechnical report for the project and provide evidence to the County that the recommendations cited in the geotechnical report are incorporated into project plans and/or implemented as deemed appropriate by the County. Geotechnical recommendations may include, but are not limited to, removal of existing vegetation, structural foundations, floor slabs, utilities, seepage pits, septic systems, and any other surface and subsurface improvements that would not remain in place for use with the new development. Remedial earthwork and ground improvement shall occur to depths specified in the geotechnical report to provide a sufficient layer of engineered fill or densified soil beneath the structural footings/ foundations, as well as proper surface drainage devices and erosion control. Fill soils shall low susceptibility for expansion. Construction of concrete structures in contact with subgrade soils determined to be corrosive shall include measures to protect concrete, steel, and other metals, especially if fill is imported. Verification testing must be performed upon completion of ground improvements to confirm that the compressible soils have been sufficiently densified. The structural engineer must determine the ultimate thickness and reinforcement of the building floor slabs based on the imposed slab loading.

As necessary, the County may require additional studies and/or engineering protocols to meet its requirements. This

measure shall be implemented to the satisfaction of the San Bernardino County Building and Safety Division or designee.

Hazards and Hazardous Materials

Mitigation Measure HAZ-1 Prior to issuance of grading and/or building permits, the Project 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.

This measure shall be implemented to the satisfaction of the San Bernardino County Building and Safety Division or designee and the SBCFD.

Also refer to **Mitigation Measures WF-1** through **WF-4**.

Tribal Cultural Resources

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

Mitigation Measure TCR-2 **Retention of Archaeologist.** Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits, the Applicant shall retain a qualified archaeologist who meets the United States Secretary of the Interior Standards (SOI). The archaeologist shall be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resources. The archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribe(s) Tribal Historic Preservation Officer (THPO), and/or designated Tribal

Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities, as well as the procedures to be followed in such an event.

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

Mitigation Measure TCR-4 **Pre-Grade Meeting.** The retained qualified archeologist and Consulting Tribe(s) representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.

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

Mitigation MeasureTCR-6 **Inadvertent Discovery of Cultural Resources** In the event that previously unidentified cultural resources are unearthed during construction, the Qualified Archaeologist and the Tribal Monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbance operations in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and

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

a. Full avoidance.

b. If avoidance is not feasible, preservation in place.

c. If preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or deed restriction.

d. If all other options are proven to be infeasible, data recovery shall be conducted through excavation, followed by curation of the items in a curation facility that meets the Federal Curation Standards (CFR Section 79.1).

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

a. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County

Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98

b. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5

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

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

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

Wildfire

Mitigation Measure WF-1 Prior to issuance of grading and/or building permits, the Project Applicant shall prepare a site-specific Fire Protection Plan (FPP) for the project and provide evidence to the County and SBCFD that the requirements identified in the Fire Protection Plan are incorporated into project plans and/or implemented as deemed appropriate by the County. Requirements may include, but are not limited to, the use of ignition resistant building

materials, approved plant materials, prohibited plant materials (combustible vegetation), evacuation signage, providing the Construction Contractor with a copy of the FPP, owner/employee education, posting the Evacuation Plan in public areas, and the preparation of a Fuel Modification Plan and Evacuation Plan.

As necessary, the County and/or SBCFD may require additional studies and/or protocols to meet its requirements. This measure shall be implemented to the satisfaction of the San Bernardino County Building and Safety Division or designee and the SBCFD.

Mitigation Measure WF-2 Prior to any construction occurring on any parcel, the Project Applicant shall contact the SBCFD for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable status, codes, ordinances and standards of the SBCFD.

Permission to occupy or use the building (certificate 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”.

This measure shall be implemented to the satisfaction of the San Bernardino County Building and Safety Division or designee and the SBCFD.

Mitigation Measure WF-3: Prior to final inspection, the Project 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.

This measure shall be implemented to the satisfaction of the San Bernardino County Building and Safety Division or designee and the SBCFD.

Mitigation Measure WF-4: Prior to issuance of grading and/or building permits, the Project Applicant shall provide the SBCFD with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow

water supply shall be in place prior to placing combustible materials on the job site.

This measure shall be implemented to the satisfaction of the San Bernardino County Building and Safety Division or designee and the SBCFD.

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