

## SAN BERNARDINO COUNTY DRAFT 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:**

<b>APNs:</b>	0435-015-13 and 0435-015-35	<b>USGS Quad:</b>	CA Apple Valley South 2018 (see Figure 3)
<b>Applicant:</b>	Avellana Properties, Incorporated	<b>T, R, Section:</b>	T4N, R2W, Section 6
<b>Location:</b>	North side of Las Piedras Road and south of Bear Valley Road, on the east side on Circle Five Road (see Figures 1 and 2)	<b>Thomas Bros</b>	
<b>Project No:</b>	PROJ-2021-00063	<b>Community Plan:</b>	None
<b>Rep:</b>	David Weisman	<b>LUZD:</b>	Rural Living
<b>Proposal:</b>	<p>The Project includes a request for a Planned Development to allow for the construction and operation of a Senior Wellness Community to be located on approximately 44.92 acres including a 40.2-acre parcel and a 4.72-acre parcel. The Senior Wellness Community would include a 399-unit Senior Mobile Home Park, 11,700 square-foot (SF) Community Center, 5,000 SF Wellness Convenience Shop, 3,500 SF First Aid Center, and 750,000-gallon pond. The Project also includes a 4.72-acre parcel located south of the 40.2-acre parcel that will include a 1,895 SF caretaker residence, 2 megawatt (MW) solar power area and domestic water well and two storage tanks.</p> <p>The Project also includes a Tentative Parcel Map (TPM No. 20553) to subdivide the 40.2-acre parcel into 5 parcels including: the convenience shop and first aid center on parcel 1, a pond on parcel 2, a Packaged Treatment Plant on parcel 3, a Community Center on parcel 4, and a 399 mobile home park and detention basin on Parcel 5.</p>	<b>Overlays:</b>	

**PROJECT CONTACT INFORMATION:**

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

**Contact person:** Natalie Patty, Contract Planner  
**Phone No:** (909) 387-4142      **Fax No:** 909-387-3223  
**E-mail:** NataliePatty@lus.sbcounty.gov

**Project Sponsor:** David Weisman  
 Avellana Properties Incorporated  
 6101 Owensmouth Avenue  
 Woodland Hills, CA 91365

## **PROJECT DESCRIPTION:**

The Project Site includes a combined acreage of 44.92-acres and includes a 40.2-acre site located on the north side of Las Piedras Road, south of Bear Valley Road, and a 4.72-acre site located directly across the street to the south on Las Piedras Road. The Project Site is currently vacant and is designated Rural Living (RL)-2.5 (1 unit per 2.5-acres) and is zoned RL-5 (minimum 5-acre parcel) The Assessor's Parcel Numbers (APN) are: 0435-015-13 and 0435-015-35.

The Proposed Project is a request for the approval of a Planned Development Permit<sup>1</sup> to allow for the construction and operation of a 399-unit Senior Mobile Home Park, a 11,700 SF Community Center, a 3,500 SF First Aid Center and 5,000 SF Wellness Convenience Shop. The proposed development would also include a 60,000 gallon per day (gpd) packaged wastewater treatment plant, a 2 Mega-Watt (MW) solar area, water well designed to provide 45,000 gpd, two,125,000-gallon water storage tanks, and a 1,895 SF caretaker residence (see Figures 4a and 4b, Site Plans).

The water well, two water storage tanks, solar area and caretaker residence are proposed within the 4.72-acre site. The proposed packaged wastewater treatment plant will generate reclaimed water that would be stored onsite in a 750,000-gallon pond which will also serve as the fire flow storage capacity. The pond would be continuously fed by the on-site packaged wastewater treatment plant.

The Project Also includes a Tentative Parcel Map (TPM No. 20553) to subdivide the 40.2-acre site into five (5) parcels including: the convenience shop and first aid center on parcel 1, the 750,000-gallon pond on parcel 2, the packaged treatment plant on parcel 3, the Community Center on parcel 4, and the 399 mobile home park and detention basin on Parcel 5.

A Detailed Development Plan is required with the Planned Development Permit and shows that the Project would provide 50,953 SF of landscaping within the commercial area and 690,524 SF within the residential area.

Offsite tributary flows from both storm and nuisance flows would be conveyed through the Project Site. Existing tributary offsite surface flows would be conveyed through a series of concrete v gutters to proposed onsite storm drains that would discharge to an onsite open-air infiltration/detention basin for water quality treatment prior to discharging offsite. The open-air infiltration/detention basin is proposed within the northerly portion of the site.

While individual hours of operation for each use will vary, the Wellness Convenience Shop and First Aid Center would operate seven days a week between the hours of 7:00 a.m. to 9:00 p.m. Loading facilities and areas dedicated for trash compaction, recycling and related functions will be located at the back of the buildings screened from public view.

### ***Surrounding Land Uses and Setting***

The Project Site is currently designated Rural Living (RL) -2.5 (1 unit per 2.5 acres) and is zoned RL-5 (minimum 5-acre parcel), and is located south of Bear Valley Road at 24550 Las Piedras Road, east of Circle 5 Ranch Road, in the unincorporated area of San Bernardino County: Assessor's Parcel Numbers

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<sup>1</sup> With approval of a Planned Development Permit, the applicant may request uses permitted or conditionally permitted within the underlining land use district. In addition, incidental services may also be proposed. Unlike a General Plan Amendment that would result in a change to the land use designation and updates to the land use map, a Planned Development permit is for the proposal at the time of submittal and would dissolve if no development occurred.

(APNs) 0435-015-13 (40.2 Acres) and 0435-015-35 (4.72 Acres) (see Figure 1 Regional Location, and Figure 2 Project Vicinity). The Project Site is generally located in the northeastern portion of Section 6, Township 4 North, Range 2 West and is depicted on the Apple Valley South United States Geological Survey’s (USGS) 7.5-minute topographic map (see Figure 3). The following table lists the existing adjacent land uses and zoning districts within a 300-foot radius.

<b>Existing Land Use and Land Use Zoning Districts</b>		
<b>Location</b>	<b>Existing Land Use</b>	<b>Land Use Zoning District</b>
<b>Project Site</b>	Vacant	Rural Living 5ac
North	Vacant	Rural Living
South	Vacant, scattered single-family residential	Rural Living
East	Vacant	Commercial General
West	Vacant, scattered single-family residential	Rural Living

According to the Geotechnical Report, most of the area slopes gently downward to the north but small hills are situated within/adjacent to the northeast corner of the site. The site elevation ranges between 3,025 feet and 3,040 feet above mean sea level (msl).

Based on the field exploration conducted as part of a Geotechnical Investigation by GeoTek, alluvium was encountered within each test boring excavated at the site and extended to the maximum depth explored. The alluvium encountered consisted of a medium dense to very dense silty sand and sand and a stiff to very stiff sandy silt. According to the results of the laboratory testing performed on two samples of the near surface soils, the near surface soils have a “very low” expansion potential when tested in accordance with ASTM D 4829.

No groundwater was encountered during GeoTek’s borings that extended to a depth of about 50 feet below grade. The report concluded that the depth to groundwater within the vicinity is anticipated to be 150 to 200 feet below grade.

Although the Project Site is in a seismically active region, GeoTek determined the Project Site is not located within a State of California seismic Hazard Zone or in an area susceptible to earthquake induced landslides. The nearest zoned faults are the Helendale-South Lockhart fault located about 5.5 miles to the northeast, and the North Front Thrust fault system situated about six miles to the southeast of the Project Site.

**ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES**

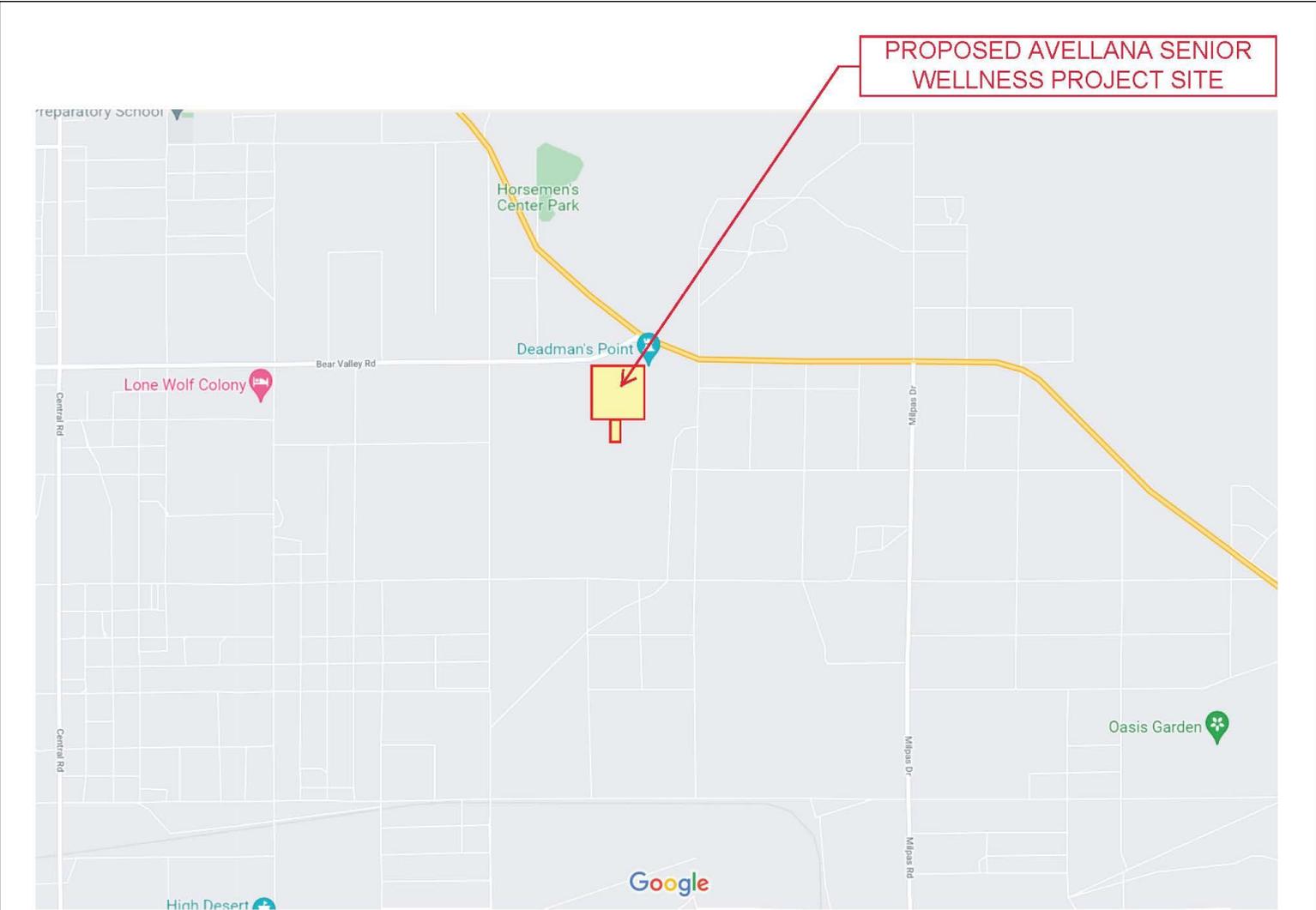
Federal: US Department of Agriculture, Rural Utilities Service, Community Solar Energy Generation  
State of California: California Department of Fish and Wildlife; Department of Housing and Community Development Mobile Home Park Permit to Operate; State Water Resources Control Board-Division of Drinking Water, Lahontan Regional Water Quality Control Board Onsite Wastewater Treatment System.

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

Regional: Mojave Desert Air Quality Management District; Mojave Water Agency

Local: Town of Apple Valley Sphere of Influence Development Standards; Apple Valley Fire Protection District.

Figure 1 Regional Location



Source: Google Maps

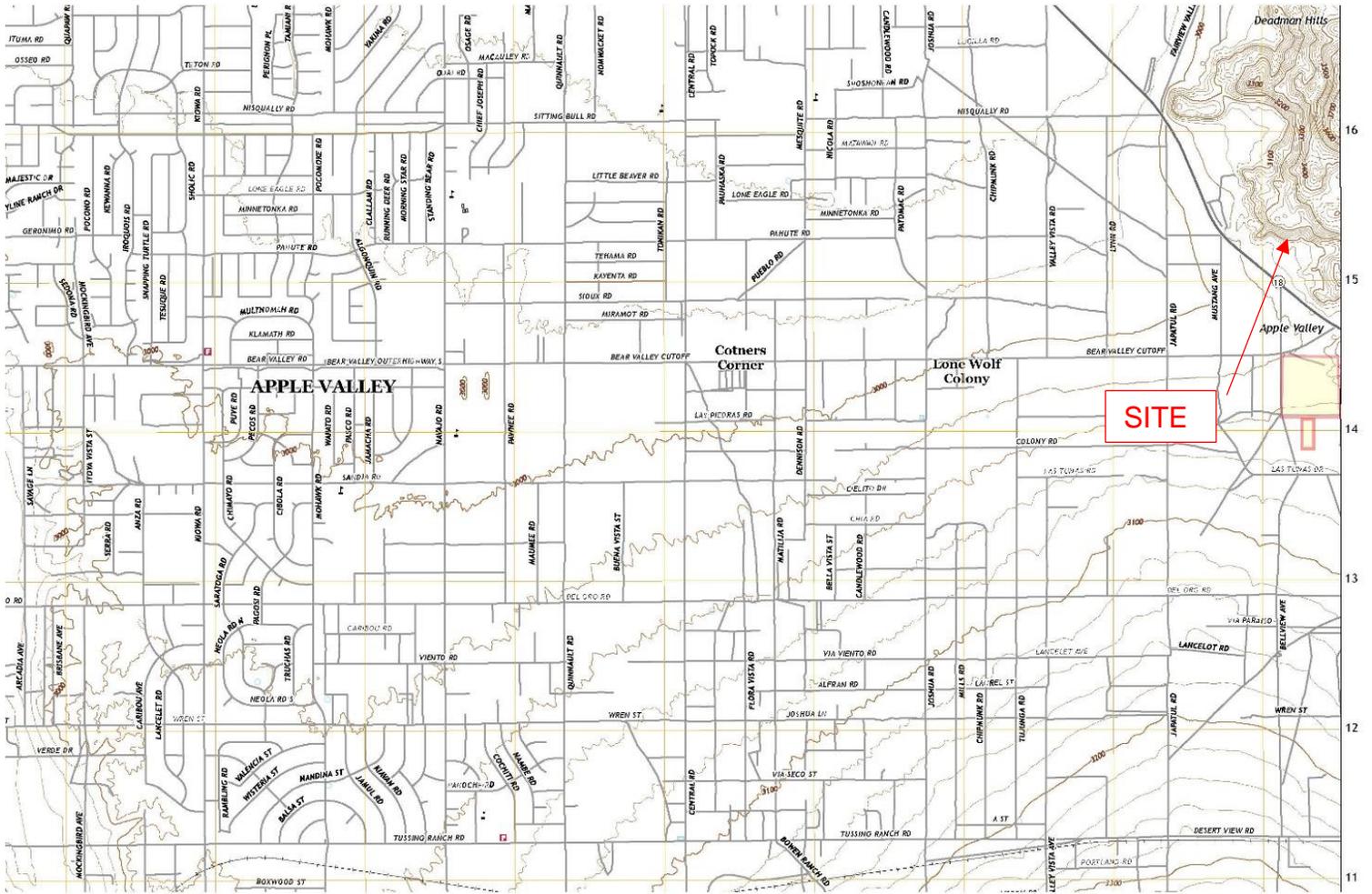


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Figure 2 Vicinity Map

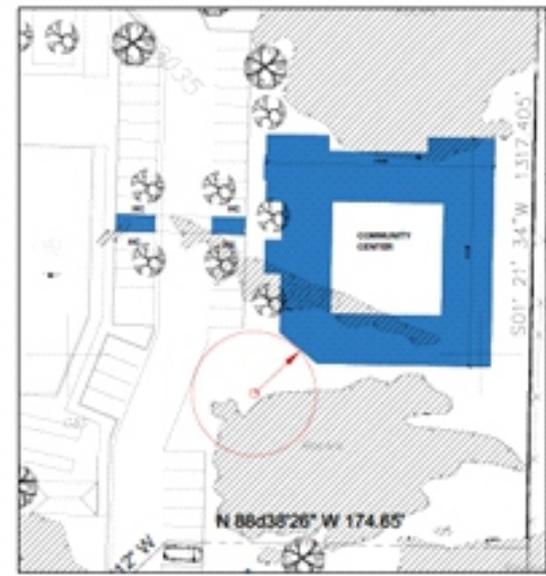
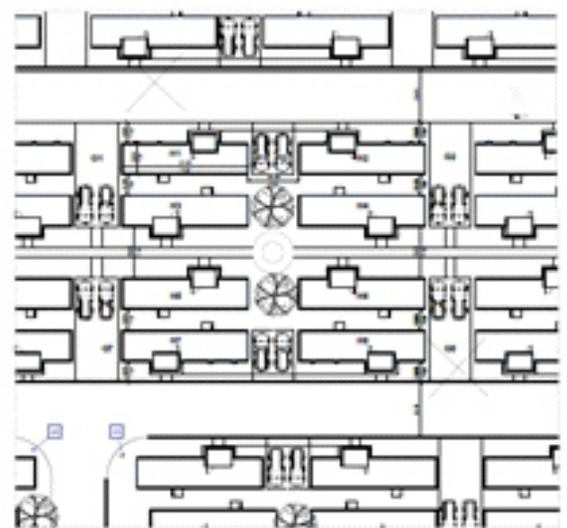
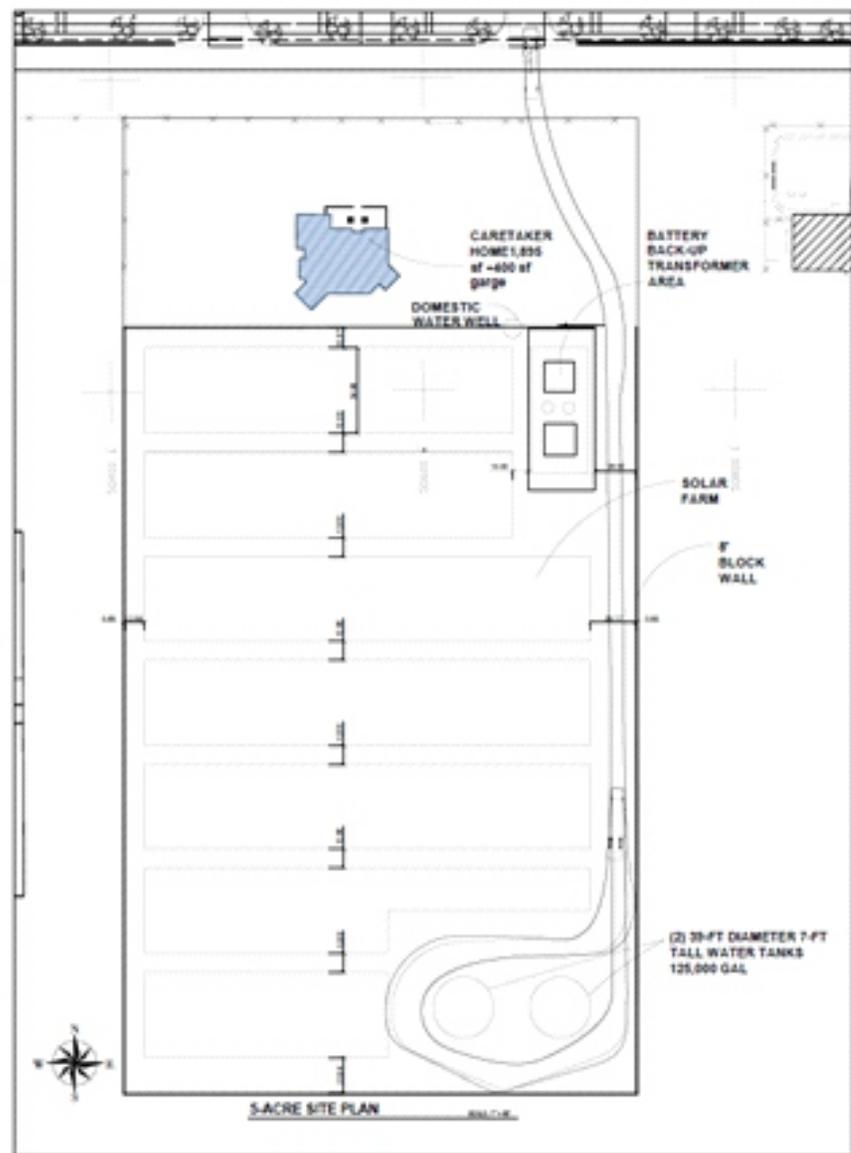
Figure 3 - USGS Apple Valley South Quadrangle  
CALIFORNIA – SAN BERNARDINO COUNTY 7.5 MINUTE SERIES







# SAN BERNARDINO COUNTY PRELIMINARY DEVELOPMENT PLAN



## **CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES**

On October 18, 2021, the County of San Bernardino sent project notification letters to the following California Native American tribes, which had previously submitted general consultation request letters pursuant to 21080.3.1(d) of the Public Resources Code: San Manuel Band of Mission Indians, Twenty-Nine Palms Band of Mission Indians, Colorado River Indian Tribes, and Morongo Band of Mission Indians. Each recipient was provided a brief description of the Proposed Project and its location, the cultural resources assessment, the lead agency's contact information, and a notification that the tribe has 30 days to request consultation.

As a result of the initial notification letters, the County of San Bernardino received recommendations from San Manuel Band of Mission Indians. Specific measure language is hereby added to the project in the Tribal Cultural Resources section and consultation is hereby closed.

## **EVALUATION FORMAT**

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

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant	No Impact
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Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

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

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

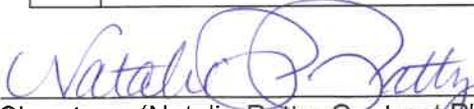
**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

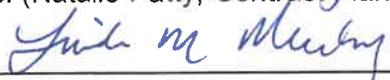
- |   |  |  |
|---|--|--|
| <input type="checkbox"/> <u>Aesthetics</u>                      | <input type="checkbox"/> <u>Agriculture and For-<br/>estry Resources</u> | <input type="checkbox"/> <u>Air Quality</u>                            |
| <input type="checkbox"/> <u>Biological Resources</u>            | <input type="checkbox"/> <u>Cultural Resources</u>                       | <input type="checkbox"/> <u>Energy</u>                                 |
| <input type="checkbox"/> <u>Geology/Soils</u>                   | <input type="checkbox"/> <u>Greenhouse Gas<br/>Emissions</u>             | <input type="checkbox"/> <u>Hazards &amp; Hazardous<br/>Materials</u>  |
| <input type="checkbox"/> <u>Hydrology/Water Quality</u>         | <input type="checkbox"/> <u>Land Use/Planning</u>                        | <input type="checkbox"/> <u>Mineral Resources</u>                      |
| <input type="checkbox"/> <u>Noise</u>                           | <input type="checkbox"/> <u>Population/Housing</u>                       | <input type="checkbox"/> <u>Public Services</u>                        |
| <input type="checkbox"/> <u>Recreation</u>                      | <input type="checkbox"/> <u>Transportation</u>                           | <input type="checkbox"/> <u>Tribal Cultural Re-<br/>sources</u>        |
| <input type="checkbox"/> <u>Utilities/Service Sys-<br/>tems</u> | <input type="checkbox"/> <u>Wildfire</u>                                 | <input type="checkbox"/> <u>Mandatory Findings of<br/>Significance</u> |

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

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

  
 Signature: (Natalie Patty, Contract Planner)

8/23/23  
 Date

  
 Signature: (Linda Mawby, Supervising Planner)

8/23/23  
 Date

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

**SUBSTANTIATION:** (Check  if project is located within the view-shed of any Scenic Route listed in the General Plan):  
**San Bernardino Countywide Plan for County of San Bernardino August 2020 Final Environmental Impact Report SCH No. 2017101033; Submitted Project Materials;**

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

**Less Than Significant Impact**

The Project Site occurs in an unincorporated area of San Bernardino County and is currently vacant. According to the General Biological Resources Assessment prepared by RCA Associates, Inc. dated January 5, 2021, the existing conditions on the site include moderately disturbed with native desert vegetation dominating the area and multiple dirt roads of varying width transecting the property, mainly along the boundaries. The Project Site is located southwest of a rock outcropping known as Deadman’s Point<sup>2</sup>. The Project Site supports a relatively flat topography. Small rock outcroppings, approximately one to three feet in height, occur within the northeast corner near Deadman’s Point. The immediate vicinity of the Project Site is characterized by vacant land and Bear Valley Road and State Route 18 to the north, predominately vacant land and scattered residential uses to the south, east and west. The Countywide Plan does not iden-

<sup>2</sup> A natural rock formation located at the junction of State Highway 18 and Bear Valley Road.

tify a scenic vista or scenic highway view corridor within the vicinity of the Site. Proposed structures on-site would be single-story and would not obscure views within the area. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

### **Less Than Significant Impact**

The Project Site does not occur within a County or State designated scenic highway<sup>3</sup>. The nearest County Scenic Route and Eligible State Scenic Highway occurs approximately 12 miles southeast of the Project Site and includes the portion of State Route 18 located south of State Route 247 and north of State Route 330. Under existing conditions, the Project Site mostly vacant and designated historic buildings occur on-site. The Project Site is located adjacent to and southwest of Deadman's Point, a known rock formation of varying height with some rocks just over 60-feet in height. Since the rock formation occurs outside of the Project Site and the development on-site would not exceed 25-feet in height, the Proposed Project would not result in significant impacts to the views of the adjacent rock formation. Vehicles travelling along Bear Valley Road/State Route 18 could continue to pull over to explore the rock formation, as it occurs on the north side of Bear Valley Road and the Project Site occurs on the south side of Bear Valley Road. Rocks that occur within the northeast corner of the Project Site would be protected in-place and built around by means of avoidance or raised foundations. Proposed structures including the Conference Store, Medical Office and guard stand, would have a southwest aesthetic with adobe architecture including exposed beams, stucco with natural, earth tones to blend with and complement the colors of the rock formation. Therefore, with implementation of Project-design features, no adverse impacts to any rock outcroppings would result.

During site visits conducted as part of the Biological Resource Assessment, tree species identified on-site included one Western Joshua tree (*Yucca brevifolia*).

The Western Joshua tree is currently protected by the County of San Bernardino under the California Desert Native Plants Act (CDNPA) and became a candidate -threatened species under the California Endangered Species Act (CESA) effective October 9, 2020. As a candidate species the Joshua Tree has full protection under CESA and removal or similar actions will require an incidental Take Permit from California Department of Fish and Wildlife. Currently, the existing Joshua tree is proposed to be avoided to allow for construction of the Proposed Project in compliance with the CDNPA. Mitigation as set forth in Section IV Biological Resources of this Initial Study (see Mitigation Measure BIO-2), would ensure that potential impacts to the Joshua tree are reduced to a less than significant level.

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<sup>3</sup> Draft Environmental Impact Report Countywide Plan Figure 5.1-1 County Designated Scenic Routes; accessed January 25, 2023

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

### **Less Than Significant Impact**

The Project Site occurs within a non-urbanized area within the sphere of influence of the Town of Apple Valley and is south of Bear Valley Road and State Route 18. Surrounding land uses include residential development to the south, vacant land to the west, and vacant land, designated for commercial use, to the east. Bear Valley Road is designated as a Major Arterial Highway on the San Bernardino Countywide Plan Policy Plan, Policy Map TM-1C Roadway Network North Desert Region, Victor Valley and Barstow. Primary access to the Site would be provided by Bear Valley Road on the north and Las Piedras on the south.

The Senior Wellness Center portion of the Project Site is currently vacant and displays signs of human disturbance including dirt roads and trails. The Proposed Project is a request for a Planned Development permit to allow for the construction and operation of a Senior Wellness Community including a Community Center Wellness Convenience Shop, First Aid Center, open space consisting of a park/detention basin, and a pond at the entry to the Project. The residential area proposed consists of 366,000 SF, the First Aid Center is 3,500 SF of building area, the Community Center is 11,700 SF of building area, the Wellness Convenience Shop is 5,000 SF, and the landscape area is 50,953 within the commercial area and the residential landscaped area is 690,529 SF. Proposed structures would not exceed 20 feet in height and therefore would allow to the continued view of the rock outcropping (Deadman's Point) northeast of the Project Site.

Approximately 5,000 Bi-facial solar panels<sup>4</sup> will be placed on ground-support mounts within the 4.72-acre parcel which is approximately 0.25 miles south of Bear Valley Road. The Project will be designed in accordance with the San Bernardino County Development Codes and all electrical and broadband distribution will be placed underground for additional safety, reliability, and aesthetic value.

The Proposed Project would result in the development of a currently vacant site. Open space views of the Project Site would be replaced with mobile homes and related amenities as previously described. However, due to the topography of the site and surrounding area, which is relatively flat with the exception of Deadman's Point located northeast of the Project Site, views of the surrounding desert and mountain would still be visible. Project design-features include adobe-style architecture with wooden beams, stucco and single-family structures. In addition, manmade structures including State Route 18 and Bear Valley Road, a designated Major Arterial Highway within the San Bernardino Countywide Policy Map TM-1C, Roadway Network North Desert Region, Victor Valley and Barstow exist adjacent to the Project Site. The implementation of the Proposed Project would not degrade the existing visual character or quality of public views of the

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<sup>4</sup> Bi-facial solar panels capture sunlight on the front and back surfaces and require less space. The mounting system for bifacial solar panels is different than traditional solutions. Bifacial utilize small junction boxes, narrower support rails, and vertical supports at the corners of the racking system to reduce shading on the backside of modules.

site and its surroundings as proposed given the foregoing location as described. Design of the Project would be in accordance with the Development Code and would provide appropriate landscaping including an onsite pond and would be an energy efficient and self-sustaining community. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

**Less Than Significant Impact**

The 44.92-acre Project Site occurs within a non-urbanized area within the sphere of the incorporated Town of Apple Valley and is south of Bear Valley Road and State Route 18, and is surrounded by residential development to the south, vacant land to the west, and vacant land designated commercial to the east. Bear Valley Road is designated as a Major Arterial Highway on the San Bernardino Countywide Plan Policy Plan, Policy Map TM-1C, Roadway Network North Desert Region, Victor Valley and Barstow. Primary access to the Site would be from Bear Valley Road on the north and Las Piedras on the south.

Light sources would be oriented towards the Project and boxed. The Project would also include lighting for security. Subject to Section 83.07.040(a) of the San Bernardino County Development Code new permitted lighting for new construction, unless exempt in compliance with Subsection 83.07.040(e) (Exempt lighting and fixtures), shall be shielded to preclude light pollution. In accordance with the Development Code, the maximum allowed residential pole lighting shall not exceed 12 feet in height. No conflicts with the Development Code are expected as all proposed lighting would be oriented away from the local internal park and the highway, and from the existing residents to the west and east. Proposed lighting would compliance with San Bernardino Development Code Section 83.07.040(a).

The Solar Power Area to be located on the 4.72-acre area would be screened by a six-foot-high solid privacy/security wall to shield the solar panels from view by the surrounding area. Deviation from this standard will require a separate assessment pursuant to Variance standards per the SBC Development Code. The proposed 6-foot tall photovoltaic arrays and associated infrastructure would be shielded from view on all sides and would have minimal to no impact on the surrounding areas. The electrical distribution and broadband distribution grids would be underground and concealed from view. Once construction, the Solar Power Area would require minimal maintenance and would occur during daylight hours and would not require nighttime lighting. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>II. AGRICULTURE AND FORESTRY RESOURCES</b> - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared				

by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

**San Bernardino Countywide Plan for County of San Bernardino August 2020 Final Environmental Impact Report SCH No. 2017101033; California Department of Conservation Farmland Mapping and Monitoring Program; Submitted Project Materials**

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

**No Impact**

The San Bernardino Countywide Plan Policy Map NR-5 Agricultural Resources shows the Project Site as being outside of any Farmland Mapping and Monitoring Program

(FMMP) – Significant Farmlands as listed on the Policy Map as “Prime Farmland, Farmland of Statewide Importance and Unique Farmland.”

No prime farmland, unique farmland, or farmland of statewide importance occurs at the Project Site or within the immediate vicinity. The Proposed Project would not convert farmland to a non-agricultural use. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

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

**No Impact**

The San Bernardino Countywide Plan Policy Map NR-5 Agricultural Resources shows the site as being outside of any Williamson Act Parcels as listed on the Policy Map as “Renewed Farmlands.”.

The site is designated Rural Living and is not designated for agricultural use. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

**No Impact**

The Project Site is currently designated Rural Living. The Proposed Project includes a request for a Planned Development permit and TPM to allow for a Senior Wellness Community. Implementation of the Proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned for Timberland Production. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

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

**No Impact**

Forest land is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. The Project Site is currently vacant, and does not support forest land. Implementation of the Proposed Project would not result in loss of forest land or conversion of forest land to non-forest use. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

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

**No Impact**

Implementation of the Proposed Project would not result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. No impacts are identified or are anticipated, and no mitigation measures are required.

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

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

**San Bernardino Countywide Plan for County of San Bernardino August 2020 Final Environmental Impact Report SCH No. 2017101033; MDAQMD Submitted Project Materials**

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

**Less Than Significant Impact**

An Air Quality/Greenhouse Gas Emissions Memorandum was performed by Kimley-Horn and Associates on January 21, 2022 and revised on September 12, 2022. The Report is included in Appendix A of this Initial Study and is summarized herein.

The Project Site is within the Mojave Desert Air Basin (MDAB) and under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The Federal Particulate Matter Attainment Plan and Ozone Attainment Plan for the Mojave Desert set forth a comprehensive set of programs that will lead the MDAB into compliance with federal and state air quality standards. The control measures and related emission reduction estimates within the Federal Particulate Matter Attainment Plan and Ozone Attainment Plan are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Therefore, conformance with these attainment plans for development projects is determined by demonstrating compliance with the following: local land use plans and/or population projections; all MDAQMD Rules and Regulations; and demonstrating that the

project will not increase the frequency or severity of a violation in the federal or state ambient air quality standards.

The County currently designates the Project Site as RL. The Project includes a request for a Planned Development approval of which the Proposed project would be an allowable use and considered in local land use plans and incorporated into the MDAQMD long-range plans. The project will not conflict with nor obstruct implementation of the MDAQMD Rules, Regulations, and Plans as future uses would not exceed the thresholds established for air quality. According to the MDAQMD, an air quality impact is significant if a project would violate any National Ambient Air Quality Standards (NAAQS) or California Ambient Air Quality Standards (CAAQS), contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The MDAQMD has established thresholds of significance for air quality during construction and operational activities of development projects. These mass emissions thresholds are pollutant limits described in pounds per day and tons per year. The project emissions were quantified using CalEEMod software and compared to the MDAQMD's thresholds. As demonstrated in this Initial Study, construction and post-construction emissions would not exceed any thresholds.

Additionally, the Project was evaluated to determine consistency with the 2003 Air Quality Management Plan (AQMP) that addresses Carbon Monoxide (CO) concentrations via an analysis of CO "hot spots". An analysis of CO "hot spots" is needed to determine whether the change in the level of service (LOS) of an intersection from the proposed project would have the potential to result in exceedances of the CAAQS or NAAQS. According to the Scope for Traffic Study (Avellana Senior Living Mobile Homes) prepared by Kimley-Horn (February 2021), the project would generate a total of 1,220 daily vehicle trips and would not cause an intersection to operate an unacceptable LOS. Therefore, no significant adverse impacts would result or are anticipated and no mitigation measures are warranted.

- 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 MDAQMD includes designated areas within portions of the District as non-attainment for a variety of pollutants.

Construction would result in the temporary generation of emissions resulting from, site preparation, grading, construction, road paving, motor vehicle exhaust associated with construction equipment and worker trips, and the movement of construction equipment, especially on unpaved surfaces. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities as well as weather conditions and the appropriate application of water.

Construction associated with the Proposed Project would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern within the Project area include ozone precursor pollutants (i.e., ROG and NOX), PM<sub>10</sub>, and PM<sub>2.5</sub>. Construction-generated emissions are short term and of temporary duration.

As shown in Table 1 construction pollutant emissions would remain below MDAQMD’s thresholds with implementation of required MDAQMD Rule 403.2. The Project would also be required to comply with MDAQMD Rules 402 and 1113, which prohibit nuisances and limit VOC content in paints, respectively. Compliance with MDAQMD rules 402 and 1113 would further reduce specific construction-related emissions.

**Table 1  
 Project Construction Emissions**

Construction Year	Emissions (Pounds per day)					
	ROG	Nox	CO	SO2	PM10	PM2.5
2021	4.51	46.30	60.1	0.06	10.00	5.97
2022	85.2	21.00	49.01	0.04	7.39	2.26
MDAQMD Threshold	N/A	137	548	137	82	65
MDAQMD Threshold Exceeded?	N/A	No	No	No	No	No

Source: CalEEMod Version 2020.4

Notes: 1. MDAQMD Rule 403 Fugitive Dust applied. The Rule 403 reduction/credits include the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; replace ground cover of area disturbed; water all haul roads twice daily; and limit speeds on unpaved roads to 15 miles per hour. Reductions percentages from the South Coast Air Quality Management District (SCAQMD) CEQA Handbook (Tables XI-A through XI-E) were applied. No mitigation was applied to construction equipment.

Operational emissions are typically associated with mobile sources (i.e., motor vehicle use) and area sources (such as the use of landscape maintenance equipment, hearths, consumer products, and architectural coatings). Energy source emissions would result from electricity and natural gas (non-hearth) usage. Table 2 summarizes the operational emissions attributable to the Proposed Project and shows that the Project’s emissions would not exceed MDAQMD thresholds. Therefore, operations emissions would result in a less than significant long-term regional air quality impact.

**Table 2  
 Operational Emissions**

Source	Emissions (pounds per day) <sup>1</sup>					
	ROG	NOX	CO	SO2	PM10	PM2.5
Project Emissions						
Area <sup>2</sup>	35.40	0.32	32.3	<0.01	0.02	0.03.
Energy <sup>2</sup>	0	0	0	0	0	0
Mobile	8.92	10.10	62.90	0.163	4.91	0.97
Total	44.32	10.42	95.2	1.06	4.93	1
MDAQMD Threshold	n/a	137	548	137	82	65
MDAQMD Threshold Exceeded	n/a	No	No	No	No	No
Notes:						
1. Emissions were calculated using the California Emissions Estimator Model version 2022 (CalEEMod), as recommended by the County. Worst-case seasonal maximum daily emissions are reported.						
2. The proposed mobile home units would not include any kind of fireplaces.						
3. The project would generate and supply 100 percent of the required energy through the proposed solar power area on-site.						

Based on the Comparison the Total Project Emissions of 2,531.8 MTCO<sub>2</sub>e per Year versus The MDAQMD Project Threshold of 100,000 MTCO<sub>2</sub>e per Year the Project would result in less than significant short-term and long-term air quality impacts. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are warranted.

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

#### **Less Than Significant Impact**

According to the MDAQMD Guidelines the following land uses are considered Sensitive Receptors: Residences, schools, daycare centers, playgrounds and medical facilities. The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor land use must be evaluated using significance threshold criteria number 4 (refer to the significance threshold discussion presented in response a of this section):

- Any industrial project within 1000 feet;
- A distribution center (40 or more trucks per day) within 1000 feet;
- A major transportation project (50,000 or more vehicles per day) within 1000 feet;
- A dry cleaner using perchloroethylene within 500 feet;
- A gasoline dispensing facility within 300 feet.

The proposed Senior Wellness Community Center is not classified as any of these land uses and therefore does not meet the criteria for a project type that is subject to the sensitive receptor significance threshold evaluation. As such the Project will not expose existing sensitive receptors to substantial pollutant concentrations. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are warranted.

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

#### **Less Than Significant Impact**

The Project includes a request to construct and operate a 399-unit Senior Mobile Home Park, Community Center, Wellness Convenience Shop, First Aid Center, park/detention basins, pond, and packaged treatment plant on the 40.2-acre site. The 4.72-acre portion of the Project Site will include the Caretaker residence, Solar Power Area and domestic water well and two water storage tanks. The open-air infiltration/detention basin would occur within the northerly portion of the 40.2-acre site. While individual hours of operation for each use will vary, the proposed Convenience Shop and First Aid Center portion of the development would operate seven days a week between the hours of 7:00am to 9:00pm. Loading facilities and areas dedicated for trash compaction, recycling and related functions will be located at the back of the buildings screened from public view.

An Onsite Wastewater Treatment System would treat Project-related wastewater and consisting of an onsite packaged treatment plant which is self-contained. The uses proposed are not conducive to leading to other emissions such as those resulting in odors adversely affecting a substantial number of people and therefore will have a less than significant impact.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>IV. BIOLOGICAL RESOURCES - Would the project:</b>				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

**San Bernardino Countywide Plan Final Environmental Impact Report SCH No. 2017101033; Submitted Project Materials; Site Visit**

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

**Less than Significant with Mitigation**

On January 5, 2021 RCA Associates, Inc., prepared a General Biological Resources Assessment (BRA) for the Project Site. The report is included in Appendix B of this Initial Study and is summarized herein.

Preparation of the BRA included a review of California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) data sources. Following the data review, surveys were performed on the site on January 4, 2021, during which the biological resources on the site and in the surrounding areas were documented. As part of the surveys, the Project Site and adjoining areas were evaluated for the presence of native habitats that may support populations of sensitive wildlife species. The BRA also included an evaluation of the presence of sensitive habitats including wetlands, vernal pools, riparian habitats, and jurisdictional areas. Based on data from USFWS, CDFW, and a search of the California Natural Diversity Database (CNDDDB, 2021), habitat assessments were conducted for the desert tortoise, burrowing owl, and Mohave ground squirrel.

The Project Site is moderately disturbed with native desert vegetation dominating the area and multiple dirt roads of varying width transecting the property, mainly along the boundaries. The 40.2-acre Project Site supports a relatively flat topography, with the exception of the northeast corner where there are elevated rock outcroppings. Vacant land borders the east and north boundaries of the Project Site with residential homes located to the west and south of the site.

The 44.92-acre Project Site supports a desert scrub vegetation dominated by creosote bush (*Larrea tridentata*), pencil cholla (*Cylindropuntia ramosissima*), rubber rabbitbrush (*Ericameria nauseosa*), paper bag plant (*Salazaria lucidincana*), Nevada jointfir (*Ephedra nevadensis*), cliff goldenbush (*Ericameria cuneata*). One Joshua Tree (*Yucca brevifolia*) occurs on the 40.2-acre Project Site.

Only a few wildlife species were observed during the field investigations. One mammal was seen during the survey, the antelope ground squirrel (*Ammospermophilus leucurus*), and although not seen, coyote (*Canis latrans*) scat was identified throughout the Project Site.

Birds observed included common ravens (*Corvus corax*), house finch (*Carpodacus mexicanus*), white-crowned sparrow (*Zonotrichia leucophrys*), Say's Phoebe (*Sayornis saya*), rock wren (*Salpinctes obsoletus*), black-throated sparrow (*Amphispiza bilineata*), and rock pigeon (*Columba livia*).

No reptiles were observed during the survey due to weather conditions, but those that may occur include desert spiny lizard (*Sceloporus magister*), side-blotched lizard (*Uta stansburiana*), and western whiptail lizard (*Cnemidophorus tigris*) (see Table 2 of the BRA for a list of wildlife species observed on-site).

In addition, no sensitive habitats (e.g., sensitive species, critical habitats, etc.) have been documented in the immediate area according to the CNDDDB (2020) and none were observed during the field investigations.

The BRA concluded that no distinct wildlife corridors occur on-site or in the immediate area. No sensitive habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were observed on the site during the field investigations. There is no riparian vegetation on or in the adjacent habitats.

The BRA addressed federal and State Listed Species relative to the Project Site. The following are the listed and special status species that have the ability to occur on the Project Site.

**Desert Tortoise** – According to CNDDDB (2021), the Project Site is located within documented tortoise habitat and supports some habitat for the desert tortoise. However, during the January 4, 2021 surveys, no tortoises observed within the Project Site boundaries. Based on the absence of any sign, suitable burrows, and recent observations in the immediate area, and the proximity of the nearby busy roadways in the immediate area that act as barriers to migration, the BRA concluded that the species is not expected to move onto the Project Site in the near future.

**Mohave Ground Squirrel** - The Project Site is within the known distribution of the Mohave Ground Squirrel; however no recent observations have occurred. Further the BRA concluded that the habitat is not prime Mohave ground squirrel habitat and is very unlikely to support populations of the species based on No recent documented observations in the general region, and no connectivity with habitat that may support the species.

**Burrowing Owl** – According to the CNDDDB (2021), the Project Site is located within documented burrowing owl habitat and as discussed in the BRA the Project Site supports suitable habitat for burrowing owls. RCA reported that several suitable burrows were observed during the January 4, 2021 field investigation; however no owls or owl sign (e.g., white wash, castings etc.) was observed at the mouth of the burrows or on the Project Site during the survey. To ensure potential impacts to the burrowing owl are reduced to the extent feasible, the following Mitigation Measure BIO-1 shall be required.

**Le Conte's thrasher** – According to the CNDDDB (2021) thrashers have not been observed in the area and are not expected to occur on the site due to the lack of critical vegetation used by the species. According to the CNDDDB, given the low population levels in the region and lack of any recent sightings, thrashers may be infrequent in the area.

**Protected Plants** - On September 22, 2020 (*eff. 10/9/2020*) under an Emergency Rule adding Section 749.12, Title 14, California Code of Regulations (CCR), the Western

Joshua Tree (*Yucca brevifolia*) became a candidate species for one year under the California Endangered Species Act (CESA). As such under CESA any species designated as endangered, threatened, or candidate species and is fully protected. As a candidate species, the Western Joshua Tree has protection under CESA and any take of the species will require authorization under CESA. The California Fish and Game Commission extended the one-year period for 6 months. On October 12, 2022, the California Fish and Game Commission decided to delay their decision on whether to list the western Joshua tree as threatened under the California Endangered Species Act until February 2023, citing the need for additional tribal consultation and deliberation time. Therefore, until a ruling is made that removes the Candidate Listing, any take of the Western Joshua Tree requires an Incidental Take Permit (ITP) pursuant to Section 2081 of the Fish and Game Code.

One Western Joshua Tree occurs near the northeast corner of the 40.2-acre portion of the Project Site near the rock outcroppings.

The Project Proponent has designed the Site Plan to avoid any impact to the Western Joshua Tree (see Figure 4a Site Plan). However, to ensure potential impacts to the Western Joshua Tree are reduced to a less than significant level, Mitigation Measure BIO-2 shall be made a condition of Project approval.

### **MITIGATION MEASURES**

Since the conditions present onsite are marginally suitable for BUOW, and the species has been documented within the vicinity, a preconstruction BUOW survey is recommended to avoid any potential project-related impacts to this species. Therefore, 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.

#### **BIO-1: BURROWING OWL PRE-CONSTRUCTION SURVEY**

**A Pre-construction Burrowing Owl Survey shall be conducted by a qualified biologist at least 14 days prior to any Project activities, at any time of year. Surveys shall be completed following the then current CDFG recommendations and guidelines for *Burrowing Owl Protocol Surveys* or most recent version by a qualified biologist. If an active burrowing owl burrow is detected within any Project disturbance area or the prescribed radii from the project site pursuant to the CDFW Burrowing Owl Survey Protocol and Mitigation Guidelines (BUOW SPMG), a buffer zone surrounding the burrow shall be flagged in accordance with said BUOW SPMG, and no impacts to soils or vegetation or noise levels above as that allowed by CDFW shall be permitted while the burrow remains active or occupied. Disturbance-free buffers may be modified based on site-specific conditions in consultation with CDFW. The qualified biologist shall monitor active burrows daily and will increase buffer sizes as needed if owls show signs of disturbance. If active burrowing owl burrows are located within any work area and impact cannot be avoided, a qualified biologist shall submit a burrowing owl exclusion plan to CDFW for review and approval. The burrowing owl exclusion plan shall include permanent compensatory mitigation consistent with the recommendations in the *Staff Report on***

**Burrowing Owl Mitigation dated March 7, 2012** such that the habitat acreage, number of burrows and burrowing owls impacted are replaced. Passive relocation shall take place outside the nesting season (1 February to 31 August).

**BIO-2: WESTERN JOSHUA TREE PRESERVATION**

**A Protected Plant Plan shall be developed and shall identify methods, locations, and criteria for protecting the existing Western Joshua Tree in place before, during and post-construction that would not require a State of California Incidental Take Permit.**

**A State of California CDFW Incidental Take Permit would be required for any take of the existing Western Joshua Tree.**

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

**Less Than Significant Impact**

Section 5.4 Jurisdictional Waters and Riparian Habitat of the BRA states that no riparian vegetation (e.g., cottonwoods, willows, etc.) exists on the site or in the adjacent habitats. Section 6.0 of the BRA concludes that the future development of the site will have minimal impact on the general biological resources present on the site which most if not all of the vegetation will likely be removed during future construction activities with the exception of the existing Western Joshua Tree that will remain. While wildlife will be impacted by the development activities, 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 45.2-acres of heavily disturbed desert scrub vegetation 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. Therefore, less than significant impact.

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

**No Impact**

As concluded in the BRA, no riparian vegetation (e.g., cottonwoods, willows, etc.) exist on the Project Site or in the adjacent habitats. Therefore, there is no impact.

- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

### **Less than Significant with Mitigation**

Due to trees and shrubs present on site, the Project Site and surrounding area contains habitat suitable for nesting birds. Nesting birds are protected under the federal Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C 703-711). The MBTA provides protection for nesting birds that are both residents and migrants whether or not they are considered sensitive by resource agencies. The direct injury or death of a migratory bird, due to construction activities or other construction-related disturbance that causes nest abandonment, nestling abandonment, or forced fledging would be considered take under federal law. The USFWS, in coordination with the CDFW administers the MBTA. CDFW's authoritative nexus to MBTA as provided in California Fish and Game Code (FGC) Sections 3503.5, which protects all birds of prey and their nests, and FGC Section 3800, which protects all non-game birds that occur naturally in the State. Therefore, to ensure potential impacts to wildlife species are reduced to a less than significant level, the following mitigation measures shall be made conditions of project approval:

- BIO-4 Pre-construction surveys for burrowing owls, desert tortoise, shall be conducted three days prior to the commencement of Project-related ground disturbance.**
- a. **Appropriate survey methods and timeframes shall be established, to ensure that chances of detecting the target species are maximized. In the event that listed species, such as the desert tortoise, are encountered, authorization from the USFWS and CDFW must be obtained. If nesting birds are detected, avoidance measures shall be implemented to ensure that nests are not disturbed until after young have fledged.**
  - b. **Pre-construction surveys shall encompass all areas within the potential footprint of disturbance for the project, as well as a reasonable buffer around these areas.**
- BIO-5: Bird nesting (nesting birds protected under the Migratory Bird Treaty Act and Section 3503 of the California Fish and Wildlife Code) season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) prior to project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage and expected types, intensity and duration of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.**

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

### **Less Than Significant Impact**

The CDNPA protects California desert native plants from unlawful harvesting on both public and privately owned lands. Harvesting is defined as removing or cutting and removing from the place where grown.

Under the CDNPA, a Native Plant is defined as “any tree, shrub, bulb, or plant or part thereof, except its fruit, named in this division as being subject to this division or added by the director pursuant to Section 80074, which is growing wild. “Native plant” includes any part of any tree of the following species, whether living or dead:

- (a) *Olneya tesota* (desert ironwood).
- (b) All species of the genus *Prosopis* (mesquite).
- (c) All species of the genus *Cercidium* (palos verdes).

CDNPA lists the following native plants, or any part thereof that may not be harvested except under a permit issued by the commissioner or sheriff of the county in which the native plants are growing:

- (a) All species of the family Agavaceae (century plants, nolin, yuccas).
- (b) All species of the family Cactaceae (cacti), except for the plants listed in subdivisions (b) and (c) of Section 80072 which may be harvested under a permit obtained pursuant to that section.
- (c) All species of the family Fouquieriaceae (ocotillo, candlewood).
- (d) All species of the genus *Prosopis* (melites).
- (e) All species of the genus *Cercidium* (palos verdes).
- (f) *Acacia greggii* (catclaw).
- (g) *Atriplex hymenelytra* (desert-holly).
- (h) *Dalea spinosa* (smoke tree).
- (i) *Olneya tesota* (desert ironwood), including both dead and live desert ironwood.

The fruit from the native plants listed in this section may be harvested without a permit.

The CDNPA states that any native plant that is declared to be a rare, endangered, or threatened species by federal or State law or regulations, including, but not limited to, the Fish and Game Code, is exempt from this division. The only listed species above that was reported by RCA is the single Western Joshua Tree. As stated previously in response (a) of this section, the Western Joshua Tree *is fully protected under CESA as a candidate species*. Therefore, the existing Western Joshua Tree is exempt from the CDNPA. Therefore, there are no conflicts with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?

### **No Impact**

The Project Site is not located within the planning area of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or State Habitat Conservation Plan as identified in the CDFW's California Natural Community Conservation Plans Map.<sup>5</sup> No impacts are identified or are anticipated, and no mitigation measures are required.

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

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

**San Bernardino Countywide Plan August 2020 Final Environmental Impact Report SCH No. 2017101033; Cultural Resources Study**

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

**Less Than Significant Impact**

A Cultural Resources Study dated March 12, 2021 was prepared by Tierra Environmental Services. The report is included in Appendix C of this Initial Study and is summarized herein.

A records search was procured from the South Central Coastal Information Center (SCCIC) to identify any previously recorded archaeological and historic-era resources within the Area of Potential Effect (APE) and to determine the types of resources that might occur. The records search provided by the SCCIC revealed that 10 investigations have been previously conducted within a one-mile radius of the Project APE. None of the previous investigations involve the APE. The records search indicated that eight cultural resources or historic properties have been previously identified within one-mile radius of the APE. None of the previously recorded resources were recorded within the

<sup>5</sup> [https://nrm.dfg.ca.gov/California Natural Community Conservation Plans](https://nrm.dfg.ca.gov/California%20Natural%20Community%20Conservation%20Plans). Accessed April 15, 2022.

APE. As part of the background data search, the Native American Heritage Commission (NAHC) was contacted in January 2021 to request a review of their Sacred Lands File as well as a list of Native American representatives to be contacted for information regarding resources. The response received from the NAHC indicated that no sensitive resources or traditional cultural places were identified within the APE. Tierra contacted each of the 11 Native American representatives provided by the NAHC with a request for additional input and to inform them of changes to the Project. To date, two responses were submitted by the San Manuel Band of Mission Indians and the Fort Yuma Quechan Indian Tribe.

A pedestrian survey of the APE was conducted on March 8, 2021 by Principal Archaeologist, Dr. Michael Baksh. Area surveys were accomplished through 10 meter transect intervals with careful attention paid to areas of exposed or exposed soil and road cuts. Consistent with 36 CFR 800.16(d), the APE for the Project was defined as the geographic area within which the proposed Project may impact cultural resources. The APE has been largely cleared of vegetation and disturbed since the 1950's and the first rural residential homes in the immediate vicinity were developed circa 2005.

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

Due to the low frequency of prehistoric or historic resources in the vicinity of the APE, and the lack of any resources identified within the APE, and the anticipation that any subsurface deposits would lack integrity, no further archaeological work is recommended. However, if during the course of the Project, there are any Project changes which would result in a deviation from the current APE then further archaeological work may be required to avoid potential inadvertent impacts to cultural resources.

Tierra contacted each of the eleven Native American representatives provided by the NAHC with a request for additional input. To date, two responses were received including a reply from San Manuel Band of Mission Indians stating that while the Project area is located within Serrano Ancestral Territory, they have no records of cultural resources within the APE itself. The Fort Yuma Quechan Indian Tribe responded stating that they defer to Tribes in closer proximity to the Project Area. All Native American correspondence is included in Appendix C of this Initial Study.

An intensive archaeological survey by Tierra did not result in the identification or recordation of any cultural resources or historic properties within the APE. As concluded in the report, due to disturbances and a lack of food or shelter resources or parent lithic material conducive for tool production, intact cultural deposits are unlikely. No cultural resources were identified or recorded within the current APE.

Due to the absence of intact cultural resources within the APE, and the anticipation that potential subsurface components would not hold sufficient integrity, an archaeological monitor is not recommended for the Project as described. However, if during the course

of the Project, there are any changes that would result in a deviation from the current APE then an archaeological monitor or formal evaluation may be required to avoid potential inadvertent impacts to cultural resources.

As concluded in the Cultural Resource Assessment, due to the absence of intact cultural resources within the APE, and the anticipation that potential subsurface components would not hold sufficient integrity, an archaeological monitor is not required for the Project as described. However, if there are any changes to the Project that would result in a deviation from the current APE, then an archaeological monitor or formal evaluation may be required to avoid potential inadvertent impacts to cultural resources. To ensure potential impacts to historic and archeological resources are reduced to a less than significant level, the following mitigation measure shall be implemented:

**CR-1: In the event cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards 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 San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact 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.**

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

#### **Less than Significant with Mitigation**

Careful review of available archival information and the preliminary assessments of the APE and vicinity suggests that intact buried cultural resources or historic properties would be very unlikely, and due to the disturbances observed, any resources would lack integrity to be considered significant. However, significant adverse impacts may be identified during ground disturbances and the following mitigation measure shall be required to ensure potential impacts are reduced to less than significant.

**CR-2: If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site and provide recommendations for treatment to the land-owner within 48 hours of being granted access.**

**All discovered human remains shall be treated with respect and dignity. California state law (California Health & Safety Code § 7050.5) and federal law and regulations ([Archaeological Resources Protection Act (ARPA) 16 USC 470 & 43 CFR 7], [Native American Graves Protection & Repatriation**

**Act (NAGPRA) 25 USC 3001 & 43 CFR 10] and [Public Lands, Interior 43 CFR 8365.1-7]) require a defined protocol if human remains are discovered in the State of California regardless if the remains are modern or archaeological.**

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>VI. ENERGY - Would the project:</b>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION: San Bernardino Countywide Plan August 2020 Final Environmental Impact Report SCH No. 2017101033; Submitted Materials**

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

**Less Than Significant Impact**

An Energy Analysis prepared for the Project by Red Brick Solution, dated April 8, 2022, is attached to this Initial Study as Appendix D and is summarized herein.

**Building Energy Conservation Standards**

On August 11, 2011 the California Energy Commission (CEC) adopted the 2022 Building Energy Efficiency Standards (Energy Code) for newly constructed and renovated buildings that will produce benefits to support the state’s public health, climate and clean energy goals. According to the CEC, “The California Energy Commission (CEC) updates the Energy Code every three years. On August 11, 2021, the CEC adopted the 2022 Energy Code. In December, it was approved by the California Building Standards Commission for inclusion into the California Building Standards Code. The 2022 Energy Code encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more. Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Energy Code.”

**Senate Bill 350**

The Clean Energy and Pollution Reduction Act of 2015 (Senate Bill (SB) 350) (de Leon) was signed into law in October 2015. SB 350 establishes new clean energy, clean air

including reducing greenhouse gas (GHG) to 40% below the 1990 levels by 2030 and to 80% below 1990 levels by 2050.

### **Senate Bill 100**

The 100 Percent Clean Energy Act of 2018, Senate Bill 100 (SB 100, De León) increased the required Renewable Portfolio Standards. According to the CEC the following summarizes the Bill's goals:

- *Sets a 2045 goal of powering all retail electricity sold in California and state agency electricity needs with renewable and zero-carbon resources — those such as solar and wind energy that do not emit climate-altering greenhouse gases.*
- *Updates the state's Renewables Portfolio Standard to ensure that by 2030 at least 60 percent of California's electricity is renewable.*
- *Requires the Energy Commission, Public Utilities Commission and Air Resources Board to use programs under existing laws to achieve 100 percent clean electricity and issue a joint policy report on SB 100 by 2021 and every four years thereafter.*

### Electricity

The Project will include a 2-megawatt Solar Power Area to provide electric power entirely from solar energy. The Solar Facility will incorporate the Energport System by Energport, Inc. for energy storage. To ensure no interruptions in electrical service occur, the Project would be conditioned to be backed-up with Southern California Edison.

The Project's energy requirements and its energy use after construction will be dependent on solar energy supplied internally. Additionally, extra power will be stored in a battery backup facility that will tie into the power grid as a peak power generation supply bank. Thus, the effects of the project on local and regional energy supplies are less than significant.

Additionally, the Solar Facility projects the solar generation will substantially exceed the energy use over the course of a 12-month period. Based on Energport, Inc information, the energy use would peak of 225,000 kilowatt hours per month (kWh/month), whereas the solar generation would peak at 400,000 kWh/month.

### Natural Gas

No natural gas service is required for the Project. Heating energy will be supplied with electricity.

Implementation of the Proposed Project would not result in a significant increase in power or natural gas demand and would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

**No Impact**

The Project includes the construction and operation of a 2 MW solar power area on the 4.72-acre site. Approximately 5,000 Bi-facial solar panels<sup>6</sup> will be placed on ground-support mounts and would have a total height less than 6-feet above the ground surface. The area would be screened by a six-foot-high solid privacy/security wall to shield the solar panels from view from the surrounding area. The Project will be designed in accordance with the San Bernardino County Development Code and all electrical and broadband distribution will be placed underground for additional safety, reliability, and aesthetic value. Once constructed, the Solar Power Area would require minimal maintenance that would occur during daylight hours and would not require permanent nighttime lighting.

The County's Renewable Energy and Conservation Element defines community-oriented solar as facilities that offset all or part of their on-site electrical needs. Community-oriented systems generally provide energy for local use up to 10 MW.

The purpose of the Element is to: 1) Clarify the County's collective community, environmental, and economic values for renewable energy (RE) development and conservation; 2) Articulate what the County will strive to achieve and avoid through energy conservation, energy efficiency, and RE development; 3) Establish goals and policies to manage RE development and conservation of the natural environment; and 4) Set a framework for Development Code standards for RE development.

As discussed in the Element, the County considers the following guiding goals and policies when making land use decisions related to renewable energy development:

Community-Oriented:

- Encourage community-oriented renewable energy generation facilities, with emphasis and priority given to roof-top and parking lot installations of solar energy systems.
- Encourage local renewable energy production to meet local energy demand while allowing excess energy to be sold to the grid.
- Pursue energy security and independence;
- Ensure that new renewable energy development is located, designed, and constructed in a manner that reflects Core Values and respects private property rights.
- Inform affected communities and stakeholders about proposed renewable energy development in a manner that allows meaningful, timely engagement in the review process.

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<sup>6</sup> Bi-facial solar panels capture sunlight on the front and back surfaces and require less space. The mounting system for bifacial solar panels is different than traditional solutions. Bifacial utilize small junction boxes, narrower support rails, and vertical supports at the corners of the racking system to reduce shading on the backside of modules.

- Provide residents more affordable, reliable, diverse, and safe access to energy, especially renewable energy.

The Project's consistency with applicable goals/policies within the Element and standards provided in the County's Development Code are discussed herein.

RE Goal 3: Community-oriented renewable energy facilities will be prioritized to complement local values and support a high quality of life in unincorporated communities.

**Consistency:** The proposed project addresses the need for senior housing and lifestyle with wellness services to meet the special needs of the senior residents.

RE Policy 3.1: Prioritize, facilitate, and encourage onsite accessory RE generation to serve the unincorporated county, with a primary focus on rooftop and parking lot solar energy generation.

RE 3.1.1: Permit rooftop, parking lot, and similar accessory RE generation facilities that primarily serve on-site energy needs in all zoning districts, including microgrid systems, with minimal regulation and permitting requirements.

**Consistency:** The proposed project would provide energy needs for senior housing and wellness services to meet the needs of the senior residents. The facility will be located on the 4-acre site south between the caretaker residence and water storage tanks.

RE Policy 3.2: Encourage community-oriented renewable energy (CORE) generation that primarily serves local uses in the county.

RE 3.2.1: Specific standards shall be established and maintained for community-oriented RE generation facilities appropriate to the Valley, Desert, and Mountain regions.

RE 3.2.2: Encourage through the regulatory system the establishment of local and regional organizations to pursue community-oriented RE production and storage.

RE 3.2.3: CORE facilities shall be designed primarily to meet the needs of the local users, with an adequate overage margin to meet peak demands and defray the cost of the systems.

RE Policy 3.3: Promote an adaptive distributed energy infrastructure that sustains local communities and improves resiliency to grid failures and increasing energy prices.

Consistency: The proposed on-site solar generation is not a commercial solar energy facility and therefore, findings presented in Section 84.29.035 of the Development Code are not required. However, the Proposed Project was designed with appropriate development standards set forth in Section 84.29.040 Solar Energy Development Standards including the following:

(a) *Setbacks.* Solar energy generating equipment and their mounting structures and devices shall be set back from the property line either pursuant to the standards in the Land Use Zoning District, or 130 percent of the mounted structure height, whichever is greater.

(b) *Glare.* Solar energy facilities shall be designed to preclude daytime glare on any abutting residential land use zoning district, residential parcel, or public right-of-way.

(c) *Night Lighting.* Outdoor lighting within a commercial solar energy generation facility shall comply with the provisions of [Chapter 83.07](#) of this Development Code.

At a height of approximately six feet, the required set back from the property line would be 47 feet (6 feet times 130 percent) versus 25 feet standard for Rural Living. Panels would be obscured from view by a 6-foot-high block wall which would also diminish the potential for glare onto adjacent properties. Although the proposed solar is not considered commercial, night lighting is not proposed. With adherence to County Development Code Section 84.29.040, no significant impacts from the installation and operation of the on-site solar generation area would result.

RE 3.3.1: Support research, planning and investment in accessory and community-oriented energy generation, distribution, and storage infrastructure by adapting regulatory tools to respond to rapidly evolving RE technologies.

RE 3.3.2: Encourage new institutional campuses and large residential/commercial developments to include microgrids<sup>7</sup> with onsite renewable energy generation and energy storage system.

Extra power will be stored in a battery backup system that will tie into the power grid and backed up by Southern California Edison as a peak power generation supply bank. Based on Energport, Inc information, the energy use would peak of 225,000 kilowatt hours per month (kWh/month), whereas the solar generation would peak at 400,000 kWh/month. Therefore, the solar generation will exceed the energy use projected for the Project.

Based on the consistency analysis presented in this Initial Study, the Proposed Project would be consistent with the goals and policies of the Renewable Energy and Conservation Element.

In addition, the Proposed Project would be designed to comply with the County of San Bernardino Greenhouse Gas Emissions Reduction Plan, and the State 2022 Building Energy Efficiency Standards. Project development would not cause inefficient, wasteful and unnecessary energy consumption, and no adverse impact would occur.

The Proposed Project would not conflict with any applicable plan, policy or regulation of an agency adopted to reduce GHG emissions and would be consistent with the intent and goals of SB350 and SB100. The Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, no impacts are identified or anticipated, and no mitigation measures are recommended.

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<sup>7</sup> Microgrids are localized electric grids that can disconnect from the main grid to operate autonomously. Because they can operate while the main grid is down, microgrids can strengthen grid resilience, help mitigate grid disturbances, and function as a grid resource for faster system response and recovery.

	<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>VII.</b>	<b>GEOLOGY AND SOILS - Would the project:</b>				

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

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

ii. Strong seismic ground shaking?

iii. Seismic-related ground failure, including liquefaction?

iv. Landslides?

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

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?

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

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

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

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

**San Bernardino Countywide Plan for County of San Bernardino August 2020 Final Environmental Impact Report SCH No. 2017101033; Submitted Project Materials;**

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

ii) Strong seismic ground shaking?

**Less Than Significant Impact**

A Geotechnical and Infiltration Evaluation dated March 29, 2021, was prepared by GeoTek, Inc. (GTI) for the Project, and is included in its entirety in Appendix E of this Initial Study and is summarized herein.

The Geotechnical and Infiltration Evaluation reviewed the Project Site in relationship to its proximity to geological hazards and fault zones. The Project Site is situated in the Mojave Desert geomorphic province. The Mojave Desert province is a wedge-shaped area that is enclosed on the southwest by the San Andreas fault zone, the Transverse Ranges province and the Colorado Desert province, on the north and northeast by the Garlock fault zone, the Tehachapi Mountains and the Basin and Range province, and on the east by the Nevada and Arizona state lines, and the Colorado River. The area is dominated by broad alluviated basins that are mostly aggrading surfaces that are receiving non-marine continental deposits from the adjacent upland areas.

The primary fault zones of the area are found in the western half of the province, have a general northwest-southeast trend and include the San Andreas, Helendale, Lenwood and Lockhart. In addition to these major zones, there are numerous secondary fault zones in the area and many smaller fault zones in the eastern half of the province. Many of the secondary fault zones in the province have a general east-west trend.

More specific, the site occurs in an area geologically mapped to be underlain by alluvium (USGS, 1973).

As discussed in the Geotechnical and Infiltration Evaluation, the geologic structure of the entire southern California area is dominated mainly by northwest-trending faults associated with the San Andreas system. The site is in a seismically active region. However, no active or potentially active fault occurs at the site nor is the site situated within an Alquist-Priolo Earthquake Fault Zone. The Project Site is not located within a State of California Seismic Hazard Zone for earthquake induced landslides. The nearest faults to the Project Site include the Helendale-South Lockhart fault, located about 5.5 miles to the northeast and the North Front Thrust fault system situated about 6 miles to the southeast.

Therefore, based on the findings of the Geotechnical Evaluation the impact of a rupture of a known earthquake fault on the Project Site, would be less than significant.

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

**Less Than Significant Impact**

Following review of the Countywide Plan Policy Maps, the Geotechnical and Infiltration Evaluation concluded that due to the current mapping and the depth to groundwater, estimated at +150 feet below ground level, the potential for liquefaction at the Project Site due to nearby seismic activity is considered nil.

An assessment of the “dry” settlement (i.e. settlement above the water table) resulting from seismic shaking was also evaluated. For this analysis a groundwater depth of 150 feet, a ground acceleration of 0.563g and an earthquake magnitude of 6.85 was used. The ground acceleration and earthquake magnitude were obtained from the USGS websites. The computer software program LiquefyPro and the soil profiled from Boring B-2 were used in the analysis. The results of the analysis indicate a potential ground surface settlement  $\frac{1}{4}$  less than  $\frac{1}{4}$  inch is possible. A differential seismic settlement of about  $\frac{1}{8}$  inch over a 40-foot span is also estimated. Based on these estimated magnitudes, ground modification or special foundation design is not necessary.

Therefore, based on the conclusion presented in the Geotechnical and Infiltration Evaluation the impact of seismic-related ground failure, including liquefaction would be less than significant.

*iv) Landslides?*

**Less Than Significant Impact**

Landslides and slope failure can result from ground motion generated by earthquakes. As shown on the San Bernardino Countywide Policy Plan Map HZ-2, the Project Site and surrounding area is not located within an area susceptible to landslides. Further, the site is dominated by broad alluviated basins that are mostly aggrading surfaces that are receiving non-marine continental deposit from the adjacent upland areas. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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

**Less Than Significant Impact**

During the development of the Project Site would result in project-related dust due to the operation of machinery on-site or due to high winds. Additionally, erosion of soils could occur due to a storm event. Development of the Proposed Project would disturb more than one acre of soil; therefore, the Proposed Project is subject to the requirements of the State Water Resources Control Board General Permit for Discharges of Storm Water Associated with Construction Activity. Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling or excavation. The Construction General Permit requires the development and implementation of a Storm Water Pollution and Prevention Plan (SWPPP). The Proposed Project

Contractor will be required to prepare a SWPPP that includes Best Management Practices (BMPs) to avoid and minimize soil erosion. Adherence to BMPs is anticipated to ensure that the Proposed Project does not result in substantial soil erosion or the loss of topsoil. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required. Therefore, no significant adverse impact is identified or anticipated, and no mitigation measures are required.

- c) *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**

As discussed in response a. iv above, landslides and slope failure can result from ground motion generated by earthquakes. As shown on the Countywide Plan Policy Map HZ-2, the Project Site and surrounding area is not located within an area susceptible to landslides. Further, the site is dominated by broad alluviated basins that are mostly aggrading surfaces that are receiving non-marine continental deposit from the adjacent upland areas. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

As discussed in response a. iii above, liquefaction potential at the site is considered nil. The Geotechnical and Infiltration Evaluation concluded that subsidence on the order of 0.1 foot may occur.

Based on the conclusions of the Geotechnical Evaluation, the site is not 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 an on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. Implementation design recommendations presented in the Geotechnical and Infiltration Evaluation shall be a condition of project approval. Therefore, no significant adverse impacts have been identified or anticipated and no mitigation measures are warranted.

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

#### **Less Than Significant Impact**

As concluded in the Geotechnical and Infiltration Evaluation, on-site soils are classified as having a “very low” expansion potential. Implementation design recommendations as presented in the Geotechnical and Infiltration Evaluation shall be made a condition of project approval. Therefore, no adverse significant impacts have been identified or anticipated and no mitigation measures are warranted.

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

#### **No Impact**

The Proposed Project would not connect to the County's sewer collection system that currently serves the Project area. No septic tanks are proposed. The site proposes a Packaged Treatment Plant that will produce reclaimed wastewater that will be used to fill the onsite pond and for onsite irrigation. No impacts are identified or anticipated and no mitigation measures are required.

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

**Less Than Significant Impact**

According to the Geotechnical and Infiltration Evaluation, the Project Site occurs in the Mojave Desert geomorphic province. The Mojave Desert province is a wedge-shaped area that is enclosed on the southwest by the San Andreas fault zone, the Transverse Ranges province and the Colorado Desert province, on the north and northeast by the Garlock fault zone, the Tehachapi Mountains and the Basin and Range province, and on the east by the Nevada and Arizona state lines, and the Colorado River. The area is dominated by broad alluviated basins that are mostly aggrading surfaces that are receiving non-marine continental deposits from the adjacent upland areas. The Geotechnical and Infiltration Evaluation did not identify any unique geological features. The existing rock outcroppings would be avoided in the proposed Site Plan. Therefore, the development of the proposed Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature and less than significant.

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

***SUBSTANTIATION:***  
***San Bernardino Countywide Plan for County of San Bernardino August 2020 Final Environmental Impact Report SCH No. 2017101033; Submitted Project Materials***

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

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

**Less than Significant with Mitigation**

A Greenhouse Gas Emissions Analysis was performed by Kimley-Horn and Associates dated January 21, 2022 and revised September 12, 2022 in the form of a memorandum (KHGHG Report). The KHGHG Report is included in Appendix VIII - and is summarized herein. Also see Section III for a summary of CalEEMod Soft Release Version 2022.1.0 and County CEQA Guidelines comparison of emissions thresholds.

The KHGHG Report utilized the results of their CalEEMod Version 2022.1.0 output data for direct and indirect GHG emissions generated during all phases of construction and operations. They state that the Project would not include emissions from energy generation or water supply and treatment since the Project would supply 100 percent of the required energy demand through the proposed onsite Solar Power Area. The KHGHG Report footnoted that “Emissions in future years (i.e., due to a later construction start date or operational opening year) would be lower due to phased-in emissions standards, inspection and maintenance requirements, and fleet turnover). Specifically, project construction was modeled to start in 2021 but would commence at a later date. As such, construction impacts would be less than those analyzed due to the use of more energy-efficient and cleaner burning construction vehicle fleet mix, pursuant to state regulations that require vehicle fleet operators to phase-in less polluting heavy-duty equipment. As a result, Project related construction air quality impacts would be lower than the impacts disclosed herein. For emissions modeling purposes, conservatively analyzing the emissions using an earlier construction start date (i.e., 2021), provides for a worst-case analysis and full disclosure of potential air quality impacts, as required by CEQA.”

The total GHG emissions that would be generated during all phases of construction were combined; the results of which are shown below:

**Table 3  
Construction  
Greenhouse Gas Emissions**

<b>Construction</b>	<b>MTCO<sub>2</sub>e per Year</b>
2021 Construction	689
2022 Construction	302
<i>Total construction Emissions</i>	991
30-Year Amortized Construction	33
Source: CalEEMod version 2022 Refer to Appendix A for model data outputs.	

Operational GHG emissions would result from direct emissions such as project generated vehicular traffic and operation of any on-site landscaping equipment. Operational GHG emissions would also result from indirect sources, such as the emissions associated with solid waste generated from the project site, and any fugitive refrigerants from air conditioning or refrigerators. As shown in Table 4, the Project would generate approximately 2,847 MTCO<sub>2</sub>e/year, and therefore, the Project would not result in an increase in GHG emissions that would exceed the County’s GHG Emissions Reduction Plan (GHG Plan). Projects that do not exceed 3,000 MTCO<sub>2</sub>e per year are consistent with the County’s GHG Plan and determined to have a less than significant individual and cumulative impact for GHG emissions.

**Table 4  
 Total Project Greenhouse Gas Emissions**

Emissions Source	MTCO <sub>2</sub> e per Year
Construction Amortized over 30 Years	33
Area Source	8
Energy <sup>1</sup>	0
Mobile	2,528
Waste	148
Water & Wastewater	0
Refrigeration	130
<b>Total Project Emissions<sup>2</sup></b>	<b>2,847</b>
San Bernardino GHG reduction Plan Threshold	3,000
<b>Threshold Exceeded?</b>	<b>No</b>
Notes:	
1. The project would supply 100 percent of its required energy through an on-site solar power area. Furthermore, 100 percent of the water/wastewater would be treated onsite and would not leave the property.	
2. Totals may be slightly off due to rounding.	
Source: CalEEMod version 2022.	

Therefore, the Project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, and would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. Therefore, project related GHG emissions would be less than significant.

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

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

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

**SUBSTANTIATION:**

**San Bernardino Countywide Plan for County of San Bernardino August 2020 Final Environmental Impact Report SCH No. 2017101033; Submitted Project Materials**

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

**Less Than Significant Impact**

Hazardous or toxic materials transported in association with construction of the Proposed Project may include items such as oils, paints, and fuels. All materials required during construction would be kept in compliance with State and local regulations. Transport of such materials would be in accordance with State and federal regulations. Operation activities would continue to include standard maintenance (i.e., landscape upkeep, exterior painting and similar activities) involving the use of commercially available products (e.g., pesticides, herbicides, gas, oil, paint, etc.) the use of which would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accidental release of hazardous materials into the environment. With implementation of Best Management Practices (BMPs) and compliance with all applicable regulations, potential impacts from the use of hazardous materials would be less than significant. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

- b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

**Less Than Significant Impact**

As stated in response (a) above, hazardous or toxic materials transported in association with construction of the Proposed Project may include items such as oils, paints, and fuels. All materials required during construction would be kept in compliance with State and local regulations. Transport of such materials would be in accordance with State and federal regulations. Operation activities would continue to include standard maintenance (i.e., landscape upkeep, exterior painting and similar activities) involving the use of commercially available products (e.g., pesticides, herbicides, gas, oil, paint, etc.) the use of which would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accidental release of hazardous materials into the environment. With implementation of Best Management Practices (BMPs) and compliance with all applicable regulations, potential impacts from the use of hazardous materials would be less than significant. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

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

**No Impact**

The nearest schools to the site include Vanguard Preparatory School located approximately 3.0 miles to the northwest, and Apple Valley High School located approximately 3.25 miles to the west. No hazardous materials would result during the construction or operation of the Proposed Project. Therefore, no impacts associated with emission of hazardous or acutely hazardous materials, substances, or waste within 0.25-mile of a school are anticipated. No impacts or anticipated and no mitigation measures are required.

- d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

**No Impact**

The Project Site is not on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system.<sup>8</sup> EnviroStor tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. No hazardous materials sites are located within or in the vicinity of the Project Site. EnviroStor identifies one site located approximately one half mile south of the Project Site (the former Victorville Precision Bombing Range (PBR) No. 4 FUDS Project No J09CA06890) an inactive range.

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<sup>8</sup>[https://www.envirostor.dtsc.ca.gov/public/map/EnviroStor Sites and Facilities Map](https://www.envirostor.dtsc.ca.gov/public/map/EnviroStor_Sites_and_Facilities_Map) February 17, 2022.

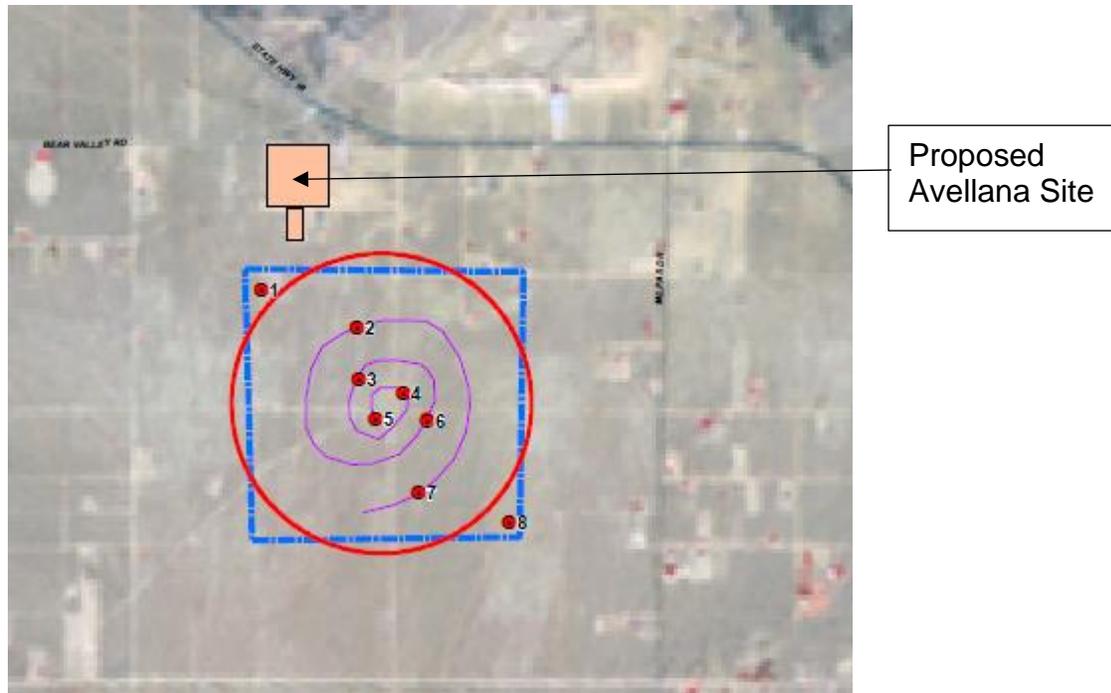
The United States Army Corps of Engineers (USACE) engaged Parsons Infrastructure & Technology Group, Inc. to prepare a Site-Specific Work Plan (SS-WP) for this range. In August 2007, an Addendum to the Final Site Specific Work Plan was prepared. According to the Addendum, approximately 640 acres contained a target area previously used for bombing practice. The land comprising the Victorville PBR No. 4 Site is currently owned by 80 landowners (reference to Appendix F).

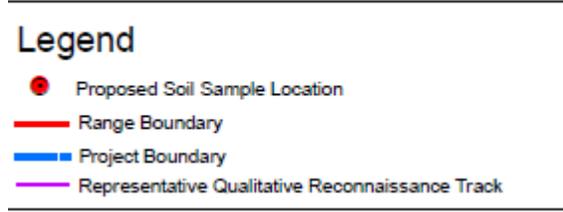
Figure 3.2 Qualitative Reconnaissance and Sample Locations Map Victorville PBR #4 FUDS Project No. J09CA068901 of the SS-WP depicts the Range Boundary in red and the Project Boundary in blue. The Project Site has been plotted on this figure and the Project Site is not located within either the Range Boundary nor the SS-WP Project Boundary.

SS-WP Figure 5.2 1.5-mile Surface Water Target Distance Victorville PBR #4 FUDS Project No. J09CA068901 depicts the Surface Water Flow Direction and Distance Line in purple, the Range Boundary in red and the Project Boundary in blue. The surface water flow direction is northeast of the Project Site.

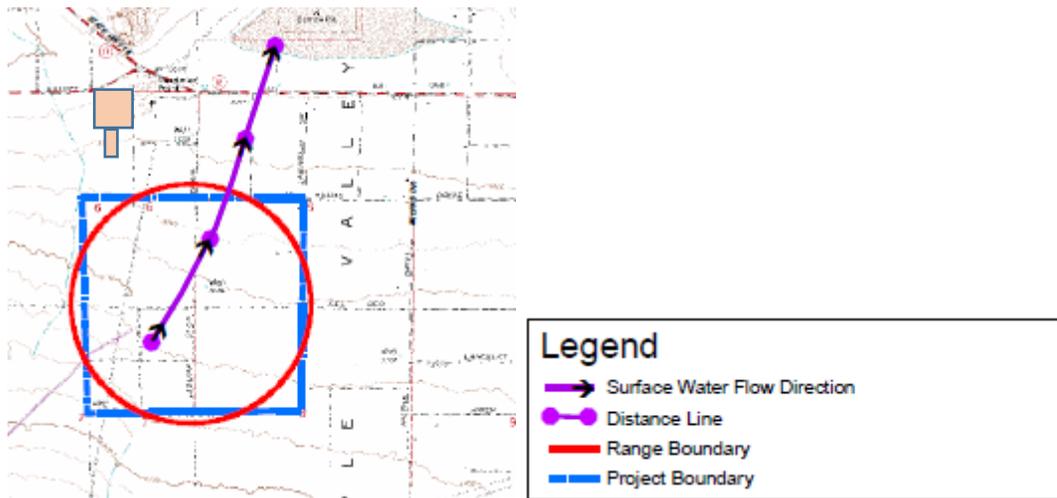
The following excerpts from these figures show the Project Site outside of the SS-WP Project Boundary and Range and west of the direction of surface water flows.

**SS-WP Figure 3.2 Qualitative Reconnaissance and Sample Locations Map  
Victorville PBR #4 FUDS Project No. J09CA068901**





**SS-WP Figure 5.2 1.5-mile Surface Water Target Distance Victorville PBR #4  
FUDS Project No. J09CA068901**



On August 4, 2016 the California Department of Toxic Substance Control (DTSC) provided a letter to Army Corp of Engineers, Los Angeles District (ACOE) (herein the Letter) regarding the Completion of Formerly Used Defense Site (FUDS) Screening Site Visit Reports for Southern California, Fiscal Year 2014/20216. The Letter stated, “Victorville PBN no 4 – High Priority munitions Remedial Investigation is needed and ACOE was notified in 2015. Interim Risk Management notification is also recommended since residents and recreational users are in close proximity. In 2008, DTSC concurred with ACOE on the RI recommendation. The Letter stated that while several munitions FUDS had site inspections completed in 2008 with ACOE recommendation to proceed, the majority had been idle since the site inspection was completed. The letter recommended that ACOE consider adding them to the Interim Risk Management list for notification to site users and nearby residents, until the Remedial Investigation is completed. This is the most current data of record on the EnviroStor database. The EnviroStor Profile Report Property History concluded that the only improvements that remain are the weathered asphalt bombing targets, five houses and a small dirt airstrip.

As previously stated, the Project Site is not within the SS-WP Project Boundary. As such the Proposed Project is not 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 not create a significant hazard to the public or the environment.

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

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

**No Impact**

The Project Site occurs eight miles southeast of the Apple Valley Airport. As shown on the San Bernardino Countywide Policy Plan Map HZ-9 Airport Safety & Planning Map, the Project Site is not within an airport safety review area.<sup>9</sup> The Project Site is not located within the vicinity of a private or public airstrip. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

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

**No Impact**

The nearest evacuation routes in relationship to the Project Site include State Highway 18 located adjacent to the Project Site and Interstate 15 located approximately 2.5 miles west of the Project Site.<sup>10</sup> The Project Site would be provided via Bear Valley Road. Construction and operation of the Proposed Project is not anticipated to interfere with the use of routes during an evacuation. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. Furthermore, the Project Site does not contain any emergency facilities. Project operations at the site would not interfere with an adopted emergency response or evacuation plan. No impacts are identified or anticipated, and no mitigation measures are required.

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

**Less Than Significant Impact**

The Project Site is within the County Fire Safety Overlay as identified in the San Bernardino Countywide Policy Plan HZ-5 Fire Hazard Severity Zone but is not located within a designated Fire Hazard Severity Zone. As stated in the Policy Plan Policy PP-3.7 Fire Safety Design, new development shall comply with additional site design, building, and access standards to provide enhanced resistance to fire hazards. The Project Site is surrounded by vacant land followed by Bear Valley Road and SR-18 to the north. Therefore, the Proposed Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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<sup>9</sup> [http://www.sbcounty.gov/Uploads/lus/HazMaps/FH07B\\_20100309.pdf](http://www.sbcounty.gov/Uploads/lus/HazMaps/FH07B_20100309.pdf).

<sup>10</sup> <http://www.sbcounty.gov/Uploads/lus/GeneralPlan/FINALGP.pdf>. Accessed February 15, 2022.

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

**SUBSTANTIATION:**  
**San Bernardino Countywide Plan for County of San Bernardino August 2020 Final Environmental Impact Report SCH No. 2017101033; Submitted Project Materials; FEMA Flood Map**

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

**Less Than Significant Impact**

The Proposed Project would disturb approximately 44.92 acres. The Hydrology Study prepared by RedBrick Solution, Inc. dated April 9, 2021 was prepared in accordance

with the County of San Bernardino Hydrology Manual and Addendum B, and Civil Design Rational Method Software to model the storm channel flows (see Appendix G).

The criteria use for the off-site tributary flows are as follows:

1. Current land use:	Rural Living
2. Proportion Impervious:	32%
3. Intended Use:	Multiple Residential
4. NOAA 14 Precipitation	100-year 1-hour=1.08 Developed 25-Year 1-hour= 0.787 Pre-developed
5. Soil Type	Group A
6. San Bernardino County Hydrology Manual	Rational Method, Unit Hydrograph Method

Calculations used in the Hydrology Study were based on generally accepted engineering practices as outlined in the San Bernardino County's Hydrology Manual Hydrologic Criteria and Drainage Design.

The Project is also required to comply with the requirements of San Bernardino County and the Phase II Small MS4 General Permit for the Mojave River Watershed. As such a Water Quality Management Plan (WQMP) was prepared for the proposed Project by RedBrick Solution, Inc. dated May 14, 2021. The WQMP template was prepared specifically for the Phase II Small MS4 General Permit in the Mojave River Watershed. The location is within the jurisdiction of the State of California Regional Water Quality Control Board, Region No. 6, Lahontan.

Under the Federal Clean Water Act (Clean Water Act) the Proposed Project is also subject to the National Pollutant Discharge Elimination System (NPDES) Permit requirements. The State of California is authorized to administer various aspects of the NPDES. As such the project will provide the required Notice of Intent to the RWQCB for Construction activities covered under the State's General Construction permit which include removal of vegetation, grading, excavating, or any other activity that causes the disturbance of one-acre or more. The General Construction permit requires the Permittee to have a Storm Water Pollution Prevention Plan (SWPPP) prepared for the Project that recipients to reduce or eliminate non-storm water discharges into storm water systems. The purpose of a SWPPP is to: 1) identify pollutant sources that may affect the quality of discharges of storm water associated with construction activities; and 2) identify, construct and implement storm water pollution control measures to reduce pollutants in storm water discharges from the construction site during and after construction.

The RWQCB has issued an area-wide NPDES Storm Water Permit for the County of San Bernardino, the San Bernardino County Flood Control District, and the incorporated cities of San Bernardino County. The County then requires implementation of measures for a project to comply with the area-wide permit requirements. A SWPPP is based on the principles of Best Management Practices (BMPs) to control and abate pollutants. The SWPPP must include BMPs to prevent project-related pollutants from impacting surface waters. These would include but are not limited to street sweeping of paved roads around the site during construction, and the use of hay bales or sandbags to control erosion during the rainy season. BMPs may also include or require:

- The Project Applicant shall avoid applying materials during periods of rainfall and protect freshly applied materials from runoff until dry.

All waste to be disposed of in accordance with local, state and federal regulations. The Project Applicant shall contract with a local waste hauler or ensure that waste containers are emptied weekly. Waste containers cannot be washed

- out on-site.

All equipment and vehicles to be service

- d off-site.

The WQMP has identified various BMPs that would become conditions of project approval. Mandatory compliance with the Proposed Project's SWPPP and WQMP, in addition to compliance with NPDES Permit requirements, that would ensure that all potential pollutants of concern are minimized or otherwise appropriately treated prior to being discharged from the Project Site. Therefore, implementation of the Proposed Project would not violate any water quality standards or waste discharge requirements. No significant adverse impacts are identified or anticipated and no mitigation measures are required.

An onsite wastewater system will be provided and permitted and monitored by the Lahontan Regional Water Quality Control Board. A valid permit will be required prior to issuance of a grading permit. (See Mitigation Measure UTI-1.)

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

### **Less than Significant with Mitigation**

The Project proposes to provide water via an onsite water well. A detailed description of the system is provided in Section XIX. Utilities and Service Systems of this Initial Study. Per California Assembly Bill 1668, dated May 31, 2018, the per capita limit for water is 55 gpd. The Hydrology Report used an average of 1.8 persons per dwelling unit, for a total of 99 gallons per unit per day. At 399 mobile home units, the residential water demand is estimated to be 39,501 gpd. The incidental service uses of the Project (i.e., Community Center, Wellness Convenience Shop, and First Aid Center) will require approximately 5,000 gpd (based on the number and type of fixtures proposed for these uses). Therefore, the Proposed Project is estimated to have an annual water demand of approximately 45,000 gpd (39,501 gpd+5,000 gpd) or 50.4 acre-feet per year (afy), including approximately 6.69 acre-feet for landscaping.

The Water Demand Study prepared for the Project states that the aquifer is approximately 300 feet below ground level<sup>11</sup> and could produce 25-125 gallons per minute (gpm) and would meet the anticipated demand of 39,501 gpd. The study concluded that to meet the required three-day domestic use storage capacity of approximately 120,000 gallons, the project would need a total of 18,045 cubic feet (cf) of storage volume. The Project includes two, 39-foot diameter by 7-foot-high water storage tanks with a total

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<sup>11</sup> Based on information obtained from a local well driller (lic#77235).

capacity of 125,000 gallons. The tanks are proposed on the southeast corner of the 4.72-acre site.

The proposed packaged wastewater treatment plant will generate reclaimed water that would be stored onsite in a 750,000-gallon pond which will also serve as the fire flow storage capacity. The pond would be continuously fed by the on-site packaged wastewater treatment plant designed to process up to 60,000 gpd.

The water source for the Project's domestic water well is within the Adjudicated Areas within the Sustainable Groundwater Management Program. As concluded in the Water Demand Study prepared for the Project, an estimated 9.59 afy would be replenished in the aquifer. Although no significant adverse impacts are identified or anticipated, due to case law (Riverside County Superior Court Case No. CIV208568, or Court Judgment that adjudicated the rights to pump groundwater in the Mojave Basin Area, uses over 10 acre-feet of water per year require stipulation to the judgement, payment for water replacement to the basin and reporting to the Mojave Water Agency (Watermaster<sup>[1]</sup>). The estimated water use for this Project is 60 acre-feet per year. Under the judgement there is no credit for recycled water. Therefore, to ensure potential impacts to groundwater are reduced to the extent feasible, the following mitigation measure shall be made conditions of Project approval:

**HYD-1: Prior to issuance of grading permit or issuance of any well permits the Project Proponent shall demonstrate to County Planning Staff that they are party to the Mojave Basin Area Court Judgement. Planning staff, or any other County staff shall verify this information with the Mojave Basin Area Watermaster staff.**

Implementation of the above mitigation measure would ensure potential impacts groundwater supplies are reduced to a less than significant level.

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

**Less Than Significant Impact**

- i) *Result in substantial erosion or siltation on- or off-site;*
- ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;*
- iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or*
- iv) *Impede or redirect flood flows*

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<sup>[1]</sup> Watermaster's main responsibilities are to monitor and verify water production for approximately 450 parties (1,700 wells), collect required assessments, conduct studies and prepare an annual report of its findings and activities to the Court. Watermaster also acts as the clearinghouse for recording water transfers, maintains records for all such transfers and reports changes in ownership of Base Annual Production rights to the Court.

The Project Site straddles a ridge line that divides two off-site tributary watershed flows (referred to herein as Area A and Area B). Area A on the east consist of an approximate 108-acre water shed that flows through the Project Site, and Area B on the west consists of a small, narrow approximate 12-acre water shed that upon entering the site travels along the western edge and exits near the northwest corner. The off-site tributary sheet flows from Area A combines with on-site surface flows and meets within a dry wash that directs these concentrated flows northwesterly to the northwest corner of the site.

The post-developed drainage for the Project was evaluated under a 100-year storm event. The Project was designed with a high point such that the off-site flows are separated from the developed on-site storm flows. The two off-site flows are directed easterly and westerly along Las Piedras Road.

Area B 100-year 26 cubic-feet per second (cfs) peak flows are conveyed off-site to confluence with other sheet flows traveling northwesterly. Area A 100-year 186 cfs peak storm flows are conveyed easterly to Jackie Jane Lane where they will be directed northwesterly and released into the historic drainage conveyance on the north side of the Project Site. Las Piedra Road collects these sheet flows as they travel easterly building up prior to entering Jackie Jane Lane. Adjusting the 186 cfs flows by contributing area along Las Piedras Road show that a maximum of 134 cfs will confluence prior to drawing down and entering Jackie Jane Lane.

The Project proposes an onsite storm drain system that would collect on-site tributary flows and convey them through a series of underground storm drainpipes through the Project Site that would ultimately outlet to the proposed detention basin via a headwall. From this basin the stormwater would outlet to existing drainage courses on publicly maintained streets, consistent with the existing natural drainage pattern.

The detention basin would be designed in accordance with the San Bernardino County Hydrology Manual to mitigate a 100-year storm event flows of 75.09 cfs to a release rate of 44.23 cfs.

The Hydrology Study concluded that the Project could handle a 100-year storm event via the direction of storm flows along Las Piedras Road and Jackie Jane Lane toward the northwest corner of the site where they would be released in their historic drainage conveyance. Both streets were designed as rectangular channels with an 8-inch curb face and a geogrid gravel bottom that would be 100 percent permeable. Thus, on-site stormflows associated with these street areas will not add any developed storm flows as these off-site flows pass through the site.

The on-site developed 100-year peak storm flows will be mitigated to 90 percent of the 25-year predeveloped peak storm flows by means of a 53,302-cubic-foot detention basin. Thus, the project has met the San Bernardino County's criteria for flood protection both on-site and off-site.

Therefore, the Project will not substantially alter the existing drainage pattern of the site or area, nor alter the course of a stream or river or through the addition of impervious surfaces, in a manner that would result in substantial erosion or siltation on- or off-site. No significant adverse impacts are identified nor are mitigation measures required.

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

**Less Than Significant Impact**

Tsunamis are large waves generated in open bodies of water by fault displacement due to major ground movement. Due to the Project Site’s distance from the Pacific Ocean, tsunamis are not potential hazards in the vicinity of the Project Site. As shown on the San Bernardino Countywide Policy Map HZ-4 Flood Hazards, the Project Site does not occur within a 100-Year FEMA Flood. The Site is depicted as within a State of California Department of Water Resources 100-Year Awareness Zone. Additionally, as shown on the FEMA Flood Map 06071C5820J, the Project Site is located outside of the 0.2 percent annual chance floodplain.<sup>12</sup>

According to the Countywide Plan Policy Map HZ-3 Dam and Basin Hazards, the Project Site is not located within a dam inundation area. Therefore, the risk of release of pollutants by means of flood, seiche, or tsunami is considered low. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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

**Less Than Significant Impact**

The Proposed Project would adhere to BMPs (as provided in the WQMP), regional and local water quality control and/or sustainable groundwater management plans. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XI. LAND USE AND PLANNING – Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**  
**San Bernardino Countywide Plan for County of San Bernardino August 2020 Final Environmental Impact Report SCH No. 2017101033; Submitted Project Materials**

- a) *Physically divide an established community?*

<sup>12</sup> <https://msc.fema.gov/portal/search>.

### **Less Than Significant Impact**

The Applicant is requesting approval for a Planned Development Permit (PD) in accordance with Chapter 85.10 Planned Development Permits for a Residential Planned Development to allow for a Senior Wellness Community consisting of a Senior Mobile Home Park with incidental service uses consisting of a Community Center, First Aid Center, Wellness Convenience Shop, Park, with self-sustaining Solar Power Area, On-site Packaged Wastewater Plant which will provide reclaimed water for landscape irrigation, and an onsite domestic water well and related water storage tanks for potable water. Most of the proposed land uses would occur on the 40.2-acre area located north of Las Piedras Road, south of Bear Valley Road, and east of Circle Five RI. The Solar Power Area and domestic water well and related storage tanks are proposed on a 4.72-acre site directly across the street to the south on Las Piedras Road.

The 40.2-acre parcel is currently vacant undisturbed land. The 4.72-acre parcel is located to the south of the 40.2-acre site and is currently vacant. The Project Site is surrounded by vacant land to the north and east and scattered residential development to the south and west. Two single family residences are located adjacent, one to the west and one to the east, to the 4.72-acre solar energy and water storage facilities. The Project Site and areas to the north, south, and west are designated Rural Living and are zoned RL.

The physical division of an established community is typically associated with construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility in an existing community or between a community and an outlying area. The Proposed Project does not include the construction of a linear feature.

Impacts to adjacent single-family homes will be minimized via County Development Standards for the RL zone, including guidelines for structural uses, setbacks, height, and noise.

- b) *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

### **Less than Significant with Mitigation**

The Project Site is currently zoned RL. Under the RL zone, the 44.92\_-acre Project Site could be developed at a density of 1 unit per 2.5-acres. With a Planned Development permit, the Project Site could be developed with either: Option 1) the underlying zoning of RL and a density bonus of 80 percent for affordable senior housing or; Option 2) up to 4 units per acre plus a density bonus of 80 percent for affordable senior housing. Under Option 1 the Project Site could be developed with 32 units (18 units plus an 80 percent density bonus of 14 units). Option 2 would allow for 324 units (4 units per acre or 180 units, plus an 80 percent density bonus of 144 units). Under the Planned Development designation, the applicant may request any density, however approval must be granted by the Board of Supervisors. The Applicant is requesting approval of a Planned Development which would allow for the mixed-use project and mobile homes

at an increased density above what is permitted by the RL zone and the Planned Development density of 4 units/acre.

The Planned Development Permit is intended to provide for flexibility in the application of Development Code standards to proposed development under limited and unique circumstances. The purpose is to allow consideration of innovation in site planning and other aspects of project design, and more effective design responses to site features, uses on adjoining properties, and environmental impacts than the Development Code standards would produce without adjustment. The County expects each Planned Development Permit project to be of obvious, significantly higher quality than would be achieved through conventional design practices and development standards.

The proposed Planned Residential Development would include the following incidental service uses including a First Aid Center and Wellness Convenience Shop for on-site residential use only, a Community Center, park/detention basin and pond. The pond will serve as a reclaimed water source/storage for the landscape irrigation of all onsite landscaping. These incidental service uses are allowed as outlined in Chapter 85.10 Planned Development Permits §85.10.070 Development Plans.

**§ 85.10.020 Applicability.**

A Planned Development Permit application may be filed and processed only under the following circumstances.

- (1) (a) Minimum Site Area. A Planned Development Permit may be requested for a residential, commercial, industrial, and/or mixed-use development on a site(s) with a minimum of five acres. The Director may also accept applications for a Planned Development Permit for residential, commercial, industrial, and/or mixed-use development on a site(s) with a minimum of one acre, provided the development involves construction of multiple buildings and the Director determines that the Planned Development process would provide a more effective tool to address development on the site than other available procedures.

The Proposed Planned Residential Development Project will be evaluated to determine if the Required Findings, as outlined in § 85.10.050 are met. The findings include:

- (2) The proposed development is consistent with the General Plan and any applicable plan. *Findings: A request for the approval of the Planned Development is necessary to allow for the Proposed Project. The Project Site is currently zoned RL and under this zone, the 44.92\_-acre Project Site could be developed with 18 units (1 unit per 2.5-acres). Under Planned Development the Project Site could be developed with either: Option 1) the underlining zoning of RL (i.e., 1 unit per 2.5-aces) and a density bonus of 80 percent for providing affordable senior housing or; Option 2) up to 4 units per acre plus a density bonus of 80 percent for providing affordable senior housing. Under Option 1 the Project Site could be developed with 32 units (18 units times 80 percent (14 units). Option 2 would allow for 324 units (4 units per acre or 180 units, plus 80 percent (144 units) = 324 units). Under the Planned Development designation, the applicant may request any density and approval would be required by the Board of Supervisors. The Applicant is requesting approval of a Planned Development permit to allow for the mixed-use project including a senior mobile home park and on-site amenities at an increased density of 23 percent above what is permitted by the*

*Planned Development with a density bonus of 80 percent (324 units allowed + 75 units additional = 399 requested units).*

The physical characteristics of the site have been assessed and the site for the proposed development is adequate in terms of shape and size to accommodate the use and all landscaping, loading areas, open spaces, parking areas, setbacks, walls and fences, yards, and other required features. *Findings: The physical characteristics of the site have been addressed in the proposed Preliminary Development Plan as a Senior Wellness Community to support the community as a self-sustaining Planned Residential Development and demonstrated with the supporting Technical Studies. Some physical characteristics of the project may see minor changes, such as solar panel details and wall height, and will continue to be evaluated until such time as a decision on the project is made.*

The site for the proposed development has adequate access, in that the site design and development plan conditions consider the limitations of existing streets and highways and provides improvements to accommodate the anticipated requirements of the proposed development. *Findings: The site has adjacent access to existing improved Bear Valley Road and State Route 18. The Proposed Project will improve existing Las Piedras Road and includes internal paved streets inclusive of a round-about at the entrance to the development.*

Adequate public services and facilities exist, or will be provided, in compliance with the conditions of development plan approval, to serve the proposed development and the approval of the proposed development will not result in a reduction of public services to properties in the vicinity to be a detriment to public health, safety, and general welfare. *Findings: The Project is designed to be fully self-sustaining with Solar Energy, Water Well for Domestic Water, and Packaged Wastewater Treatment Plant which will provide reclaimed water for all landscape irrigation, as described in Section XV. Public Services herein the project are not expected to impact Fire, police, parks, or schools and therefore will not result in a reduction of public services to properties in the vicinity. See Section XV.*

The proposed development, as conditioned, will not have a substantial adverse effect on surrounding property or their allowed use, and will be compatible with the existing and planned land use character of the surrounding area. *Findings The Project is proposed within an area that is currently designated Rural Living. Surrounding land uses include vacant land and scattered residential to the west and south, vacant land to the north, and vacant land and commercial to the east. As conditioned, the project will not have an adverse effect on the surrounding property or use. The nature of the mobile home park (i.e., seniors only) would be consistent with the rural nature of the surrounding area. Amenities on-site would reduce traffic trips and the gated community would provide an appropriate buffer for nearby residents.*

The improvements required by the proposed conditions of development plan approval, and the manner of development adequately address all natural and man-made hazards associated with the proposed development and the project site including fire, flood, seismic, and slope hazards. *Findings: Natural and manmade hazards have been addressed in Technical Studies for the Proposed Project and are addressed in*

*this Initial Study. Mitigation Measures have been recommended to mitigate any significant impacts such that they will be Less Than Significant with Mitigation Incorporated.*

The proposed development carries out the intent of the Planned Development Permit provisions by providing a more efficient use of the land and an excellence of design greater than that which would be achieved through the application of conventional development standards. *Findings: The proposed Planned Residential Development as a Senior Wellness Community provides an efficient use of the land and addresses and meets the current The County of San Bernardino Policy Plan for Land Use and Housing Element Goals & Policies, Adopted 5<sup>th</sup> Cycle Housing Element of County of San Bernardino 2013-2021 as follows:*

**Goal H-1 Housing Production and Supply** – *A broad range of housing types in sufficient quantity, location, and affordability levels that meet the lifestyle needs of current and future residents, including those with special needs.*

**Consistency:** *The proposed project addresses the need for senior housing and lifestyle with wellness services to meet the special needs of the senior residents.*

**Goal H-2 Governmental Development Regulations** – *An efficient administrative process that recognizes the need for efficient and timely review of residential projects while also ensuring and valuing the need for quality design, environmental review, and planning.*

**Consistency:** *The proposed project includes a plan for residential mixed uses and incidental service uses that support the wellness needs of the senior living community. The Project has achieved IRS 501 (C)12 Non-Profit Organization status as the purveyor of solar energy, domestic water supply, packaged wastewater treatment plant facility, and reclaimed water for landscape irrigation for a green self-sustaining renewable energy project.*

**Goal H-3 Housing and Neighborhood Quality** – *Neighborhoods that protect the health, safety, and welfare of the community, and enhance public and private efforts in maintaining, reinvesting in, and upgrading the existing housing stock.*

**Consistency:** *The proposed project would provide wellness incidental services for the senior residential community to provide immediate health, safety and welfare for the community with a First Aid Center, Wellness Convenience Shop, Community Center, Park, internal circulation and self-sustaining utility services.*

**Goal H-4 Affordable Housing Assistance** - *The development, maintenance, modernization, and preservation of affordable housing; and the provision of assistance, where feasible, for residents to rent or purchase adequate housing in San Bernardino County.*

**Consistency:** *The Adopted 5<sup>th</sup> Cycle Housing Element of County of San Bernardino 2013-2021 Section 5.8 SPECIAL NEEDS GROUPS, 5.8.1 Elderly Persons states that, Seniors are considered a special needs group, because their limited income, higher health costs, and physical disabilities make it more difficult to find suitable and affordable housing. Overall, some of the more pressing senior issues are:*

- *Physical Disabilities. Seniors have a higher prevalence of physical disabilities than other age groups; about 30% of seniors have a self-care/mobility limitation. At some point, every senior citizen will live with one or more disabilities that restrict mobility. This underscores the importance of facilitating options to make housing more accessible to seniors, including special modifications (such as ramps, hand-rails, lower cupboards and counters) that give seniors greater access and mobility and allow them to stay in their home.*
- *Limited Income. Approximately 70% of senior renter households and 32% of senior homeowners earn low income; increases in rental housing costs put them at greater risk for overpayment and make it more difficult to pay other expenses. More than 50% of senior households who rent and 30% of senior households who own homes overpay for housing. Providing rental assistance where needed, housing rehabilitation assistance for homeowners, or other programs can assist seniors to meet their housing expenses.*
- *Location/Transportation. Availability of transportation is an important concern for seniors. Because of the sheer size of the County and the isolation of many unincorporated communities, many senior residents need access to public facilities and public transit. Eight transit agencies provide low cost public transportation to area residents and special ACCESS services for seniors....”*

*The proposed Senior Wellness Community Project would provide an affordable, self-sustaining, community specifically focused on the special needs for seniors as listed above.*

*The inclusion of specialized and nearby amenities to serve the senior residents such that the residents have local access to First Aid, Wellness Convenience Shopping, a place for senior activities and interaction will meet address and meet the Adopted Housing Element for Elderly Persons.*

- (3)** (8) If the development proposes to mix residential and commercial uses whether done in a vertical or horizontal manner, the residential use is designed in a manner that it is buffered from the commercial use and is provided sufficient amenities to create a comfortable and healthy residential environment and to provide a positive quality of life for the residents. The amenities may include landscaping, private open space, private or separated entrances, etc.

*The gated Senior residential community was designed with continuous looped streets systems with the incidental service uses located such that they are buffered by a round-a-bout and pond. The Project was designed to create a comfortable and healthy senior residential environment with a positive quality of life.*

In accordance with §85.10.070 Development Plans, a Detailed Development Plan is required. The applicant has submitted a detailed Development Plan and includes certain amenities in accordance with the necessary required findings of a Community Center and Pool, First Aid Center, Wellness Convenience Shop, Park, internal circulation

within a gated Senior Community. Section (b)(C) Planned Residential Developments (II)(V)(ii) states the following:

*Certain internally oriented, incidental service uses including civic, community or country clubs, conference center, or convenience shops designed and intended to provide goods and services to residents of the Planned Residential Development project may be allowed. These incidental service uses shall not be located on the periphery of the project, nor shall the use encompass more than ten percent of the total project area.*

The proposed Development Plan includes incidental service uses i.e., the Community Center, Wellness Convenience Shop, First Aid Center which are intended to provide goods and services to the senior residents of the Planned Residential Development Project. These incidental service uses are located within the community and encompass only 8 percent of the total project area.

In accordance with paragraph (VI) of this code which states that the conditions of approval of a Planned Residential Development project shall specifically designate those uses, including types of dwelling units, allowed with the project, the proposed Development Plan includes all of the uses proposed including 399 Senior Mobile Homes, the Community Center, Pool, First Aid Center, Wellness Convenience Shop, Park and exempted service utilities for solar energy, domestic water, packaged wastewater treatment plant, pond for reclaimed water storage for landscaping irrigation.

Mobile homes are conditionally permitted within the RL zone. All land uses within a Planned Residential development shall conform to the allowed uses of the underlying land use zoning district except as follows: (ii) Certain internally oriented, incidental service uses including civic, community or country clubs, conference centers, or convenience shops designed and intended to provide goods and services to residents of the Planned Residential Development project may be allowed. These incidental service uses shall not be located on the periphery of the project, nor shall the use encompass more than ten percent of the total project area. The Proposed Project's Incidental Service Uses consist of an onsite First Aid Center, a Community Center, pool, Park/detention basin, pond for reclaimed water storage for landscaping irrigation, and Wellness Convenience Shop to serve the proposed senior community and encompass approximately eight (8) percent of the land.

Conditions of approval for the Project would include but are not limited to the creation of Homeowners Association with CC&Rs<sup>13</sup> to address concerns regarding noise, clean up, trash, and general maintenance of buildings and mobile units. In addition, the Project would be required to comply with the provisions of the Mobile Home Parks Act (Health and Safety Code Section 18200 et seq.) and Mobile Home Parks Regulations (Code of Regulations, Title 25, [Division 1](#), [Chapter 2](#), Section 1000 et seq.).

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<sup>13</sup> Covenants, conditions, and restrictions (CC&Rs) are a set of rules governing the use of a certain piece of real estate in a given community.

The California Department of Housing and Community Development would be responsible for enforcing State law and regulations that apply to maintenance, use, occupancy, sanitation, and safety of mobile home parks.

With implementation of all conditions of approval, the Project would have a less than significant impact.

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

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

**San Bernardino Countywide Plan for County of San Bernardino August 2020 Final Environmental Impact Report SCH No. 2017101033; Mineral Land Classification; San Bernardino Countywide Plan Policy Map NR-4 Mineral Resources**

- a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?
- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

**No Impact**

According to the County of San Bernardino Countywide Policy Map NR-4 Mineral Resource Zones, the Project Site is not mapped within a Mineral Resources Zone (Open-File Report Area) as designated by the State of California Department of Conservation, Mineral Land Classification map. The Project Site occurs in Southwestern San Bernardino County, specifically in Open File Report 94-07. The Policy Map NR-4 does not include the Project Site within an important mineral resource recovery site.<sup>14</sup> Therefore, the Project will not result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state nor result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan and therefore no impact.

<sup>14</sup> San Bernardino County. Countywide Policy Plan web map NR-4 “Mineral Resource Zones.” Accessed July 27, 2022.

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

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

**San Bernardino Countywide Plan for County of San Bernardino August 2020 Final Environmental Impact Report SCH No. 2017101033; Submitted Project Materials; Noise Impact Analysis**

- a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

**Less than Significant with Mitigation**

A Noise Impact Analysis (NIA), dated March 8, 2021, was prepared for the Proposed Project by Christopher Jean & Associates, Inc. A copy of the report is available for review at the County of San Bernardino Land Use Services Department and is included in Appendix H of this Initial Study and is summarized herein.

According to the NIA, the Project was evaluated with applicable San Bernardino County and California Green Building (CalGreen) standards that require projects to conform to the Applicable Noise Criteria as shown in Table 5:

**Table 5  
 Applicable Noise Criteria**

	RESIDENTIAL	NON-RESIDENTIAL
Exterior	60dBA CNEL	None
Interior	45dBA CNEL	50 dBA Leq(1 hour)

Design noise levels for roadways, railroad, and aircraft were analyzed. Future roadway noise impact to the Project was projected using the Federal Highway Administration's Highway Noise Prediction Model (FHWA RD-77-108) together with roadway cross-sections, roadway active width, average daily traffic (ADT), vehicle travel speed, percentage of auto and truck traffic, roadway grade, angle of view, site conditions, and percentage of average daily traffic that flows each hour throughout a 24-hour period.

Bear Valley Road forecast traffic volume was obtained by applying a ten-year traffic projection, at a growth rate of two percent per year, to the existing traffic volume published by San Bernardino County Transit Authority (SBCTA). The percentage of truck traffic was taken from a standard arterial mix. The same source was used to project the distribution by time of day.

CalTrans data was used for State Route 18 forecast of traffic volume and was also used for the percentage of truck traffic and to project the distribution by time of day.

The NIA noise calculations yield 50-foot design noise levels of 71 dBA CNEL for Bear Valley Road and 78 dBA CNEL for State Route 18. The Report concluded that distance and terrain would reduce State Route 18 noise levels to less than 60 dBA CNEL at the Project Site.

The NIA states that the line of the BNSF Railroad passes south of the Project Site at a distance of 9,400 feet, (1.78 miles) and that the railroad noise will not impact the Proposed Project.

Pursuant to the County Development Code Section 83.01.080, the County exempts construction activities from 7AM to 7PM, except on Sundays and federal holidays.

Non-residential structures such as community, management and service buildings must meet an interior noise limit of 50 dBA Leq. The potential impact to other buildings including the Caretaker facility and Wellness Convenience Shop proposed near the entrance along Bear Valley Road would be exposed to exterior noise levels as high as 68 dBA CNEL and would require interior noise reduction levels as high as 18 dBA.

County Noise Standards are established in Development Code Section 83.01.080 and identified in Table 83-2 and summarized below:

<b>Table 83-2</b>		
<b>Noise Standards for Stationary Noise Sources</b>		
<b>Affected Land Uses (Receiving Noise)</b>	<b>7:00 a.m. - 10:00 p.m. Leq</b>	<b>10:00 p.m. - 7:00 a.m. Leq</b>
<b>Table 83-2</b>		
<b>Noise Standards for Stationary Noise Sources</b>		
<b>Affected Land Uses (Receiving Noise)</b>	<b>7:00 a.m. - 10:00 p.m. Leq</b>	<b>10:00 p.m. - 7:00 a.m. Leq</b>
Residential	55 dB(A)	45 dB(A)
Professional Services	55 dB(A)	55 dB(A)
Other Commercial	60 dB(A)	60 dB(A)
Industrial	70 dB(A)	70 dB(A)
Leq = (Equivalent Energy Level). The sound level corresponding to a steady-state sound level containing the same total energy as a time-varying signal over a given sample period, typically one, eight or 24 hours.		

Noise associated with operation of the solar farm would come from the use of inverters. Photo-voltaic (PV) panels produce direct current (DC) electrical power which would be stored in a direct-current (DC) battery. To transfer the electrical power to the local grid, the DC power must be converted to alternating-current (AC) power. This conversion process is done by an inverter. During daylight areas (when the inverters are operating) the Solar Farm Area is projected to generate 53.7 dBA at the center of the farm and 19.2 dBA at the perimeter walls abutting sensitive receptors. Therefore, impacts from solar farm operation are anticipated to be negligible beyond the fenced project area. The Solar Power Area would not use specialized equipment that would generate loud noises.

Based on the foregoing the Project and the requirement to adhere to County noise standards in is not anticipated to generate 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 and therefore a less than a significant impact would occur. However, the noise levels from the nearby State Route 18 are calculated at 78 dBA CNEL, and at 71 dBA CNEL for the adjacent Bear Valley Road. Mitigation is required to reduce noise levels to less than 60 dBA CNEL at the Project Site. Therefore, the impacts from the Project are expected to be less than significant but impacts to the Project from the adjacent roadways are less than significant with mitigation incorporated. Below are the required Mitigation Measures:

**NA-1 To mitigate exterior noise impacts from Bear Valley Road and State Route 18, the Project Proponent shall construct a seven (7') foot high sound barrier along the north property line from a point 30 feet west of the east side of the proposed market building to the east end of the first coach site east of the market. Alternatively, the west end of the seven-foot sound wall may turn southward and connect with the northeast corner of the market building. A standard privacy wall six feet (6') tall will be adequate along the remainder of the north property line from the east end of the seven-foot wall section and continuing eastward.**

**The required noise barriers shall be constructed using any of the following materials:**

- (1) Masonry bl<sup>3</sup>/<sub>4</sub>**
- (2) Stucco on wood frame**
- (3) 3/4" plywood**
- (4) 1/4" tempered glass or 1/2" Lexan**
- (5) Earthen berm**
- (6) Any combination of the above materials or any material with a surface weight of at least 3.5 pounds per square foot.**

**Each completed noise control barrier must present a solid face from top-to-bottom. Cutouts and/or openings are not permitted except for drain holes.**

**NA-2 (1) The Project Proponent shall add STC 28 glazing to all coaches within 200 feet of Bear Valley Road.**

**NA-3 To mitigated exterior noise levels within the Non-residential structures such as com-munity, management and service buildings which must meet an interior noise limit of 50 dBA Leq(1hour:**

**(1) Add STC 26 glazing to the Market and all rooms with any view of Bear Valley Road from the management Office Building.**

**NA-4 Prior to the issuance of occupancy permits and to be verified by the County Building Official during final inspection, the Project Proponent shall ensure that the ventilation system does not compromise the dwelling unit noise reduction.**

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

#### **Less Than Significant Impact**

Pursuant to the County Development Code Section 83.01.080, the County exempts construction activities from 7AM to 7PM, except on Sundays and federal holidays.

Development Code Section 83.01.090 prohibits vibration that can be felt without the aid of instruments or produces a particle velocity greater than or equal to two-tenths inches per second peak particle velocity (i.e., 0.20 in/sec PPV) at or beyond the lot line of the source. Exceptions are made for temporary construction, maintenance, repair, or demolition activities between 7:00 AM and 7:00 PM, except Sundays and federal holidays.

Since construction would not be permitted outside of the allotted hours of 7:00 AM and 7:00 PM, and post-construction noise levels would be required to adhere to County's proposed noise thresholds, no significant impacts are anticipated and no mitigation measures are required. .

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

#### **No Impact**

The Project Site is located approximately eight (8) miles southeast of the Apple Valley Airport. As shown on the San Bernardino Countywide Policy Plan HZ-9 Airport Safety and Planning Map, the Project Site is not within an airport safety review area.<sup>15</sup> The Project Site is not located within the vicinity of a private or public airstrip. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

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<sup>15</sup> [http://www.sbcounty.gov/uploads/lus/hazmaps/fh30b\\_20100309.pdf](http://www.sbcounty.gov/uploads/lus/hazmaps/fh30b_20100309.pdf). Accessed April, 2022.

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

**SUBSTANTIATION:**

**San Bernardino Countywide Plan for County of San Bernardino August 2020 Final Environmental Impact Report SCH No. 2017101033; Submitted Project Materials**

- a) *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

**Less Than Significant Impact**

The Project is a request for a Planned Development Permit that would allow for a Senior Wellness Community and provide incidental service uses including a Wellness Convenience Shop and First Aid Center. The California Department of Housing and Community Development would be responsible for issuing a permit for the operation of a mobile home park. The Project is planned as a self-sustained living community with onsite solar energy, water well, package wastewater treatment plant, reclaimed water for irrigation and fire protection. The Project includes 399 mobile homes. At a density of two people per unit plus two people within the caretaker residence, the Project would generate approximately 800 new residents. As stated in Section XII Land Use, the Proposed Project would provide an efficient use of the land that addresses and meets the current Land Use and Housing Element Goals & Policies, of the Countywide Plan. The Proposed Project would create 20 new jobs in the community. The new jobs would likely be filled by existing residents of the neighboring community of Apple Valley or other nearby areas. Construction activities would be temporary and would not attract new employees to the area. The Proposed Project is conditionally permitted and would therefore not induce substantial unplanned population growth in the area, either directly or indirectly (for example, through extension of roads or other infrastructure). In addition, the Project is located adjacent to State Highway 18 and Bear Valley Road and therefore roads would not need to be extended to provide service to the Project Site. Therefore no significant adverse impacts have been identified or anticipated no mitigation measures would be required.

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

**No Impact**

The Project Site is currently vacant. Implementation of the Proposed Project would not remove any existing housing units or necessitate the construction of replacement housing elsewhere. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XV. PUBLIC SERVICES</b>				

- a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

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

**SUBSTANTIATION:**

***San Bernardino Countywide Plan for County of San Bernardino August 2020 Final Environmental Impact Report SCH No. 2017101033; Submitted Project Materials***

- a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

**Fire Protection**

According to the San Bernardino County Fire Protection District Map with the Project Site plotted, the Map legend shows the Project is located within the “*Other Jurisdiction*” which is the Apple Valley Contracted Area with the San Bernardino County Fire Department. San Bernardino County Fire Station 22 is the nearest Full Time Station to the Project. The Town of Apple Valley Fire Protection District Boundary Map shows the Project Site is located within the Town of Apple Valley Fire Protection District and Apple Valley Fire Protection District Sphere of Influence. The Proposed Project would be served by the Apple Valley Fire Protection District. San Bernardino County Fire Station 22 on Bear Valley Road is located within Apple Valley approximately 2.5 miles west of

the Project Site. Response times in the range of five to eight minutes are considered maximum in the case of structural fires. A longer response time will result in the loss of most of the structural value. Fire station organization, distance, grade and road conditions affect response times.

### **Less Than Significant Impact**

#### ***Police Protection***

Police services would be provided by the Town of Apple Valley Police Department through a contract with the San Bernardino County Sheriff's Department (SBSD). The nearest station is located at 14931 Dale Evans Parkway Apple Valley approximately three miles west of the Project Site. The Department provides law enforcement services to the unincorporated areas of the San Bernardino County.

The Sheriff's Station consists of 51 officers and 13 general employees. The County of San Bernardino Police Department reviews its needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection throughout the County. Developer impact fees are collected at the time of building permit issuance. The Proposed Project is not anticipated to significantly increase demand for police protection services. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

#### ***Schools***

The Project Site is served by the Apple Valley School District. Construction activities would be temporary and would not result in substantial population growth. The Proposed Project is a request for a DP to allow for the construction and operation of a Senior Wellness Community that would likely draw new employees from the local community, and therefore would not result in an increase in the number of students. The new residents at the facility would be of retirement age and would not result in new school-aged children for the area. Therefore, the Proposed Project is not expected to draw any new residents to the region that would require expansion of existing schools or additional schools. With the collection of development impact fees, impacts related to school facilities are expected to be less than significant. Therefore, no significant adverse impacts are identified or are anticipated and no mitigation measures are required.

### **Less Than Significant Impact**

#### ***Parks***

The Proposed Project would also include an on-site Pond, park and community center. The population that would be served by the Project (i.e., senior citizens) is not anticipated to draw a significant number of additional residents (i.e., families) to the area. In addition, new employees would likely come from the local community and would not result in people relocating to the area. The Proposed Project would not result in an increase in population that would increase the use of existing neighborhood and regional

parcs or other recreation facilities in the vicinity as appropriate amenities would be provided on-site. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

**Other Public Facilities**

The County Department of Public Works maintains most roads, drainage easements and regional flood control facilities in the general Project vicinity. The Project will be self-sustaining by supplying solar power, onsite domestic water, reclaimed water for irrigation and an Onsite Wastewater Treatment System with a Packaged Treatment Plant. Therefore, no impacts to other public facilities are identified or anticipated, and no mitigation measure is required.

**No Impact**

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

**SUBSTANTIATION:**

***San Bernardino Countywide Plan for County of San Bernardino August 2020 Final Environmental Impact Report SCH No. 2017101033; Submitted Project Materials***

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

**Less Than Significant Impact**

The Proposed Project would include the construction of recreational amenities on-site and would not result in the increased use of existing neighborhood or regional parks which would result in the deterioration of these facilities. The Project Applicant's payment of required fees would serve to mitigate any potential impacts related to the use of

existing parks and other recreational facilities. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

**No Impact**

The Proposed Project is a request for a Planned Development permit to allow for the construction and operation of a Senior Wellness community. The Proposed Project would also include an on-site pond, park and community center. The population that would be served by the Project (i.e., senior citizens) is not anticipated to draw a significant number of additional residents (i.e., families) to the area. The Proposed Project would not result in an increase in population that would increase the use of existing neighborhood and regional parks or other recreation facilities in the vicinity as appropriate amenities would be provided on-site. The park is a passive park, and the recreational amenities are indoor; construction and operation of which would not have an adverse physical effect on the environment. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

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

**SUBSTANTIATION:**

**County of San Bernardino August 2020 Final Program Environmental Impact Report San Bernardino Countywide Plan SCH No. 2017101033; Trip Generation Assessment; Project Application Materials**

- a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?
- c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- d) Result in inadequate emergency access?

### **Less Than Significant Impact**

- a) A Traffic Impact Analysis (TIA) was prepared for the proposed project by TJW Engineering, Inc., dated January 12, 2022 in coordination with the County of San Bernardino via a scoping agreement and was prepared pursuant to applicable County of San Bernardino traffic impact analysis guidelines. A complete copy of the TIA is included in this Initial Study as Appendix I, and is summarized herein.

The Countywide Policy Map TM-4 Bicycle & Pedestrian Planning was reviewed for conflicts with the proposed Project. The Project is not located in any mapped Non-Motorized Transportation Plan Areas. The Project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, and therefore would not have any impacts.

- b) The TIA described the proposed project analyzed as follows, "The proposed project consists of 399 affordable housing senior living mobile homes and on-site medical clinic, supermarket, and community center. Site access is planned via one full-access driveway along Bear Valley Road and one full-access driveway along Las Piedras Road. The site is currently zoned as Rural Living (RL) in the County of San Bernardino. The project site is currently vacant. The proposed project is anticipated to be built and generating trips in 2022. A growth rate of 2% was used to account for 2022 volumes."

Although the TIA analyzed the site with the uses of a Supermarket and medical clinic, the design is now for a "*Planned Residential Development*" the Incidental Service Uses, i.e., First Aid Center Wellness Convenience Shop and Community Center have been planned with the front doors accessed via the internal loop street and will not serve the public outside of the community.

- c) Consistent with CEQA the TIA identified the intersections in the vicinity of the project as follows:

The following three (3) intersections in the vicinity of the project site were included in the intersection level of service (LOS) analysis. The study intersections are all located within the County of San Bernardino.

1. Bear Valley Road / Highway 18
2. Bear Valley Road / Central Road
3. Bear Valley Road / Project Driveway

The study intersections were analyzed for the following study scenarios:

- Existing Year Traffic Condition
- Project Opening Year Traffic Condition

- Project Opening Year plus Project Traffic Condition

Traffic operations were evaluated for the following time periods:

- Weekday AM Peak Hour occurring within 7:00 AM to 9:00 AM; and
- Weekday PM Peak Hour occurring within 4:00 PM to 6:00 PM.

The CEQA Guidelines were amended in December 2018 to include Senate Bill (SB) 743 which required the Governors Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. The OPR identified the Vehicle Miles Traveled (VMT) as the new metric for transportation under CEQA.

Consistent with the new metric of VMT for analysis of transportation impacts under CEQA, the analysis follows the OPR and County guidelines. The TIA concluded that since the project provides affordable housing, the project is presumed to have a less than significant transportation impact per CEQA guidelines.

OPR's Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018) outlines various sources indicating affordable housing as a low generating VMT land uses and presumption of a less than significant impact. In addition, the County of San Bernardino's General Plan Housing Element (Goal H-4) outlines to "Assist in the development, maintenance, modernization, and preservation of affordable housing; provide assistance where feasible for residents to rent or purchase adequate housing in San Bernardino County."

As this project provides affordable housing and aims to provide a self-contained living experience, the project is presumed to have a less than significant transportation impact per CEQA guidelines. The Analysis Methodology used in the TIA included the Highway Capacity Manual (HCM), (Transportation Research Board, 2016) which utilizes different procedures for different types of intersection control.

The County of San Bernardino and Caltrans traffic impact study guidelines require that signalized intersection operations are analyzed utilizing the HCM 6<sup>th</sup> Edition methodology. The TIA utilized Trafficware's Synchro, Version 10 analysis software for all signalized and unsignalized intersections. As concluded in the TIA, for Project Opening Year Plus Project (OYWP) Conditions, all study intersections studied will not be deficient and are projected to continue to operate at an acceptable LOS during the AM and PM peak hours for project opening year base plus cumulative plus project conditions.

- d) Site access would be provided via one full-access driveway along Bear Valley Road and one full-access driveway along Las Piedras Road to an internal loop street. No sharp curves, dangerous intersections or incompatible uses would result. Therefore, based on the foregoing the project will not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, and would not substantially increase hazards due to a geometric

design feature (e.g., sharp curves or dangerous intersections) or include incompatible uses (e.g., farm equipment). Project driveways were reviewed for emergency access and found to be adequate. No significant impact would result.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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**XVIII. TRIBAL CULTURAL RESOURCES**

- a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
- |  |                          |                                     |                                     |                          |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

**SUBSTANTIATION:**

**San Bernardino Countywide Plan Final Environmental Impact Report SCH No. 2017101033; Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton; Submitted Project Materials**

- a) *i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or;*

**Less Than Significant Impact**

A records search was procured from the South Central Coastal Information Center (SCCIC) to identify any previously recorded archaeological and historic-era resources within the Area of Potential Effect (APE) and to determine the types of resources that might occur. The records search provided by the SCCIC revealed that 10 investigations have been previously conducted within a one-mile radius of the Project APE. None of the previous investigations involve the APE. The records search indicated

that eight cultural resources or historic properties have been previously identified within one-mile radius of the APE. None of the previously recorded resources were recorded within the APE.

As part of report efforts, each of the eleven Native American representatives provided by the Native American Heritage Commission (NAHC) was contacted with a request for additional input and to inform them of the Project. To date, two responses were received. The San Manuel Band of Mission Indians stated that while the Project area is located within Serrano Ancestral Territory, they have no records of cultural resources within the APE itself. The Fort Yuma Quechan Indian Tribe responded stating that they defer to Tribes in closer proximity to the Project Area.”

The report concluded that “Consistent with 36 CFR 800.16(d), the APE for this Project was defined as the geographic area within which the proposed Project may impact cultural resources. No cultural resources were identified or recorded within the current APE.

Careful review of available archival information and the preliminary assessments of the APE and vicinity suggests that intact buried cultural resources or historic properties would be very unlikely, and due to the disturbances observed, any resources would lack integrity to be considered significant.” Therefore, no significant adverse impacts have been identified or anticipated, and no mitigation measures are required.

- b) *ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

### **Less than Significant with Mitigation**

A letter was submitted to the NAHC in January 2021 requesting a review of their Sacred Lands File as well as a list of Native American representatives to be contacted for information regarding resources and to update interested parties on changes made to the APE. The response received from the NAHC on February 1, 2021 (see Appendix C) indicated that no sensitive resources or traditional cultural places were identified within the project boundaries. As previously stated, two responses were received. The San Manuel Band of Mission stated that while the Project area is located within Serrano Ancestral Territory, they have no records of cultural resources within the APE itself. The Fort Yuma Quechan Indian Tribe responded stating that they defer to Tribes in closer proximity to the Project Area.

No responses were received from the Native American community requesting or recommending monitoring. However, if significant changes to the area of potential effects (APE) are considered or if unanticipated cultural resources are encountered, the following mitigation measures shall be made conditions of project approval:

**TCR-1 In the event unanticipated, buried prehistoric archaeological resources (lithic material, faunal, pottery, etc.) or historical archaeological re-**

sources (ceramics, building materials, glassware, etc.) be unearthed during construction or any ground disturbing activities within the project APE, additional resource treatments would become necessary. Once a potential resource has been identified, all work within 100 ft must be halted until the find can be assessed by a qualified archaeologist.

**TCR-2** If human remains are encountered during the proposed work, no further excavation or disturbance may occur in the vicinity of the find or in any area which may also harbor similar remains until the County Coroner has been contacted. If the Coroner identifies the remains as Native American, the descendants will be notified by the Native American Heritage Commission.

**TCR-3** Due to the absence of intact cultural resources within the APE, and the anticipation that potential subsurface components would not hold sufficient integrity, an archaeological monitor is not recommended for the project as described. However, if during the course of the project, there are any project changes which would result in a deviation from the current APE additional archaeological/cultural assessments will be required to avoid potential inadvertent impacts to cultural resources.

**TCR-4** If unanticipated cultural resources are encountered, then Native American Tribal Representatives shall be notified immediately and the County of San Bernardino, as the lead agency, will work directly with interested tribes to determine the appropriate next steps.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:</b>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

in addition to the provider's existing commitments?

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) | Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) | Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**SUBSTANTIATION: Submitted Project Materials.**

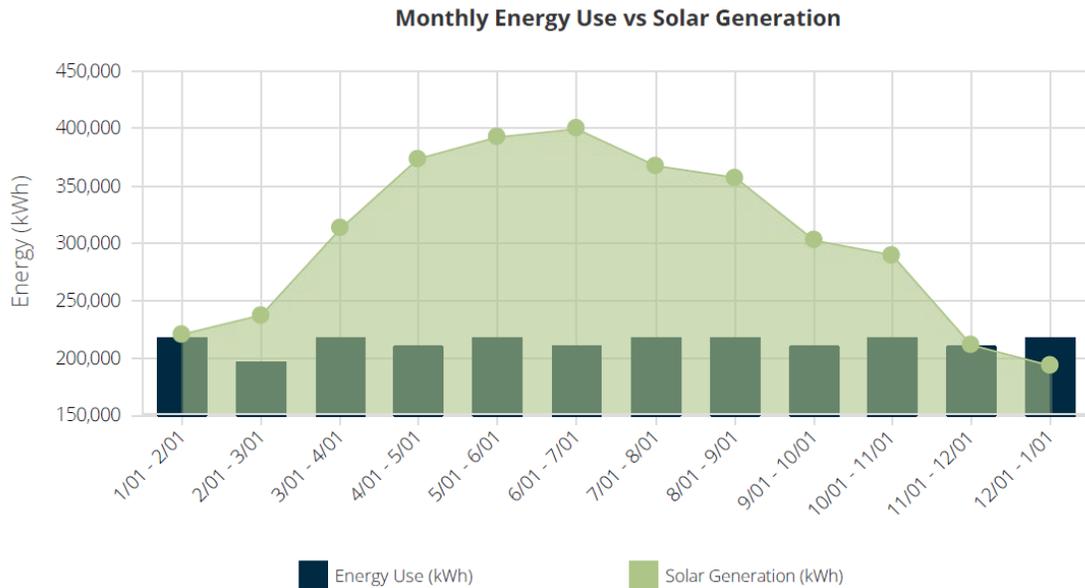
- a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

**Less Than Significant Impact**

A Water and Sewer Demand Analysis, dated April 8, 2022, was prepared for the Project by Red Brick Solutions and is attached as Appendix J to this Initial Study and is summarized herein.

The Project Site is currently vacant and includes a request for a Planned Development and TPM to allow for the construction and operation of a Planned Residential Development for a Senior Wellness Community. The Avellana Mutual Water Association, a 501(c)12 non-profit corporation was formed and will be the utility purveyor delivering potable water, reclaimed water, and wastewater treatment for the Project. The Project will include a 2-Megawatt Solar Power Area that would provide electric power from solar energy connected to a battery system with back up power from the SCE grid.

The Project proposal intends for the solar generation to exceed the energy use of the Proposed Project over the course of a 12-month period. The energy use is shown at a peak of 225,000 kWh/mo, whereas the solar generation is designed to peak at 400,000 kWh/mo. The system will include connection to the grid as a backup. SCE powerlines are available nearby; therefore the power generation system will not require expansion of electric power facilities.



Source: Enerport Inc.

The Project will provide an Onsite Wastewater Treatment System (OWTS) via a 60,000 gallons per day (gpd) extended aeration treatment plant<sup>16</sup>. The proposed OWTS would be fully self-contained. Tertiary treatment is proposed to meet State of California Regional Water Quality Control Board Biological Oxygen Demand (BOD) levels for reclaimed water. Reclaimed water is planned to be used for all onsite landscape irrigation. The Proposed Project would not require expansion of sewer facilities.

Natural gas service will not be provided to the community as the Project is designed to rely on electrical source for heating. Water demand will be met onsite via a water pumping and storage system included as part of the project (description below), Phone service will be provided via an onsite underground broadband system.

The required infrastructure improvements necessary to serve the Project shall be constructed and paid for by the developer and via various incentives from State Grants and State Conservation Acts and federal Rural Utilities Service funding.

The Proposed Project is designed to be primarily self-sustaining for all utility needs. Improvements would be constructed in accordance with applicable County and State codes, requirements and standards. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

**Less Than Significant Impact**

<sup>16</sup> Ecologix Environmental Systems BC-60-ES-MM-CCT Wastewater Treatment System.

The Project would be serviced by an onsite well and two water storage tanks. The Project Site is within the Mojave Basin Area and occurs within the Alto Subarea. Per California Assembly Bill 1668 dated May 31, 2018, the per capita limit for water is 55 gpd. At 399 dwelling units, the residential community water demand would be 39,501 gpd (1.8 persons per dwelling unit). The incidental service uses of the Community Center, Wellness Convenience Shop, and First Aid Center would require approximately 5,000 gpd. Therefore, the Proposed Project would have an estimated annual water demand of approximately 45,000 gpd (39,501 gpd+5,000 gpd) or 50.4 afy (including approximately 6.69 acre-feet for landscaping).

Regarding source water production, the State Water Resources Control Board (Division of Drinking Water) performed a Sanitary Survey for the area with results provided in a letter dated May 14, 2020. The letter identified the historic Maximum Day Water Demand (MDD) (year 2010) exceeds the current source capacity (with the highest source off-line). A MDD of 5.92 MGD is compared with a source capacity of 5.06 MGD resulting in an apparent existing deficiency of 0.86 MGD. However, given the significant MDD reduction trend (since 2010) when compared to years 2011-2018, a more appropriate computation could be made by averaging the current trend values. In doing so (and excluding year 2017 as an anomaly), the MDD would adjust to 4.48 MGD and thus an apparent surplus of 0.58 MGD would result. As such, the true availability of source waters would be confirmed at the time of development.

As concluded in the Water Demand Study prepared for the Project, an estimated 9.59 afy would be replenished in the aquifer. Although no significant adverse impacts are identified or anticipated, due to case law (Riverside County Superior Court Case No. CIV208568, or Court Judgment that adjudicated the rights to pump groundwater in the Mojave Basin Area, uses over 10 acre-feet of water per year require stipulation to the judgement, payment for water replacement to the basin and reporting to the Mojave Water Agency (Watermaster<sup>[1]</sup>). Under the judgement there is no credit for recycled water. Implementation of Mitigation Measure HYD-1 as provided in this Initial Study, would ensure potential impacts are reduced to the extent feasible. No additional mitigation is warranted.

- c) *Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?*

### **Less than Significant with Mitigation**

The County of San Bernardino Public Health Department requires new home builders to connect to the sewer system if available. If there is no sewer system available, it is required to construct an Onsite Wastewater Treatment System (OWTS). Consequently, the Proposed Planned Residential Development will provide Wastewater Treatment by an onsite Packaged Wastewater Treatment System, the Ecologix Environmental

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<sup>[1]</sup> Watermaster's main responsibilities are to monitor and verify water production for approximately 450 parties (1,700 wells), collect required assessments, conduct studies and prepare an annual report of its findings and activities to the Court. Watermaster also acts as the clearinghouse for recording water transfers, maintains records for all such transfers and reports changes in ownership of Base Annual Production rights to the Court.

Systems BC-60-ES-MM-CCT. The system includes the following summary specifications for an Expected Flow Rate of 40,000-60,000 gpd:

**Approximate Volumes and Dimensions**

<b>Aeration Tank Volume:</b>	60,000 gallons 36'-0"L
<b>Equalization Tank Volume:</b>	20,000 gallons 12'-0"L
<b>Clarifier Tank Volume:</b>	10,000 gallons 12'-0"L
<b>Sludge Holding Tank:</b>	9,000 gallons 5'-6"L
<b>Chlorine Contact Tank:</b>	1,250 gallons 2'-0"L

The System is designed to reduce the Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) levels of common household sewage from 300mg/L BOD and 300mg/L TSS to below 30/30mg/L, respectively. With the addition of the Tertiary Filter, BOD and TSS levels will be reduced to below 10/10mg/L.

The Lahontan Water Board recognized the need to issue General Waste Discharge Requirements for Limited Domestic Wastewater Treatment Systems with monthly average flow rate of 100,000 or less for nitrogen effluent limits and greater than 250 gallons per day. The Board issued Limited Domestic Order R6T-2020-0015 as the general permit State Water Board Order WQ 2014-0153-DWQ does not implement a nitrogen effluent limit for all discharges regulated under the order, up to a monthly average flow rate of 100,000 or less gallons per day.

Upon review of the Report of Waste Discharge, Lahontan Water Board staff will determine if coverage under the Limited Domestic Order is appropriate. The Executive Officer will issue a notice of applicability (NOA) when coverage under the Limited Domestic Order has been authorized. The NOA will contain the necessary site-specific monitoring and reporting requirements.

**UTI – 1: Prior to the issuance of grading permits, Planning Staff shall ensure that the Project Proponent has obtained all necessary permits from the Lahontan Waterboard to install and operate the proposed Onsite Wastewater Treatment System.**

- d) *Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

**Less Than Significant Impact**

The Project Site is currently within the refuse collection area of Burrtec Waste Industries. Solid waste generated at the Project Site would be disposed of at either the San Bernardino County Victorville Sanitary Landfill (36-AA-0045), or other active landfills as necessary. Burrtec's operators determine the final disposal location on a case-by-case basis. The Victorville Sanitary Landfill has a maximum throughput of 3,000 tons per day, an expected operational life through 2047, and a remaining capacity of 81,510,000 cubic yards. According to the Public Notice for a Revised Solid Waste Facilities Permit dated 4/2/21, the Landfill is increasing the capacity to 93.4 million cubic yards. A Letter of Permit Concurrence for Revised Solid Waste Facility Permit – SWIS No. 36-AA-0045

was issued by the State of California Department of Resources Recycling and Recovery on 4/2/21. The Proposed Project includes a request for a Planned Development permit to allow for the construction and operation of a Senior Wellness Community. The Project is estimated to generate 16,187 cubic yards of solid waste each year. The Project would be served by a landfill with sufficient permitted capacity to accommodate its solid waste disposal needs. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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

**Less Than Significant Impact**

The State of California has enacted Assembly Bill 341 (AB341) to reduce greenhouse gas emissions by diverting commercial solid waste from landfills by recycling. AB341 mandates businesses and public entities generating 4-cubic yards or more of trash to establish and maintain recycling services. The County of San Bernardino Solid Waste Management Division reviews and approves all new construction projects that require a Construction and Demolition Solid Waste Management Plan.

RedBrick Solution, LLC estimated the solid waste generated by the Project. The Project Site is currently within the refuse collection area of Burrtec Waste Industries’ Sanitary Landfill (36-AA-0045), or other active landfills as necessary.

The study concluded that standard conditions of approval (COA’s) require a Construction and Demolition Solid Waste Management Plan to include tonnage that would be disposed of or diverted during construction. The plan would ensure that impacts related to construction waste would be less than significant. The Proposed Project would comply with all federal, State, and local statutes and regulations related to solid waste. Solid waste produced during the construction phase or operational phase of the Proposed Project would be disposed of in accordance with all applicable statutes and regulations. Therefore, the Project will comply with federal, state, and local management and reduction statutes and regulations related to solid waste and will have a less than significant impact.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XX. WILDFIRE:</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				

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

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

**SUBSTANTIATION:**

**San Bernardino Countywide Plan for County of San Bernardino August 2020 Final Environmental Impact Report SCH No. 2017101033; Submitted Project Materials**

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

**Less Than Significant Impact**

The nearest evacuation routes to the Project Site are Bear Valley Road and State Route-18, located north of the Project Site. The Project proposes an entry from Bear Valley Road. Sufficient queuing on-site would ensure traffic would not backup on the SR-18. Construction and post-construction of the Proposed Project would not interfere with the use of these routes during an evacuation.

The San Bernardino County Fire Department Office of Emergency Services (OES), is responsible for the continued update of emergency evacuation plans for wildland fire incidents as an extension of the agency’s responsibility for Hazard Mitigation Planning in San Bernardino County OES provides updated evacuation procedures in coordination with San Bernardino County and provides specific evacuation plans for the County’s Desert Region where route planning, early warning and agency coordination is most critical in ensuring proper execution of successful evacuations. OES will monitor population growth and evaluate road capacities and hazard conditions along evacuation corridors to prepare contingency plans to correspond to the location, direction and rate of spread of wildland fires. The Proposed Project shall comply with the policies within Goal S9 of the County of San Bernardino’s Countywide Plan.

With implementation of standard conditions of approval, the Proposed Project would not impair an adopted emergency response plan or emergency evacuation plan. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

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

**Less Than Significant Impact**

Fire safety areas are prone to wildfires and require additional development standards. The Project Site and its vicinity is located within the County Fire Safety Overlay, as shown on the San Bernardino County's Policy Plan Map HZ-5 – Fire Hazard Severity Zones. The Project Site is located within a Moderate Fire Hazard Severity Zone.

The Proposed Project shall comply with applicable standards required by the San Bernardino County Fire Prevention District. The Proposed Project is not anticipated to exacerbate wildfire risks, thereby exposing project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. The proposed buildings would adhere to the latest California Building Code and incorporate fire safety design features, such as fire sprinklers. Proposed landscaping shall incorporate proper irrigation and drought-tolerant plants so as to not exacerbate wildfire risk. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

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

**No Impact**

The Project Site is currently vacant, and is located adjacent to existing roadways (i.e., Bear Valley Road and State Route 18). These roadways are designated as a Major Arterial Highways on the San Bernardino Policy Plan Policy Map TM – 1C Roadway Network North Desert Region, Victor Valley and Barstow. The Project Site is relatively flat and accessible by emergency services (i.e., fire apparatus) and does not include the installation of new roads, power lines or other utilities that would result in an additional fire risk for the area. The 750,000-gallon pond would serve as fire flow storage, and would aid in fire suppression if needed. The Project will be self-sustaining via on-site solar power, water and wastewater facilities, and a pond with reclaimed water storage. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

**Less Than Significant Impact**

The Project Site and its immediate vicinity are relatively flat, and therefore post-fire slope instability is not anticipated. The implementation of associated storm water BMPs would ensure that the Proposed Project appropriately conveys storm water runoff without affecting upstream or downstream drainage characteristics. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XXI. MANDATORY FINDINGS OF SIGNIFICANCE:</b>				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

**Less Than Significant Impact**

The site supports a desert scrub vegetation dominated by creosote bush and one Joshua Tree (*Yucca brevifolia*). Only a few wildlife species were observed during the field investigations. One mammal was seen during the survey, the antelope ground squirrel (*Ammospermophilus leucurus*), and although not seen, coyote (*Canis latrans*) scat was identified throughout the property. Birds observed included common ravens (*Corvus corax*), house finch (*Carpodacus mexicanus*), white-crowned sparrow (*Zonotrichia leucophrys*), Say's Phoebe (*Sayornis saya*), rock wren (*Salpinctes obsoletus*), black-throated sparrow (*Amphispiza bilineata*), and rock pigeon (*Columba livia*). No sensitive habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were documented in the immediate area and none were observed during the field investigations. No distinct wildlife corridors were identified on the site or in the immediate

area. The following listed and special status species may occur on the project Site: desert tortoise, Mohave Ground Squirrel, Le Conte's thrasher, and the burrowing owl. Accordingly, appropriate mitigation regarding pre-construction surveys as presented in this Initial Study shall be made conditions of project approval.

One Western Joshua Tree was observed onsite near the elevated rocky outcroppings on the northeast portion of the Project site. The Joshua Tree is scheduled to be protected in place (see Mitigation Measure BIO-2).

The records search provided by the SCCIC revealed that 10 investigations have been previously conducted within a one-mile radius of the Project APE. None of the previous studies involve the Project area. The records search indicated that eight cultural resources or historic properties have been previously identified within one-mile radius of the APE. Seven of the previously recorded resources are historic in age, and one is indeterminate. All eight resources are mapped, four occur within ¼ mile of the APE and none occur within the APE. Of the seven previously recorded historic resources, six are paved or graded roads and one is a mechanic's workshop.

With implementation of mitigation measures presented in this Initial Study for biological resources and cultural resources, the Project would not 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, and will not 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. No significant adverse impacts have been identified or anticipated and no additional mitigation measures are required.

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

### **Less Than Significant Impact**

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

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

All of the categories of environmental factors that could potentially affect the Project have been studied by the specialized project consulting disciplines the conclusions of which are summarized herein in this Initial Study. None of the Categories had conclusions that identified environmental factors that are "Potentially Significant Impacts" nor were there any conclusions of any cumulative impacts.

The operational or long-term emissions associated with the Project would result from direct emissions such as project generated vehicular traffic, on-site combustion of natural gas, operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power over the life of the project, the energy required to convey water to, and wastewater from the project site, the emissions associated with solid waste generated from the project site, and any fugitive refrigerants from air conditioning or refrigerators. As determined in this Initial Study, the Project would not result in an increase in GHG emissions that exceed the MDAQMD's screening threshold of 100,000 MTCO<sub>2</sub>e/yr. Therefore, there are no cumulative effects and as such mitigation measures would not be warranted.

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

#### **Less Than Significant Impact**

The Project Site was not found on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system.<sup>17</sup> The United States Army Corps of Engineers engaged Parsons Infrastructure & Technology Group, Inc. to prepare a Site-Specific Work Plan (SS-WP) for the Former Victorville Precision Bombing Range No. 4 San Bernardino County, California FUDS Project No J09CA068901. According to figures presented in the Addendum the Project Site occurs outside of the SS-WP Project Boundary and Range and west of the direction of surface water flows.

Implementation of Mitigation Measure NA-1 through NA-4 would ensure that noise impacts are reduced to a less than significant level. At a minimum, the Project will be required to meet the conditions of approval for the project to be implemented. It is anticipated that all such conditions of approval will further ensure that no potential for adverse impacts will be introduced by construction activities, and current or future land uses authorized by the Project approval. Therefore, implementation of the Proposed Project would not have environmental effects that would cause substantial adverse effects on human beings.

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<sup>17</sup><https://www.envirostor.dtsc.ca.gov/public/map/?myaddress>. Accessed February 17, 2022.

## **SUMMARY OF MITIGATION MEASURES**

As identified in this Initial Study, the Project would require the following mitigation measures to reduce potential impacts to a less than significant level. The mitigation measures are:

### **MITIGATION MEASURES**

**AES-1: Prior to the issuance of grading permits, the Project Applicant shall prepare and submit to the County of San Bernardino a Protected Plant Plan for the preservation of the Joshua tree on-site.**

**BIO-1: BURROWING OWL PRE-CONSTRUCTION SURVEY**

A Pre-construction Burrowing Owl Survey shall be conducted by a qualified biologist at least 14 days prior to any Project activities, at any time of year. Surveys shall be completed following the then current CDFG recommendations and guidelines for *Burrowing Owl Protocol Surveys* or most recent version by a qualified biologist. If an active burrowing owl burrow is detected within any Project disturbance area or the prescribed radii from the project site pursuant to the CDFW Burrowing Owl Survey Protocol and Mitigation Guidelines (BUOW SPMG), a buffer zone surrounding the burrow shall be flagged in accordance with said BUOW SPMG, and no impacts to soils or vegetation or noise levels above as that allowed by CDFW shall be permitted while the burrow remains active or occupied. Disturbance-free buffers may be modified based on site-specific conditions in consultation with CDFW. The qualified biologist shall monitor active burrows daily and will increase buffer sizes as needed if owls show signs of disturbance. If active burrowing owl burrows are located within any work area and impact cannot be avoided, a qualified biologist shall submit a burrowing owl exclusion plan to CDFW for review and approval. The burrowing owl exclusion plan shall include permanent compensatory mitigation consistent with the recommendations in the *Staff Report on Burrowing Owl Mitigation dated March 7, 2012* such that the habitat acreage, number of burrows and burrowing owls impacted are replaced. Passive relocation shall take place outside the nesting season (1 February to 31 August).

**BIO-2: WESTERN JOSHUA TREE PRESERVATION**

A Protected Plant Plan shall be developed and shall identify methods, locations, and criteria for protecting the existing Joshua Tree in place before, during and post-construction that would not require a State of California Incidental Take Permit.

A State of California CDFW Incidental Take Permit will be required for any take of the existing WJT.

Should the Site Plan be revised such that the Joshua tree would be proposed for removal, the tree shall be transplanted or stockpiled for future transplanting wherever possible pursuant to the CDFW criteria and San Bernardino County Development Code.

- BIO-3:** If any sensitive species are observed on the property during future activities, CDFW and USFWS (as applicable) should be contacted to discuss specific mitigation measures which may be required for the individual species. CDFW and USFWS are the only agencies which can grant authorization for the “take” of any sensitive species and can approve the implementation of any applicable mitigation measures.
- BIO-4** Pre-construction surveys for burrowing owls, desert tortoise, and nesting birds protected under the Migratory Bird Treaty Act and Section 3503 of the California Fish and Wildlife Code shall be conducted prior to the commencement of Project-related ground disturbance.
- a. Appropriate survey methods and timeframes shall be established, to ensure that chances of detecting the target species are maximized. In the event that listed species, such as the desert tortoise, are encountered, authorization from the USFWS and CDFW must be obtained. If nesting birds are detected, avoidance measures shall be implemented to ensure that nests are not disturbed until after young have fledged.
  - b. Pre-construction surveys shall encompass all areas within the potential footprint of disturbance for the project, as well as a reasonable buffer around these areas.
- BIO-5:** Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) prior to project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage and expected types, intensity and duration of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.
- CR-1:** In the event cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards 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 San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact 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.
- CR-2:** If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has

made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site and provide recommendations for treatment to the landowner within 48 hours of being granted access.

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

**HYD-1:** Prior to issuance of grading permit or issuance of any well permits the Project Proponent shall demonstrate to County Planning Staff that they are party to the Mojave Basin Area Court Judgment. Planning staff, or any other County staff shall verify this information with the Mojave Basin Area Watermaster staff.

**NA-1** To mitigate exterior noise from the nearby Bear Valley Road and State Route 18, construct a seven (7') foot high sound barrier along the north property line from a point 30 feet west of the east side of the proposed market building to the east end of the first coach site east of the market. Alternately, the west end of the seven-foot sound wall may turn southward and connect with the northeast corner of the market building. A standard privacy wall six feet (6') to will be adequate along the remainder of the north property line from the east end of the seven-foot wall section and continuing eastward.

The required noise barriers may be constructed using any of the following materials:

- (1) Masonry block
- (2) Stucco on wood frame
- (3) 3/4" plywood
- (4) 1/4" tempered glass or 1/2" Lexan
- (5) Earthen berm
- (6) Any combination of the above materials or any material with a surface weight of at least 3.5 pounds per square foot.

Each completed noise control barrier must present a solid fact from top-to-bottom. Cutouts an/or openings are not permitted except from drain holes.

**NA-2** The Project Proponent shall add STC 28 glazing to all coaches within 200 feet of Bear Valley Road.

**NA-3** To mitigated exterior noise levels within the Non-residential structures such as community, management and service buildings which must meet an interior noise limit of 50 dBA Leq(1hour):

**(1) Add STC 26 glazing to the Market and all rooms with any view of Bear Valley Road from the management Office Building.**

**NA-4 Prior to the issuance of occupancy permits and to be verified by the County Building Official during final inspection, the Project Proponent shall ensure that the ventilation system does not compromise the dwelling unit noise reduction.**

**TCR-1 In the event unanticipated, buried prehistoric archaeological resources (lithic material, faunal, pottery, etc.) or historical archaeological resources (ceramics, building materials, glassware, etc.) be unearthed during construction or any ground disturbing activities within the project APE, additional resource treatments would become necessary. Once a potential resource has been identified, all work within 100 ft must be halted until the find can be assessed by a qualified archaeologist.**

**TCR-2 If human remains are encountered during the proposed work, no further excavation or disturbance may occur in the vicinity of the find or in any area which may also harbor similar remains until the County Coroner has been contacted. If the Coroner identifies the remains as Native American, the descendants will be notified by the Native American Heritage Commission.**

**TCR-3 Due to the absence of intact cultural resources within the APE, and the anticipation that potential subsurface components would not hold sufficient integrity, an archaeological monitor is not recommended for the project as described. However, if during the course of the project, there are any project changes which would result in a deviation from the current APE then additional archaeological/cultural assessments will be required to avoid potential inadvertent impacts to cultural resources.**

**TCR-4 If unanticipated cultural resources are encountered, then Native American Tribal Representatives shall be notified immediately and the County of San Bernardino, as the lead agency, will work directly with interested tribes to determine appropriate next steps.**

**UTI – 1: Prior to the issuance of grading permits, Planning Staff shall ensure that the Project Proponent has obtained all necessary permits from the Lahontan Waterboard to install and operate the proposed Onsite Wastewater Treatment System.**

## **GENERAL REFERENCES**

California Department of Conservation. Seismic Hazards Program, California Geological Survey Interactive Map <https://maps.conservation.ca.gov/cgs/EQZApp/app/> Accessed February, 2022.

California Department of Conservation's Farmland Mapping and Monitoring Program <https://maps.conservation.ca.gov/dlrp/ciff/>.

California Department of Fish and Wildlife's California Natural Community Conservation Plans Map <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline>.

California Department of Toxic Substances Control's EnviroStor data management system <https://www.envirostor.dtsc.ca.gov/public/map/> accessed February 15, 2022.

California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, as amended in 2021.

## **PROJECT-SPECIFIC REFERENCES**

Christopher Jean & Associates, Inc., Acoustical Analysis dated March 8, 2021

County of San Bernardino Municipal Code

County of San Bernardino General Plan Countywide Plan

David W. Larson, C52991, Preliminary Water Quality Management Plan, dated October 15, 2020

GeoTek, Inc., Geotechnical and Infiltration Evaluation, dated March 29, 2021

Kimley-Horn, Air Quality/Greenhouse Gas Emissions dated September 12, 2022

Red Brick Solution, LLC, Preliminary Hydrology Study, dated September 2020.

Red Brick Solution, LLC, Water and Sewer Demand Analysis, dated April 2022.

RCA Environmental Planning, Inc., General Biological Resources Assessment, January 5, 2021.

Tierra Environmental Services., Cultural Resources Study, March 12, 2021.

TJW Engineering, Inc., Traffic Impact Analysis dated August 25, 2021