

## INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM SAN BERNARDINO COUNTY

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>APN:</b>	0583-271-10	<b>USGS Quad:</b>	MORONGO VALLEY
<b>Applicant:</b>	Carl Wood/SimonCre	<b>T, R, Section:</b>	T01S      R04E      Sec. 28
<b>Community:</b>	Morongo Valley	<b>Planning Area:</b>	Phelan
<b>Project No:</b>	P201600408/MUP/TPM	<b>LUZD:</b>	Morongo Valley/ General Commercial (MV/CG)
<b>Staff:</b>	Magda Gonzalez		
<b>Rep:</b>	Dan Biswas		
<b>Proposal:</b>	A) MINOR USE PERMIT TO CONSTRUCT AND OPERATE A 9,100 SQUARE-FOOT GENERAL RETAIL STORE ON A PORTION OF 8.7 ACRE PARCEL AND B) A TENTATIVE PARCEL MAP TO SUBDIVIDE 8.7 ACRES IN TO ONE 2.1 ACRE PARCEL AND A ONE 6.6 REMAINDER PARCEL IN THE MORONGO VALLEY COMMUNITY		
		<b>Overlays:</b>	BIOLOGICAL RESORUCES (BR) FIRE SAFETY 2 (FS2) FLOODPLAIN 1 (FP1)

### PROJECT CONTACT INFORMATION:

**Lead agency:** County of San Bernardino  
Land Use Services Department – Planning Division  
15900 Smoke Tree Street, Suite 131  
Hesperia, CA 92345

**Contact person:** Magda Gonzalez, Planner  
**Phone No:** (760) 995-8150  
**E-mail:** [Magda.Gonzalez@lus.sbcounty.gov](mailto:Magda.Gonzalez@lus.sbcounty.gov)

**Fax No:** (760) 995-8167

**Project Sponsor:** Dan Biswas - SimonCRE  
6900 E. 2<sup>nd</sup> Street  
Scottsdale, AZ 85251

### PROJECT DESCRIPTION:

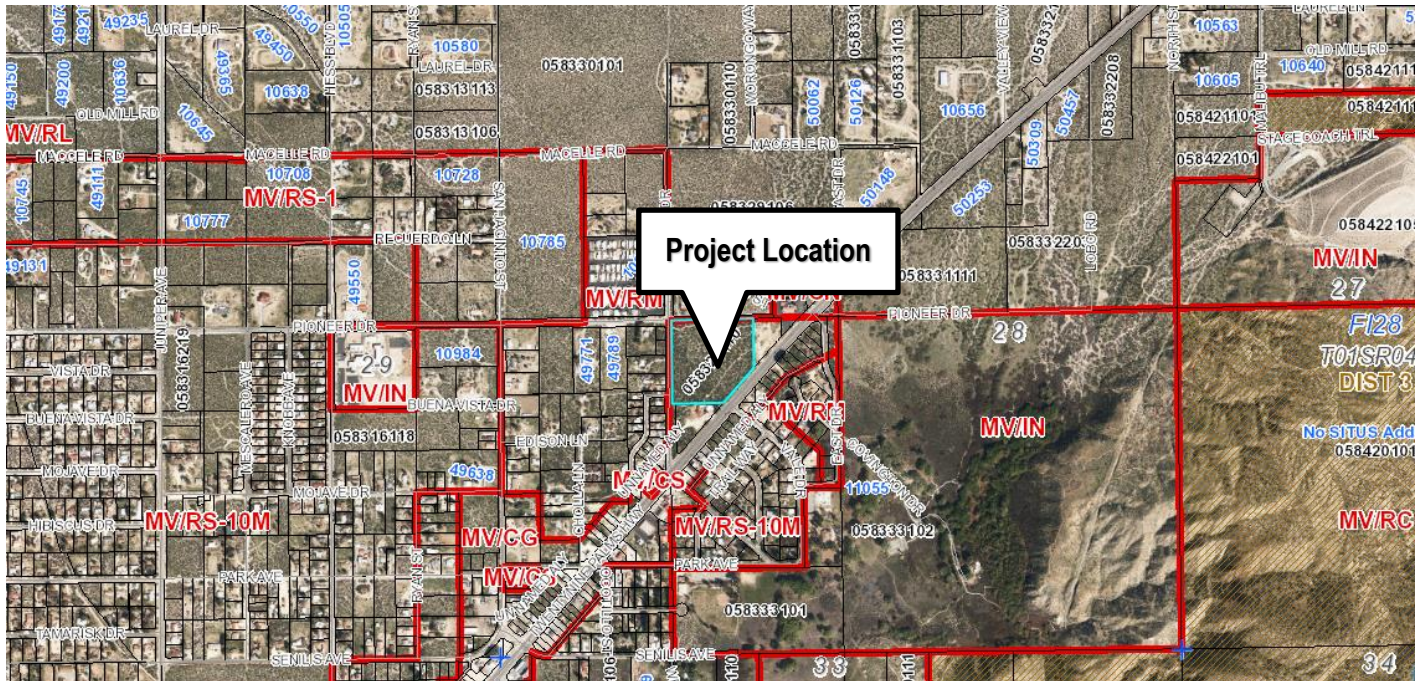
The proposed project is a Minor Use Permit (MUP) to construct and operate a 9,100 square-foot general retail store on a portion of 2.1- acres and a Tentative Parcel Map (TPM) to subdivide 8.7-acres to one 2.1 acre parcel and a 6.6 acre remainder parcel in the community of Morongo Valley. The Project will also include a paved parking lot with 36-spaces, the installation of landscaping and signage, the construction of storm water detention basins and off-site improvements. The project will involve subdivision of the parcel, grading, construction of a commercial building, paved access, parking, and the installation of a septic system. Off-site improvements will consist of street improvements, including curb, and sidewalk along the property frontages of Twenty-nine Palms Highway. The project site is located on the southeast corner of Pioneer Drive and West Drive, off of Twenty-nine Palms Highway. The County's General Plan designates the project area as Morongo Valley/General Commercial (MV/CG). The site is regulated by the Biological Resources (BR) Overlay, Fire Safety 2 (FS2) and Floodplain 1 (FP1) overlays.

### ENVIRONMENTAL/EXISTING SITE CONDITIONS:

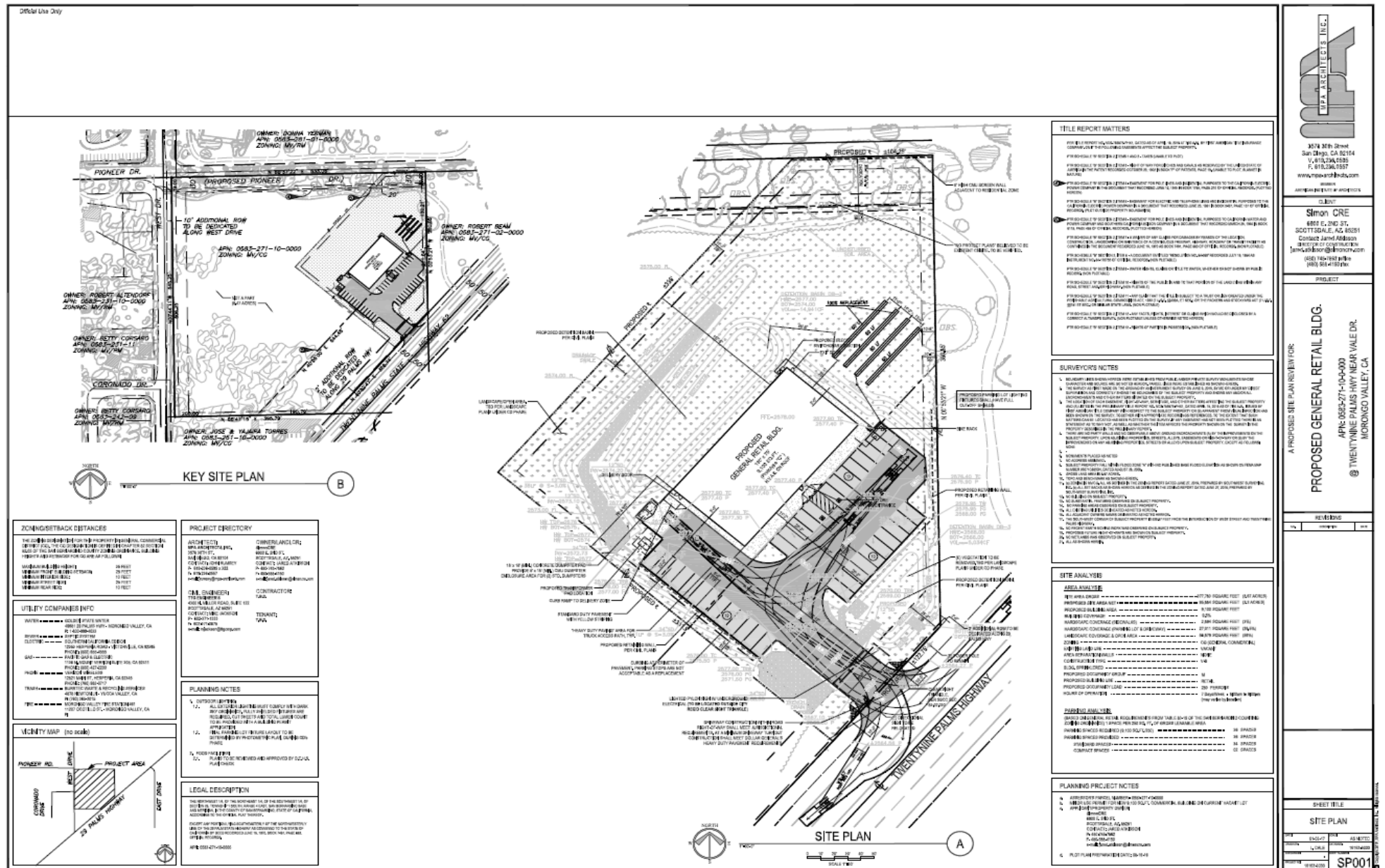
The project site is vacant undeveloped and consists of a disturbed desert scrub community with signs of past human disturbance (e.g. walking trails, off-road vehicle tracks, etc.). The properties to the west are vacant with single family residences and single family dwellings are located to the north and south. The property to the northeast is an existing commercial business.



## ZONING MAP









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AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT	OVERLAYS
Site	Vacant	MV/CG	BR, FS2, FP1
North	Residence	MV/RM	BR, FS2, FP1
South	Retail/SFR/Vacant	MV/CG	BR, FS2, FP1
East	Vacant/SFR	MV/CG	BR, FS2, FP1
West	Vacant/SFR	MV/RM	BR, FS2, FP1

Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement.):

Federal: Fish & Wildlife

State of California: Colorado River Water Quality Control Board, Fish & Wildlife, Mojave Desert Air Quality Management District

County of San Bernardino: Land Use Services Department – Building and Safety Division, Land Development Division; Department of Public Health – Environmental Health Services Division; Department of Public Works – Surveyor, Traffic; and

Local: Morongo Valley Fire, and Golden State Water Agency



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## **EVALUATION FORMAT**

This initial study is prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines. This format of the study is presented as follows. The project is evaluated based upon 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. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
2. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
3. 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:  
See Section XX
4. Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are (Listing 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 would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

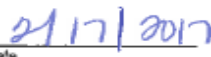
- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture & Forestry Resources   | <input type="checkbox"/> Air Quality               |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources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


## DETERMINATION: (To be completed by the Lead Agency)

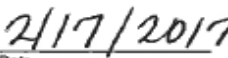
On the basis of this initial evaluation, the following finding is made:

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

  
Signature (prepared by Magda Gonzalez, Planner)

  
Date

  
Signature: Heidi Duron, Supervising Planner

  
Date



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>I. AESTHETICS - Would the project</b>				
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 the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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):

- I a) **Less Than Significant.** General Plan Open Space Element Policy OS 5.1. states that a feature or vista can be considered scenic if it:
- A roadway, vista point, or area that provides a vista of undisturbed natural areas,
  - Includes a unique or unusual feature that comprises an important or dominant portion of the viewshed, or
  - Offers a distant vista that provides relief from less attractive views of nearby features (such as views of mountain backdrops from urban areas).

The Project site is located in the community of Morongo Valley, which consists largely of rural residential development and vacant land and a commercial corridor along Twentynine Palms Highway (State Highway 62). Surrounding land uses are vacant, with commercial and single-family residences in the general vicinity, a Mini-mart/gas station to the southwest, vacant and residential to the east and retail shops to the south. The Project site itself does not provide a vista of undisturbed natural areas. No distinct wildlife corridors were identified on the site or in the surrounding area.

There are no unique or unusual features on the site that could comprise an important or dominate position in the viewshed because the Project site lacks any unusual or unique feature. There are no unique geologic or natural features present. The vegetation and habitats observed on the site in June 2016 is similar to that in the surrounding area and is not unique in any way.

Finally, the Project site does not offer distant vistas that provide relief from less attractive nearby features. The proposed project would directly alter the existing view of the Project site from adjacent uses and roadways with the construction of the building; however, the view of mountain backdrops will not be affected because of the low building height from the surrounding roadways.

- I b) **Less Than Significant.** The proposed project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, although the site is adjacent to a state scenic highway there are no rock outcroppings or historic buildings on the project site. The proposed project will provide landscaping along the Twentynine Palms Highway frontage, adjacent to the



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structure and on the northeast portion of the property. State scenic highway 62 (Twentynine Palms Highway) is located to the southeast of the project site.

- I c) **Less Than Significant.** The proposed project will not substantially degrade the existing visual character or quality of the site and its surroundings because the project type and design is consistent with similar structures and uses in the area. The siting of the building and on-site improvements will meet all setback and Development Code requirements to ensure the building is consistent with the planned visual character of the area and will incorporate native landscaping. The project applicant will be required as a condition of approval to submit final architectural elevations to the Planning Division for review and approval prior to the issuance of building permits.
- I d) **Less Than Significant.** The proposed project will not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area because the onsite parking lot lighting is required to be fully shielded to prevent light trespass. The standards listed in Chapter 83.07 - Glare and Outdoor Lighting of the Development Code ensure that any impact caused by outdoor lighting and glare is reduced to a level below significance. A lighting plan will be required, as a condition of project approval, to ensure the standards are met.

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



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<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 Department 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):

- II a-e) **No Impact.** The subject property is not identified or designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the maps prepared, pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. There are currently no agricultural uses on the site. The site is not under a Williamson Act land conservation contract. The project site will not conflict with existing zoning or cause



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rezoning of forest land because the project site is not zoned forest land and is not timberland as defined by Public Resources Code section 4562, or timberland zoned Timberland Production. The site will not result in the loss of forest land or the conversion of forest land to non-forest use because the subject property is not forest land, the nearest forest is the San Bernardino National Forest located approximately fifty-nine (59) miles to the west.

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



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>III. AIR QUALITY</b> - Where available, the significance criteria established by the applicable air quality management or air pollution control district may 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) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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 (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

- III a) **Less Than Significant.** The project will not conflict with or obstruct implementation of the Mojave Desert Air Quality Management Plan (MDAQMP). The MDAQMP for the Mojave Desert Basin, the identified air basin for the project site, sets forth a comprehensive program that will lead the Basin into compliance with all federal and state air quality standards. The Mojave Desert Basin is in non-attainment for ozone (O<sub>3</sub>), inhalable particulate matter (PM<sub>10</sub>) and fine particulate matter (PM<sub>2.5</sub>). A project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project is conforming if it complies with all applicable MDAQMD rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly induced in the applicable plan).

The MDAQMP control measures and related emission reduction estimates are based on emission projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. The *MDAQMD CEQA Guidelines* state, "conformity with growth forecasts can be established by demonstrating that the project is consistent with the land use plan that was used to generate the growth forecast". The project is located in the County's Morongo Valley General Commercial (MV/CG) Land Use Zoning District. The MV/CG zone is intended to accommodate sites for retail trade and personal services, lodging services, wholesaling and warehousing, contract/construction services, transportation services, open lot services and similar and compatible uses. The Dollar General will require the approval of a Minor Use Permit (MUP). Since the project involves the establishment of a retail use, the Project is consistent with the County's General Plan, and therefore conforms to the MDAQMP projections for development and population and is not anticipated to conflict with the applicable MDAQMP. As a condition of project approval the construction of the project will be required to adhere to all rules of the MDAQMD. Emissions estimator models



have indicated that the project's operational and construction emissions will be below the threshold set by the MDAQMD.

- III b) **Less Than Significant.** The project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation. The MDAQMD identifies projects that exceed emissions thresholds (listed in Table 1 below) as violating air quality standards and therefore having a significant impact on the environment. According to CalEEMod (Table 2 & Table 3) the construction and operational air quality impact is projected to be well below the daily and annual thresholds set by the MDAQMD listed in Table 1. The MDAQMD is in non-attainment for ozone (O<sub>3</sub>) and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) as listed below in Table 4. Construction, unpaved road travel, open fires and/or agricultural practices affect PM<sub>10</sub> and PM<sub>2.5</sub>. Therefore, in order to limit the production of fugitive dust during implementation of the proposed Project, construction activities will be conducted in accordance with MDAQMD Rule 403 – *Fugitive Dust* and 403.2 – *Fugitive Dust Control for the Mojave Desert Planning Area*. This includes using periodic watering for short-term stabilization of Disturbed Surface Area to minimize visible fugitive dust emissions, covering loaded haul vehicles, stabilizing graded sites, preventing project-related Trackout onto paved surfaces, cleanup project-related Trackout or spills within twenty-four (24) hours and reduce non-essential Earth-Moving Activity under High Wind conditions. A condition of approval will require the Project proponent to agree to implement these measures.

The operational and construction estimated emissions for pollutants in which the basin is in non-attainment is well below the annual and daily thresholds of significance set by the MDAQMD according to CalEEMod.

**Table 1. MDAQMD Air Quality Significance Thresholds**

Criteria Pollutant	Annual Threshold (tons)	Daily Threshold (pounds)
Nitrogen Oxides (NO <sub>x</sub> )	25	137
Volatile Organic Compounds (VOC)	25	137
Particulate Matter (PM <sub>10</sub> )	15	82
Particulate Matter (PM <sub>2.5</sub> )	15	82
Oxides of Sulfur (SO <sub>x</sub> )	25	137
Carbon Monoxide (CO)	100	548
Lead (Pb)	0.6	3
Greenhouse Gases (CO <sub>2</sub> e)	100,000	548,000

**Table 2. Annual Construction Activity Emissions (tons/yr)**

Activity	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Unmitigated	0.19	0.93	0.8	1.17 <sub>e-003</sub>	0.09	0.06
MDAQMD Threshold	25	25	100	25	15	15
Exceed Threshold	No	No	No	No	No	No

**Table 3. Annual Operational Activity Emissions (tons/yr)**

Activity	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Unmitigated	0.84	0.98	.4	5.5500 <sub>e-003</sub>	0.35	0.1
MDAQMD Threshold	25	25	100	25	15	15



<b>Exceed Threshold</b>	No	No	No	No	No	No
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**Table 4. Non-attainment Designation and Classification Status**

<b>Ambient Air Quality Standard</b>	<b>MDAQMD</b>
Eight-hour Ozone (Federal 84 ppb (1997))	Subpart 2 Non-attainment; classified Severe-15 (portion of MDAQMD outside of Western Mojave Desert Ozone Non-attainment Area is unclassified/attainment)
Eight-hour Ozone (Federal 75 ppb (2008))	Non-attainment, classified Severe-15
Ozone (State)	Non-attainment; classified Moderate
PM <sub>10</sub> (Federal)	Non-attainment; classified Moderate (portion of MDAQMD in Riverside County is unclassified/attainment)
PM <sub>2.5</sub> (State)	Non-attainment (portion of MDAQMD outside of Western Mojave Desert Ozone Non-attainment Area is unclassified/attainment)
PM <sub>10</sub> (State)	Non-attainment
Hydrogen Sulfide (State)	Unclassified (Searles Valley Planning Area is non-attainment)

- III c) **Less Than Significant.** The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). In evaluating the cumulative effects of the project, Section 21100(e) of CEQA states, “previously approved land use documents including, but not limited to, general plans, specific plans and local coastal plans, may be used in cumulative impacts analysis”. In addressing cumulative effects for air quality, the MDAQMP utilizes approved general plans and therefore, is the most appropriate document to use to evaluate cumulative impacts of the subject project. The MDAQMP evaluated air quality emissions for the entire Mojave Air Basin using a future development scenario based on population projections and set forth a comprehensive attainment program that would lead the basin into compliance with all federal and state air quality standards. Since the project is consistent with the approved Land Use Plan (as discussed in Section III b) used to create the MDAQMP and the project does not exceed any of the quantitative thresholds for ozone precursors, according to CalEEMod. As discussed in Section III b, a condition of approval will require the project proponent to implement MDAQMD Rule 403 to reduce fugitive dust. For these reasons, the project will not have a cumulatively considerable net increase of any criteria pollutant listed in Table 4 above.
- III d) **No Impact.** The project will not expose any sensitive receptors to substantial pollutant concentrations, because there are no known sensitive receptors within 300-feet of the project site. The Mojave Desert Air Quality Management District defines sensitive receptors as residences, schools, daycare centers, playgrounds and medical facilities. The following project types proposed for sites within the specified distance to an existing or planned sensitive receptor must not expose sensitive receptors to substantial pollutant concentrations: any industrial project within 1,000 feet, a distribution center (40 or more trucks per day) within 1,000 feet, a major transportation project (50,000 or more vehicles per day) within 1,000 feet, a dry cleaner using perchloroethylene within 500 feet or a gasoline dispensing facility within 300 feet.

There are no planned residences, schools, daycare centers, playgrounds and medical facilities within 300-feet to the proposed project and the retail store is not the type of use listed above.



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- III e) **No Impact.** The project will not create odors affecting a substantial number of people because there are no identified potential uses that will result in the production of objectionable odors. In accordance with the CEQA Air Quality Handbook developed by the South Coast Air Quality Management District, and used as guide for projects in the Mohave Air Basin, land uses associated with odor complaints include agriculture operations, wastewater treatment plants, landfills, and certain industrial operations. The proposed retail store is not proposing any of the uses listed that may produce objectionable odors.

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



	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 type="checkbox"/>	<input checked="" 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 federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc...) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 ☒)

The information contained in this section is based in part on *General Biological Resources Assessment* prepared by RCA Associates, LLC. Dated July 5, 2016.

- IV a) **Less Than Significant.** The project will not 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 due to the absence of signs indicating special species on site.

A literature search was conducted prior to the biological reconnaissance survey, data sources were reviewed to determine if any listed and/or sensitive species have been documented in the area surrounding the site. The Federal Endangered Species Act provides protection for species of fish, wildlife, and the plants that are listed by the US Government as threatened or endangered in the U.S., and the Act outlines procedures for Federal



agencies to follow when evaluating projects which may jeopardize any listed species. The California Endangered Species Act (CESA) provides protection to those species which are deemed to be threatened with a significant decline or extirpation within California and the CESA provides CDFW with the responsibility of evaluating projects which may affect sensitive species. Based on a general literature review, a search of USFWS and CDFW data bases, and a search of the California Natural Diversity Database (CBDDB), it was determined that there are two (2) sensitive wildlife species and no sensitive plant species that have been documented in the surrounding region within approximately five (5) miles of the site. The species include desert tortoise (*Gopherus agassizii*), and burrowing owl (*Athene cunicularia*). No sensitive plant species have been documented.

Following the literature review, general biological surveys were performed on the site on June 30, 2016 during which the biological resources on the site and in the surrounding areas were documented by RCA Associates, LLC. (Randall Arnold and Parker Smit) from 0730 to 1000 hours. The project site and surrounding area were evaluated for the presence of native habitats, which could potentially support populations of sensitive species.

No special status plant or animal species were observed on site during the survey and the site supports a disturbed mixed desert shrub community with signs of past human disturbance and is not expected to support any special status plant or animal species given the small size of the site, the level of disturbance, and the fact the site is surrounded by existing developments. The development is not expected to impact any special status plants or animal species that have been documented in the area. No desert tortoise or tortoise sign were observed on the site or zone of influence, nor were any burrowing owls observed on the property. No suitable owl burrows were observed on the site, and no owl sign (whitewash, castings, etc.) were noted on the site.

Although burrowing owls or suitably sized burrows were not observed during the survey, if any sensitive species are observed on the property during future development activities, CDFW and USFWS (as applicable) should be contacted to discuss specific mitigation measures which may be required for the individual species.

**[Mitigation Measure IV a-1]**

The Property is also considered suitable habitat for nesting birds and raptors. If construction is to occur during the nesting bird season (generally February 1 through August 31), then a pre-construction survey for nesting birds will need to be conducted in order to avoid impacts to bird species and their eggs, fledglings, and nestlings that are protected by the federal MBTA. If active nests are found on or immediately adjacent to the Property, then additional mitigation measures may need to be implemented to reduce or eliminate impacts to the active nests. **[Mitigation Measure IV a-2]**

- IV b) **Less Than Significant.** This project will not 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.

The General Biological Survey did not indicate the project site is within a riparian habitat or any other sensitive natural community. Therefore any removal of habitat is anticipated to be less than significant.

- IV c) **No Impact.** This project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. The Project site does not have any federally protected wetlands as defined by Section 404 of the Clean Water Act present.
- IV d) **Less Than Significant.** This project will not 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. Given the Project site's small size and the amount of previous disturbances in the vicinity, the Project site would not be considered a major wildlife movement corridor that would need to be preserved in order to allow wildlife to move between important natural habitat areas. The Project site also does not provide a linkage between conserved natural areas. Any impact to the movement of native residents is anticipated to be less than significant.

- IV e) **No Impact.** The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. The County's Plant Protection and Management Ordinance requires a Tree & Plant Removal Permit for the removal of any Native Desert Plant listed in Chapter 88.01.060(c) of the Development Code or listed in Food and Agriculture Code Section 80001 et seq. None of the species listed in Chapter 88.01.060(c) or in Food and Agriculture Code Section 80001 et seq.) were identified on site during the Biological Resource Assessment.
- IV f) **No Impact.** This project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, because no such plan has been adopted in the area of the project site.

**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:**

**The following condition of approval will be required prior to the issuance of Grading and/or Building Permits:**

**[Mitigation Measure IV a-1]**

**Desert Tortoise.** Prior to land disturbance the applicant must fence off the parcel to ensure desert tortoises do not enter that area and stop work and contact California Department of Fish and Wildlife if desert tortoise are observed during work.

**[Mitigation Measure IV a-2]**

**Nesting Bird Mitigation – Pre-Construction Surveys.** Within 30 days prior to vegetation clearing or ground disturbance associated with construction or grading that would occur during the nesting/breeding season (February through August, unless determined otherwise by a qualified biologist based on observations in the region), the Applicant will retain a qualified biologist to determine if active nests of species protected by the Migratory Bird Treaty Act or the California Fish and Game Code are present within or adjacent to the disturbance zone or within 100 feet (300 feet for raptors) of the disturbance zone. The surveys will be conducted no more than seven days prior to initiation of disturbance work within active project areas. If ground disturbance activities are delayed, then additional pre-disturbance surveys will be conducted such that no more than seven days will have elapsed between the survey and ground disturbance activities. If ground disturbance will be phased across the project site, pre-disturbance surveys may also be phased to conform to the development schedule.

If active nests are found, clearing and construction within 100 feet of the nest (or a lesser distance if approved by the U.S. Fish & Wildlife Service) will be postponed or halted, until the nest is vacated and juveniles have fledged, as determined by the biologist. Avoidance buffers will be established in the field with highly visible construction fencing or flagging, and construction personnel will be instructed on the sensitivity of nest areas. A qualified



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**biologist will serve as a construction monitor during those periods when construction activities will occur near active nests to ensure that no inadvertent impacts on these nests occur.**

**The results of pre-construction nesting bird surveys, including graphics showing the locations of any nests detected, and documentation of any avoidance measures taken, will be submitted to the County of San Bernardino and California Department of Fish & Wildlife within 14 days of completion of the pre-construction surveys or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.**



## V. CULTURAL RESOURCES - Would the project

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Information contained in this section is based in part on the *Phase I Cultural Resources Inventory for a Proposed 1.32-Acre Commercial Development at 49964 Twenty-nine Palms Hwy, Morongo Valley, San Bernardino County, California* dated July 19, 2016

- V a) **Less Than Significant.** This project will not impact nor cause a substantial adverse change in the significance of an historical resource because the project site is not located on or near any known historical resource, as defined in §15064.5 and verified by the Phase I study completed by Dudek dated July 19, 2016

In California, the term “historical resource” includes but is not limited to “any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military or cultural annals of California.

If a resource on the Project site is listed or eligible for listing in the California Register of Historic Resource (CRHR), or if it is included in a local register of historic resources, or identified as significant in a historical resources survey, it is a “historical resource” and is presumed to be historically and culturally significant for purposes of CEQA. Under CEQA, a project may have a significant effect on the environment if it may cause “a substantial adverse change in the significance of a historical resource”. A “substantial adverse change in the significance of an historical resource” reflecting a significant effect under CEQA means “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired”.

A California Historical Resources Information System (CHRIS ) search of the Project and a one-mile area surrounding the Project was completed by Dudek Archeologist Matthew DeCarlo at the South Central Coast Information Center (SCCIC), located on the campus of California State University, Fullerton,) on June 16, 2016. The CHRIS search included their collection of mapped prehistoric, historical and built-environment resources, Department of Parks and Recreation (DPR) Site Records, technical reports, archival resources, and ethnographic references within the Project site and surrounding half-mile radius. Additional consulted sources included the National Register of Historic Places (NRHP), California Inventory of Historical Resources/CRHR and listed Office of Historic Preservation (OHP) Archaeological Determinations of Eligibility, California Points of Historical Interest, California Historical Landmarks, and Caltrans Bridge Survey information. SCCIC records



indicate that eight (8) previous cultural resources technical investigations have been conducted within one-mile of the Project. Of these studies, none took place within the Project SCCIC records indicate that no cultural resources have been previously identified within the Project. A total of fifteen (15) previously identified resources have been recorded within the surrounding one-mile area.

Dudek Archaeologist Matthew DeCarlo conducted the intensive-level pedestrian survey on June 16, 2016 using standard archaeological procedures and techniques at formal transects at 15-meter intervals. No cultural resources were identified within the Project during the intensive-level pedestrian survey and no mitigation measures are required.

- V b) **Less Than Significant.** This project will not cause a substantial adverse change to any archaeological resource because no resources have been identified on the site as verified by the survey conducted by Dudek.

A unique archaeological resource is an archaeological artifact, object, or site about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria: (1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information. (2) Has a special and particular quality such as being the oldest of its type or the best available example of its type. (3) Is directly associated with a scientifically recognized important prehistoric or historic event or person. Impacts to non-unique archaeological resources are generally not considered a significant environmental impact. However, if a non-unique archaeological resource qualifies as a tribal cultural resource, further consideration of significant impacts is required.

As discussed in Section V a, of this document, the SCCIC records did not indicate the site had been previously surveyed, the surveys within a half-mile radius have identified fifteen (15) cultural resources. The field survey also yielded negative results of archeological resources and there is a low potential for the inadvertent discovery of cultural resources during groundbreaking activities. A standard condition of approval will state, "In the event that archaeological resources are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find, the archeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work such as preparation of an archeological treatment plan, testing or data recovery may be warranted". Tribal cultural resources are discussed in Section VI of this document.

- V c) **Less Than Significant.** The project has a low likelihood of disturbing any human remains, including those interred outside of formal cemeteries, because no such burials grounds were identified on the project site. A standard condition of approval in compliance with state law will require the following condition to be met: "If human remains are encountered during any earthmoving activities, all work shall cease until the San Bernardino County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. State law requires the Native American Heritage Commission (NAHC) be notified in the event the remains are determined to be prehistoric. The NAHC shall determine and notify a Most Likely Descendant (MLD) who may inspect the site of the discovery within 48-hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials".

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



**VI. TRIBAL CULTURAL RESOURCES - Would the project**

- |  | Potentially<br>Significant Impact | Less than<br>Significant with<br>Mitigation<br>Incorporated | Less than<br>Significant            | No<br>Impact             |
|--|-----------------------------------|---|-------------------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resource Code §21074? | <input type="checkbox"/>          | <input type="checkbox"/>                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**SUBSTANTIATION** (Check if the project is located in the traditional and cultural affiliated geographic area of a California Native American Tribe ☒): San Manuel Band of Mission Indians, Morongo Band of Mission Indians, Colorado River Indian Tribes, Twenty-nine Palms Band of Mission Indians

- VI a) **Less than Significant.** The Project will not cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resource Code §21074 because no tribal resources have been identified on site. AB 52, passed on September 25, 2014 and implemented July 1, 2015, added new requirements regarding cultural tribal resources. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources.

The Public Resource Code establishes that “(a) project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.” (Pub. Resources Code §21084.2). To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. The consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration or environmental impact report is required for a project.

Public Resource Code §21074, defines Tribal Resources as either, “Sites features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either, (A) included or determined to be eligible for inclusion in the California Register of Historical Resources or, (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1. (2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1 for the purpose of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe”.

In accordance with Public Resource Code §21080.3.1, the San Manuel Band of Mission Indians, Morongo Band of Mission Indians, Colorado River Indian and Twenty-nine Palms Band of Mission Indians Tribes have indicated that they are traditionally and culturally affiliated with the geographic area of the proposed project and have requested notification for consultation. Notification was sent on November 2, 2016 via certified mail to all Tribes. The San Manuel Band of Mission Indians, Morongo Band of Mission Indians and Colorado River Indian Tribes did not respond during the 30-day consultation request period. The Twenty-nine Palms Band of Mission Indians responded to the Project on November 15, 2016 via correspondence indicating that the Tribal Historic Preservation Office (THPO) is not aware of any additional archaeological/cultural sites or properties in the project area that pertain to the Twenty-Nine Palms Band of Mission Indians. However, the project does lie



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within the Chemehuevi Traditional Use Area and there were a few prehistoric isolates within one mile of the project. The Tribe requested that if there are inadvertent discoveries of archaeological remains or resources, construction should stop immediately and the appropriate agency, tribe(s), and the Twenty-Nine Palms Band of Mission Indians Tribal Historic Preservation Office (THPO) should be notified.

The results of the Phase I Archeological and Historical Survey determined that there were no resources determined to be eligible for inclusion in the California Register of Historical Resources or included in a local register. All California Native American Tribes contacted indicated that the location lies within the Chemehuevi Traditional Use Area and there were a few prehistoric isolates within one mile of the project and the Project site itself was not considered a Tribal Cultural Resource. Therefore, the Project would not cause a substantial adverse change to the significance of a Tribal Cultural Resource, as none were identified.

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



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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>VII. PALEONTOLOGICAL RESOURCES - Would the project</b>				
a) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

- VII a) **Less Than Significant.** This project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, because no resources have been identified on the site. A condition of approval will require all activities to cease and a County approved paleontologist to be present if unknown paleontological resources are discovered during land disturbance or building construction.

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



### VIII. GEOLOGY AND SOILS - Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the California Building Code (1994) creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of on-site wastewater treatment tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

The information contained in this section is based in part from information obtained from GeoBoden, Inc., *Geotechnical Investigation Report, Proposed Dollar General Building – Morongo Valley, 29 Palms Highway Near Vale Drive*.

- VIII a) **Less Than Significant.** The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving; i) rupture of a known earthquake fault, ii) strong seismic ground shaking, iii) seismic related ground failure, including liquefaction or iv) landslides. A Geotechnical Investigation Report conducted by GeoBoden Inc. indicated that the Project site is located in a seismically active area typical of Southern California and likely to be subjected to strong ground shaking due to earthquakes on nearby faults. The design parameters to accommodate effects of ground shaking produced by regional seismic events, seismic design can, at the discretion of the designing Structural Engineer, be performed in accordance with the 2016 edition of the California Building Code (CBC) California Building Code. The standards of the CBC are meant to protect buildings and individuals from loss of life and property related to earthquakes. Therefore, impacts from proximity to fault zones are considered less than significant. For



liquefaction to occur, all three key ingredients are required: liquefaction-susceptible soils, groundwater within a depth of 50 feet or less, and strong earthquake shaking. Soils susceptible to liquefaction are generally saturated loose to medium dense sands and non-plastic silt deposits below the water table. Groundwater was not present at the site at shallow depths and soils consist predominately of medium dense to dense sandy soil materials. The opinion of the Geotechnical Report is that the potential for liquefaction at the site is minimal. Due to the absence of loose sandy soil layers, potential for dry sand seismic settlement is also minimal. The County has mapped areas of possible landslides, seismic related ground failure and known faults within the Geologic Hazard Overlay. The Project site is not within the mapped overlay.

- VIII b) **Less Than Significant.** The project will not result in substantial soil erosion or the loss of topsoil because standard enforcement of sediment and erosion control measures will be implemented into the Project. At the time ground disturbance occurs, on-site erosion and sediment control measures will be in place as required by the County Development Code and the Building and Safety Division. As discussed in Section III b) of this document, the MDAQMD requires measures be in place during grading and land disturbance activities to minimize fugitive dust. Grading plans, an approved grading permit, and erosion and sediment control plan is required prior to any land disturbance from the Building and Safety Division. In addition, an erosion and sediment control plan must be approved and implemented during grading activity with regular inspections by the County's Building and Safety Division. A condition of approval from the Building and Safety Division will state, "An Erosion and Sediment Control plan shall be submitted and approved by the Building official prior to any land disturbance". The County's Landscape & Irrigation design element of the Development Code will require at a minimum landscaping on disturbed portions of the Project site and 20% of the total disturbed site.
- VIII c) **No Impact.** The Project 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 on or off site landslide, lateral spreading, subsidence, liquefaction or collapse. The County of San Bernardino has mapped Geologic Hazards as part of the adoption of the General Plan and Development Code. The Geologic Hazard Overlay includes any areas of adverse soil conditions, such as those underlain by hydropcollapsible, expansive, and/or corrosive soils. The project site is not within the mapped Geologic Hazard Overlay. In addition, the results of the Geotechnical Report, field investigation and laboratory results of soil samples bored on the Project site concluded the site is not susceptible to landslide, lateral spreading, subsidence or liquefaction.
- VIII d) **No Impact.** The Project is not located on expansive soil; based on the Geotechnical Investigation Report the near surface soils are granular which exhibit very low expansion potential. It is anticipated that the design and performance of the proposed new buildings will not be affected by expansion of onsite soils. Footings for structures that are supported in very low to low expansive soils should have No. 4 bars, two top and two bottom. As mentioned in Section VII c above, the project site is not within the County's mapped Geologic Hazard Overlay, including areas as having expansive soils.
- VIII e) **Less Than Significant.** The Project will require an Environmental Health Services approved wastewater treatment device since no public sewer is available. The County's Environmental Health Services Department reviewed the subject project and has approved the site for on-site wastewater treatment subject to an approved percolation report.

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



Potentially  
Significant Impact

Less than  
Significant with  
Mitigation  
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**IX. GREENHOUSE GAS EMISSIONS – Would the project:**

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?                     | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**SUBSTANTIATION**

IX a,b) **Less Than Significant.** On December 6, 2011, the San Bernardino County Board of Supervisors adopted the County Greenhouse Gas (GHG) Emissions Reduction Plan. The GHG Plan establishes a GHG emissions reduction target for the year 2020 that is fifteen (15) percent below 2007 emissions. The plan is consistent with AB 32 and sets the County on a path to achieve more substantial long-term reductions in the post-2020 period. Achieving this level of emissions will ensure that the contribution to greenhouse gas emissions from activities covered by the GHG plan will not be cumulatively considerable.

CEQA Guidelines provide that the environmental analysis of specific projects may be tiered from a programmatic GHG plan that substantially lessens the cumulative effect of GHG emissions. If a public agency adopts such a programmatic GHG Plan, the environmental review of subsequent projects may be streamlined. A project's incremental contribution of GHG emissions will not be considered cumulatively significant if the project is consistent with the adopted GHG Plan.

As part of the GHG Plan, sample project sizes that exceed the 3000 MTCO<sub>2</sub>e level were established. Projects that exceed the 3000 MTCO<sub>2</sub>e are considered to have a potentially significant impact on the implementation of the County's and the States GHG reduction plan. Gas stations with convenience services in excess of 5,700 square-feet are anticipated to exceed the GHG threshold. The Project is projected to create 3.33 MTCO<sub>2</sub>e during construction and the yearly operational emissions for the Project are anticipated to create 499.87 MTCO<sub>2</sub>e. For this reason, it is unlikely that this project would impede the state's ability to meet the reduction targets of AB32 or conflict with the County's adopted GHG reduction plan because the Project is well below the 3,000 MTCO<sub>2</sub>e level.

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



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>X. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) 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"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### SUBSTANTIATION

- X a) **Less Than Significant.** The proposed Project could result in a significant hazard to the public if the Project includes the routine transport, use, or disposal of hazardous materials or places housing near a facility which routinely transports, uses, or disposes of hazardous materials. The Project does not propose any new housing and therefore would not place housing near any hazardous materials facilities. The routine use, transport, or disposal of hazardous materials is primarily associated with industrial uses that require such materials for manufacturing operations or produce hazardous wastes as by-products of production applications. The proposed Project does not propose or facilitate any activity involving significant use or disposal of hazardous



substances as part of the commercial use. Furthermore, the proposed Project is not located near any listed facilities that emit toxic air containments, utilize toxic or hazardous substances or produce hazardous waste.

Construction activity would result in minor transport, use and disposal of hazardous materials and waste that are typically associated with construction projects. This includes fuels and lubricants for construction equipment and products used in coating buildings. Existing laws and regulations on the storage of these products, the disposal of waste and the procedures to prevent accidental release and cleanup is sufficient to bring any effect to a level below significant.

The operational activity of the Project would involve products commonly found at a discount store such as, oil and lubricants, cleaning products, and other automotive products, and possibly poisons or pesticides. The existing regulatory framework for the transport and use of any of these products and the small nature will not result in a potentially significant impact.

- X b) **Less Than Significant.** The project will not 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.

Construction activities may produce hazardous waste associated with the use of construction materials. The use and handling of hazardous construction material will not be unusually high for the proposed Project. All hazardous material are required to be utilized and transported in accordance with their labeling instructions as required by federal and state law. Existing laws and regulations governing the response to accidental release of hazardous material is sufficient in ensuring that any potential accident is not harmful to people or the environment.

With adherence to existing regulations and laws governing gas stations the proposed Project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions.

- X c) **No Impact.** The project uses will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school, because the project does not propose the use of hazardous materials and all existing and proposed schools are more than 1/2 mile away from the project site.
- X d) **No Impact.** The project site is not included on the San Bernardino County list of hazardous materials sites compiled pursuant to Government Code 65962.5 and therefore, will not create a significant hazard to the public or environment.
- X e) **No Impact.** The project site is not within the vicinity or approach/departure flight path of a public airport. The nearest public airport is the Yucca Valley Airport, which is located approximately 11.6 miles northeast of the project site. The project site was verified to not be within an Airport Noise Overlay.
- X f) **No Impact.** The project site is not within the vicinity or approach/departure flight path of a private airstrip. The nearest private airstrip is 13.3 miles northeast of the Project site.
- X g) **No Impact.** The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, because the project has adequate access from two or more directions via Twenty-nine Palms Highway and West Drive and has been reviewed for adherence with the Morongo Valley Fire Department regulations for emergency access.



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- X h) **Less Than Significant.** The project will not expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with lands because the Project will be required to meet the standards of the Fire Safety 2 Overlay. The County has mapped areas that are susceptible to wild land fires within the Fire Hazard Overlay. The Fire Hazard Overlay is derived from areas designated in high fire hazard areas in the General Plan and locations derived from the California Department of Forestry, U.S. Forest Service, and the County Fire Department. The Project will have adequate brush clearance around the structure; will have nearby fire hydrants, fire sprinklers installed within the structure. The materials of the structure will be required to meet the Fire Safety 2 Overlay requirements for combustible materials. Implementation of the Fire Safety 2 standards will result in any potential impact being less than significant.

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



**XI. HYDROLOGY AND WATER QUALITY - Would the project:**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structure, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION**

The information contained in this section is based in part from information obtained from TTG Engineers, *Preliminary Drainage Report for Commercial Retail, Morongo Valley*.



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- XI a) **Less Than Significant.** A project may have a significant impact on water quality standards or waste water discharge requirements if the project will create pollution, contamination, or nuisance as defined in Section 13050 of the California Water Code (CWC), or cause regulatory standards to be violated as defined in the applicable National Pollutant Discharge Elimination System (NPDES) storm water permit or Water Quality Control Plan. A project may have a significant impact if the project will discharge water that does not meet the quality standards of the agencies, which regulate surface water quality and water discharge into storm water drainage systems. The Lahontan Regional Water Quality Control Board (LRWQCB) implements and enforces the NPDES and regulates water quality standards for wastewater discharge.

Nonpoint sources of pollution are generally defined as sources that are diffuse and/or not subjected to regulation under the federal NPDES permit. Nonpoint sources include agriculture, grazing, silviculture, abandoned mines, construction, storm water runoff etc. The Project will require the implementation of erosion and sediment control as a condition of approval by the Building & Safety Division. The erosion and sediment control plan and permit will carry out the policies and objectives of the RWQCB.

Surface runoff from developed areas is a leading source of non-point source water pollution in California. As roofs and pavement cover natural landscapes, rain no longer soaks into the ground. Instead, storm drains carry large amounts of runoff directly to streams and other water bodies. Runoff from roofs and pavement also flushes sediment, oil, grease, pesticides, nutrients, bacteria, trash and heavy metals into streams, lakes, estuaries, and the ocean. Projects that replace previously undeveloped land with new impervious surfaces, may contribute to such water quality impacts individually and cumulatively with other development. The operational characteristic of the proposed Project will greatly increase the amount of impervious surface area. 59% of the Project site will be covered with non-pervious surfaces, including building roof area, sidewalks, and paving.

The Project will include the installation of an on-site wastewater treatment device, permitted by the County's Environmental Health Services Division. The permit from the EHS for the on-site wastewater treatment system is only issued if the system is shown to meet the regulations of the RWQCB. The septic system will be designed and used in compliance with federal state and regional law.

- XI b) **No Impact.** The project will not likely substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. The Golden State Water Company who has provided a will-serve letter will serve the Project. The Project does not propose using groundwater and the water purveyor has indicated there is sufficient supply to serve the project.
- XI c) **Less Than Significant.** The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on or off-site.

The impacts of urban development on streams, lakes, estuaries, and the ocean are well documented through years of research and study. As roofs and pavement cover natural landscapes, rain no longer soaks into the ground. Instead, storm drains carry large amounts of runoff directly to streams and other water bodies. Increased flow may cause stream beds and banks to erode, damaging or eliminating stream habitat and carrying sediment downstream.

The Project will result in 59% of the site being covered by an impervious surface. An increase in impervious surface area results in an increase in volume and velocity of flows from the Project site. Increase velocity of off-



site flows into existing drainage may result in an increase in off-site streambed erosion and siltation. In order to ensure that the drainage leaving the site is at a concentration that will not result in substantial erosion, the Project's engineer has developed a preliminary drainage study that demonstrates that on-site drainage improvements will maintain off-site flows to pre-development levels.

The Project will include one storm water retention basin. The purpose of the storm water retention basin is to hold the run-off generated from the Project on-site and slowly infiltrate the water into the ground water supply or release it into the existing drainage pattern. According to the drainage study, which has been reviewed and approved by the Land Development Division, the collected on-site runoff will be conveyed to a surface detention pond sized to attenuate increased flows associated with the proposed improvements. The Project's detention surface pond will account for the difference in pre vs. post discharge rates for the 10, 25 and 100-year storm events. No adverse impacts to the offsite properties are anticipated as a result of the proposed improvements and existing drainage patterns will be preserved under pre-development conditions.

- XI d) **Less Than Significant.** The Project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on or off-site. As discussed in Section XI c, the Project will provide a detention basin to account for the difference in pre vs. post discharge rates for the 10, 25, and 100-year storm events. No adverse impacts are anticipated as a result of the proposed improvements and existing drainage patterns will be preserved under pre-development conditions. The drainage improvements are required to be fully installed and certified by a registered civil engineer prior to the Project obtaining occupancy.
- XI e) **Less Than Significant.** The Project will not create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems. As discussed in Section XI c, the inclusion of the on-site retention area will ensure the runoff from the site will not exceed the capacity of existing or planned storm water drainage systems because all runoff will be kept on site.
- XI f) **Less Than Significant.** The project will not otherwise substantially degrade water quality, as discussed in Section XI a, of this document. The installation of the retention basin will ensure that the water quality leaving the site will remain at pre-development levels.
- XI g, h) **No Impact.** The project will not place unprotected housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map because the Project does not propose any housing.
- XI i) **Less Than Significant.** The project will not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam, because the project site is not within any identified path of a potential inundation flow that might result in the event of a dam or levee failure according to the County's Flood Hazard overlay map. The Project is within Zone "A" as noted on the FEMA/FIRM #06071C8850H, dated August 28, 2008 and is located in a special flood zone area with no Base Flood Elevation determined. The Land Development Division has required as a condition of approval that the structure's foundation be elevated 2-feet above natural highest adjacent ground in compliance with FEMA/SBC regulations. An Elevation Certificate is required.
- XI j) **No Impact.** The project will not be impacted by inundation by seiche, tsunami, or mudflow. The project is not adjacent to any body of water that has the potential of seiche or tsunami or is the project site in the path of any potential mudflow according to the County's Flood Hazard Overlay map.

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



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>XII. LAND USE AND PLANNING - Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### SUBSTANTIATION

- XII a) **No Impact.** The project will not physically divide an established community, because the project is a logical and orderly extension of the planned land uses and development that are established within the surrounding area. The proposed Project will meet all the development standards of the County Code and meet the goals and policies of the General Plan. The Project is not proposing the relocation or removal of any existing or planned street.
- XII b) **No Impact.** The Project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. The project is consistent with all applicable land use policies and regulations of the County Code, General Plan, and the plans, policies, laws and regulations of responsible agencies. The Project complies with all hazard protection, resource preservation and land use modifying Overlay District regulations.
- XII c) **No Impact.** The Project will not conflict with any applicable habitat conservation plan or natural community conservation plan, because there is no habitat conservation plan or natural community conservation plan on the project site or within the area surrounding the project site and no habitat conservation lands are required to be purchased as mitigation for the proposed project.

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



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>XIII. MINERAL RESOURCES</b> - Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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): MRZ-4

- XIII a) **Less Than Significant.** The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state because the site does not contain minerals of significance and the site does not contain known mineral resources.

The project site is within the MRZ-4 overlay identified by the *Mineral Land Classification of a Part of Southwestern San Bernardino County: The Big Bear Lake-Lucerne Valley Area, California* report. MRZ-4 areas of no known mineral occurrences where geological information does not rule out either the presence or absence of significant mineral resources. MRZ-4 classification does not imply that there is little likelihood for the presence of mineral resources, but rather there is a lack of knowledge regarding mineral occurrences. Further exploration work could well result in the reclassification of land in MRZ-4 areas to MRZ-3 or MRZ-2 categories. Given the small project area, the site is of little importance or value for concrete aggregate mining and would be incompatible with surrounding uses for mining operations; further investigation is not warranted in this case.

- XIII b) **No Impact.** The project will not 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, because the project site is not identified as a recourse recovery site on the general plan, specific plan or other land use plan. Therefore, no impact is anticipated in this area.

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



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>XIV. NOISE - Would the project:</b>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project 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"/>
f) For a project within the vicinity of a private airstrip, 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 ☐):

The information contained in this section is based in part from information obtained from Kunzman Associates, Inc., *Variety Store Project – Morongo Valley Noise Evaluation*.

XIV a) **Less Than Significant.** The project will not expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The noise study included an exterior noise evaluation and rudimentary exterior to interior noise assessment of future noise levels calculated to occur at the southern building façade of the variety store (Dollar General). Future traffic noise from Twenty-nine Palms Highway (SR-62) was modeled in order to determine exterior noise exposure levels for the property. Operational noise including truck deliveries and exterior mechanical equipment (i.e. roof mounted HVAC packages), was evaluated at the closest residential property boundary (northwest side of Twenty-nine Palms Hwy) to determine compliance with the San Bernardino County Code.

The operational noise of the project cannot exceed 60 dB(A) CNEL at the boundary of any existing or potential outdoor use area associated with the residential property. The General Plan, Noise Element states that interior noise levels of the proposed variety store cannot exceed 50 dBA CNEL. Based on the report provided by Kunzman Associates, Inc. Indoor activities associated with the proposed project would not be readily audible outside or at nearby sensitive receptors. The applicant shall submit an Acoustical Checklist post approval indicating they will maintain San Bernardino County Development Code's General Performance Standards,



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noise levels.

- XIV b) **Less Than Significant.** The project will not create exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels. The project location is not in the surrounding area of any industries or activities that generate excessive ground borne vibration. Temporary construction activity may result in ground borne vibration through the use of grading and construction equipment. However, construction related vibration activity is exempt from the vibration standards of the County code between 7am-7pm except Sundays and Holidays. The operational characteristics of the Project will not result in excessive ground borne vibration above the standard listed in Chapter 83.01.090 of the Development Code.
- XIV c) **Less Than Significant.** The Project will not generate a substantial permanent increase in ambient noise levels in the project vicinity above levels existing or allowed without the Project. The noise standards listed in Section XIV a, are required to be maintained through the duration of the Project's operational life. Any noncompliance will result in Code enforcement action and noise abatement procedures through the use of noise attuning devices. The Project is not anticipated to result in a substantial increase in ambient noise levels that are in excess of the County's standard.
- XIV d) **Less Than Significant.** The project will not generate a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. There will be a slight increase in temporary or periodic ambient noise levels in the Project vicinity caused by an increase in truck and automobile traffic. However; the surrounding properties are vacant and undeveloped, at the time future development occurs noise standards are required to be met for interior noise levels. The project noise level caused by the Project's construction and operational activity will not exceed any noise standard of the Development Code.
- XIV e) **No Impact.** As stated in section VIII e), the project is not located within an airport land-use plan area or within two miles of a public/public use airport.
- XIV f) **No Impact.** As stated in section VIII f), the project is not within the vicinity of a private airstrip.

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



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>XV. POPULATION AND HOUSING - Would the project:</b>				
a) Induce substantial 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 housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### SUBSTANTIATION

- XV a) **Less Than Significant.** The project will not induce substantial population growth in an area either directly or indirectly. The proposed Project is consistent with the County's General Plan for the underlying zone. The County's General Plan has anticipated and planned for this level of development on the project site. The proposed project may have an indirect impact on population growth because the Project is required to submit road dedications that will widen existing roads and provide curb, and sidewalk. However, the Project will not be installing other public improvements that typically result in an increase in substantial growth such as creation of new roads or the installation or extension of public sewer or water as the water main is already located in Twenty-nine Palms Highway and no sewer is available or is proposed.
- XV b) **No Impact.** The proposed use will not displace any housing units, necessitating the construction of replacement housing because no housing units are proposed to be demolished as a result of this proposal and the subject site is vacant.
- XV c) **No Impact.** The proposed use will not displace any people necessitating the construction of replacement housing elsewhere, because the project will not displace any existing housing or existing residents because the subject site is vacant.

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



## XVI. PUBLIC SERVICES

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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

- XVI a) **No Impact.** The proposed project will not 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, including fire and police protection, schools, parks, or other public facilities. The Morongo Valley Fire Department, Police, School District, Public Works and Special Districts Departments were consulted in the review process and indicated that the project would not warrant any new or expanded facilities. Therefore, no impact will result because no new facilities or expanded facilities will be required because of the Project.

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



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>XVII. 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 would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### SUBSTANTIATION

- XVII a) **No Impact.** This project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. The County's General Plan requires new residential development to provide a local park and recreation facilities at a rate of not less than 3 acres per 1,000 residents. The proposed Project is not a residential development, therefore, no impact.
- XVII b) **No Impact.** This project does not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. No development of new parkland is required per the County General Plan because the proposed Project is not a residential development.

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



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>XVIII. TRANSPORTATION/TRAFFIC - Would the project:</b>				
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### SUBSTANTIATION

Information contained in this section is derived from the *Variety Store Project – Morongo Valley Focused Traffic Analysis* by Kunzman Associates, Inc. dated July 26, 2016

XVIII a) **Less Than Significant.** The proposed Project will not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit because mitigation measures are not required for this project. However, recommendations have been established and agreed upon by the applicant. A Focused Traffic Analysis was conducted for the proposed Project, factoring the number and distribution of trips caused by the new variety store. The San Bernardino County General Plan Circulation Element states that peak hour intersection operations of Level of Service C or better are generally acceptable in the Desert Region. Therefore, any intersection operating at a Level of Service D to F will be considered deficient. In addition, a traffic impact is considered significant if the Project both: i) contributes measureable traffic to and ii) substantially and adversely changes the Level of Service at any off-site location projected to experience deficient operations under foreseeable cumulative conditions, where feasible improvements consistent with the County of San Bernardino



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General Plan cannot be constructed. Based on the information aforementioned the proposed project will not significantly impact traffic as it will not change the Level of Service.

- XVIII b) **Less Than Significant.** The project will not conflict with an applicable Congestion Management Program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. The Congestion Management Program (CMP) in San Bernardino County was created in June 1990 as a provision of Proposition 111. Under this proposition, urbanized areas with populations of more than 50,000 would be required to undertake a congestion management program that was adopted by a designated Congestion Management Agency (CMA). San Bernardino Association of Governments (SANBAG) was designated as the CMA by the County Board of Supervisors. The CMP's level of service (LOS) standard requires all CMP segments to operate at LOS E or better, with the exception of certain facilities identified in the plan that have been designated as LOS F.

The procedures in the 2000 Highway Capacity Manual (HCM) were adopted as the LOS procedures to be utilized in analyzing CMP facilities. Through the use of Traffic Impact Analysis (TIA) reports and Comprehensive Transportation Plan (CTP) model forecasts, the CMP evaluates proposed land use decisions to ensure adequate transportation network improvements are developed to accommodate future growth in population. If a CMP facility is found to fall below the level of service standard, either under existing or future conditions, a deficiency plan must be prepared, adopted and implemented by local jurisdictions that contribute to such situations. Annual monitoring activities provide a method of accountability for those local jurisdictions required to mitigate a network facility with substandard LOS.

The Traffic Impact Analysis (TIA) analyzed traffic impacts for conformance with the County's CMP. The analysis determined that the proposed Project would not have a significant impact on the LOS of Twenty-nine Palms Highway (SR-62). The proposed development is projected to generate approximately 583 daily vehicle trips, 35 of which occur during the morning peak hour and 62 of which occur during the evening peak hour. For Existing Plus Project traffic conditions, the study area intersections are projected to operate at acceptable Levels of Service during the peak hours. For Existing Plus Ambient Growth Plus Project traffic conditions, the study area intersections are projected to operate at acceptable Levels of Service during the peak hours. For Existing Plus Ambient Growth Plus Project Plus Cumulative traffic conditions, the study area intersections are projected to operate at acceptable Levels of Service during the peak hours.

- XVIII c) **No Impact.** The project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks, because there are no airports in the vicinity of the project and there is no anticipated notable impact on air traffic volumes by passengers or freight generated by the proposed use.
- XVIII d) **No Impact.** The project will not substantially increase hazards due to a design feature or incompatible uses because the Project is a compatible use and its design will not increase hazards.
- XVIII e) **No Impact.** The project will not result in inadequate emergency access because there are a minimum of two access points and a condition of approval by the County's Land Development Division Road Section has determined that adequate curb radii and adequate road right-of-way has been granted to the County through highway and roadway dedication and improvements.



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- XVIII f) **No Impact.** The project will not conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Street improvements including sidewalks are required as a condition of project approval. The nature of the project and its service to the traveling public along Twenty-nine Palms Highway (SR-62) does not warrant the need for improvements related to public transit.

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



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>XIX. UTILITIES AND SERVICE SYSTEMS - Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new, or expanded, entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### SUBSTANTIATION

- XIX a) **Less Than Significant.** The proposed project will not exceed the treatment requirements of the Lahontan Regional Water Quality Control Board. The regulations of the regional control board are carried out through the septic system permitting process of the County's Environmental Health Services Division.
- XIX b) **No Impact.** The proposed Project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. There is no wastewater treatment provider serving the project area.
- XIX c) **Less Than Significant.** The proposed project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities that cause significant environmental effects. The County Land Development Division has determined that there is sufficient capacity in the existing storm water system to absorb any additional stormwater drainage caused by the project. The on-site drainage improvements and the drainage improvements included with the street improvements have been evaluated for their potential impacts. The Biological Assessment discussed in Section IV of this document included the potential impacts caused by the Project's off-site construction.
- XIX d) **Less Than Significant.** The proposed project will have sufficient water supplies available to serve the project from existing entitlements and resources. As discussed in Section X b, of this document the Project site will not be producing in excess of 10-acre-feet of water per year and therefore has sufficient water supplies available to serve



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the Project, including the requirement for water storage as required for fire suppression purposes. No new or expanded facilities are required.

- XIX e) **No Impact.** The Project will not result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. A wastewater treatment provider does not serve the Project site.
- XIX f) **Less Than Significant.** The Solid Waste Management Division has reviewed the Project and has set conditions to ensure compliance with all state laws in regards to recycling, and organic's recycling including construction recycling and waste.
- XIX g) **Less Than Significant.** The proposed project is required to comply with federal, state, and local statutes and regulations related to solid waste. The Solid Waste Management Division has reviewed the Project and has required Conditions of Approval be incorporated that will carry out all existing federal, state and local statutes and regulations.

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



## XX. MANDATORY FINDINGS OF SIGNIFICANCE:

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

### SUBSTANTIATION

- XX a) **Less Than Significant Impact with Mitigation Incorporated.** The project does not appear to have the potential to significantly degrade the overall quality of the region's environment, or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population or drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

There are no identified historic or prehistoric resources identified on this site. No archaeological or paleontological resources have been identified in the project area.

The proposed project will not substantially degrade the existing visual character or quality of the site and its surroundings because the Project will be designed and painted to be low profile and blend predominantly with the desert background.

A Biological Survey has been completed for this project. Conclusions of the survey state that desert tortoise and burrowing owl do not occupy the project site. No distinct wildlife corridors were identified on the site or in the surrounding area. Wildlife observed on the property was limited to song sparrows (*Melospiza melodia*) and ravens (*Corvus Corax*) as such a Pre-construction survey for nesting birds and fencing of the parcel to prevent desert tortoise from entering the construction site are required. These requirements have been added as a condition of project approval prior to grading or ground disturbance and have been made a mitigation measure.

**[Mitigation Measure IV a-1 and Mitigation Measure IV a-b]**

- XX b) **Less Than Significant.** The project does not have impacts that are individually limited, but cumulatively considerable. Less than significant cumulative impacts to air quality, traffic, and hydrology have been identified.



These impacts have been adequately addressed through conditions of approval required to construct and operate the Project. The project site is consistent with the development standards of the County's Development Code and is consistent with the General Plan, any cumulative impacts have been addressed by the County's General Plan and certified Environmental Impact Report used in evaluating and mitigating the cumulative effects of the adoption of the General Plan.

- XX c) **No Impact.** The project will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly, as there are no such impacts identified by the studies conducted for this project or identified by review of other sources or by other agencies.

Only minor increases in traffic, emissions and noise will be created by implementation of the proposed project. These potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable in terms of any adverse effects upon the region, the local community or its inhabitants. 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 insure that no potential for adverse impacts will be introduced by construction activities, initial or future land uses authorized by the project approval.

**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.**

## **XX. MITIGATION MEASURES**

(Any mitigation measures, which are not 'self-monitoring', shall have a Mitigation Monitoring and Reporting Program prepared and adopted at time of project approval)

**SELF MONITORING MITIGATION MEASURES:** (Condition compliance will be verified by existing procedure):

**The following condition of approval will be required prior to the issuance of Grading and/or Building Permits:**

**[Mitigation Measure IV a-1]**

**Desert Tortoise.** Prior to land disturbance the applicant shall fence off the parcel to ensure desert tortoises do not enter that area and stop work and contact California Department of Fish and Wildlife if desert tortoise are observed during construction.

**[Mitigation Measure IV a-2]**

**Nesting Bird Mitigation – Pre-Construction Surveys.** Within 30 days prior to vegetation clearing or ground disturbance associated with construction or grading that would occur during the nesting/breeding season (February through August, unless determined otherwise by a qualified biologist based on observations in the region), the Applicant will retain a qualified biologist to determine if active nests of species protected by the Migratory Bird Treaty Act or the California Fish and Game Code are present within or adjacent to the disturbance zone or within 100 feet (300 feet for raptors) of the disturbance zone. The surveys will be conducted no more than seven days prior to initiation of disturbance work within active project areas. If ground disturbance activities are delayed, then additional pre-disturbance surveys will be conducted such that no more than seven days will have elapsed between the survey and ground disturbance activities. If ground disturbance will be phased across the project site, pre-disturbance surveys may also be phased to conform to the development schedule.



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**If active nests are found, clearing and construction within 100 feet of the nest (or a lesser distance if approved by the U.S. Fish & Wildlife Service) will be postponed or halted, until the nest is vacated and juveniles have fledged, as determined by the biologist. Avoidance buffers will be established in the field with highly visible construction fencing or flagging, and construction personnel will be instructed on the sensitivity of nest areas. A qualified biologist will serve as a construction monitor during those periods when construction activities will occur near active nests to ensure that no inadvertent impacts on these nests occur.**

**The results of pre-construction nesting bird surveys, including graphics showing the locations of any nests detected, and documentation of any avoidance measures taken, will be submitted to the County of San Bernardino and California Department of Fish & Wildlife within 14 days of completion of the pre-construction surveys or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.**



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