INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

KRAMER JUNCTION TRAVEL STOP
SAN BERNARDINO, CALIFORNIA
APN 0491-151-11

LEAD AGENCY:

COUNTY OF SAN BERNARDINO
LAND SERVICES DEPARTMENT 7385 N. ARROWHEAD AVENUE
SAN BERNARDINO, CA 92415-0182

REPORT PREPARED BY:

BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING
2211 S. HACIENDA BOULEVARD, SUITE 107
HACIENDA HEIGHTS, CALIFORNIA 91745

August 2025

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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:	0491-151-11	***USGS Quad:***	Saddleback Mountain
Applicant:	JKI Ventures, LLC 4 Laconia Irvine, CA 92614 (714) 381-1586	***T, R, Section:***	T11N, R06W Section 32
Location	East side of Highway 395 north of Hwy 58 Kramer Junction		
Project No:	PROJ-2022-00111	***Community Plan:***	N/A
Rep	Tom Steeno 11774 Hesperia Rd Suite B1 Hesperia, CA. 92345 admin@steenodesign.com	***Land Use Category:***	Rural Living (RL)
		Zoning Designation:	Rural Living (RL)
Proposal:	A Policy Plan Amendment from Rural Living (RL) to Commercial (C), Zoning Amendment from Rural Living, 5-acre minimum, (RL-5) to Highway Commercial (CH) on five (5) acres of a 35.97-acre parcel, Tentative Parcel Map to subdivide the 35.97-acre parcel into four (4) parcels and a remainder parcel (Parcel A: 1.9 acres; Parcel B: 0.64 acres; Parcel C: 0.65 Acres; Parcel D: 1.5 acres; and Remainder Lot: 18.53 acres), and Conditional Use Permit to construct and operate a travel stop comprised of a convenience store with trucker lounge containing 9,349 square feet and eight (8) auto fueling pumps (Parcel A), Starbucks with drive-thru containing 2,400 square feet (Parcel B), Dairy Queen with drive-thru containing 2,454 square feet (Parcel C) with eight (8) fueling, and four (4) truck fueling pumps and nine (9) over-night trucking parking spaces (Parcel D), and major variance to increase the height of the pole sign from 25 to 50 feet.	***Overlays:***	Burrowing Owl, Desert Tortoise

PROJECT CONTACT INFORMATION

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

Contact person: Oliver Mujica, Contract Planner III

Phone No: (909) 387-4002 ***Fax No:*** (909) 387-3223

E-mail: Oliver.Mujica@lus.sbcounty.gov

PROJECT DESCRIPTION

Physical Characteristics

The County of San Bernardino is reviewing an application submitted by Steeno Design Studio Inc. to construct and operate a travel stop. There would be a total of four (4) parcels included in the proposed development. The total area of the land is 35.97 acres; however, the area of the proposed development will be approximately 4.69 net acres located on the southwest corner of the parcel. The remaining area of the parcel will be approximately 18.53 acres and reserved for future development. A Tentative Parcel Map (TPM) has been submitted to subdivide the 35.97-acre parcel into 4 parcels and a remainder lot. The land to be developed would be subdivided into 4 parcels (referred to as Parcels 1 through 4. The project's development would occur over two phases. Phase 1 would involve the development of Parcels 1 and 4. Phase 2 would involve the development of Parcels 2 and 3. In addition to a new TPM, a proposed Policy Plan Amendment changing the land use category from *Rural Living (RL)* to *Commercial (C)* and a corresponding Zoning Amendment from *Rural Living-5-acre minimum lot size (RL-5)* to *Rural Commercial (CR).* The remaining of 18.53 acres will remain in *the Rural Living (RL-5)* Land Use Category and Rural Living-5-acre minimum lot size (RL-5) Zoning District. The project elements are summarized below.

- *Convenience Store with a Quick Serve Restaurant (QSR & Trucker's Lounge).* The proposed project would include a new 9,349 square foot convenience store located in Parcel 1. The proposed convenience store would be located adjacent to the east, of the fueling area. There would be two public entry ways that would face the fuel dispensing area. Secondary entryways would be located at the south and east ends of the building. The inside of the convenience store building would include a retail sales area, a trucker's lounge, and a quick-service restaurant (QSR) with an outdoor seating area.
- *Drive-Through Restaurant.* A 2,454 square foot restaurant would be constructed in Parcel 2, on the south-central portion of the project site. The main public entryway would be located on the north elevation of the proposed building. The drive-through lane would have a capacity of approximately 20 vehicles.
- *Drive-Through Coffee Store.* The coffee store would have two drive-thru lanes, which would be constructed in Parcel 3. The coffee shop would have a total floor area of 2,400 square feet. The drive-through lane would have a capacity of approximately 14 vehicles.
- *Fueling Areas.* An 8 pump, double-sided fuel dispensing area under a canopy would be installed in Parcel 1 on the west of the proposed convenience store building. A total of 16 fueling positions would be provided under a 6,300 square foot canopy. A 5-pump diesel fueling area for trucks, with 5 fueling positions, would also be installed in Parcel 4 under a fueling canopy.
- *Water Well & Water Tank.* A new 35,100 gallon water tank is proposed within the northeastern portion of Parcel 4. A water well with a 72,000 gallon per day capacity is also proposed north of Parcel 1.
- *Underground Storage Tanks (USTs).* Four underground storage tanks (USTs) would be installed. Two would be installed in Parcel 1 (one for the storage of 91 octane and Diesel and one UST would be installed for the storage of 87 octane gasoline).
- *Access and Circulation.* Access to the site is proposed via two driveways along Highway 395. A right in only access driveway is proposed at Project Driveway "A" and Highway 395 located about 310 feet (measured from end of the curb return to beginning of the curb return) north of Highway 58 westbound on and off-ramps. Proposed improvements to Highway 395 include widening the east side of the road and restriping the lanes to provide two northbound through lanes, a northbound bike lane, and a continuous northbound right turn lane into Project Driveway "A" and extends the length of the project's frontage. The median restricts left turn in or left turn out at Driveway "A". A full access traffic signal-controlled driveway is proposed at Project Driveway "B" and Highway 395 located about 540 feet (measured from end of the curb return to beginning of the curb return) north of Highway 58 westbound on and off-ramps. Proposed improvements to Highway 395 include widening the east side of the road and restriping the lanes to provide two northbound through lanes, a northbound bike lane, termination of the continuous right turn lane into an exclusive northbound right turn lane, and a southbound median left turn lane into Project Driveway "B".

- *Parking.* A total of 118 parking spaces would be provided throughout the project site. The project site would provide a total of 90 standard parking spaces, 14 standard EV spaces, 4 ADA parking spaces (including one EV space), and 10 parking spaces for truck parking.
- *Landscaping, Lighting, and Signage.* Landscaping would total 40,265 square feet and would be located throughout the project site. A PG & E Utility Easement also extends along the site's southern side and would remain. The proposed project would involve the installation of twenty, 25 foot high light poles, a 50 foot tall pole sign, and an 8 foot tall pricing sign. The pole sign would be located in the site's southwest corner. Other lighting would be installed on the individual buildings and building signage.

The site plan is shown in Exhibit 1. The project is summarized in Table 1.

Table 1 Project Summary

Project Element	Description
Total Site Area	35.97 acres (1,566,961 sq. ft.)
Total Building Floor Area	14,203 sq. ft.
Coffee Shop (with Drive-Through)	2,400 sq. ft.
Drive-Through Restaurant	2,454 sq. ft.
Fuel Sales Area	8 pumps (16 fueling positions)
Diesel Fueling Area	5 pumps
Convenience Store & Trucking Lounge	9,349 sq. ft.
Standard Parking Spaces	90 spaces
ADA Parking Spaces	3 spaces
EV ADA Parking Spaces	1 spaces
EV Standard Parking Spaces	14 spaces
Truck Parking Spaces	10 spaces
Landscaping	40,265 sq. ft.

Source: Steeno Design Studio

Construction Characteristics

The total land area to be developed consists of 4.68-net acres (204,078 square feet) located on the southwest corner of the larger 35.97-acre parcel. The land to be developed would be subdivided into 4 parcels (referred to as Parcels 1 through 4. The project's development would occur over two phases. Phase 1 would involve the development of Parcels 1 and 4. Phase 2 would involve the development of Parcels 2 and 3. The construction for the current proposed project is estimated to begin in July 2026 and would take approximately ten months to complete. The key construction tasks for each of the two Phases are outlined in the paragraphs that follow.

- *Grading Task.* The project site would be graded and prepared for the construction. Construction equipment that would be used onsite during this task would include graders, dump trucks, and water trucks. This task would require one month to complete.
- *Site Preparation Task.* During this task, the building footings, utility lines, and other underground infrastructure would be installed. Construction equipment that would be used onsite during this task would include trenching equipment, back hoes, front loaders, graders, dump trucks, and water trucks This task would require one month to complete.
- *Building Construction Task.* The new buildings would be constructed during this task. Construction equipment that would be used onsite during this task would include forklifts, trucks, back hoes, front loaders, and compressors/generators. This task would take approximately five months to complete.
- *Paving, Landscaping, and Finishing Task*. The individual development sites will be paved during this task. Construction equipment that would be used onsite during this task would include forklifts, trucks, back hoes, front loaders, and cement mixers, pavers, rollers, compressors/generators. This task will take approximately two months to complete.

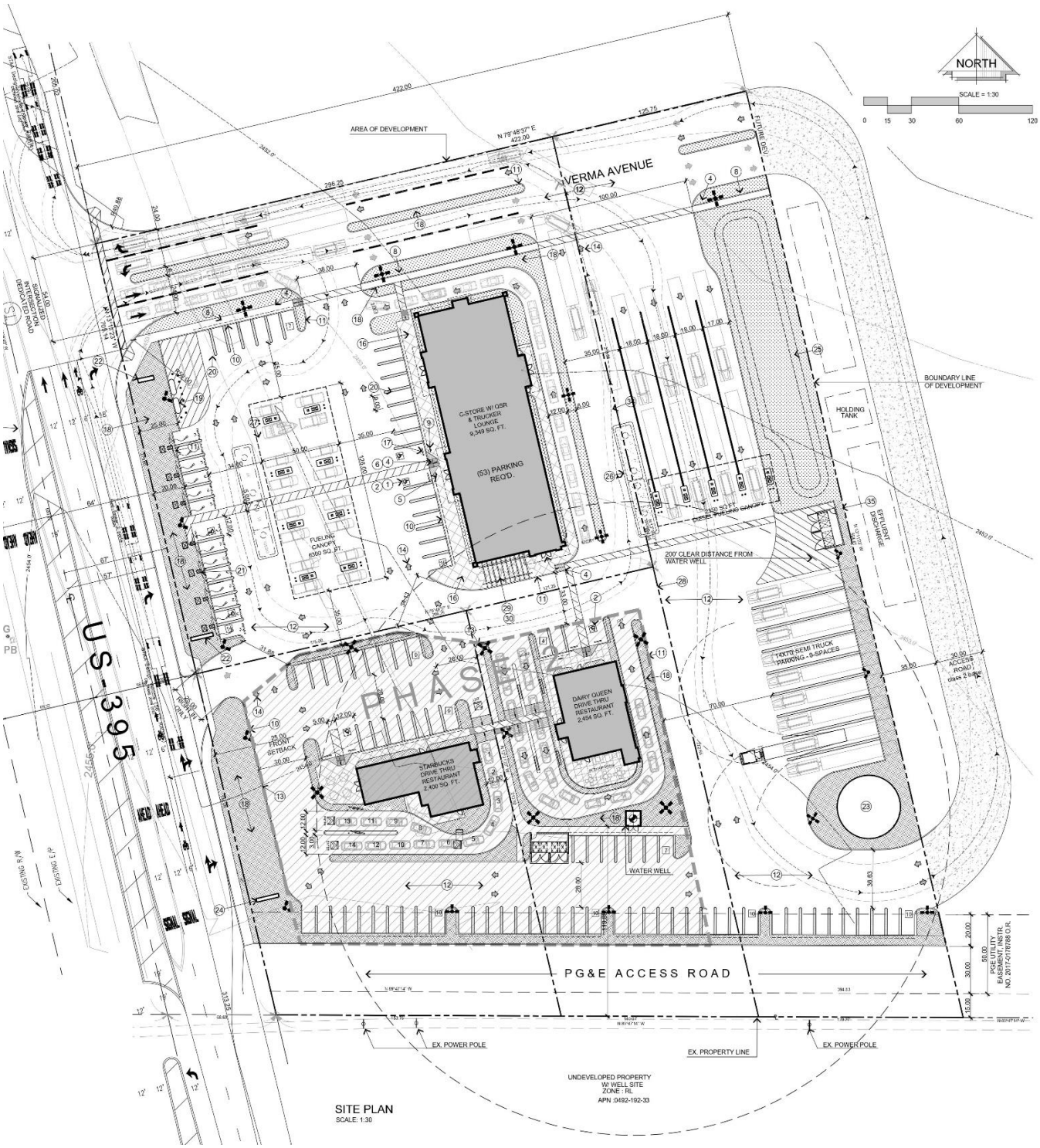

Exhibit 1 Site Plan of Proposed Project

SOURCE: STEENO DESIGN STUDIOS

Operational Characteristics

The fuel dispensers and the convenience store will be open 24 hours a day, 7 days a week. The coffee shop may be open 24 hours a day though the actual hours of operation will be determined once the tenant is identified. The proposed convenience store component of the project is anticipated to employ up to 25 people while the potential employment for the coffee shop is anticipated to be up to 20 people.

Surrounding land uses and Project Location

Surrounding Land Uses

Land uses located in the vicinity of the proposed project are outlined below:

- *North of the project site:* Vacant land uses are located north of the site. This area is zoned as Rural Living (RL-5). A potential jurisdictional channel is also located on the northern portion of the project site.
- *East of the project site:* Vacant land uses are located east of the project site. This area is zoned as Rural Living (RL-5).
- *South of the project site:* Vacant land is located adjacent to the project site to the south. This area is zoned for Commercial Use. Commercial development and State Route 58 is located further south.
- *West of the project site:* Directly west of the project site is US-395 with vacant disturbed zoned as Rural Living-5 (RL-5) and Rural Commercial (CR). Further west is a water distribution system zoned as Rural Commercial.

An aerial photograph of the project site and the surrounding area is provided in Exhibit 2.

Existing Land Use and Land Use Zoning Districts			
Location	**Existing Land Use**	**Land Use Category**	**Land Use Zoning District**
Site	Vacant Land	Rural Living (RL)	Rural Living (RL-5)
North	Vacant Land	Rural Living (RL)	Rural Living (RL-5)
South	Vacant Land	Rural Living (RL)	Special Development (SD-RES)
East	Vacant Land	Rural Living (RL)	Rural Living (RL-5).
West	Vacant Land	Rural Living (RL)/Commercial (C)	Rural Living (RL-5)/Rural Commercial (CR).

Project Site Location

The proposed project site is located in the west-central portion of San Bernardino County. This physiographic subregion is separated from the more populated areas of coastal and inland Southern California by the San Bernardino and San Gabriel mountains. Kramer Junction is bounded on all sides by unincorporated San Bernardino County. Regional access to Kramer Junction is provided by two area highways: US-395, extending in a northwest to southeast orientation on the western side of the project site and State Route 58, which traverses to the south of the project site in an east to west orientation. The location of Kramer Junction, in a regional context, is shown in Exhibit 3. An areawide photograph of the site and the surrounding area is provided in Exhibit 4. A vicinity map is provided in Exhibit 5.

The site's address is US-395 Kramer Junction California 93516. The corresponding Assessor Parcel Number (APN) is 0491-151-11. The site's latitude and longitude are 34.99899, -117.54133. The project site is located in the west half of Section 32, T11N R6W, San Bernardino Baseline and Meridian.

ADDITIONAL APPROVALS REQUIRED BY OTHER PUBLIC AGENCIES

The land to be developed will be subdivided into 4 parcels (referred to as Parcels 1 through 4). The project's development (bounded in yellow in Exhibit 2) would occur over two phases. Phase 1 would involve the development of Parcels 1 and 4. Phase 2 would involve the development of Parcels 2 and 3. In addition to a new TPM, a proposed Policy Plan Amendment changing the land use designation from *Rural Living (RL* to *Commercial (C)* and a corresponding zone change from *Rural Living-5-acre minimum lot size (RL-5)* to *Rural Commercial (CR).* The remaining of 31.1-acres will remain in *the Rural Living (RL-5)* Land Use Category and Zoning District. Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement.):

Federal: N/A

State of California: NPDES Permit, Caltrans

County of San Bernardino: Land Use Services – Building and Safety, Land Development Engineering – Roads/Drainage; Public Health – Environmental Health Services; and County Fire

Local: N/A

SUMMARY OF 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, has consultation begun? The required notification of affected tribes has occurred. The San Manuel tribe provided standard language regarding mitigation of inadvertent discovery of tribal cultural resources including human remains. 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.

Effective July 1, 2015, in accordance with Assembly Bill 52 (AB-52), the California Environmental Quality Act (CEQA) has been amended to require that lead agencies consider potential impacts to "tribal cultural resources" as part of the environmental review. In order to meet the requirements of AB-52, lead agencies must engage in a notice and consultation process with tribes having cultural affiliation within the geographic area of a proposed project. On August 15, 2023, a Notice of opportunity to Consult was sent to the following tribes. Twenty-Nine Palms Band of Mission Indians, Colorado River Indian Tribes, Fort Mojave Indian Tribe, Morongo Band of Mission Indians, Yuhaaviatam of San Manuel Nation, and Soboba Band of Luiseño Indians.

Tribe	Comment Letter Received	Summary of Response	Conclusion
Twenty-Nine Palms Band of Mission Indians	-	-	-
Colorado River Indian Tribes	-	-	-
Fort Mojave Indian Tribe	-	-	-
Morongo Band of Mission Indians		Cultural Report provided per request on 7/13/23	No response.
Yuhaaviatam of San Manuel Nation		No consultation requested	Standard mitigation provided and incorporated into this document
Soboba Band of Luiseño Indians	-	-	-

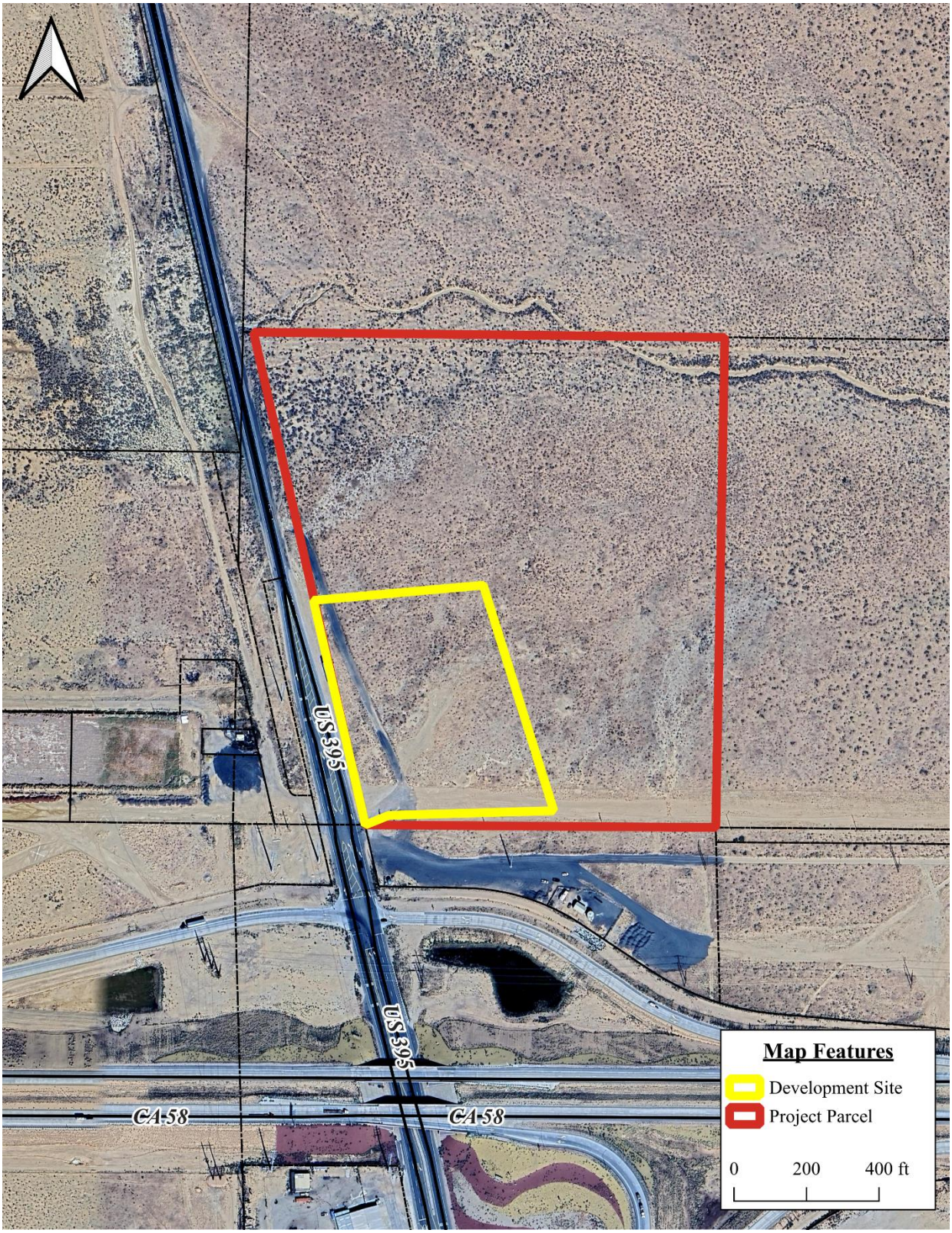

EXHIBIT 2 AERIAL MAP
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

EXHIBIT 3 REGIONAL MAP
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

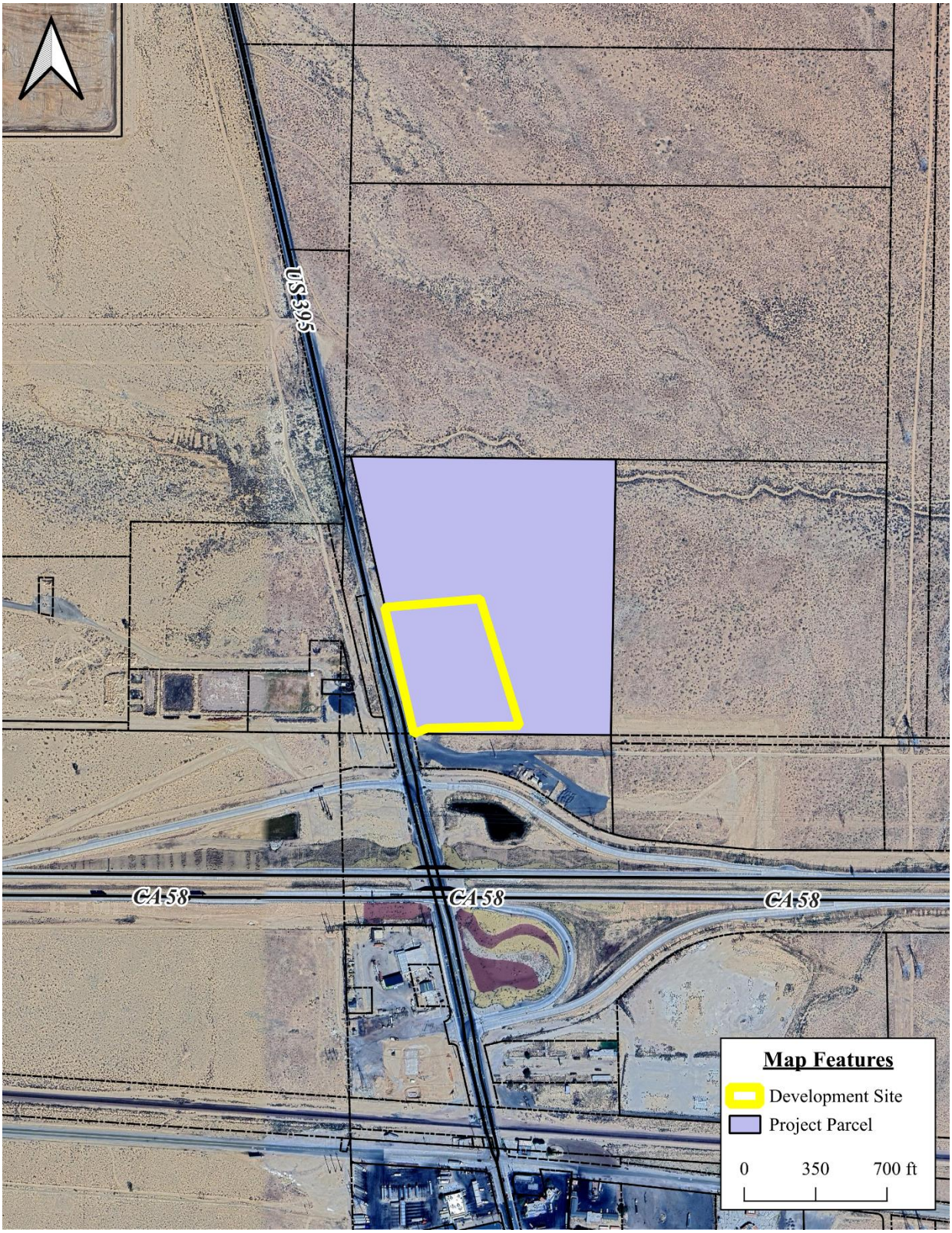

EXHIBIT 4 AREAWIDE MAP
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

EXHIBIT 5 VICINITY MAP
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

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 the 21 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**: 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 requires mitigation as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture & 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 & Traffic	☒ 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.

Signature: Oliver Mujica/Contract Planner III — Date: August 14, 2025

Signature: Paul Toomey/Consulting Planning Manager — Date: August 12, 2025

1. AESTHETICS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project have a substantial adverse effect on a scenic vista?			✕	
B. Would the project 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, would the project 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. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✕	

SUBSTANTIATION OF ENVIRONMENTAL IMPACTS

A. *Would the project have a substantial adverse effect on a scenic vista? ● Less than Significant*

The proposed project involves the construction and operation of a highway commercial center development. The proposed project site is located on a vacant 35.97-acre parcel. There would be a total of four parcels included in the proposed development. The total area of the land is 35.97 acres; however, the area of the proposed development will be approximately 4.68 net acres located on the southwest corner of the parcel. The remaining area of the parcel will be reserved for future development. Land uses located in the vicinity of the proposed project are outlined below and on the following page:

- *North of the project site:* Vacant land uses are located north of the site. This area is zoned as Rural Living (RL-5).[1] A potential jurisdictional channel is also located on the northern portion of the project site.[2]
- *East of the project site:* Vacant land uses are located east of the project site. This area is zoned as Rural Living (RL-5).[3]
- *South of the project site:* Vacant land is located adjacent to the project site to the south. This area is zoned for Commercial Use. Commercial development and State Route 58 is located further south. [4]
- *West of the project site:* Directly west of the project site is US-395 with vacant disturbed zoned as Rural Living (RL-5, and Rural Commercial). Further west is a water distribution system zoned as Rural Commercial.[5]

The site would qualify as undeveloped desert land since the site is vacant and undeveloped. The local views are dominated by electrical transmission lines located to the south and west of the site. More distant views are dominated by the San Gabriel Mountains, located more than 40 miles to the east, and the San Bernardino Mountains located approximately 43 miles to the south. Local views are dominated by the nearby freeways located to the west and south of the site. The Countywide Plan policies guiding development in desert regions include Policy LU-2.1 (Compatibility with existing uses), Policy LU-2.3 (Compatibility with natural environment), Policy LU-4.1 (Context-sensitive design in the Mountain/Desert regions), and Policy NR-4.1

[1] Steeno Design Studio Inc. Kramer Junction Development. Page A-0 Site Plan. October 2024.
[2] RCA Associates Inc. General Biological Resources Assessment. January 25, 2022
[3] Steeno Design Studio Inc. Kramer Junction Development. Page A-0 Site Plan. October 2024.
[4] Ibid.
[5] Ibid.

(Preservation of scenic resources). The proposed development would be compatible with existing uses and the natural environment since the proposed use is permitted within the Rural Commercial zone and would abide by the development standards including lot coverage, setbacks, and density. All of the new buildings would consist of a single level and would not obstruct any views of the surrounding environment. The proposed development would be of similar character and scale the existing commercial development south of SR-58. *As a result, the impacts would be less than significant.*

B. *Would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? ● No Impact.*

The project site is located adjacent to US-395 to the east and SR-58 is located south. Construction of the proposed project would contribute to US-395 highway's aesthetic improvements and scenic quality. The site is currently vacant though disturbed. No scenic vistas are located in the area. The nearest designated scenic highway is State Route 2 located approximately 44.5 miles south of the project site. There are no buildings currently located on the property or any rock outcroppings. *Therefore, no impacts would occur.*

C. *In non-urbanized areas, would the project 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.*

The project is located in a non-urbanized area. The nearest designated scenic highway is State Route 2 located approximately 44.5 miles south of the project site. Local views are dominated by electrical transmission towers located to the south and west of the site. Vacant lands are located north and east of the site. A potential jurisdictional channel is also located on the northern portion of the project site. As previously discussed, the Countywide Plan policies guiding development in desert regions include Policy LU-2.1 (Compatibility with existing uses), Policy LU-2.3 (Compatibility with natural environment), Policy LU-4.1 (Context-sensitive design in the Mountain/Desert regions), and Policy NR-4.1 (Preservation of scenic resources). The proposed development would be compatible with existing uses and the natural environment since the proposed use is permitted within the Rural Commercial zone and would abide by the development standards including lot coverage, setbacks, and density. Furthermore, the proposed development would conform to the applicable *Rural Commercial (CR)* development standards in the County of San Bernardino Development Code. *As a result, the impacts would be less than significant.*

D. *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? ● Less than Significant Impact.*

All new development, including the proposed project, may incrementally change conditions of nighttime views and the character of dark skies. This continued development will incrementally increase ambient light and glare and degrade "dark skies" conditions. There is a lack of development within the project site's vicinity. Project-related sources of nighttime light would be typical of that associated with commercial land uses, including signage, parking area lighting, security lighting, and vehicular headlights. There are no light sensitive receptors located adjacent to the project site. The light sensitive receptors are shown in Exhibit 6. The proposed project would involve the installation of twenty, 25 foot high light poles, a 50 foot tall pole sign, and an 8 foot tall pricing sign. The pole sign would be located in the site's southwest corner. Other lighting would be installed on the individual buildings and building signage. The County has adopted the San Bernardino Night Sky Ordinance. In addition, the San Bernardino Countywide Plan, the Desert Community Plan, and the San Bernardino County Development Code have several goals and policies relating to lighting/glare. The project would adhere to the Countywide Plan Policy LU-4.7 (Dark Skies) as well as the goals and policies relating to lighting/glare in the Development Code, including Chapters 83.07 Light Trespass and Section 83.07.060 Mountain and Desert Requirements. The proposed light fixtures would be downward-facing and would be fully shielded. *As a result, the impacts would be less than significant.*

MITIGATION MEASURES

The analysis of aesthetic resources indicated that no impact on these resources would occur as part of the proposed project's implementation. As a result, no mitigation is required.

EXHIBIT 6 LIGHT SENSITIVE RECEPTORS

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

2. AGRICULTURE & FORESTRY RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses?				✖
B. Would the project conflict with existing zoning for agricultural uses, or a Williamson Act Contract?				✖
C. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				✖
D. Would the project result in the loss of forest land or conversion of forest land to a non-forest use?				✖
E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to a non-forest use?				✖

SUBSTANTIATION OF ENVIRONMENTAL IMPACTS

A. *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses? ● No Impact.*

The proposed project would require a General Plan Amendment (GPA) changing the land use designation from *Rural Living (RL* to *Commercial (C)* and a corresponding Zone Change from *Rural Living-5-acre minimum lot size (RL-5)* to *Rural Commercial (CR).* The remaining of 31.1-acres will remain in *the Rural Living (RL-5)* Land Use Category and Zoning District. According to the California Department of Conservation, the project site does not, nor do the adjacent parcels, contain any areas of Farmland of Statewide Importance. No agricultural uses are located onsite or adjacent to the property. The implementation of the proposed project would not involve the conversion of any prime farmland, unique farmland, or farmland of statewide importance to urban uses. *As a result, no impacts will occur*.[6]

B. *Would the project conflict with existing zoning for agricultural uses, or a Williamson Act Contract? ● No Impact.*

The project would not conflict with any existing zoning for agricultural uses. The proposed project would require a General Plan Amendment (GPA) changing the land use designation from *Rural Living (RL* to *Commercial (C)* and a corresponding Zone Change from *Rural Living-5-acre minimum lot size (RL-5)* to *Rural Commercial (CR).* The existing and proposed designations do not contemplate agricultural uses. According to the California Department of Conservation Division of Land Resource Protection, the project site is not subject to a Williamson Act Contract.[7] *As a result, no impacts will occur.*

[6] California Department of Conservation, Division of Land Resource Protection, Farmland Mapping, and Monitoring Program. *California Important Farmland Finder*.
[7] California Department of Conservation. *State of California Williamson Act Contract Land.* ftp://ftp.consrv.ca.gov/

C. *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? ● No Impact.*

The proposed project would require a General Plan Amendment (GPA) changing the land use designation from *Rural Living (RL* to *Commercial (C)* and a corresponding Zone Change from *Rural Living-5-acre minimum lot size (RL-5)* to *Rural Commercial (CR).* The remaining of 31.1-acres will remain in *the Rural Living (RL-5)* Land Use Category and Zoning District. The proposed project site is zoned for development and the site is located in the vicinity of rural development. All of the surrounding properties are zoned for urban development. No forest lands, timber lands, or timber land production zones are located within the project site. Additionally, the site's existing zoning designation does not contemplate such forestry-related uses. A*s a result, no impacts will occur.*

D. *Would the project result in the loss of forest land or conversion of forest land to a non-forest use? ● No Impact.*

The proposed project site is zoned for urban development and the surrounding land is slated for urban development. Furthermore, no forest lands are located within the project site or surrounding areas. No loss or conversion of forest lands to urban uses would result from the proposed project's implementation. *As a result, no impacts will occur.*

E. *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to a non-forest use? ● No Impact.*

The project site is not occupied by farmland and/or forestry-related uses. The proposed project would not involve any changes to the existing environment which could result in the conversion of farmland to non-agricultural use, or the conversion of forest land to a non-forest use. *As a result, no impacts will occur.*

MITIGATION MEASURES

The analysis of agricultural and forestry resources indicated that no impact on these resources would occur as part of the proposed project's implementation. As a result, no mitigation is required.

3. AIR QUALITY

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project conflict with or obstruct implementation of the applicable air quality plan?			✖	
B. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?			✖	
C. Would the project expose sensitive receptors to substantial pollutant concentrations?			✖	
D. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✖	

The air quality report is provided in Appendix A.

SUBSTANTIATION OF ENVIRONMENTAL IMPACTS

A. *Would the project conflict with or obstruct implementation of the applicable air quality plan? ● Less Than Significant.*

The project site is located within the portion of the County of San Bernardino, California, that is part of the Mojave Desert Air Basin (MDAB) and is under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The air quality assessment for the proposed project includes estimating emissions associated with short-term construction and long-term operation of the proposed project. A number of air quality modeling tools are available to assess the air quality impacts of projects. In addition, certain air districts, such as the MDAQMD, have created guidelines and requirements to conduct air quality analyses. The MDAQMD's current guidelines provide direction as to the scope and content of air quality analysis used in the preparation of CEQA reports. These same guidelines also indicate the thresholds for the individual criteria pollutants. Projects in the MDAB generating construction and operational-related emissions that exceed any of the following emissions thresholds are considered to be significant under CEQA.

- *Ozone (O_3)* is a nearly colorless gas that irritates the lungs, damages materials, and vegetation. Ozone is formed by photochemical reaction (when nitrogen dioxide is broken down by sunlight).The 8 hour average ozone standard threshold is 0.070 parts per million or 70 parts per billion.
- *Carbon Monoxide (CO)* is a colorless, odorless toxic gas that interferes with the transfer of oxygen to the brain and is produced by the incomplete combustion of carbon-containing fuels emitted as vehicle exhaust. The threshold is 548 pounds per day of carbon monoxide (CO).
- *Nitrogen Oxide (NO_x)* is a yellowish-brown gas, which at high levels can cause breathing difficulties. NOx is formed when nitric oxide (a pollutant from burning processes) combines with oxygen. The daily threshold is 137 pounds per day of nitrogen oxide (NO_x).
- *Sulfur Dioxide* (SO_2) is a colorless, pungent gas formed primarily by the combustion of sulfur-containing fossil fuels. Health effects include acute respiratory symptoms. The daily threshold is 137 pounds per day of sulfur oxides (SO_2).
- *PM10 and PM2.5* refers to particulate matter less than ten microns and two and one-half microns in diameter, respectively. The daily threshold is 82 pounds per day of PM10 and 65 pounds per day of PM2.5.
- *Reactive Organic Gasses (ROG)* refers to organic chemicals that, with the interaction of sunlight photochemical reactions may lead to the creation of "smog." The daily threshold is 137 pounds per day of ROG.

A project is conforming if it complies with all applicable District rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan). Conformity with growth forecasts may be established by demonstrating that the project is consistent with the land use plan that was used to generate the growth forecast. Projects that are consistent with the projections of employment and population forecasts identified in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) prepared by SCAG. The project would not result in or cause NAAQS or CAAQS violations. The project's proposed land use designation for the subject site is consistent with the land use designation discussed in the San Bernardino Countywide Plan. Furthermore, the project would not exceed the applicable regional thresholds and would therefore be considered to have a less than significant impact. The project is therefore considered to be consistent with the AQMP.

The proposed project will not introduce new residents since it is a commercial project. Therefore, the proposed project is not in conflict with the growth projections established for the County by SCAG. The project's construction emissions would be below the thresholds of significance established by the MDAQMD (refer to the analysis included in the next section where construction emissions are summarized in Table 2). In addition, the proposed project's long-term (operational) airborne emissions will be below levels that the MDAQMD considers to be a significant impact (the long-term stationary and mobile emissions for the proposed project are summarized in Table 3). Therefore, the project will not conflict with or obstruct the implementation of the applicable air quality plan. *As a result, the impacts will be less than significant.*

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.*

The project site is located in the desert portion of the County of San Bernardino that is part of the Mojave Desert Air Basin (MDAB) and is under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The air quality assessment for the proposed project includes estimating emissions associated with short-term construction and long-term operation of the proposed project. A number of air quality modeling tools are available to assess the air quality impacts of projects. In addition, certain air districts, such as the MDAQMD, have created guidelines and requirements to conduct air quality analyses. The MDAQMD's current guidelines, included in its California Environmental Quality Act and Federal Conformity Guidelines. In May 2022 California Air Pollution Control Officers Association (CAPCOA) in conjunction with other California air districts, including MDAQMD, released the latest version of CalEEMod version 2022.1.1.28. The purpose of this model is to calculate construction-source and operational-source criteria pollutant (VOCs, NO_X, SO_X, CO, PM10, and PM2.5) and GHG emissions from direct and indirect sources; and quantify applicable air quality and GHG reductions achieved from any mitigation measures. Accordingly, the latest version of CalEEMod has been used for this project to determine construction and operational air quality emissions. The air quality study and output from the model runs for both construction and operational activity are provided in Appendix A. As shown in Table 2 daily construction emissions will not exceed the MDAQMD's significance thresholds. The short-term construction emissions will be limited to those emissions generated during project construction.

Table 2 Estimated Daily Construction Emissions

Construction Phase	VOC	NO_2	CO	SOx	PM_{10}	$PM_{2.5}$
Maximum Construction Emissions	7.88	13.0	15.6	0.02	7.79	3.99
Daily Thresholds	**137**	**137**	**548**	**137**	**82**	**65**
Threshold's Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Source: California Air Resources Board CalEEMod [computer program].

Long-term emissions refer to those air quality impacts that will occur once the proposed project has been constructed and is operational. These impacts will continue over the operational life of the project. The two main sources of operational emissions include mobile emissions and area emissions related to off-site electrical generation. The analysis of long-term operational impacts summarized in Table 3 also used the CalEEMod V.2022.1.1.29 computer model. The analysis summarized in Table 3 indicates that the operational (long-term) emissions will be below the MDAQMD daily emissions thresholds.

Table 3 Estimated Daily Operational Emissions

Construction Phase	VOC	NO_2	CO	SOx	PM_{10}	$PM_{2.5}$
Maximum Operational Emissions	41.2	11	75	0.02	0.16	0.09
Daily Thresholds	**137**	**137**	**548**	**137**	**82**	**65**
Thresholds Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Source: California Air Resources Board CalEEMod [computer program].

As indicated in Tables 2 and 3, the impacts are considered to be less than significant. In addition, the MDAQMD Rule Book contains numerous regulations governing various activities undertaken within the District. Among these standard regulations, the most applicable to this project site is Rule 403.2 – Fugitive Dust Control for the MDAB, which was adopted in 1996 for the purpose of controlling fugitive dust. This rule prohibits grading during periods of high winds, the regular watering of unpaved surfaces during construction, the covering trucks carrying soil, and other dust control measures. Adherence to Rule 403.2 regulations is required for all projects undertaken within the District. Future construction truck drivers must also adhere to Title 13 - §2485 of the California Code of Regulations, which limits the idling of diesel-powered vehicles to less than five minutes.[3] Adherence to the aforementioned standard condition will minimize odor impacts from diesel trucks. Adherence to Rule 403 Regulations and Title 13 - §2485 of the California Code of Regulations will further reduce the potential emissions. *As a result, the impacts will be less than significant.*

C. *Would the project expose sensitive receptors to substantial pollutant concentrations? ● Less than Significant Impact.*

The potential impact of project-generated air pollutant emissions at sensitive receptors has also been considered in Appendix A – Air Quality Report. Sensitive receptors typically include long-term health care facilities, rehabilitation centers, and retirement homes. Residences, schools, playgrounds, childcare centers, and athletic facilities are also considered to be sensitive receptors. The nearest sensitive receptor is a residential development located approximately 0.76 miles southwest of the project site (refer to Exhibit 7).

Emissions resulting from the gasoline service station have the potential to result in toxic air contaminants (TACs) (e.g., benzene, hexane, methyl tert-butyl ether (MTBE), toluene, xylene) and have the potential to contribute to health risk in the project vicinity. It should be noted that standard regulatory controls would apply to the project in addition to any permits required that demonstrate appropriate operational controls. MDAQMD currently does not have a procedure for determining screening-level health risk estimates for gasoline dispensing operations and therefore relies on SCAQMD methodology. For purposes of this evaluation, cancer risk estimates can be made consistent with the methodology presented in SCAQMD's Risk Assessment Procedures for Rules 1401, 1401.1 & 212 which provides screening-level risk estimates for gasoline dispensing operations. The project site is located approximately 4,600 feet northeast of a residential site. Based on this screening procedure it is anticipated that no residential sensitive receptors in the project vicinity will be exposed to a cancer risk of greater than 0.320 in one million and that no worker sensitive receptors will be exposed to a cancer risk of greater than 0.274 in one million which is less than the applicable threshold of 10 in one million. It should be noted that this screening-level risk estimate is very conservative (i.e., it would overstate rather than understate potential impacts). *As a result, the impacts will be less than significant.*

D. *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? ● Less than Significant Impact.*

The MDAQMD has identified land uses that are typically associated with odor complaints. These uses include activities involving livestock, rendering facilities, food processing plants, chemical plants, composting activities, refineries, landfills, and businesses involved in fiberglass molding.[8] As designed, the proposed project will not be involved in any of the aforementioned odor-generating activities. For example, the fuel dispenser nozzles must adhere to CARB regulations that govern vapors in Certification Procedure 201 (CP-201).[9] Future construction- related trucks must adhere to Title 13 - §2485 of the California Code

[8] South Coast Air Quality Management District. *CEQA Air Quality Handbook, Appendix 9*. As amended 2017.
[9] The fuel dispensing system is designed to capture "displaced" vapors that emerge from inside a vehicle's fuel tank when gasoline is dispensed into the tank. Gasoline vapors accumulate in automobile and truck tanks, above the liquid level.

of Regulations, which limits the idling of diesel-powered vehicles to less than five minutes. Adherence to the aforementioned standard regulation will minimize odor impacts from diesel trucks. In addition, the project's contractors must adhere to Rule 403 regulations, which significantly reduce the generation of fugitive dust. Adherence to Rule 403 Regulations and Title 13 - §2485 of the California Code of Regulations will further reduce potential impacts. The project does not contain land uses typically associated with emitting objectionable odors. Potential odor sources associated with the proposed project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the proposed project's (long-term operational) uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction. It is expected that project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the County's solid waste regulations. The proposed project would also be required to comply with MDAQMD Rule 402 to prevent occurrences of public nuisances helping to minimize odors, and emissions associated with the proposed project's construction and operations. *As a result, the impacts will be less than significant.*

MITIGATION MEASURES

The analysis of air quality impacts indicated that the projected emissions would be below the MDAQMD's thresholds of significance. As a result, no mitigation would be required.

EXHIBIT 7 AIR QUALITY SENSITIVE RECEPTORS
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

4. BIOLOGICAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		✖		
B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		✖		
C. Would the project have a substantial adverse effect on State or Federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		✖		
D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites?				✖
E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✖
F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?				✖

The biological resources report is included in Appendix B.

SUBSTANTIATION OF ENVIRONMENTAL IMPACTS

A. *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ● Less than Significant Impact with mitigation.*

A biological report has been conducted by RCA Associates, attached as Appendix B. They conducted their on-site investigation on April 24, 2025. The relatively flat site is approximately 745 meters above sea level and contains no slope. The vegetation community present on site supports a mildly disturbed desert scrub habitat encompassing a community of mainly native plants and some non-native grasses. The site is dominated by few species such as white bursage (Ambrosia dumosa), desert globe mallow (*Sphaeralcea ambigua*), silver cholla (*Cylindropuntia echinocarpa*), fiddleneck (*Amsinckia*), smooth desert dandelion (*Malacothrix glabrata*), doveweed (*Croton setiger*), heliotrope phacelia (Phacelia crenulata) and cheatgrass (*Bromus tectorum*). The only mammal observed onsite was the antelope ground squirrel (*Ammospermophilus*). Species that were not observed but are expected to occur on site given their abundance in the surrounding areas include California ground squirrel (*Otospermophilus beecheyi*) and coyote (*Canis Latrans*). Birds observed included common ravens (*Corvus corax*), mourning dove (*Zenaida macroura*), white crowned sparrow (*Zonotrichia leucophrys*), American kestrel (*Falco sparverius*), horned lark (*Eremophila alpestris*), house sparrow (*Passer domesticus*), northern rough winged swallow (*Stelgidopteryx serripennis*) and rock pigeon (*Columba livia*). Reptiles observed include the western whiptail lizard (*Cnemidophorus tigris*). Species that are expected to occur on site include the common side-blotched lizard (*Uta stansburiana*) and western fence lizard (*Sceloporus occidentalis*). In addition, no sensitive habitats (e.g., sensitive species, critical habitats, etc.) have been documented in the immediate area according to the CNDDB (2025) and none were observed during the field investigations. The following

are the listed and special status species that have the ability to occur on the project site. It is not a comprehensive list of all the species in the quad. This information has been taken from the California Natural Diversity Database and is using the most current version.

- *Desert Tortoise:* The site is located within the documented tortoise, a state and federal threatened species, habitat according to CNDDB (2025). The property supports marginal habitat for the desert tortoise based on the location of the site in a semi-developed area of Kramer Junction. No tortoises were observed anywhere within the property boundaries during the April 24, 2025 surveys. The species is not expected to move onto the site in the near future based on the absence of any potential burrows or sign, absence of any recent observations in the immediate area, and the presence of busy roadways and developments in the immediate area which may act as barriers to migration of tortoises.
- *Mohave Ground Squirrel:* The Mohave ground squirrel is a California state threatened species that have a short, flat, furred, white, underside tail, uniformly brown (with no spots or stripes). They inhabit open desert scrub, alkali desert scrub, and annual grasslands on sandy to gravelly surfaces in the Mojave Desert. Occupiable burrows were found on the site, but no Mohave ground squirrels were detected. It is the opinion of RCA Associates, Inc. that the habitat is not prime Mohave ground squirrel habitat and is very unlikely to support populations of the species based on the following criteria, that there have been two recent sightings, within 20 years, of the species in the area.

Future development of the site will impact the general biological resources present on site, because most if not all of the vegetation will be removed during future construction activities. The site is expected to support very few wildlife species which will be impacted by development activities. Those species with limited mobility (i.e., small mammals and reptiles) will experience increases in mortality during the construction phase. However, more mobile species (i.e., birds, large mammals) will be displaced into adjacent areas and will likely experience minimal impacts. Therefore, loss of about 38-acres of a relatively disturbed desert scrub habitat is not expected to have a significant cumulative impact on the overall biological resources in the region given the presence of similar habitat throughout the surrounding area. No sensitive habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were observed on the site during the field investigations. No federal or State-listed species were observed on the site during the field investigations including the Mohave ground squirrel and desert tortoise. In addition, there are no documented observations of these species either on the site or in the immediate area. The site is not expected to support populations of the desert tortoise based on the absence of habitat, suitable burrows, or signs.[10]

A pre-construction burrowing owl survey may be required by CDFW to determine if any owls have moved on to the site since April 24, 2025 surveys. As stated in CDFW's *Staff Report on Burrowing Owl Mitigation*, the most effective method of completing a pre-construction survey (take avoidance survey) should be performed within 30 days of ground disturbance, followed by a final pre-construction survey within

24 hours of breaking ground. Future development activities include the grading and removal of all vegetation from the .9-acre parcel; however, cumulative impacts to the general biological resources (plants and animals) in the surrounding area are expected to be negligible. This assumption is based on the habitat containing scarce vegetation of non-native species. As discussed above, the site does not support any desert tortoises or burrowing owls due to the lack of suitable habitat and potential burrows. In addition, Joshua trees (a state candidate species) were not observed in the field investigations. The following mitigation measures are recommended:

BIO–1. Prior to the initiation of construction activities (i.e., grubbing, clearing, staging, digging), a "take avoidance survey" should focused burrowing owl surveys shall be conducted by a qualified Biologist for the project site and surrounding 500 ft radius utilizing the methodology provided in CDFW's 2012 Staff Report on Burrowing Owl Mitigation. Take avoidance surveys shall be conducted no less than 14 days prior to initiation of Project-related activities. Burrowing owls may re-colonize a site after only a few days. Time lapses between Project activities trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance, in accordance with the Staff Report on Burrowing Owl Mitigation (CDFW 2012 or most recent version). Should Burrowing Owls, active burrows or signs thereof, be confirmed, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe

[10] RCA Associates, Inc. *General Biological Resources Assessment, Kramer Junction, San Bernardino County California.* May 6, 2025.

proposed avoidance, minimization, and monitoring actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. Project activities shall not occur within 1000 feet of an active burrow until CDFW approves the Burrowing Owl Plan, if impacts to occupied burrowing owl habitat or burrow cannot be fully avoided, consultation with CDFW is warranted to discuss how to implement the Project and avoid take; or if avoidance is not feasible, to potentially acquire an ITP prior to any ground disturbing activities, pursuant Fish and Game Code section 2081 subdivision (b). Full mitigation often involves the permanent conservation of quality habitat benefiting the species through a conservation easement, along with habitat enhancement and ongoing management funded appropriately. Passive relocation (exclusion), performed according to the Staff Report on Burrowing Owl Mitigation (CDFG, 2012) may be authorized through the incidental take permit as a minimization measure.

BIO-2. A CDFW-approved biologist shall conduct a protocol level presence or absence survey within the Project area and 500-foot buffer of suitable habitat, no more than 48-hours prior to Project activities and after any pause in Project activities lasting 30 days or more, in accordance with U.S. Fish and Wildlife Service 2009 desert tortoise survey methodology. The survey shall utilize perpendicular survey routes and 100 percent visual coverage for desert tortoise and their sign. Preconstruction surveys cannot be combined with other surveys conducted for other species while using the same personnel. Project activities cannot start until 2 negative results from consecutive surveys using perpendicular survey routes for desert tortoise are documented. Results of the survey shall be submitted to CDFW prior to start of Project activities. If the survey confirms absence, the CDFW-approved biologist shall ensure desert tortoise do not enter the Project area. If the survey confirms presence, the Project proponent shall submit to CDFW for review and approval a desert tortoise-specific avoidance plan detailing the protective avoidance measures to be implemented to ensure complete avoidance of take of desert tortoises. If complete avoidance cannot be achieved, the Project proponent shall not undertake Project activities and Project activities shall be postponed until the appropriate authorization [i.e., California Endangered Species Act (CESA) incidental take permit under the Fish and Game Code section 2081] is obtained.

BIO-3. Regardless of the time of year, a pre construction survey shall be performed to verify absence of nesting birds. A qualified biologist shall conduct the pre-activity survey within the Project areas (including access routes) and a 500-foot buffer surrounding the Project areas, no more than three (3) days prior to the initiation of Project activities, including, but not limited to clearing, grubbing, and/or rough grading to prevent impacts to birds and their nests. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified biologist shall make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If nesting bird activity is present within the work area or the Project's zone of influence (generally 100-300 feet), a no disturbance buffer zone shall be established by the qualified biologist to be marked on the ground around each nest. The buffer shall be a minimum of 500 feet for raptors and 300 feet for songbirds, unless a smaller buffer is specifically determined by a qualified biologist familiar with the nesting phenology of the nesting species. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. Active nest(s) and an established buffer distance(s) shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance. If there is no nesting activity, then no further action is needed for this measure. If an active nest is encountered during the Project construction, construction shall stop immediately until a qualified biologist can determine (1) the status of the nest, and (2) when work can proceed without risking violation to state or federal laws.

BIO-4. Prior to Project construction activities, a complete and recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint with the potential to be affected, including Species of Special Concern (SSC) and California Fully Protected Species (Fish and Game Code § 3511), will be completed. Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380) for which suitable habitat is present within or adjacent to the Project. The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and

assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.

As a result, the impacts would be less than significant impacts with mitigation.

B. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ● Less than Significant Impact with Mitigation.*

No federal or State-listed species were observed on the site during the field investigations including the Mohave ground squirrel and desert tortoise. In addition, there are no documented observations of these species either on the site or in the immediate area. The site is not expected to support populations of the desert tortoise based on the absence of habitat, suitable burrows, or signs. According to the United States Fish and Wildlife Service and the results of the site visits by a qualified biologist, there are no sensitive habitats or wetland, or migratory bird nesting areas located within the project site. In addition, there are no riparian vegetation (e.g., cottonwoods, willows, etc.) on the site, however a potential jurisdictional channel was observed on the northern boundary of the site that runs west to east along the northern boundary intersecting the site at numerous points.[11] As a result, the following mitigation would be required:

> BIO-5. A potential jurisdictional channel was observed on the northern boundary of the larger site that extends west to east along the northern boundary intersecting the site at numerous points. This area is located well outside of the boundaries of the proposed commercial development site. This area would not be impacted by the future commercial development. Prior to site grading, a comprehensive jurisdictional delineation will be completed if required.

As a result, less than significant impacts will occur with mitigation.

C. *Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? ● Less than Significant Impact with Mitigation.*

No federally protected wetland areas or riparian habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were observed on the site during the field investigations.[12] The site in its entirety is vacant. As mentioned in subsection A, a potential jurisdictional channel was observed on the northern boundary of the site that runs west to east along the northern boundary intersecting the larger site at numerous points, a comprehensive jurisdictional delineation maybe required at such time this larger site is developed.[13] The mitigation identified in under Subsection B would be implemented. *As a result, less than significant impacts will occur with mitigation.*

D. *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites? ● No Impact.*

The project site has no utility as a wildlife migration corridor due to busy roadways and developments in the immediate area that may act as barriers to migration to certain wildlife species such as the federally threatened desert tortoise. *As a result, no impacts would occur.*

E. *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ● No Impact.*

There are no heritage trees or protected trees located within the project site boundaries. No Joshuia Trees are located on the project site. As a result, there would not be any significant adverse impacts associated with the site's development. Furthermore, there would not be any tree replacement or preservation requirements that would be applicable to the proposed project. *As a result, no impacts would occur.*

F. *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ● No Impact.*

The project site and the surrounding areas are urbanizing. The proposed project's implementation would

[11] RCA Associates, Inc. *General Biological Resources Assessment, Kramer Junction, San Bernardino County California.* May 6, 2025.
[12] Ibid.
[13] Ibid.

not be in conflict with the provisions of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plans. As a result, no impacts would occur.

MITIGATION MEASURES

The analysis of biological resources indicated that the following mitigation would be required:

BIO–1. Prior to the initiation of construction activities (i.e., grubbing, clearing, staging, digging), a "take avoidance survey" should focused burrowing owl surveys shall be conducted by a qualified Biologist for the project site and surrounding 500 ft radius utilizing the methodology provided in CDFW's 2012 Staff Report on Burrowing Owl Mitigation. Take avoidance surveys shall be conducted no less than 14 days prior to initiation of Project-related activities. Burrowing owls may re-colonize a site after only a few days. Time lapses between Project activities trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance, in accordance with the Staff Report on Burrowing Owl Mitigation (CDFW 2012 or most recent version). Should Burrowing Owls, active burrows or signs thereof, be confirmed, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, minimization, and monitoring actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. Project activities shall not occur within 1000 feet of an active burrow until CDFW approves the Burrowing Owl Plan, if impacts to occupied burrowing owl habitat or burrow cannot be fully avoided, consultation with CDFW is warranted to discuss how to implement the Project and avoid take; or if avoidance is not feasible, to potentially acquire an ITP prior to any ground disturbing activities, pursuant Fish and Game Code section 2081 subdivision (b). Full mitigation often involves the permanent conservation of quality habitat benefiting the species through a conservation easement, along with habitat enhancement and ongoing management funded appropriately. Passive relocation (exclusion), performed according to the Staff Report on Burrowing Owl Mitigation (CDFG, 2012) may be authorized through the incidental take permit as a minimization measure.

BIO-2. A CDFW-approved biologist shall conduct a protocol level presence or absence survey within the Project area and 500-foot buffer of suitable habitat, no more than 48-hours prior to Project activities and after any pause in Project activities lasting 30 days or more, in accordance with U.S. Fish and Wildlife Service 2009 desert tortoise survey methodology. The survey shall utilize perpendicular survey routes and 100 percent visual coverage for desert tortoise and their sign. Preconstruction surveys cannot be combined with other surveys conducted for other species while using the same personnel. Project activities cannot start until 2 negative results from consecutive surveys using perpendicular survey routes for desert tortoise are documented. Results of the survey shall be submitted to CDFW prior to start of Project activities. If the survey confirms absence, the CDFW-approved biologist shall ensure desert tortoise do not enter the Project area. If the survey confirms presence, the Project proponent shall submit to CDFW for review and approval a desert tortoise-specific avoidance plan detailing the protective avoidance measures to be implemented to ensure complete avoidance of take of desert tortoises. If complete avoidance cannot be achieved, the Project proponent shall not undertake Project activities and Project activities shall be postponed until the appropriate authorization [i.e., California Endangered Species Act (CESA) incidental take permit under the Fish and Game Code section 2081] is obtained.

BIO-3. Regardless of the time of year, a pre construction survey shall be performed to verify absence of nesting birds. A qualified biologist shall conduct the pre-activity survey within the Project areas (including access routes) and a 500-foot buffer surrounding the Project areas, no more than three (3) days prior to the initiation of Project activities, including, but not limited to clearing, grubbing, and/or rough grading to prevent impacts to birds and their nests. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified biologist shall make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If nesting bird activity is present within the work area or the Project's zone of influence (generally 100-300 feet), a no disturbance buffer zone shall be established by the qualified biologist to be marked on the ground around each nest. The buffer shall be a minimum of

500 feet for raptors and 300 feet for songbirds, unless a smaller buffer is specifically determined by a qualified biologist familiar with the nesting phenology of the nesting species. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. Active nest(s) and an established buffer distance(s) shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance. If there is no nesting activity, then no further action is needed for this measure. If an active nest is encountered during the Project construction, construction shall stop immediately until a qualified biologist can determine (1) the status of the nest, and (2) when work can proceed without risking violation to state or federal laws.

BIO-4. Prior to Project construction activities, a complete and recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint with the potential to be affected, including Species of Special Concern (SSC) and California Fully Protected Species (Fish and Game Code § 3511), will be completed. Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380) for which suitable habitat is present within or adjacent to the Project. The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.

BIO-5: A potential jurisdictional channel was observed on the northern boundary of the larger site that extends west to east along the northern boundary intersecting the site at numerous points. This area is located well outside of the boundaries of the proposed commercial development site. This area would not be impacted by the future commercial development. Prior to site grading of the ;larger site, a comprehensive jurisdictional delineation will be completed if required.

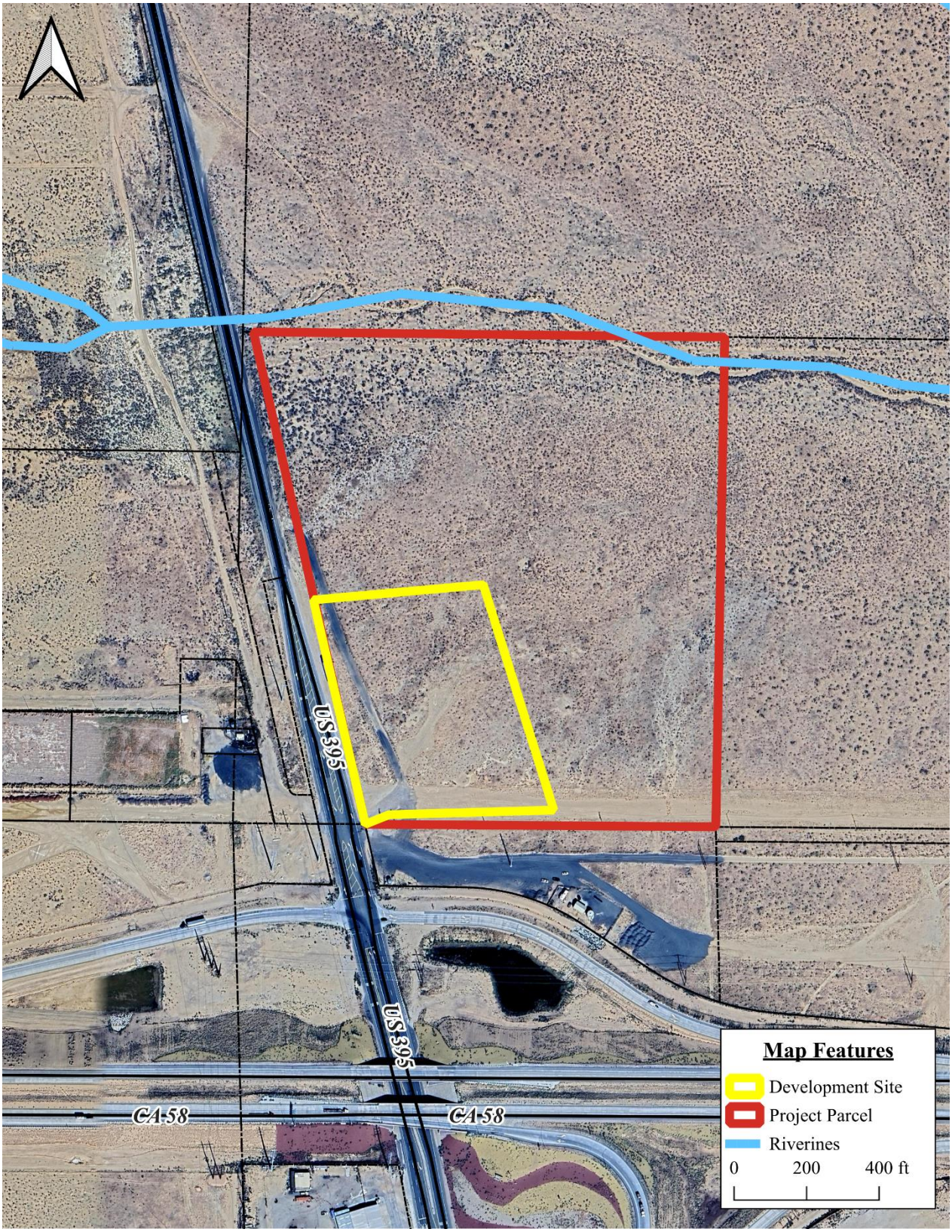

EXHIBIT 8 WETLANDS MAP
SOURCE: NATIONAL WETLANDS INVENTORY

5. CULTURAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines?				✖
B. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?		✖		
C. Would the project disturb any human remains, including those interred outside of dedicated cemeteries?			✖	

The cultural resources report is included in Appendix C.

SUBSTANTIATION OF ENVIRONMENTAL IMPACTS

A. *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines? ● No Impact.*

CRM TECH performed a cultural resources survey on the project site. The purpose of the study was to provide the County with the necessary information and analysis to determine whether the proposed project would cause substantial adverse changes to any "historical resources," as defined by CEQA, that may exist in the project area. In order to identify such resources, CRM TECH completed a historical/archaeological resources records search and a Native American Sacred Lands File search, pursued historical background research, and carried out an intensive-level field survey between December 2021 and September 2022. As a result of these research procedures, a previously identified archaeological site from the historic period, 36-006572, was found to be lying partially within the project boundaries, and a newly discovered prehistoric isolate, designated temporarily as 3821-2, was also recorded in the project area.[14] The property does not appear to meet any of the criteria for listing in the California Register of Historical Resources. Therefore, it does not constitute a "historical resource" for CEQA-compliance purposes. No other potential "historical resources" were encountered within the project area. Based on these findings, CRM TECH recommends to the County of San Bernardino a conclusion of No Impact regarding "historical resources." No further cultural resources investigation is recommended for the project unless development plans undergo such changes as to include areas not covered by this study. However, if buried cultural materials are discovered during future earth-moving operations associated with the project, all work within 50 feet of the discovery shall be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds. In addition, the proposed project will be limited to the project site and will not affect any structures or historical resources listed on the National or State Register or those identified as being eligible for listing on the National or State Register. Furthermore, the project site is not present on the list of historic resources identified by the State Office of Historic Preservation (SHPO). *As a result, no impacts will result.*

B. *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines? ● Less than Significant Impact with mitigation.*

On January 24, 2022, CRM TECH completed a records search with the South-Central Coastal Information Center (SCCIC). During the records search, maps and records were examined on file for previously identified cultural resources and eight (8) existing cultural resources reports within a half-mile radius of the project area. Previously identified cultural resources include properties designated as California Historical Landmarks, Points of Historical Interest, San Bernardino County Landmarks, as well as those listed in the National Register of Historic Places, the California Register of Historical Resources, or the California Historical Resources Inventory.[15]

[14] CRM TECH. Historical/ Archaeological Resources Survey Report. Verma Commercial Development Project. Kramer Junction, San Bernardino County. September 13, 2022.
[15] CRM TECH. Historical/ Archaeological Resources Survey Report. Verma Commercial Development Project. Kramer Junction, San Bernardino County.

A previously recorded archaeological site of historical origin, 36-006572, and a prehistoric isolate, designated temporarily as 3821-2, are located within the project area. The isolate consists of a shingle flaked-stone artifact. Such isolates, or localities with fewer than three artifacts, by definition do not qualify as archaeological sites due to the lack of contextual integrity. As such, they are not considered potential "historical resources" and require no further consideration. Site 36-006572, a large refuse scatter, is thus the only potential "historical resource" encountered within the project area during this study. Despite repeated past studies, the historical background of the site remains uncertain and unclear. In the portion of the site in the project area, the refuse deposit is likely from a variety of different sources, all of them incidental in nature. As a low-density deposit from the 1940s-1970s era, a period that is well-documented in written history and contemporary publications, this portion of the site demonstrates little potential for any important archaeological data. Based on these considerations, and in light of the criteria listed above, the present study concludes that the portion of Site 36-006572 within the project area does not appear eligible for listing in the California Register of Historical Resources and does not meet the statutory definition of a "historical resource" under CEQA provisions. Therefore, the study further concludes that no "historical resources" exist within the project area.[16] Because of the potential for archaeological resources being located on the site, the following mitigation would be required:

CUL-1. In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and an archaeologist meeting the Secretary of Interior's professional qualification standards in archaeology shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

CUL-2. If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

CUL-3. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

With the implementation of the above mitigation, the potential impacts will be less than significant.

C. *Would the project disturb any human remains, including those interred outside of dedicated cemeteries? ● Less than Significant Impact.*

There are no dedicated cemeteries located in the vicinity of the project site. The proposed project will be restricted to the project site and therefore will not affect any dedicated cemeteries. Notwithstanding, the following mitigation is mandated by the California Code of Regulations (CCR) Section 15064.5(b)(4):

> "A lead agency shall identify potentially feasible measures to mitigate significant adverse changes in the significance of an historical resource. The lead agency shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures."*Adherence to the aforementioned standard condition will ensure potential impacts remain at levels that are less than significant.*

MITIGATION MEASURES

The analysis of potential cultural resources impacts indicated that the project site's previous disturbance would limit the potential for cultural resources or human remains to be discovered within the project site. The Chemehuevi Indians has decided the cultural sensitivity of this project area is low, in large part due to the various levels of disturbance that were apparent in the geotechnical report and cultural study. As such, SMBMI does not have concerns, and simply requests that the following mitigation be made a part of the project/permit/plan conditions.

September 13, 2022.
[16] Ibid.

CUL-1: In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and an archaeologist meeting the Secretary of Interior's professional qualification standards in archaeology shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

CUL-2: If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

CUL-3: If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

6. ENERGY

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?			✖	
B. Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?			✖	

The utility worksheets are included in Appendix D.

SUBSTANTIATION OF ENVIRONMENTAL IMPACTS

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

The project site would be served by Southern California Edison (electricity). The proposed project is anticipated to consume 1,300 kWH of electricity per day. The utilities worksheets are included in Appendix D. The California Code of Regulations (CCR), Title 20: Division 2, Chapter 4, Article 4, Sections 1601-1608: Appliance Efficiency Regulations regulates the sale of appliances in California. The Appliance Efficiency Regulations include standards for both federally regulated appliances and non-federally regulated appliances. The standards within these regulations apply to appliances that are sold or offered for sale in California, except those sold wholesale in California for final retail sale outside the state and those designed and sold exclusively for use in recreational vehicles or other mobile equipment.

Title 24 CCR, Part 6 was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. CCR, Title 24, Part 11: California Green Building Standards Code (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on August 1, 2009, and is administered by the California Building Standards Commission. CALGreen is updated on a regular basis, with the most recently approved update consisting of the 2022 California Green Building Code Standards that will be effective on January 1, 2023. The project would be required to comply with the applicable standards in place at the time building permit document submittals are made. Other required energy conserving measures included in CalGreen are listed below:

- *Designated parking for clean air vehicles*. In new projects or additions to alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles.
- *EV charging stations.* New construction shall facilitate the future installation of EV supply equipment. The compliance requires empty raceways for future conduit and documentation that the electrical system has adequate capacity for the future load.
- *Outdoor light pollution reduction.* Outdoor lighting systems shall be designed to meet the backlight, up light and glare ratings.
- *Construction waste management.* Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste (in accordance with Section 5.408.1.1. 5.405.1.2, or 5.408.1.3); or meet a local construction and demolition waste management ordinance, whichever is more stringent.
- *Excavated soil and land clearing debris.* The recycling of 100% of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reused or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed.
- *Recycling by Occupants.* The project would provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals.

- *Water conserving plumbing fixtures and fittings.* Plumbing fixtures (water closets and urinals) and fittings (low flow faucets and showerheads) must be provided.

The project Applicant will also work with the local electrical utility company to identify existing and future strategies that will be effective in reducing energy consumption. *As a result, the impact will be less than significant.*

B. *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency? ● Less Than Significant Impact.*

On January 12, 2010, the State Building Standards Commission adopted updates to the California Green Building Standards Code (Code) which became effective on January 1, 2011. The California Code of Regulations (CCR) Title 24, Part 11: California Green Building Standards (Title 24) became effective to aid efforts to reduce GHG emissions associated with energy consumption. Title 24 now requires that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials. The proposed project will conform to all pertinent energy conservation requirements. *As a result, the potential impacts will be less than significant.*

MITIGATION MEASURES

The analysis determined that the proposed project will not result in significant impacts related to energy and mitigation measures are not required.

7. GEOLOGY & SOILS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving 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; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides?			✖	
B. Would the project result in substantial soil erosion or the loss of topsoil?			✖	
C. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?			✖	
D. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2012), creating substantial direct or indirect risks to life or property?			✖	
E. Would the project 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. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✖

The geotechnical report is included in Appendix E.

SUBSTANTIATION OF ENVIRONMENTAL IMPACTS

A. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving 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; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides? ● Less than Significant Impact.

The unincorporated community of Kramer Junction is located within a seismically active region. Many major and minor local faults traverse the entire Southern California region and earthquakes from several active and potentially active faults in the Southern California region could affect the project site. In 1972, the Alquist-Priolo Earthquake Zoning Act was passed in response to the damage sustained in the 1971 San Fernando Earthquake. The Alquist-Priolo Earthquake Fault Zoning Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. A list of cities and counties subject to the Alquist-Priolo Earthquake Fault Zones is available on the State's Department of Conservation website. There are no active faults identified by the State within the project site, nor is the project site within an Alquist-Priolo Earthquake Fault Zone. Nevertheless, the site is within a seismically active region prone to occasional damaging earthquakes. The nearest active faults are located within an undifferentiated Quaternary Zone, approximately 2 miles to the southeast of the project site with the next closest fault zone, the Helendale-South Lockhart Fault zone, being located approximately 3.9 miles from the project site. The proposed project would comply with the 2019 California Building Standards code, which is effective in minimizing any potential seismic-related impacts to structures.

According to the United States Geological Survey, liquefaction is the process by which water-saturated sediment temporarily loses strength and acts as a fluid. Essentially, liquefaction is the process by which the ground soil loses strength due to an increase in water pressure following seismic activity. According to

California Department of Conservation Earthquake Hazard Zone maps, the project site is not located in an area that is subject to liquefaction. Landslide debris was not observed during subsurface explorations of the site and no ancient landslides are known to exist on the site. No landslides are known to exist, or have been mapped, in the vicinity of the site. Geologic mapping of the site conducted during our investigation, and review of aerial imagery of the site, reveal no geomorphic expressions indicative of land sliding. *As a result, the impacts will be less than significant.*

B. Would the project result in substantial soil erosion or the loss of topsoil? ● Less than Significant Impact.

The project site is level and shallow grading will be required for structural supports, building foundations, and utility lines. 17 All grading activities will require grading permits from the County, which include requirements and standards designed to reduce potential erosion impacts. These requirements will effectively mitigate potential stormwater runoff impacts during construction. The surface grades within the parking and internal roadways will be designed to facilitate drainage into the nearest curbs and gutters. Additionally, Appendix E – Geotechnical Report provided geotechnical recommendations that may be included in the plans and implemented during construction. *As a result, the potential impacts are less than significant.*

C. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? ● Less than Significant Impact.

The project's construction will not result in soil erosion since the project's contractors must implement the construction best management practices (BMPs) identified in the mandatory storm water pollution prevention plan (SWPPP). The BMPs will minimize soil erosion and the discharge of sediment off-site. Potential BMP's may include sediment traps, silt fencing, retention basins, and infiltration trenches. Additionally, the project site is not located within an area that could be subject to landslides or liquefaction.[18] The soils that underlie the project site possess a low potential for shrinking and swelling from Appendix E – Geotechnical Report. The likelihood of lateral spreading will be further reduced since the project's implementation will not require grading and excavation that would extend to depths required to encounter groundwater. Moreover, the project will not result in the direct extraction of groundwater. *As a result, the potential impacts will be less than significant.*

D. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2012), creating substantial direct or indirect risks to life or property? ● Less than Significant Impact.

Appendix E - Geotechnical Report conducted by Patel & Associates Inc. found the soil overlaying the project site to be have a low expansion profile based on a laboratory analysis. The report includes standard design recommendations for the project plans and construction. Soil moisture changes around and underneath post tensioned slabs are only influenced by climate conditions. The applicant is required to adhere to all requirements detailed by the USDA. *As a result, less than significant impact would occur.*

E. Would the project 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? ● Less than Significant.

The proposed project would include a septic system for the disposal of wastewater. The septic system would be located on the eastern portion of the site, between the access road and development boundary. According to the Infiltration test, the project site is considered suitable for infiltration. Septic waste would be disposed of at facilities within the Barstow Landfill. *As a result, the impacts would be less than significant.*

F. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? ● No Impact.

Results of an on-line paleontological resources record search through the University of California Museum of Paleontology (UCMP) database indicate that there are no known vertebrate fossil localities that have been previously identified within the vicinity of the project site. Additionally, the UCMP database shows surface deposits in the proposed project area are composed entirely of younger Quaternary alluvium down to the maximum depth explored.[19] This younger Quaternary alluvium is unlikely to contain significant

[17] Patel & Associates Inc. Preliminary Geotechnical Interpretive Report, Proposed Commercial Development, Assessor's Parcel Number 0491-151-11-0000, Located on Highway US 395, Kramer Junction Area, San Bernardino County, California
[18] Ibid.
[19] Ibid.

vertebrate fossils in the uppermost layers. The very limited and shallow excavations associated with the proposed project's construction are not likely to yield significant vertebrate fossil remains. *As a result, no impacts will occur.*

MITIGATION MEASURES

The analysis determined that the proposed project will not result in significant impacts related to Geology and no mitigation measures are required.

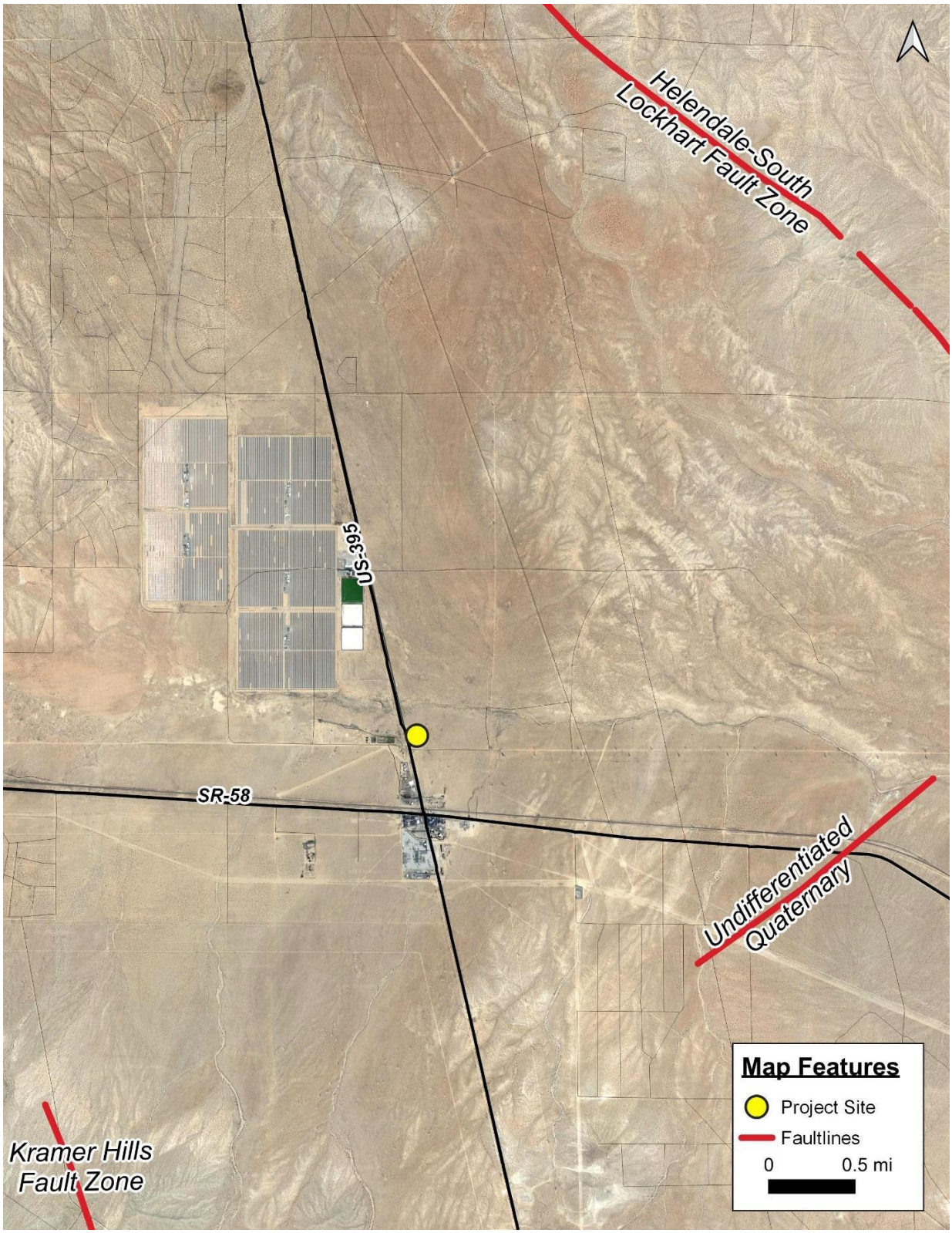

EXHIBIT 9 GEOLOGIC HAZARDS MAP
SOURCE: CALIFORNIA GEOLOGICAL SURVEY

8. GREENHOUSE GAS EMISSIONS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✖	
B. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				✖

The air quality report is provided in Appendix A.

SUBSTANTIATION OF ENVIRONMENTAL IMPACTS

A. *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ● Less than Significant Impact.*

The State of California requires CEQA documents to include an evaluation of greenhouse gas (GHG) emissions, or gases that trap heat in the atmosphere. GHG is emitted by both natural processes and human activities. Examples of GHG that are produced both by natural and industrial processes include carbon dioxide (CO_2), methane (CH_4), Nitrous Oxide (N_2O), and Chlorofluorocarbons (CFC):

- *Carbon Dioxide (CO2):* Carbon dioxide enters the atmosphere through the combustion of fossil fuels such as coal, natural gas, and oil, solid waste, trees and organic biological materials, and also as a result of certain chemical reactions (e.g., manufacture of cement). Carbon dioxide is removed from the atmosphere (or "sequestered") when it is absorbed by plants as part of the biological carbon cycle.
- *Methane (CH_4):* Methane is emitted during the production and transport of coal, natural gas, and oil. Locally, methane emissions also result from livestock and other agricultural practices and by the decay of organic waste in municipal solid waste landfills.
- *Nitrous Oxide (N_2O):* Nitrous oxide is emitted during agricultural and industrial activities, the combustion of fossil fuels and solid waste, as well as during treatment of wastewater.
- *Fluorinated carbons and gasses:* Hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and nitrogen trifluoride are synthetic, powerful greenhouse gases that are emitted from a variety of industrial processes. Fluorinated gases are sometimes used as substitutes for stratospheric ozone-depleting gasses.

The accumulation of GHG in the atmosphere regulates the earth's temperature. Without these natural GHG, the Earth's surface would be about 61°F cooler.[20] However, emissions from fossil fuel combustion have elevated the concentrations of GHG in the atmosphere to above natural levels. The County of San Bernardino adopted the GHG Reduction Plan Update in June 2021. The GHG Reduction Plan Update provides guidance on how to analyze GHG emissions and determine significance during the CEQA review of proposed development projects within the County of San Bernardino. The County includes a GHG Development Review Process (DRP) that specifies a two-step approach in quantifying GHG emissions. First, a screening threshold of 3,000 MTCO2e/yr. is used to determine if additional analysis is required. Projects that exceed the 3,000 MTCO2e/yr. will be required to either achieve a minimum 100 points per the Screening Tables or a 31% reduction over 2007 emissions levels. Consistent with CEQA guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions. The proposed project's construction activities would generate CO2 and CH4 emissions. As Construction related emissions are expected from the following construction activities: demolition, site preparation, grading, building construction, paving, and architectural coating. For the construction phase,

[20] California, State of. OPR Technical Advisory – CEQA and Climate Change: Addressing Climate Change through the California Environmental Quality Act (CEQA) Review. June 19, 2008.

project GHG emissions are quantified and amortized over the life of the project. MDAQMD follows the SCAQMD recommendation in calculating the total GHG emissions.

Table 4 Greenhouse Gas Emissions Inventory

Source	GHG Emissions (tons/year)			
	CO_2	CH_4	N_2O	$MTCO_2E$
Short-Term (Construction) Emissions	123	--	--	123
Construction Emissions Amortized over 30 Years				4.1
Long-Term (Operational) – Mobile Emissions	90.9	0.06	0.03	101
Long-Term (Operational) – Area Emissions	0.21	-	-	0.21
Long-Term (Operational) – Energy Emissions	176	0.01	--	176
Long-Term (Operational) – Total Emissions	280	0.99	0.03	549
Total Project Emissions				950
Significance Threshold				**3,000**

As shown in Table 4, the project will result in approximately 950 MTCO2e/yr. The proposed project would not exceed the screening threshold of 3,000 MTCO2e/yr. *Since the Project* does not exceed the significance threshold and will incorporate at least 100 points from the screening tables (refer to the next section). *The project's impact on GHG emissions is less than significant.*

B. *Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases? ● Less than Significant Impact.*

The Project final plans and designs would conform to provisions of the GHG Development Review Process through implementation of the Screening Table Measures. The project shall implement Screening Table Measures providing for a minimum 100 points per the County Screening. According to the County's GHG Emissions Reduction Plan, any project that adopts at least 100 points of GHG reduction measures listed in the Screening Tables, the proposed project would be consistent with the County's GHG Plan. The project's adaptation of the Screening Tables is shown below in Table 5.

Table 5 San Bernardino County Screening Table for Commercial Development

Feature	Description	Point Value
Insulation	Enhanced Insulation (rigid wall insulation R-13, roof/attic R-38)	18
Windows	Enhanced Window Insulation (0.32 U-factor, 0.25 SHGC)	8
Cool Roof	Enhanced Cool Roof (CRRC Rated 0.2 aged solar reflectance, 0.75 thermal unit.)	14
Air Infiltration	Blower Door HERS Verified Envelope Leakage or equivalent	10
Thermal Storage of Building	Enhanced Thermal Mass (20% of floor or 20% of walls 12" or more thick exposed concrete or masonry with no permanently installed floor covering.	6
Heating/ Cooling Sys.	Enhanced Duct Insulation (R-8)	10
Space Heating/ Cooling	Improved Efficiency HVAC (EER 14/65% AFUE or 8 HSPF)	7
Water Heaters	Improved Water Heater Efficiency (0.675 Energy Factor)	14
Daylighting	All peripheral rooms within building have at least one window or skylight	1
Artificial Lighting	Efficient Lights (25% of in-unit fixtures considered high efficacy. High efficacy is defined as 40 lumens/watt for 15 watt or less fixtures; 50 lumens/watt for 15-40 watt fixtures, 60 lumens/watt for fixtures >40watt)	9
Appliances	Star Commercial Refrigerator (new) Energy Star Commercial Dish Washer (new)	8
Building Placement	North/South alignment of building or other building placement such that the orientation of the buildings optimizes conditions for natural heating, cooling, and lighting.	6
Total		111

Source: San Bernardino County Greenhouse Gas Emissions Screening Tables

Since the point value totals over 100 shown in Table 5, the project would be consistent with the County's GHG plan. Thus, the project is considered to have a less than significant individual and cumulatively considerable impact on GHG emissions. *As a result, the impacts would be less than significant.*

MITIGATION MEASURES

The analysis of potential impacts related to greenhouse gas emissions indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

9. HAZARDS & HAZARDOUS MATERIALS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✖	
B. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✖	
C. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✖	
D. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✖
E. Would the project 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. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✖
G. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?				✖

SUBSTANTIATION OF ENVIRONMENTAL IMPACTS

A. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ● Less than Significant Impact.*

The project's construction would require the use of diesel fuel to power the construction equipment. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project's construction phase include, but are not limited to, gasoline, solvents, architectural coatings, and equipment lubricants. These products are strictly controlled and regulated by the United States Environmental Protection Agency and in the event of any spill, cleanup activities would be required to adhere to all pertinent protocols. The Applicant will be required to prepare a safety and hazard mitigation plan that indicates those protocols that must be adhered to in the event of an accident. This plan will be reviewed and approved by the County prior to the issuance of the Occupancy Permit. As indicated in Subsection D, the project site is not listed in either the CalEPA's Cortese List or the Envirostor database. Two underground storage tanks (USTs) will be provided. One UST will contain 87 octane unleaded gasoline. The second UST will contain diesel fuel and 91 octane unleaded gasoline. The chemicals that will be transported and stored on-site are regulated by the US EPA and the CalEPA. As a result, the potential impacts are considered to be less than significant. *As a result, the impacts are less than significant.*

B. *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? ● Less than Significant Impact.*

The project's construction would require the use of diesel fuel to power the construction equipment. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project's construction phase include, but are not limited to,

gasoline, solvents, architectural coatings, and equipment lubricants. These products are strictly controlled and regulated and in the event of any spill, cleanup activities would be required to adhere to all pertinent protocols. The Applicant will be required to prepare a safety and hazard mitigation plan that indicates those protocols that must be adhered to in the event of an accident. This plan will be reviewed and approved by the County prior to the issuance of the Occupancy Permit. As indicated in Subsection D, the project site is not listed in either the CalEPA's Cortese List or the Envirostor database. As a result, the likelihood of encountering contamination or other environmental concerns during the project's construction phase is remote. *As a result, the impacts will be less than significant.*

C. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? ● Less than Significant Impact.*

The nearest school to the project site is Boron Junior-Senior High school within the city boundaries of Boron, California located approximately 6.21 miles west in Kern County. The proposed project will not create a hazard to any local school within ¼ mile. *As a result, the impacts will be less than significant.*

D. *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? ● No Impact.*

Government Code Section 65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List. The Cortese List is a planning document used by the State and other local agencies to comply with CEQA requirements that require the provision of information regarding the location of hazardous materials release sites. A search of the California Department of Toxic Substances Control EnviroStor website determined that the project site and its surroundings are not identified as a Cortese site.[21] Additionally, the project site is not located on or near a California State Water Resources Control Board's GeoTracker cleanup site. The nearest cleanup site to the project is the Four Corners Chevron (2852 HWY 58, Kramer Junction, CA 93516) located approximately 1.5 miles south of the project site. *As a result, no impacts will occur.*

E. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or a 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 not located within two miles of a public use airport. The nearest airport is the Sun Hill Ranch Airport, located approximately 16.43 miles south of the project site. Sun Hill Ranch Airport is a privately owned airport located 10 miles west of Helendale, California. The airport is owned by Calhan Capital Inc. Permission is required prior to landing. *As a result, no impacts will occur.*

F. *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? ● No Impact.*

The nearest potential emergency evacuation routes in proximity to the project site include US-395 located to the west of the project site. At no time will the aforementioned emergency evacuation routes or any adjacent streets be completely closed to traffic during the proposed project's construction. *As a result, no impacts will occur.*

G. *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? ● No Impact.*

The site is currently vacant and undisturbed. According to the Cal FIRE Hazard Severity Zone Database, the project site is not located within a severe fire hazard zone.[22] The project site and its surroundings is located within a moderate level fire hazard zone. *As a result, no impacts will occur.*

MITIGATION MEASURES

The analysis of potential impacts related to hazards and hazardous materials indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

[21] CalEPA. *DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List*). https://dtsc.ca.gov/dtscs-cortese-list/.
[22] CalFire. *Very High Fire Hazard Severity Zone Map for SW San Bernardino County*. http://frap.fire.ca.gov/webdata/maps/san_bernardino_sw/

10. HYDROLOGY & WATER QUALITY

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?			✖	
B. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✖	
C. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner in which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or, impede or redirect flood flows?			✖	
D. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?				✖
E. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				✖

SUBSTANTIATION OF ENVIRONMENTAL IMPACTS

A. *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? ● Less than Significant Impact.*

The proposed project would involve the construction and operation of a small highway commercial center development. A Tentative Parcel Map (TPM) has been submitted to subdivide the 35.97-acre parcel into four (4) parcels on approximately 5-acres with a proposed Policy Plan Amendment from Rural Living (RL to Commercial (C), and a zone change from Rural Living-5-acre minimum lot size (RL-5) to Rural Commercial (CR) with a remainder of 31.1-acres that will remain in the RL Land Use Category and Zoning District. The Clean Water Act (CWA) established regulations governing the discharge of pollutants to waters of the U.S. from any point source. The CWA also has established a framework for regulating nonpoint source stormwater discharges under the National Pollutant Discharge Elimination System (NPDES). The proposed project would be required to implement storm water pollution control measures pursuant to the NPDES requirements. The contractors would also be required to prepare a Water Quality Management Plan (WQMP) utilizing Best Management Practices to control or reduce the discharge of pollutants to the maximum extent practicable. The WQMP will also identify post-construction best management practices (BMPs) that will be the responsibility of the contractors to implement over the life of the project. Compliance with San Bernardino County Development Code Standards would ensure that the project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater.

Prior to issuance of any grading permit for the project that would result in soil disturbance of one or more acres of land, the Applicant shall demonstrate that coverage has been obtained under California's General Permit for Storm Water Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board, and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing shall be provided to the Chief Building Official and the County Engineer. In addition, the contactors would be required by the California State Water Resources Control Board to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would be submitted to the Chief Building Official and

County Engineer and would be subject to their approval prior to the issuance of a grading permit. *As a result, the impacts would be less than significant.*

B. *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? ● Less than Significant Impact.*

An infiltration feasibility report was conducted by Patel and Associates Inc. to determine the infiltration rates to be used once the site is operational. Based on this report it was determined that groundwater was not observed during subsurface exploration. Appendix G – Infiltration Report provides recommendations to be incorporated into the plans and implemented during construction. There would be an onsite water quality treatment area proposed consisting of a water tank and water well installation on the eastern portion of the project site. The construction and post-construction BMPs will address contaminants of concern from excess runoff, thereby preventing the contamination of local groundwater. Potential BMP's may include sediment traps, silt fencing, retention basins, and infiltration trenches. *As a result, the impacts would be less than significant.*

C *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner in which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or, impede or redirect flood flows? Less than Significant Impact.*

A potential jurisdictional channel was observed on the northern boundary of the project site that runs west to east that may require a comprehensive jurisdictional channel to be conducted at such time the larger site is developed. The proposed commercial project, however, is located to the south of this channel and will not be affected by the proposed commercial project. *As a result, the impacts would be less than significant.*

D. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation? ● No Impact.

A County-approved drainage plan will be used, which would ensure that the site will be designed so that storm water runoff will continue to be directed to the curbs and gutters on the adjacent roadways or storm drain inlets. According to the Federal Emergency Management Agency (FEMA) flood insurance maps obtained for the unincorporated community of Kramer Junction, the proposed project site is located in Zone X.[23] Properties located in Zone X are not located within a 100-year flood plain and are therefore not at risk of flood hazards. No natural channels are located adjacent to the site or in the immediate vicinity. The proposed project site is not located in an area that is subject to inundation by seiche or tsunami. In addition, the project site is located inland approximately 95 miles from the Pacific Ocean and, as a result, the project site would not be exposed to the effects of a tsunami. [24] *As a result, no impacts are anticipated.*

E. *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? ● No Impact.*

The proposed project's construction and operation will comply with the San Bernardino County's Stormwater Management and Discharge Control requirements. Compliance with the ordinance would help minimize the discharge and transport of pollutants associated with the new development though the control of volume and rate stormwater runoff, therefore preventing any potential violations or inconsistencies with the local requirements. As a result, the construction impacts would be less than significant. In addition, the project's operation would not interfere with any groundwater management or recharge plan because there are no active groundwater management recharge activities on-site or in the vicinity. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis of hydrology and water quality indicated that the proposed project would not result in significant impacts related to hydrology and water quality and no mitigation measures are required.

[23] Federal Emergency Management Agency. *Flood Insurance Rate Mapping Program*. 2020.
[24] Google Earth. Website accessed January 2, 2023.

11. LAND USE & PLANNING

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project physically divide an established community?				✖
B. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			✖	

SUBSTANTIATION OF ENVIRONMENTAL IMPACTS

The proposed project would involve the construction and operation of a small highway commercial center development. The proposed project site is located on a vacant 35.97-acre parcel. There would be a total of four parcels included in the proposed development. The total area of the land is 35.97 acres; however, the area of the proposed commercial center development will be approximately 4.68 net acres on the southwest corner of the parcel. The remaining area of the parcel will be reserved for future development. A Tentative Parcel Map (TPM) has been submitted to subdivide the 35.97-acre parcel into four (4) parcels on approximately 5-acres with a proposed Policy Plan Amendment from Rural Living (RL to Commercial (C), and a zone change from Rural Living-5-acre minimum lot size (RL-5) to Rural Commercial (CR) with a remainder of 31.1-acres that will remain in the RL Land Use Category and Zoning District. Land uses located in the vicinity of the proposed project are outlined below:

- *North of the project site:* Vacant land is located north of the site. This area is zoned as Rural Living (RL-5). [25] A potential jurisdictional channel is also located on the northern portion of the project site. [26]
- *East of the project site:* Vacant land use is located east of the project site. This area is zoned as Rural Living (RL-5). [27]
- *South of the project site:* Vacant land is located adjacent to the project site to the south. This area is zoned for Commercial Use. Commercial development and State Route 58 is located further south. [28]
- *West of the project site:* Directly west of the project site is US-395 with vacant disturbed zoned as Rural Living (RL-5). Further west is a water distribution system zoned as Rural Commercial. [29]

The project elements are summarized below.

- *Convenience Store with a Quick Serve Restaurant (QSR & Trucker Lounge.* The proposed project would include a new 9,349 square foot convenience store located in Parcel 1. The proposed convenience store would be located adjacent and to the east of the fueling area. There would be two public entry ways that would face the fuel dispensing area. Secondary entryways would be located at the building's south and east ends. The inside of the convenience store building would include a retail sales area, a trucker's lounge, and a quick-service restaurant (QSR) with an outdoor seating area.
- *Drive-Through Restaurant.* A 2,454 square foot restaurant would be constructed in Parcel 2, on the south-central portion of the project site. The main public entryway would be located on the north elevation of the proposed building. The drive-through lane would have a capacity of approximately 20 vehicles.

[25] Steeno Design Studio Inc. Kramer Junction Development. Page A-0 Site Plan. October 2024.
[26] RCA Associates Inc. General Biological Resources Assessment. January 25, 2022
[27] Steeno Design Studio Inc. Kramer Junction Development. Page A-0 Site Plan. October 2024.
[28] Ibid.
[29] Ibid.

- *Drive-Through Coffee Store.* The Coffee store would have two drive-thru lanes, which would be constructed in Parcel 3. The coffee shop would have a total floor area of 2,400 square feet. The drive-through lane would have a capacity of approximately 14 vehicles.
- *Fueling Areas.* An 8 double sided fuel dispensing area that would be located under a fueling canopy would be installed in Parcel 1 to the west of the proposed convenience store building. A total of 16 fueling positions would be provided under a 6,300 square foot canopy. A 5-pump diesel fueling area for trucks with 5 fueling positions would also be installed in Parcel 4 under a fueling canopy.
- *Water Well & Water Tank.* A water tank is proposed within the northeastern portion of Parcel 4. A water well is also proposed north of Parcel 1.

The proposed project site is zoned as Rural Living with a proposed zoning change to Rural Commercial. The project site is located in a rural environment. The proposed project will be confined within the project site's boundaries. The granting of the requested entitlements and subsequent construction of the proposed project will not result in any expansion of the use beyond the current boundaries. As a result, the project will not lead to any division of an existing established neighborhood. *As a result, no impacts would occur.*

B. *Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? ● Less than Significant Impact.*

The land to be developed will be subdivided into 4 parcels (referred to as Parcels 1 through 4). The project's development would occur over two phases. Phase 1 would involve the development of Parcels 1 and 4. Phase 2 would involve the development of Parcels 2 and 3. In addition to a new TPM, a proposed Policy Plan Amendment changing the land use designation from *Rural Living (RL)* to *Commercial (C)* and a corresponding zone change from *Rural Living-5-acre minimum lot size (RL-5)* to *Rural Commercial (CR).* The remaining of 31.1-acres will remain in *the Rural Living (RL-5)* Land Use Category and Zoning District. The project would be subject to the County of San Bernardino Development Code (Rural Commercial). The Rural Commercial designation allows for retail, personal services, recreation and entertainment services, and similar and compatible uses, The proposed project would include a service station with a convenience store, restaurant, and coffee shop, which are all allowable uses within the Rural Commercial zoning district. *As a result, the impacts would be less than significant.*

MITIGATION MEASURES

The analysis determined that no impacts on land use and planning would result upon the implementation of the proposed project. As a result, no mitigation measures are required.

12. MINERAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?				✖
B. Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				✖

SUBSTANTIATION OF ENVIRONMENTAL IMPACTS

A. *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? ● No Impact.*

A review of California Division of Oil, Gas, and Geothermal Resources well finder indicates that there are no wells located in the vicinity of the project site.[30] The Surface Mining and Reclamation Act of 1975 (SMARA) has developed mineral land classification maps and reports to assist in the protection and development of mineral resources. According to the SMARA, the following four mineral land use classifications are identified:

- *Mineral Resource Zone 1 (MRZ-1):* This land use classification refers to areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- *Mineral Resource Zone 2 (MRZ-2):* This land use classification refers to areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists.
- *Mineral Resource Zone 3 (MRZ-3):* This land use classification refers to areas where the significance of mineral deposits cannot be evaluated from the available data. Hilly or mountainous areas underlain by sedimentary, metamorphic, or igneous rock types and lowland areas underlain by alluvial wash or fan material are often included in this category. Additional information about the quality of material in these areas could either upgrade the classification to MRZ-2 or downgraded it to MRZ-1.
- *Mineral Resource Zone 4 (MRZ-4):* This land use classification refers to areas where available information is inadequate for assignment to any other mineral resource zone.

The project site is located within Mineral Resource Zone 1 (MRZ-1) within the unincorporated community of Kramer Junction, which indicates that no significant mineral deposits are present in the area, and it has been judged that little likelihood exists for their presence. In addition, there are no active mineral extraction activities occurring on-site or in the adjacent properties. *As a result, no impacts would occur.*

B. *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? ● No Impact.*

As previously mentioned, no mineral, oil, or energy extraction and/or generation activities are located within the project site. Moreover, the proposed project will not interfere with any resource extraction activity. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis of potential impacts related to mineral resources indicated that no significant adverse impacts would occur. As a result, no mitigation measures are required.

[30] California, State of. Department of Conservation. California *Oil, Gas, and Geothermal Resources Well Finder.* https://maps.conservation.ca.gov/doggr/wellfinder/#openModal/-117.41448/34.56284/14.

13. NOISE

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		✖		
B. Would the project result in generation of excessive ground borne vibration or ground borne 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 OF ENVIRONMENTAL IMPACTS

A. *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? ● Less than Significant Impact with Mitigation.*

The most commonly used unit for measuring the level of sound is the decibel (dB). Zero on the decibel scale represents the lowest limit of sound that can be heard by humans. The eardrum may rupture at 140 dB. In general, an increase of between 3.0 dB and 5.0 dB in the ambient noise level is considered to represent the threshold for human sensitivity. In other words, increases in ambient noise levels of 3.0 dB or less are not generally perceptible to persons with average hearing abilities.[31] According to Section 83.01.080(G) of the County's Code of Ordinances, temporary construction, maintenance, repair, or demolition activities between 7:00 AM and 7:00 PM shall be exempt from the noise regulations identified by the county in Section 83.01.080. Nevertheless, the following mitigation will be required in order to further reduce construction noise:

NOI-1. The Applicant must ensure that the contractors use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise.

Adherence to the above-mentioned regulations will reduce potential impacts stemming from the project's construction to levels that are less than significant. Future sources of operational noise will include noise emanating from the fuel dispensing areas, the coffee shop drive-thru lanes, semi-truck parking, and the other related on-site improvements. The County's Development Code (Division 3, Countywide Development Standards; Chapter 83.01, General Performance Standards, Section 83.01.080, Noise) sets interior and exterior noise standards for specific land uses by type of noise source. Noise standards for stationary noise sources are summarized in the Ordinance in Table 3.11-6, Noise Standards for Stationary Noise Sources. The noise standard for residential properties is 55 dBA Leq from 7 a.m. to 10 p.m. and 45 dBA Leq from 10 p.m. to 7 a.m. Areas exposed to noise levels exceeding these standards are considered noise-impacted areas. The project's operation will not create excessive noise that will impact any nose sensitive receptors. No noise sensitive receptors are located adjacent to the project site. The maximum permitted noise level emanating from noise sources near residential zoned properties is 60 dBA during the daytime hours and 45 dBA during the evening hours. The nearest residential property is located approximately 4,600 feet southwest of the project site. The project site's distance from any sensitive receptor and adherence to the County's noise control regulations will address both construction and operational noise impacts. *As a result, the impacts will be less than significant with mitigation.*

[31] Bugliarello, et. al. *The Impact of Noise Pollution,* Chapter 127, 1975.

B. *Would the project result in generation of excessive ground-borne vibration or ground-borne noise levels? ● Less than Significant Impact.*

The construction of the proposed project will result in the generation of vibration and noise, though the vibrations and noise generated during the project's construction will not adversely impact any sensitive receptors. The background vibration velocity level in residential areas is usually around 50 vibration velocity level (VdB). The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity of 75 VdB is the approximately dividing line between barely perceptible and distinctly perceptible levels for many people. Sources within buildings such as operation of mechanical equipment, movement of people, or the slamming of doors causes most perceptible indoor vibration. Construction activities may result in varying degrees of ground vibration, depending on the types of equipment, the characteristics of the soil, and the age and construction of nearby buildings.

The operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Ground vibrations associated with construction activities using modern construction methods and equipment rarely reach the levels that result in damage to nearby buildings though vibration related to construction activities may be discernible in areas located near the construction site. A possible exception is in older buildings where special care must be taken to avoid damage. Table 6 summarizes the levels of vibration and the usual effect on people and buildings. The U.S. Department of Transportation (U.S. DOT) has guidelines for vibration levels from construction related to their activities and recommends that the maximum peak-particle-velocity (PPV) levels remain below 0.05 inches per second at the nearest structures. PPV refers to the movement within the ground of molecular particles and not surface movement. Vibration levels above 0.5 inches per second have the potential to cause architectural damage to normal dwellings. The U.S. DOT also states that vibration levels above 0.015 inches per second (in/sec) are sometimes perceptible to people, and the level at which vibration becomes an irritation to people is 0.64 inches per second.

Table 6 Common Effects of Construction Vibration

Peak Particle Velocity (in/sec)	Effects on Humans	Effects on Buildings
<0.005	Imperceptible	No effect on buildings
0.005 to 0.015	Barely perceptible	No effect on buildings
0.02 to 0.05	Level at which continuous vibrations begin to annoy occupants of nearby buildings	No effect on buildings
0.1 to 0.5	Vibrations are considered unacceptable for persons exposed to continuous or long-term vibration.	Minimal potential for damage to weak or sensitive structures
0.5 to 1.0	Vibrations considered bothersome by most people, tolerable if short-term in length	Threshold at which there is a risk of architectural damage to buildings with plastered ceilings and walls. Some risk to ancient monuments and ruins.
>3.0	Vibration is unpleasant	Potential for architectural damage and possible minor structural damage

Source: U.S. Department of Transportation

Typical levels resulting from vibration generally do not have the potential for any structural damage. Some construction activities, such as pile driving and blasting, can produce vibration levels that may have the potential to damage some vibration sensitive structures if performed within 50 to 100 feet of the structure. The reason that normal construction vibration does not result in structural damage has to do with several issues, including the frequency vibration and magnitude of construction related vibration. Unlike earthquakes, which produce vibration at very low frequencies and have a high potential for structural damage, most construction vibration is in the mid- to upper- frequency range and therefore has a lower potential for structural damage. The project's implementation will not require deep foundations.

Various types of construction equipment have been measured under a wide variety of construction activities with an average of source levels reported in terms of velocity levels as shown in Table 7. Although the table gives one level for each piece of equipment, it should be noted that there is a considerable variation in reported ground vibration levels from construction activities. The data in Table 7 does provide a reasonable estimate for a wide range of soil conditions. Based on Transit Noise and Vibration Impact Assessment (FTA,

May 2006), a vibration level of 102 VdB (vibration decibels, or 0.5 inches per second [in/sec]) (FTA, May 2006) is considered safe and would not result in any construction vibration damage.

Table 7 Vibration Source Levels for Typical Construction Equipment

Construction Equipment		PPV @25 ft. (inches/sec.)	Vibration (VdB) @ 25 ft.
Pile Driver (impact)	Upper range	1.58	112
	Typical	0.644	104
Pile Drive (Sonic)	Upper range	0.734	105
	Typical	0.170	93
Clam Shovel Drop		0.202	94
Large Bulldozer		0.089	87
Caisson Drilling		0.089	87
Loaded Trucks		0.076	86
Small Bulldozer		0.035	79

Source: Noise and Vibration During Construction

The County of San Bernardino Development Code Table 83-2 Noise Standards for Stationary noise Sources shows for Commercial land use, the noise level shall not exceed Leq 60 dBA at all times. Once in operation, the proposed project will not significantly raise ground borne noise levels. Slight increases in ground-borne noise levels could occur during the construction phase. The limited duration of construction activities and the County's construction-related noise control requirements will reduce the potential impacts to levels that are less than significant. *As a result, the impacts will be less than significant.*

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 nearest airport is the Sun Hill Ranch Airport, located approximately 16.43 miles south of the project site. Sun Hill Ranch Airport is a privately owned airport located 10 miles west of Helendale, California. The airport is owned by Calhan Capital Inc. Permission is required prior to landing. The project site is not located within an airport land use plan of this airport. *As a result, no impacts will occur.*

MITIGATION MEASURES

The analysis of noise indicated that the following mitigation would be required:

NOI-1*:* The Applicant must ensure that the contractors use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise.

14. POPULATION & HOUSING

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✖	
B. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✖

SUBSTANTIATION OF ENVIRONMENTAL IMPACTS

A. *Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? ● No Impact.*

The proposed project involves the construction and operation of a highway commercial center development. The proposed project site is located on a vacant 35.97-acre parcel. There would be a total of four parcels included in the proposed development. The total area of the land is 35.97 acres; however, the area of the proposed development will be approximately 4.68 net acres on the southwest corner of the parcel. The remaining area of the parcel will be reserved for future development. A Tentative Parcel Map (TPM) has been submitted to subdivide the 35.97-acre parcel into four (4) parcels on approximately 5-acres with a proposed Policy Plan Amendment from Rural Living (RL to Commercial (C), and a zone change from Rural Living-5-acre minimum lot size (RL-5) to Rural Commercial (CR) with a remainder of 31.1-acres that will remain in the RL Land Use Category and Zoning District. According to the Growth Forecast Appendix prepared by SCAG for the 2016-2045 RTP/SCS, unincorporated areas of San Bernardino County, which includes the unincorporated community of Kramer Junction, are projected to add a total of 48,500 new residents and 33,700 new employees through the year 2040.[32] The proposed convenience store component of the project is anticipated to employ up to 25 people while the potential employment for the coffee shop is anticipated to be up to 20 people. Due to the low employment demand, the project's implementation would not result in a significant increase in employment that would exceed the SCAG's projections of less than or equal to 200 new employees within the transportation analysis zone (TAZ) the project site is located within. Growth-inducing impacts include the following:

- *New development in an area presently undeveloped and economic factors which may influence development.* The project site is vacant and undisturbed amongst a relatively undeveloped area. This development is not expected to influence future development as it is north of SR-58 where commercial development is present.
- *Extension of roadways and other transportation facilities.* Roadway extensions will be required to accommodate the proposed development.
- *Extension of infrastructure and other improvements.* The installation of any new utility lines will not lead to subsequent offsite development since these utility lines will serve the project site only.
- *Major off-site public projects (treatment plants, etc.).* The project's increase in demand for utility services can be accommodated without the construction or expansion of landfills, water treatment plants, or wastewater treatment plants.

[32] Southern California Association of Governments. *Growth Forecast. Regional Transportation Plan 2016-2040.* Adopted on April 7, 2016.

- *The removal of housing requiring replacement housing elsewhere.* The site does not contain any housing units. As a result, no replacement housing will be required.
- *Additional population growth leading to increased demand for goods and services.* The project's construction would result in a limited increase in employment which can be accommodated by the local labor market.
- *Short-term growth-inducing impacts related to the project's construction.* The project will result in temporary employment during the construction phase.

The proposed convenience store component of the project is anticipated to employ up to 25 people while the potential employment for the coffee shop is anticipated to be up to 20 people. Due to the low employment demand, the project's implementation would not result in a significant increase in employment that would exceed the SCAG's projections. The jobs for this project would be filled by the local labor market. The proposed commercial development will not induce substantial unplanned population growth in an area. *As a result, the impacts will be less than significant.*

B. *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? ● No Impact.*

The project site is vacant and unoccupied. No housing units are located on the property and none will be displaced as a result of the proposed project's implementation. *As a result, no impacts will result.*

MITIGATION MEASURES

The analysis of potential population and housing impacts indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

15. PUBLIC SERVICES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
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 would cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for: fire protection; police protection; schools; parks; or other public facilities?			✖	

SUBSTANTIATION OF ENVIRONMENTAL IMPACTS

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 would cause significant environmental impacts, in* fire protection; police protection; schools; parks; or other public facilities? ● *Less than Significant Impact.*

The proposed project involves the construction and operation of a highway commercial center development. The proposed project site is located on a vacant 35.97-acre parcel. There would be a total of four parcels included in the proposed development.

Fire Department

The closest fire station to the project site is Station No.17 located approximately 6 miles west of the project site in the community of Boron in Kern County. The San Bernardino County Fire Department North Desert Division would provide fire protection services to the site which is located approximately 21 miles southeast and provides services to unincorporated areas within the northern San Bernardino County area. On average, San Bernardino County Fire had a 2019 response time of 8 minutes and 38 seconds. The target response time for rural areas is 22 minutes and 30 seconds. While Kramer Junction meets the criteria for a rural area, as provided in the Countywide Plan EIR, the proximity of the Project site to the local fire station means that it would likely receive a faster response time than is standard for rural areas. The proposed project would place an incremental demand on fire services since the project will be constructed with strict adherence to all pertinent building and fire codes. In addition, the proposed project would be required to implement all pertinent Fire Code Standards including the installation of fire hydrants and sprinkler systems inside all of the new buildings the buildings. Furthermore, the project would be reviewed by Fire officials to ensure adequate fire service is provided before approving the fire plan. *As a result, the potential impacts will be less than significant.*

Law Enforcement

The closest police station is Kern County Sheriff's Office located in Boron, California approximately 6.11 miles to the west of the project site but law enforcement services in Kramer Junction is provided by San Bernardino County Sheriff's Department (SBCSD) located in Barstow, approximately 30 miles southeast from the site. The SBCSD would review security and site plans to ensure the proposed project conforms to the Department's security regulations. The proposed development would comply with the County's Development Code. *As a result, the potential impacts will be less than significant.*

Schools

The proposed project site is located within a rural area in the San Bernardino County. The closest school to the project site is Boron Junior-Senior High school within the city boundaries of Boron, California located approximately 6.21 miles west in Kern County. Since the project is expected to hire locally, no population growth is anticipated from the project's future employment. The proposed project would also be required to pay development fees to the local school district (Muroc Joint Unified School District [MUJSD]) which would

offset any [potential impacts. As a result there would be no impact.

Recreational Services

The proposed project would not result in any local increase in residential development (directly or indirectly) which could potentially impact the local recreational facilities. *As a result, no impacts would occur.*

Governmental Services

The proposed project would not create direct local population growth which could potentially create demand for other public facilities. *As a result, the impacts would be less than significant.*

MITIGATION MEASURES

The analysis of potential impacts related to public services indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

16. RECREATION

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✖
B. Would 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 OF ENVIRONMENTAL IMPACTS

A. *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? ● No Impact.*

The proposed project involves the construction and operation of a highway commercial center development. The proposed project site is located on a vacant 35.97-acre parcel. There would be a total of four parcels included in the proposed development. The total area of the land is 35.97 acres; however, the area of the proposed development will be approximately 4.68 net acres on the southwest corner of the parcel. No parks are located adjacent to the site. Due to the commercial nature of the proposed project, no significant increase in the use of County parks and recreational facilities is anticipated to occur. The proposed project would not result in any improvements that would potentially significantly physically alter any public park facilities and services. *As a result, no impacts would occur.*

B. *Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? ● No Impact.*

As previously indicated, the implementation of the proposed project would not affect any existing parks and recreational facilities in the County. The proposed project would hire from the local job market. No population growth would be expected, therefore, the project would not require the construction or expansion of any local recreational facilities. The customers utilizing the proposed project are not likely to increase demand for local recreational facilities. *As a result, impacts would be less than significant.*

MITIGATION MEASURES

The analysis of potential impacts related to parks and recreation indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

17. TRANSPORTATION

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project conflict with a plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?			✖	
B. Conflict or be inconsistent with CEQA Guidelines §15064.3 subdivision (b)?			✖	
C. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✖	
D. Would the project result in inadequate emergency access?				✖

SUBSTANTIATION OF ENVIRONMENTAL IMPACTS

The traffic report is included in Appendix F.

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

Access to the site is proposed via driveways along Highway 395. The proposed Highway 395 driveways are described below.

1. A right in only access driveway is proposed at Project Driveway "A" and Highway 395 located about 310 feet (measured from end of the curb return to beginning of the curb return) north of Highway 58 westbound on and off-ramps. Proposed improvements to Highway 395 include widening the east side of the road and restriping the lanes to provide two northbound through lanes, a northbound bike lane, and a continuous northbound right turn lane into Project Driveway "A" and extends the length of the project's frontage. The median restricts left turn in or left turn out at Driveway "A".
2. A full access traffic signal-controlled driveway is proposed at Project Driveway "B" and Highway 395 located about 540 feet (measured from end of the curb return to beginning of the curb return) north of Highway 58 westbound on and off-ramps. Proposed improvements to Highway 395 include widening the east side of the road and restriping the lanes to provide two northbound through lanes, a northbound bike lane, termination of the continuous right turn lane into an exclusive northbound right turn lane, and a southbound median left turn lane into Project Driveway "B".[33]

The project is highway-oriented and relies on US-395, the majority of traffic comprises of long-distance automobile and truck trips for purposes including freight hauling, intra and inter-regional travel, and tourism. Institute of Transportation Engineers (ITE) Trip Generation manual, 11th Edition trip generation estimates are presented for the PM Peak Hour of the Adjacent Street Traffic. The proposed project land uses include Convenience Store/Gas Station (Land Use Category ITE 945) subcategory (VFP 16-24), a Quick Service Fast-Food Restaurant with Drive-Through Window (Land Use Category ITE 934) inside the Convenience Store/Gas Station, Fast-Food Restaurant with Drive-Through Window (Land Use Category ITE 934), and a Coffee/Donut Shop with Drive-Through Window (Land Use Category ITE 937). Due to the nature of highway-oriented development, the project traffic is primarily comprised of diverted link trips. Diverted-link

[33] David Evans and Associates. Traffic Impact Analysis. Commercial Development in Kramer Junction A.P.N 0491-151-11. August 8,2022

trips are trips passing by the site but not on an immediately adjacent street and alter their path to visit the site. For example, for a gas station at an interchange, diverted link trips are those that would exit the freeway and then re-enter the freeway to continue in their original direction. The Institute of Transportation Engineers (ITE) Trip Generation Handbook defines a diverted-link trip as the following: "A diverted trip is attracted from the traffic volume on roadways within the vicinity of the generator but without direct access to the site. A diverted trip requires a diversion from a roadway not adjacent to the site to another roadway to gain direct access to the site. A diverted trip adds traffic to streets adjacent to a site and could remove a trip on streets from which it diverted. Table 8 shows the trip generation for the proposed project.

Table 8 Summary of Project Trip Generation

Land Use	Size/ Quantity	Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Convenience Store/Gas Station (VFP 16-24) - Land Use Category (ITE 945)								
Per 1,000 sq. ft. GLA	6,790	1,283.38	45.68	45.68	91.35	39.48	39.48	78.95
Trips		8,715	311	311	622	269	269	538
Fast-Food Restaurant with Drive-Through Window - Land Use Category (ITE 934) (QSR and Pad)								
Per 1,000 sq. ft. GLA	5,013	467.48	22.75	21.86	44.61	17.18	15.85	33.03
Trips		2,344	115	110	225	86	80	166
Coffee/Donut Shop with Drive-Through Window - Land Use Category (ITE 937)								
Per 1,000 sq. ft. GLA	2,432	533.57	43.80	42.08	85.88	19.50	19.50	38.99
Trips		1,298	107	103	210	48	48	96
Sub-Total Trips		12,357	533	524	1,057	403	397	800
Internal Trips (10%)		1,236	53	52	106	40	40	80
Adjusted Sub-Total Trips		11,121	480	472	952	363	357	720
Diverted Link Trips (65%)		7,229	312	307	619	236	232	468
Pass-by Trips (15%)		1,668	72	71	143	54	54	108
Total Proposed Primary Trips (20%)		**2,224**	96	94	**190**	73	71	**144**

Source: Institution of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition

Institute of Transportation Engineers (ITE) Trip Generation manual, 11th Edition trip generation estimates are presented for the PM Peak Hour of the Adjacent Street Traffic. The proposed project is estimated to generate 11,121, 952, and 720 trips at the driveways on a weekday, AM peak hour, and PM peak hour respectively with 2,224 daily trips, 190 AM and 145 PM peak hour trips being primary trips to the site. Table 1-3 in Appendix F – Traffic Study shows the shows the LOS Consistency Impacts at signalized Intersections. The result was there were no impacts at any intersections. The analysis concluded that the proposed project does not cause, or contribute, to a LOS deficiency at any of the study intersections in either peak hour under background + project conditions and future + project conditions. *As a result, the impacts will be less than significant.*

B. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b)? ● Less than Significant Impact.

Local serving retail generally improves the convenience of shopping close to home and has the effect of reducing vehicle travel. The proposed project is a different kind of local serving retail – Freeway-oriented commercial. The benefit of local serving retail may also be applied to convenience retail near freeways that attract most of their customers from the freeway, especially when placed close to an interchange. These "diverted" customer trips from the freeway are trips that are traveling on a nearby freeway and stop at the project site as an intermediate stop between their origin and destination to fulfill their need for refueling, dining, and rest from driving. The location of the project between ¼-mile and ½-mile from the Highway 58 ramp intersections minimizes the length of the diverted travel. In addition to these "diverted" trips, travelers on Highway 395 passing-by the project site are attracted to the project with direct access to/from Highway 395.

The primary trips assumed in the trip generation estimates for the project (20%) is highly over-estimated. It was assumed in this study because it came from a credible source—the Institute of Transportation Engineers (ITE) Trip Generation, 11th Edition. The empirical diverted link and pass-by trip data from which ITE derived the average of 20% is from surveys of urban and suburban gas stations and fast-food restaurants and does not represent rural truck/traveler service facilities.

A study prepared for Love's Travel Stops in 2018 of six centers in exurban locations near suburban communities or on the outskirts of larger cities identified an average share of primary trips at 12 percent. At one Love's Travel Stop location in San Bernardino County at a rural interchange on I-15 isolated from the nearest community by almost 10 miles, the diverted trip percentage was 90% for automobiles and 95% for trucks. Although this study uses a conservative estimate of 20% primary trips for intersection level of service analysis, it would be challenging to identify where those trips would be coming from and for what purpose, given the isolation of the proposed project, and given the fact that there is a Pilot Truck / Travel Center less than a mile away and a Loves Travel Stop located less than 8 miles away in Boron. A primary trip percentage of 95% would be a reasonable assumption for the proposed project. In 2020, there were 893 employed people in Boron—the largest percentage of which are working in the retail industry.

Based on the above discussion, the proposed project is likely to attract 95% of its customers from diverted link trips from Highway 58 and pass-by trips from Highway 395. The remaining primary trips (employees) generating about 500 trips per day will likely draw from the nearby communities of Boron, Desert Lake, North Edwards, and other small communities surrounding the Highway 58 corridor where there is a potential opportunity to reduce VMT if the project's jobs replace longer commutes. The proposed project is a form of locally serving retail that attracts about 95% of its trips from the adjacent state highway system (Highways 58 and 395) that generate VMT equal to the number of trips multiplied by the round trip distance to and from the project site and Highway 58 (about 1 mile to/from westbound Highway 58 and about 1.3 miles to / from eastbound Highway 58). This development should be screened from requiring a detailed VMT analysis under CEQA. *As a result, the impacts will be less than significant.*

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

The project proposes to construct several roadway and intersection improvements on Highway 395 concurrent with the construction of the project. These improvements include right-of-way dedication and widening of the Highway 395 to meet Caltrans cross-section standards and access driveways including turning lanes as needed to safely accommodate entering traffic. Because the project would not be constructed without these proposed improvements, the analysis of project conditions includes the proposed improvements. Access to the site is proposed via driveways along Highway 395. The proposed Highway 395 driveways are described below.

1. A right in only access driveway is proposed at Project Driveway "A" and Highway 395 located about 310 feet (measured from end of the curb return to beginning of the curb return) north of Highway 58 westbound on and off-ramps. Proposed improvements to Highway 395 include widening the east side of the road and restriping the lanes to provide two northbound through lanes, a northbound bike lane, and a continuous northbound right turn lane into Project Driveway "A" and extends the length of the project's frontage. The median restricts left turn in or left turn out at Driveway "A".
2. A full access traffic signal-controlled driveway is proposed at Project Driveway "B" and Highway 395 located about 540 feet (measured from end of the curb return to beginning of the curb return) north of Highway 58 westbound on and off-ramps. Proposed improvements to Highway 395 include widening the east side of the road and restriping the lanes to provide two northbound through lanes, a northbound bike lane, termination of the continuous right turn lane into an exclusive northbound right turn lane, and a southbound median left turn lane into Project Driveway "B".[34]

[34] David Evans and Associates. Traffic Impact Analysis. Commercial Development in Kramer Junction A.P.N 0491-151-11. August 8,2022

Because the intersection of Highway 395 /Highway 58 WB On and Off Ramps is signal controlled, there are only two conditions a driver will confront when approaching the intersection in the northbound direction:

1. A red indication (or a yellow then red indication) requiring the driver to stop. In this condition there are no conflicts in which the driver would have to immediately react upon. When the signal changes to a green indication, the driver accelerates from a stop approaching the downstream driveway where there are only two conflicts the driver might encounter: left turns from the median entering the driveway, and right turns exiting the driveway. At speeds starting from a stop, there is adequate sight distance to perceive and react to the two potential conflicts faced by the driver.

2. A green indication as the driver approaches the intersection traveling at the posted speed. The downstream driveway's stopping sight distance (assumed as 500 feet based on a 55-mph speed) is visible before the driver enters the signalized intersection. The driver need only be concerned about (a) right turns on red from the Highway 58 off ramp entering directly into the lane in front of the driver, and (b) visibility of the approaching downstream driveway's two potential conflict points. Both conditions are manageable for the average driver without concern of circumstances at the intersection distracting the driver from observing the conditions at the downstream driveway.

Both conditions are manageable for the average driver without concern of circumstances at the intersection distracting the driver from observing the conditions at the downstream driveway. Additionally, as presented in Table 5-2 in Appendix F – Traffic Study, the addition of project traffic does not cause, or contribute, to a deficient level of service at any study intersection based on the County's criteria. However, warrant 7 (crash experience) in Appendix F – Traffic Study Table 5-4, is not satisfied. Two injury collisions were reported in the 36-month period beginning in 2019 and ending in 2021. While not meeting the frequency requirement within a 12-month period, neither collision was of the type susceptible to correction with the installation of a signal. However, meeting signal warrants is only one of many factors to consider for traffic signal installation. Safety is a consideration since the project is a highway-oriented commercial center geared towards travelers as well as serving the needs of long-distance trucking. The project generates close about 600 and 700 trips at the driveways in the AM peak hour and PM peak hour respectively (over 350 and 300 of these AM peak hour and PM peak hour trips are projected to exit the site from Driveway "B"). Many of the site's trips are large trucks all of which will use Driveway "B" to enter and exit the site. A traffic signal is recommended to reduce the potential conflict being the high level of slower moving vehicles entering and exiting the project site and the higher speed through traffic on Highway 395 (55 mph posted speed limit). The project would install a traffic signal at project driveway "B". *As a result, the impacts will be less than significant.*

D. Would the project result in inadequate emergency access? ● No Impact.

At no time during construction will US-395 be completely closed to traffic. Since no roads will be closed during the project's construction phase, the proposed project would not affect emergency access to any adjacent parcels. All construction staging would occur on-site. *As a result, no impacts will occur.*

MITIGATION MEASURES

The analysis finds that the proposed project will not cause a project-specific deficiency to the level of service of any of the intersections therefore no mitigation is required.

18. TRIBAL CULTURAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
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:				
A. 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		✖		
B. 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 Resource 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 Tribe5020.1(k)?			✖	

SUBSTANTIATION OF ENVIRONMENTAL IMPACTS

A. 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)? ● Less than Significant Impact with Mitigation.

The proposed project involves the construction and operation of a highway commercial center development. The proposed project site is located on a vacant 35.97-acre parcel. There would be a total of four parcels included in the proposed development. A Tentative Parcel Map (TPM) has been submitted to subdivide the 35.97-acre parcel into four (4) parcels on approximately 5-acres with a proposed Policy Plan Amendment from Rural Living (RL to Commercial (C), and a zone change from Rural Living-5-acre minimum lot size (RL-5) to Rural Commercial (CR) with a remainder of 31.1-acres that will remain in the RL Land Use Category and Zoning District. A Tribal Resource is defined in Public Resources Code section 21074 and includes the following:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following: included or determined to be eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
- 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.
- A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
- A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “non-unique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource.

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

A Cultural Resources report was conducted by CRM Tech, attached as Appendix C. The present-day Kramer Junction area is generally considered a part of the traditional homeland and boundary of the Serrano and Kitanemuk people, whose territories are centered around the San Bernardino and San Gabriel Mountains and the Tehachapi Mountains. The general ecological adaptation and subsistence technology of the Kitanemuk differed little from that of their neighbors, such as the Serrano and the Southern Valley Yokuts of the San Joaquin Valley. Desert resources utilized by the Kitanemuk included Joshua tree for cordage, dye, and the edible blossoms; creosote, ephedra, and saltbush for medicine and firewood; and various cacti for food. Linguistic evidence through the use of similar familial terms suggests the presence of some form of the patrilineal system found elsewhere in southern California, but the lineages were not totemic, nor was there evidence of moieties. Precise data on the demographic characteristics and political organization of the Kitanemuk can no longer be obtained. However, archaeological evidence points to a somewhat stratified society. It is known ethnographically that each village had a chief, ceremonial manager, messengers, and shamans. The Kitanemuk utilized formal cemeteries, and excavations have revealed the presence of grave goods implying status among tribal members. These grave goods include trade items representing the Santa Barbara coast, San Joaquin Valley, and eastern Mojave Desert.[35]

In response to CRM TECH's inquiry, the NAHC states in a letter dated March 1, 2021, that the Sacred Lands File search identified no Native American cultural resource in the project area. Noting that the absence of specific information would not necessarily indicate the absence of cultural resources, however, the NAHC recommended that local Native American groups be consulted for further information and provided a referral list of 11 individuals associated with nine local Native American groups who may have knowledge of such resources. The NAHC's reply is attached in Appendix 2 of the Cultural Report included in Appendix C for reference by the County of San Bernardino in future government-to-government consultations with the pertinent tribal groups.

On March 1, 2022, the County of San Bernardino mailed project notification pursuant to AB-52 to the following tribes: Kern Valley Indian Community, Morongo Band of Mission Indians, Quechan Tribe of the Fort Yuma Reservation, San Fernando Band of Mission Indians, San Manuel Band of Mission Indians, and the Serrano Nation of Mission Indians. As of March 1, 2005, Senate Bill 18 requires cities and counties to conduct consultations with California Native American Tribes before the local officials adopt or amend their General Plans. The project in question includes an amendment to the San Bernardino Countywide Plan to change the land use from residential to commercial thus requiring compliance with this bill. Pursuant to SB-18 notification emails were sent on July 31, 2020 to nine (9) tribes based on a list provided by the Native American Heritage Commission (NAHC) on July 27, 2020. Those notifications were sent to the following:

- Kawaiisu;
- Tubatulabal;
- Koso;
- Cahuilla;
- Serrano;
- Quechan;
- Kitanemuk;
- Vanyume; and
- Tataviam

[35] CRM Tech. HISTORICAL/ARCHAEOLOGICAL RESOURCES SURVEY REPORT VERMA COMMERCIAL DEVELOPMENT PROJECT Kramer Junction, San Bernardino County, California. September 13, 2022.

No further comment letters were received regarding the SB-18 notification. Any mitigations requested by the tribe(s) and agreed to by the County are required as project Conditions of Approval (COAs). The required mitigation measures provided by the San Manuel Band of Mission Indians are summarized under TCR-1 and TCR-2. *As a result, the impacts will be less than significant with mitigation measures.*

B. *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 Resource 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 Tribe5020.1(k)? ● Less than Significant Impact.*

From the AB-52 consultation, there are no Native American cultural resource in the project area. San Manuel Band of Mission Indians provided TCR-1 and TCR-2 mitigation measures in the previous section that would be implemented during the project's construction phase. *As a result, the impacts will be less than significant.*

MITIGATION MEASURES

The following mitigation was requested by the San Manuel Band of Mission Indians:

TCR-1: The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CUL-1, of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.

TCR-2: Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project. Note: Yuhaaviatam of San Manuel Nation realizes that there may be additional tribes claiming cultural affiliation to the area; however, Yuhaaviatam of San Manuel Nation can only speak for itself. The Tribe has no objection if the agency, developer, and/or archaeologist wishes to consult with other tribes in addition to YSMN and if the Lead Agency wishes to revise the conditions to recognize additional tribes.

19. UTILITIES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			✖	
B. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?			✖	
C. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✖	
D. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			✖	
E. Would the project negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals?				✖
F. Would the project comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?				✖

SUBSTANTIATION OF ENVIRONMENTAL IMPACTS

A. *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? ● Less than Significant Impact.*

The proposed project involves the construction and operation of a highway commercial center development. The proposed project site is located on a vacant 35.97-acre parcel. There would be a total of four parcels included in the proposed development. The total area of the land is 35.97 acres; however, the area of the proposed development will be approximately 4.68 net acres on the southwest corner of the parcel. and water storage tank. A Tentative Parcel Map (TPM) has been submitted to subdivide the 35.97-acre parcel into four (4) parcels on approximately 5-acres with a proposed Policy Plan Amendment from Rural Living (RL to Commercial (C), and a zone change from Rural Living-5-acre minimum lot size (RL-5) to Rural Commercial (CR) with a remainder of 31.1-acres that will remain in the RL Land Use Category and Zoning District. The project site is vacant and undisturbed. There are no existing water or wastewater treatment plants, electric power plants, telecommunications facilities, natural gas facilities, or stormwater drainage infrastructure located on-site. Therefore, the project's implementation will not require the relocation of any of the aforementioned facilities. The project would construct an onsite water quality treatment area consisting of a water tank and water well installation on the eastern portion of the project site. The increase in demand for waste disposal, water, and wastewater treatment services can be adequately handled and no expansion of these services is required. From the analysis in subsections B, C, and D below, the increase in demand for waste disposal, water, and wastewater treatment services can be adequately handled and no expansion of these services is required. *As a result, less than significant impacts would occur.*

B. *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? ● Less than Significant Impact.*

A new 35,100 gallon water tank is proposed within the southeastern portion of Parcel 4. A water well with a 72,000 gallon per day capacity is also proposed north of Parcel 1. As indicated in Table 9, the proposed project is projected to consume approximately 1,912 gallons of water on a daily basis.

Table 9 Water Consumption (gals/day)

Use	Unit	Factor	Generation
Convenience Store	6,790 sq. ft.	0.15 gals/day/sq. ft	1,019 gals/day
Quick Serve Restaurant	2,559 sq. ft.	0.12 gals/day/sq. ft.	307 gals/day
Drive-Through Restaurant	2,454 sq. ft.	0.12 gals/day/sq. ft.	294 gals/day
Coffee Shop (Fast-Food Restaurant)	2,432 sq. ft.	0.12 gals/day/sq. ft	292 gals/day
Total			**1,912 gals/day**

Source: California Home Building Foundation

Because the site is currently undeveloped, the project would result in an increase in the amount of water consumption compared to existing conditions. The on-site water utility system would be designed, constructed, and maintained to be consistent with County and State Water Resources Control Board standards and requirements. A new 35,100 gallon water tank is proposed within the northeastern portion of Parcel 4. A water well with a 72,000 gallon per day capacity is also proposed north of Parcel 1, which is substantially sufficient for the project site. *As a result, the impacts would be less than significant.*

C. *Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? ● Less than Significant Impact.*

The site is currently undeveloped, the project would result in an increase in the amount of wastewater generation compared to existing condition. According to Table 10, the proposed project is expected to generate approximately 1,275 gallons of sewage per day.

Table 10 Wastewater (Effluent) Generation (gals/day)

Use	Unit	Factor	Generation
Convenience Store	6,790 sq. ft.	0.10 gals/day/sq. ft	679 gals/day
Quick Serve Restaurant	2,559 sq. ft.	0.08 gals/day/sq. ft	205 gals/day
Drive-Through Restaurant	2,454 sq. ft.	0.08 gals/day/sq. ft	196 gals/day
Coffee Shop (Fast-Food Restaurant)	2,432 sq. ft.	0.08 gals/day/sq. ft	195 gals/day
Total			**1,275 gals/day**

Source: Black & Veatch. *Wastewater Collection System Master Plan*. Report dated October 18, 2013

The proposed project would include a septic system for the disposal of wastewater. The septic system would be located on the eastern portion of the site, between the access road and development boundary. According to the Infiltration test, the project site is considered suitable for infiltration. Septic waste would be disposed of at facilities within the Barstow Landfill. *As a result, the impacts would be less than significant.*

D. *Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? ● Less than Significant Impact.*

Solid waste treatment services in Kramer Junction are provided by the Barstow Landfill which can accept

a maximum of 1,500 tons a day. The solid waste would be collected by a commercial waste hauler and then first delivered to a transfer station first, before being sorted and then taken to the landfill.

Table 11 Solid Waste Generation (lbs./day)

Use	Unit	Factor	Generation
Convenience Store	6,790 sq. ft.	42 lbs./day/1,000 sq. ft	285 lbs./day
Quick Serve Restaurant	2,559 sq. ft.	42 lbs./day/1,000 sq. ft	107 gals/day
Drive-Through Restaurant	2,454 sq. ft.	42 lbs./day/1,000 sq. ft	103 lbs./day
Coffee Shop (Fast-Food	2,434 sq. ft.	42 lbs./day/1,000 sq. ft	101 lbs./day
Total			**598 lbs./day**

The proposed project is anticipated to generate approximately 597 pounds per day of solid waste (refer to Table 11 shown above. This accounts for the 50% diversion of waste from landfills required by Assembly Bill 939. According to CalRecycle, the Barstow Sanitary Landfill (36-AA-0046) has a maximum capacity of approximately 80.3 million cubic yards (approximately 160.6 billion pounds) and the remaining capacity of approximately 68.3 million cubic yards (approximately 136.6 billion pounds), as of May 1, 2024. The ceased operation date is approximately May 1, 2071. *As a result, the potential impacts are considered to be less than significant.*

E. *Would the project negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals? ● No Impact.*

The proposed project, like all other development in San Bernardino County will be required to adhere to County ordinances with respect to waste reduction and recycling. The proposed businesses will be required to implement all applicable requirements that govern solid waste disposal and recycling such as SB 1383 (Mandatory Organics Recycling) and AB 341 (Commercial Recycling). *As a result, no impacts would occur.*

F. *Would the project comply with Federal, State, and local management and reduction statutes and regulations related to solid waste? ● No Impact.*

The proposed project, like all other development in San Bernardino County will be required to comply with all pertinent Federal, State and local management and reduction statutes with respect to waste reduction and recycling. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis of utilities impacts indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation is required.

20. WILDFIRE

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?				✖
B. If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				✖
C. If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				✖
D. If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				✖

SUBSTANTIATION OF ENVIRONMENTAL IMPACTS

A. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan? ● No Impact.*

According to the Cal FIRE Hazard Severity Zone Database, the project site is located within a moderate fire hazard zone. The project site is not located within a severe fire hazard zone. Furthermore, the proposed project would not involve the closure or alteration of any existing evacuation routes that would be important in the event of a wildfire. *As a result, no impacts will occur.*

B. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones would the project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? ● No Impact.*

The proposed project may be exposed to particulate emissions generated by wildland fires in the surrounding region. However, the potential impacts would not be exclusive to the project site since criteria pollutant emissions from wildland fires may affect the entire Community as well as the surrounding cities and unincorporated county areas. The project would not exacerbate wildfire risks due to slope, prevailing winds, or other factors. *As a result, no impacts will occur.*

C. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? ● No Impact.*

The project site is not located in an area that is classified as a high fire risk severity and therefore will not require the installation of specialized infrastructure such as fire roads, fuel breaks, or emergency water sources. *As a result, no impacts will occur.*

D. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? ● No Impact.*

There is no risk from wildfire within the project site or the surrounding area given the project site's distance from any area that may be subject to a wildfire event. The project site and its surroundings is located within the moderate level fire hazard zone. Therefore, the project will not result in any impacts related to flooding or landslides facilitated by runoff flowing down barren and charred slopes given the area's level topography and developed character. *As a result, no impacts will occur.*

MITIGATION MEASURES

The analysis of wildfires impacts indicated that less than significant impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation is required.

21. MANDATORY FINDINGS OF SIGNIFICANCE

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
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 will cause substantial adverse effects on human beings, either directly or indirectly?				✖

The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this environmental assessment:

A. The proposed project *will not* 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. As indicated in Section 1 through 20, the proposed project will not result in any significant unmitigable environmental impacts.

B. The proposed project *will not* have impacts that are individually limited, but cumulatively considerable. The proposed project is relatively small, and the attendant environmental impacts will not lead to a cumulatively significant impact on any of the issues analyzed herein. Compliance with mitigation measures as outlined in sections 4-Biological Resources (BIO), 5-Cultural Resources (CUL), 7-Geology & Soils (GEO), 10-Hydrology & Water Quality (HYDRO), 13-Noise (NOI), and 18-Tribal Cultural Resources (TCR) will reduce any impacts to a less than significant level.

C. The proposed project *will not* have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. As indicated in Section 3.1 through 3.20, the proposed project will not result in any significant unmitigable environmental impacts.

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