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

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

PROJECT LABEL:

APNs:	0479-131-09	***USGS Quad:***	Victorville
Applicant:	Mojave Narrows Chateau Management, LLC	***T, R, Section:***	T5N, R4W, Sections 22 and 23
Location	Located on the north side of Yates Road, south of Horseshoe Lane, and west of Park Road.	***Thomas Bros***	39th Edition, Street Guide, San Bernardino & Riverside Counties Page 4386, Section H1
Project No:	P201800062/PROJ-2020-00143	***Community Plan:***	None
Rep	Mary Brown	***LUC:*** ***Zoning:***	Medium Density Residential (MDR) Multiple Residential (RM)
Proposal:	CUP to construct and operate a Residential Care Facility. The five-building facility includes a medical office building, skilled nursing, outpatient rehabilitation and independent and assisted living care facility.	***Overlays:***	Biotic Resources Overlay, Flood Plain Safety Overlay FP2, Area of Inundation,

PROJECT CONTACT INFORMATION:

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

Contact person: *Jim Morrissey, Contract Planner*
Phone No: (909) 387-4234 Fax No: (909) 387-3223
E-mail: *Jim.Morrissey@lus.sbcounty.gov*

Project Sponsor *Mary Brown*
Mojave Narrows Chateau Management, LLC.
17581 Sultana St.
Hesperia, CA 92345

PROJECT DESCRIPTION:

Summary

The Proposed Project is a request for a Conditional Use Permit (CUP) to allow for the construction and operation of a residential care facility on an approximate 17.73-acre site located in the unincorporated area of San Bernardino County, north of the residential community of Spring Valley Lake and south of the Mojave Narrows Regional Park (See Figures 1 and 2). The

residential care facility would include a two-story, 29,952 square-foot medical office building, a two-story, 24,723 square-foot commons (amenities/rehabilitation) building, a three-story 60,190 square-foot assisted living building, a three-story 47,769 square-foot independent living building, and a two-story 41,551 square-foot skilled nursing building (see Figure 3). The residential care facility would be comprised of 100 assisted living units, 99 basic skilled nursing beds, and 52 one-bedroom independent living units. At full occupancy the facility would include 152 permanent residences and approximately 279 full-time employees.

The medical office building will be equipped with offices, a pharmacy, chronic dialysis, behavioral health, diagnostic testing and clinical wellness suites and an ambulatory surgical center. Other features include an amenity rehab center to serve as a gathering spot for residents and visitor and feature a market, coffee and smoothie shop, cafeteria styled restaurant, bistro, gym, beauty salon, and lounge. The second-floor outpatient rehab center offers pain management, audiology, speech pathology, massage, respiratory, physical and occupational therapies, and a training center.

Project access will occur along Yates Road, with one full primary access driveway near the southeast corner of the site and one secondary access driveway near the southwest corner of the property. The primary access driveway is to be signalized and the secondary access stop-controlled. Due to the unique nature of the proposed use, standard development requirements for parking based upon individual building use rates are not applicable. Residents will not drive and will stay on-site utilizing available facilities. Parking is necessary only for Staff and visitors. As such, a variance to reduce required parking has been requested.

There is a large, natural watercourse that conveys tributary offsite stormwater runoff through the site to the Mojave Narrows Regional Park downstream. In the proposed developed condition, the watercourse will be channelized with revetment side slopes, soft-bottom invert, drop structures and 2 culvert crossings for the access driveways to the developed site.

Surrounding Land Uses and Setting

The Proposed Project is currently vacant and is surrounded by the Mojave Narrows Regional Park to the north, residential development to the south, vacant land and railroad tracks to the west and vacant to the east. The Project Site and surrounding parcels to the north, east and south are governed by the County of San Bernardino Development Code. Land uses to the west of the Project Site are within the City of Victorville and not subject to the County's requirements. The following table lists the existing adjacent land uses and zoning districts within a 300-foot radius.

Existing Land Use and Land Use Zoning Districts		
Location	**Existing Land Use**	**Land Use Category**
Project Site	Vacant	Medium Density Residential (MDR)
North	Mojave Narrows Regional Park	Open Space (OS)
South	Residential	Low Density Residential (LDR)
East	Vacant land	Open Space (OS)
West	Vacant/ Railroad tracks	City of Victorville - Industrial Park-Transitional (IPDT) and General Commercial (C-2)

Project Site Location, Existing Site Land Uses and Conditions

The Project Site is generally located in the southern portion of Sections 22 & 23, Township 5 North, Range 4 West and is depicted on the *Victorville* U. S. Geological Survey's (USGS) 7.5-minute topographic map. The Project Site is specifically located north of Yates Road, south of Horseshoe Lane, and west of Park Road, approximately 2.6 miles east of Interstate 15, in the unincorporated area of San Bernardino County known as Spring Valley Lake; and identified as Assessor's Parcel Number (APN) 0479-131-09.

The Project Site is currently vacant and is at an approximate elevation of 2,770 feet above mean sea level (amsl). The general topography of the Project Site has a gentle slope from north to south and a ridge line that bisects the property. The Project Site is currently vacant with vegetation consisting mainly of low lying scrub habitat with a mixture of Juniper and Joshua trees located on the southeast and northern portion of the Project Site.

Soils in this area consist of three different types including:

- Cajon sand – This sand is comprised of sand derived from alluvium. This soil type is somewhat excessively drained.
- Kimberlina loamy fine sand – This sand is derived from alluvium and contains loamy fine sand, sandy loam and fine sandy loam.
- Victorville sand – These soils are derived from alluvium derived from granite and contain sandy loam, stratified sandy loam to fine sandy loam, stratified and to sandy loam, and clay loam to loam.

An approximate 2,000 linear feet of channel (an unnamed ephemeral desert dry wash), ranging in width from 50 feet to 250 feet, transverses the southern boundary of the Project Site from west to east. It is tributary to the Mojave River as it flows into the Mojave Narrows Regional Park. The wash is a mixture of earthen and improved (concrete) design until it reaches the Project Site where it is entirely earthen and natural. It then flows through the Project site where it discharges to Mojave Narrows Regional Park and subsequently outlets to the Mojave River. Flows originate from the Oro Grande Wash located approximately 2.5 miles west of the Project site. As the flows leave the storm drain system at Lambert Lane, the channel remains earthen.

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

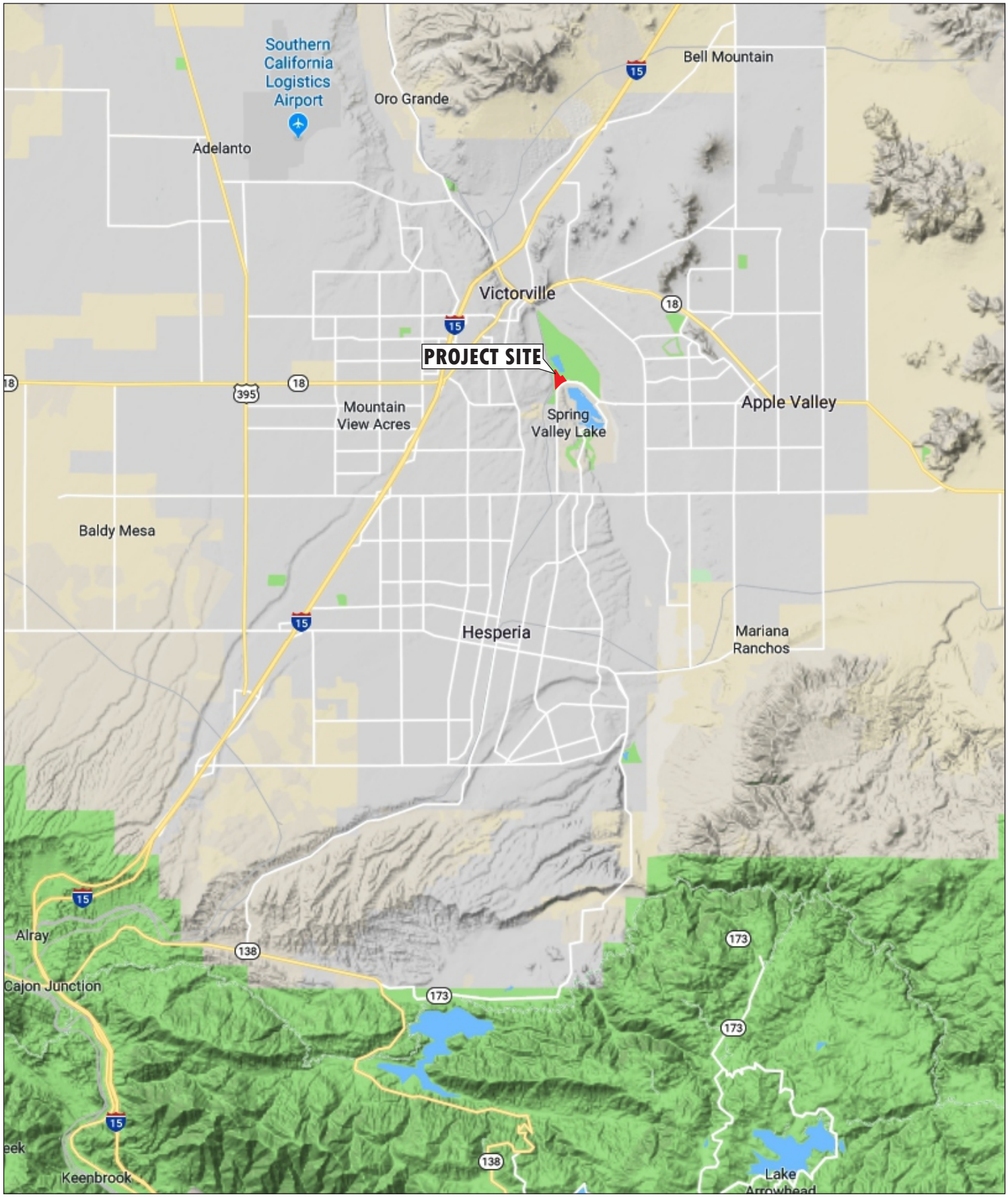
Federal: None.

State of California: California Department of Fish and Wildlife

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

Regional: Mojave Desert Air Quality Management District.

Local: None



0 2.5
Miles

Source: Lilburn Corporation, August, 2020.

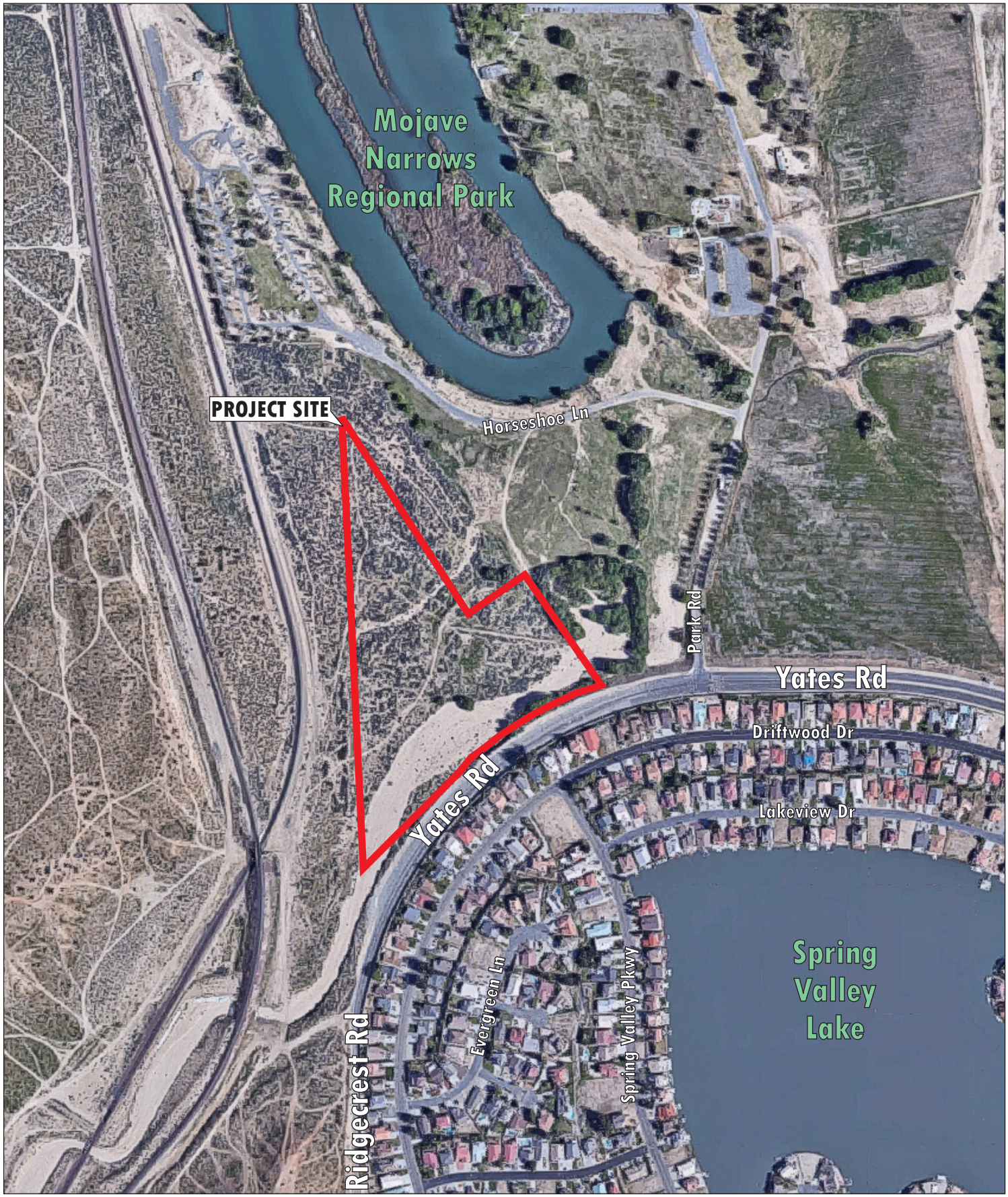
LILBURN CORPORATION

REGIONAL LOCATION

Mojave Narrows Residential Care Facility (P201800062)

Victorville, California

FIGURE 1



N

0 500

Feet

Source: Lilburn Corporation, August, 2020.

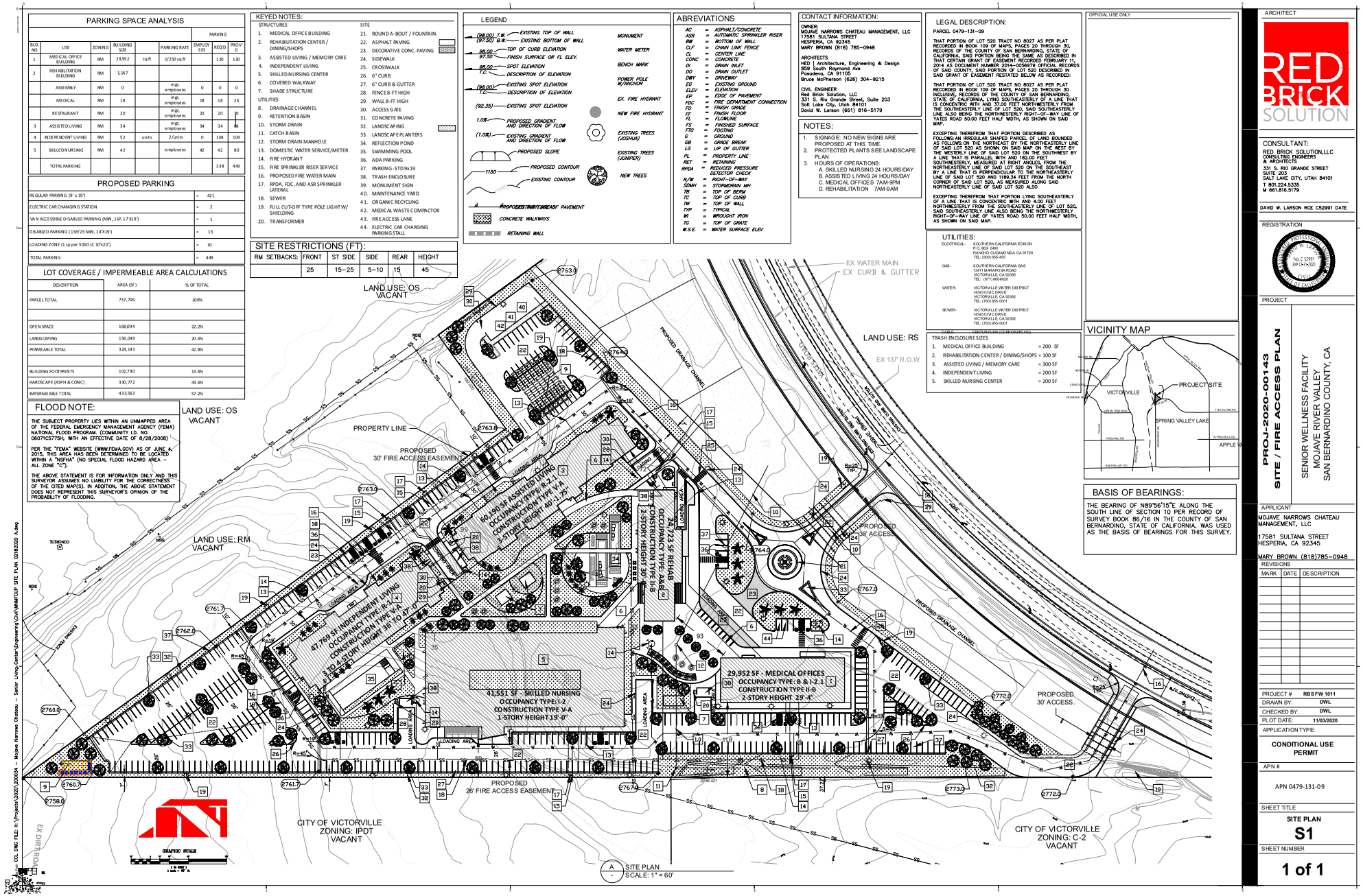
LILBURN CORPORATION

PROJECT VICINITY

Mojave Narrows Residential Care Facility (P201800062)

Victorville, California

FIGURE 2



SITE PLAN

Mojave Narrows Residential Care Facility (P201800062)

Victorville, California

FIGURE 3

LILBURN CORPORATION

CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

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

On October 19, 2020, the County of San Bernardino initiated environmental review under CEQA for the Proposed Project. On October 19, 2020, the County of San Bernardino sent project notification letters to the following California Native American tribes, which had previously submitted general consultation request letters pursuant to 21080.3.1(d) of the Public Resources Code: San Manuel Band of Mission Indians, Twenty-Nine Palms Band of Mission Indians, Colorado River Indian Tribes, Fort Mojave Indian Tribe, Morongo Band of Mission Indians, and San Gabriel Band of Mission Indians.

Each recipient was provided a brief description of the Proposed Project and its location, the lead agency's contact information, and a notification that the tribe has 30 days to request consultation. The 30-day response period concluded on November 19, 2020.

Although Tribal notification was recently distributed, the applicant has been working with the San Manuel Band of Mission Indians for a considerable time and undertaken both a Phase I and Phase II analysis, based upon their extensive discussions with the Tribe. The County of San Bernardino has been kept apprised of their interaction and the County has also discussed the Project with Tribal representatives.

Specific measure language has been added to the Project in the Tribal Cultural Resources section in conjunction with this consultation.

EVALUATION FORMAT

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

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

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

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

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

3. **Less than Significant Impact with Mitigation Incorporated**: Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List of mitigation measures)

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

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

Jim Morrissey
Signature: (Jim Morrissey, Contract Planner) — Date: 11/17/20

Signature: (Chris Warrick, Supervising Planner) — Date: 11-17-2020

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

SUBSTANTIATION: *(Check ☐ if project is located within the view-shed of any Scenic Route listed in the Countywide Plan):*
San Bernardino Countywide Plan, 2020*; *Submitted Project Materials

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

Less Than Significant Impact

The Project Site occurs in an unincorporated area of San Bernardino County and within the City of Victorville's Sphere of Influence. The immediate vicinity of the Project Site is characterized by residential uses to the south, vacant land and railroad tracks to the west, Mojave Narrow Regional Park to the north, and vacant land to the east. Neither the Countywide Plan nor the City of Victorville General Plan identifies a scenic vista or scenic highway view corridor within the vicinity of the Site. The Project Site has a land use category of Medium Density Residential (MDR) and is zoned Multiple Residential (RM) with the Proposed Project being an allowable use with approval of a CUP. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

Less than Significant with Mitigation

Under existing conditions, the Project Site is vacant and undeveloped. The Proposed Project would be accessed via Yates Road which is located south of the Project Site and is not a designated scenic route as identified in the Countywide Plan Policy Map NR-3[1] nor within the California Scenic Highway Mapping System. The nearest County designated scenic route is Historic Route 66 located approximately 7.5 miles northeast of the Project Site.

No historic buildings or rock outcroppings occur on-site. Tree species identified on-site include Joshua trees (*Yucca brevifolia*), Fremont cottonwood (*Populus fremontii*) and some willow (*Salix* sp.). Fremont cottonwood, located on the southeastern portion of the Project Site would not be removed or altered. Five Joshua trees were documented within the current site plan (see Figure 4). Joshua trees are currently protected by the County of San Bernardino and are listed as a candidate species by the California Endangered Species Act (CESA). Currently, all Joshua trees would be removed to allow for construction of the Proposed Project and replanted on-site following post construction. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measure is:

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

Additional Mitigation Measures BIO-4 and BIO 5 as set forth in Section IV Biological Resources of this Initial Study would ensure that potential impacts to Joshua trees are reduced to a less than significant level.

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

Less Than Significant Impact

The 17.73-acre Project Site occurs within an urbanized area and is surrounded by the Mojave Narrows Regional Park to the north, residential development to the south, vacant land to the east, and vacant land followed by railroad tracks to the west. Primary access to the Site would be provided by Yates Road to the south.

[1] https://www.arcgis.com/apps/webappviewer/index.html?id=01c32a4480954deba20af965275b81e7 (accessed October 27, 2020).

0 0.75
Miles

Source: Lilburn Corporation, August, 2020.

LILBURN CORPORATION

HABITAT ON PROJECT SITE

Mojave Narrows Residential Care Facility (P201800062)

Victorville, California

FIGURE 4

The Project Site is currently vacant and displays signs of human disturbance including dirt roads and trails, fence lines, steel posts, railroad ties, and a storage container located along on the southern boundary. The Proposed Project is a request for a CUP to allow for the construction and operation of a residential care facility that would include: a two-story, 29,952 square-foot Medical Office Building, a two-story, 24,723 square-foot Commons (Amenities/Rehabilitation) building, a three-story 60,190 square-foot Assisted Living building, a three-story 47,769 square-foot Independent Living building, and a two-story 41,551 square-foot Skilled Nursing building. Specifically, the residential care facility would be comprised of 100 assisted living units, 99 sub-acute rehabilitation beds, 52 basic skilled nursing beds, and 50 one-bedroom independent living units. In accordance with the Development Code, all proposed buildings would not exceed a maximum height of 45 feet.

The Proposed Project is a conditionally permitted use within the RM Land Use Zoning District. This Zoning is consistent with the MDR Land Use District category of the Countywide Plan and, as such, would not conflict with applicable zoning or other regulations governing scenic quality for the designation. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

Less Than Significant Impact

The Proposed Project is bordered by residential development to the south, vacant land followed by railroad tracks to the west, Mojave Narrows Regional Park to the north and vacant land to the east. The Project would include lighting for safety and security purpose and is proposed along sidewalks and at entries to buildings, and along the perimeter of the parking lot and driveway at Yates Road. Light sources would be oriented towards the property and shielded. Subject to Section 83.07.040(a) of the San Bernardino County Development Code new permitted lighting for new construction, unless exempt in compliance with Subsection 83.07.040(e) (Exempt lighting and fixtures), shall be shielded to preclude light pollution. In accordance with the Development Code the maximum allowed residential pole lighting shall not exceed 12 feet in height. No conflicts with the Development Code are expected as all proposed lighting would be oriented away from the regional park and existing residents to the south and would be in compliance with San Bernardino Development Code Section 83.07.040(a). Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
II.	**AGRICULTURE AND FORESTRY RESOURCES** - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts				

	on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

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

Countywide Plan, 2020*; *California Department of Conservation Farmland Mapping and Monitoring Program; Submitted Project Materials

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

No Impact

The California Department of Conservation's Farmland Mapping and Monitoring Program identifies the Project Site as "Urban and Built-Up Land" and "Other Land" in its

California Important Farmland Finder.[2] "Urban and Built-Up Land" is defined as land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. Common examples include residential, industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures. "Other Land" is land not included in any other mapping category. Common examples include low density rural developments, brush, timber, wetland, and riparian areas not suitable for livestock grazing, confined livestock, poultry or aquaculture facilities, strip mines, borrow pits, and water bodies smaller than 40 acres. No prime farmland, unique farmland, or farmland of statewide importance occurs at the Project Site or within the immediate vicinity. The Proposed Project would not convert farmland to a non-agricultural use. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

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

No Impact

According to San Bernardino County's Interactive Agricultural Resources Map, the Project Site is not under or adjacent to any lands under a Williamson Act Contract. The Project Site occurs within the General Plan Land Use category MDR and is zoned RM, which is consistent with the Countywide Plan and would not conflict with existing zoning for agricultural uses or lands under a Williamson Act Contract. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact

According to the Countywide Plan, there are no mapped forest lands or timberlands in the Project Site region. The site occurs within the High Desert and within the General Plan Land Use category MDR and RM Land Use Zoning District. Implementation of the Proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned for Timberland Production. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact

Forest land is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. The Project Site is currently vacant and does not support forest land. Implementation of the Proposed Project would not result in loss of forest land or conversion of forest land to

[2] https://maps.conservation.ca.gov/dlrp/ciff/. Accessed July 13, 2020.

non-forest use. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

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

No Impact

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

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

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

Countywide Plan, 2020*; *Mojave Desert Air Quality Management Plan; Submitted Project Materials

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

Less Than Significant Impact

The Project Site is in the Mojave Desert Air Basin (MDAB). The MDAB encompasses the desert potion of San Bernardino County. The Mojave Desert Air Quality Management

District (MDAQMD) has jurisdiction over air quality issues and regulations within the high desert area that includes the Project Site. The Proposed Project is a request for a CUP for a residential care facility. The Project Site occurs within the General Plan Land Use category MDR and is zoned RM. The Proposed Project is conditionally permitted within the RM zone.

Currently, the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) are exceeded in most parts of the MDAB. MDAQMD has adopted a series of Air Quality Management Plans (AQMPs) to meet the state and federal ambient air quality standards. AQMPs are updated regularly to reduce emissions, accommodate growth, and to minimize any negative fiscal impacts of air pollution control on the economy more effectively. The Proposed Project would not result in or cause NAAQS or CAAQS violations. The Proposed Project is consistent with the Countywide Plan. In addition, the Proposed Project would not exceed the applicable regional thresholds and, therefore, would have a less than significant impact. The Proposed Project is therefore considered to be consistent with the AQMP. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?

Less than Significant with Mitigation

To assist local agencies in determining if a project's emissions could pose a significant threat to air quality, the MDAQMD has prepared the CEQA and Federal Conformity Guidelines, August 2016. The air and dust emissions from the construction and operational use of the Proposed Project was evaluated and compared to the MDAQMD's air quality thresholds.

Air quality is determined primarily by the types and amounts of contaminants emitted into the atmosphere, the size and topography of the local air basin and the pollutant-dispersing properties of local weather patterns. When airborne pollutants are produced in such a volume that they are not dispersed by local meteorological conditions, air quality problems result. Dispersion of pollutants in the MDAB is influenced by periodic temperature inversions, persistent meteorological conditions and the local topography. As pollutants become more concentrated in the atmosphere, photochemical reactions occur, producing ozone and other oxidants.

Air emissions from the Proposed Project are subject to federal, State and local rules and regulations implemented through provisions of the federal Clean Air Act, California Clean Air Act, and the rules and regulations of the California Air Resources Board (CARB) and MDAQMD. Air quality management districts with air basins not in attainment of the air quality standards are required to prepare an Air Quality Management Plan (AQMP). An AQMP establishes an area-specific program to control existing and proposed sources of air emissions so that the air quality standards may be attained by an applicable target date.

The federal Clean Air Act and California Clean Air Act were established in an effort to assure that acceptable levels of air quality are maintained. These levels are based upon health-related exposure limits and are referred to as National Ambient Air Quality

Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS). The ambient air quality standards establish maximum allowable concentrations of specific pollutants in the atmosphere and characterize the amount of exposure deemed safe for the public. Areas that meet the standards are designated attainment and if found to be in violation of primary standards are designated as nonattainment areas.

The United States Environmental Protection Agency (EPA) and the CARB have designated portions of the MDAQMD as nonattainment for a variety of pollutants, and some of those designations have an associated classification. Table 1 lists these designations and classifications. The MDAQMD has adopted attainment plans for a variety of nonattainment pollutants.

Table 1
State and Federal Air Quality
Designations and Classifications

Ambient Air Quality Standard	Status
Eight-hour Ozone (Federal 70 ppb (2015))	Expected Non-attainment; to be determined.
Ozone (State)	Non-attainment; classified Moderate
PM_{10} (24-hour Federal)	Non-attainment; classified Moderate (portion of MDAQMD in Riverside County is unclassifiable/attainment)
$PM_{2.5}$ (Annual Federal)	Unclassified/attainment
$PM_{2.5}$ (24-hour Federal)	Unclassified/attainment
$PM_{2.5}$ (State)	Non-attainment (portion of MDAQMD outside of Western Mojave Desert Ozone Non-Attainment Area is unclassified/attainment)
PM_{10} (State)	Non-attainment
Carbon Monoxide (State and Federal)	Unclassifiable/Attainment
Nitrogen Dioxide (State and Federal)	Unclassifiable/Attainment
Sulfur Dioxide (State and Federal)	Attainment/unclassified
Lead (State and Federal)	Unclassifiable/Attainment
Particulate Sulfate (State)	Attainment
Hydrogen Sulfide (State)	Unclassified (Searles Valley Planning Area is non-attainment)
Visibility Reducing Particles (State)	Unclassified

Source: MDAQMD CEQA and Federal Conformity Guidelines, August 2016

The Proposed Project's construction and operational emissions were screened using California Emissions Estimator Model (CalEEMod) version 2016.3.2 prepared by the SCAQMD (see Appendix A). CalEEMod was used to estimate the on-site and off-site construction emissions. The emissions incorporate Rules 402 and 403 by default as required during construction. The criteria pollutants screened for include reactive organic gases (ROG), nitrous oxides (NOx), carbon monoxide (CO), sulfur dioxide (SO_2), and particulates (PM_{10} and $PM_{2.5}$). Two of the analyzed pollutants, ROG and NO_x, are ozone precursors. Both summer and winter season emission levels were estimated.

Construction Emissions

Construction emissions are considered short-term, temporary emissions and were modeled with the following construction parameters: site grading (mass and fine

grading), building construction, paving, and architectural coating. The resulting emissions generated by construction of the Proposed Project are shown in Table 2 and Table 3, which represent summer and winter construction emissions, respectively.

Table 2
Summer Construction Emissions
(Pounds per Day)

Source/Phase	ROG	NO_X	CO	PM_{10}	$PM_{2.5}$
Site Preparation	4.1	43.0	22.1	10.4	6.5
Grading	4.5	50.2	32.6	6.2	3.6
Building Construction	2.9	33.5	30.5	4.4	2.1
Paving	2.3	11.1	15.1	0.6	0.5
Architectural Coating	122.2	1.5	2.6	0.5	0.2
Highest Value (lbs/day)	**122.2**	**50.2**	**32.6**	**10.4**	**6.5**
MDAQMD Threshold	137	137	548	82	65
Significant	**No**	**No**	**No**	**No**	**No**

Source: CalEEMod.2016.3.2 Summer Emissions.
Phases do not overlap and represent the highest concentration.

Table 3
Winter Construction Emissions
(Pounds per Day)

Source/Phase	ROG	NO_X	CO	PM_{10}	$PM_{2.5}$
Site Preparation	4.1	42.4	22.0	10.4	6.5
Grading	4.5	50.2	32.4	6.2	3.6
Building Construction	3.9	33.3	28.9	4.4	1.9
Paving	2.3	11.1	14.9	0.6	0.5
Architectural Coating	122.2	1.5	2.2	0.5	0.2
Highest Value (lbs/day)	**122.2**	**50.2**	**32.4**	**10.4**	**6.5**
MDAQMD Threshold	137	137	548	82	65
Significant	**No**	**No**	**No**	**No**	**No**

Source: CalEEMod.2016.3.2 Winter Emissions.
Phases do not overlap and represent the highest concentration.

As shown Table 2 and Table 3, the anticipated construction emissions are less than the MDAQMD thresholds and would be considered less than significant. Table 2 and Table 3 also provide for a 42-day architectural coating period which is also recommended as Mitigation Measure AQ-1 (see below), which reduces impacts related to construction emissions. Furthermore, the Proposed Project shall comply with MDAQMD Rules 402 and 403, as listed below.

Compliance with MDAQMD Rules 402 and 403

Although the Proposed Project does not exceed MDAQMD thresholds, the Applicant is required to comply with applicable MDAQMD Rules 402 for nuisance and 403 for fugitive dust control. This would include, but not be limited to the following:

1. The Project Proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.
2. The Project Proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading activity on the site. Portions of the site that are actively being used shall be watered to ensure that a crust is formed on the ground surface and shall be watered at the end of each workday.
3. The Project Proponent shall ensure that disturbed areas are treated to prevent erosion.
4. The Project Proponent shall ensure that ground disturbing activities are suspended when winds exceed 25 miles per hour.

Although the Proposed Project would not exceed MDAQMD thresholds for exhaust emissions during operations, the Applicant would be required to implement the following conditions as required by MDAQMD:

5. All equipment must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
6. The operator shall comply with all existing and future CARB and MDAQMD Off-Road Diesel Vehicle Regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.

Operational Emissions

Operational emissions are categorized as energy (generation and distribution of energy to the end use), area emissions (natural gas consumption), and mobile emissions (vehicle trips). The operational mobile source emissions were calculated in accordance with the Transportation Impact Analysis prepared for the Proposed Project by Ganddini Group. The Proposed Project is estimated to generate approximately 2,927 daily trips; emissions associated with the Project operations and are listed in Table 4 and Table 5, which represent summer and winter operational emissions, respectively.

Table 4
Summer Operational Emissions Summary
(Pounds per Day)

Source	**ROG**	**NO_X**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Area	5.9	0.0	0.0	0.0	0.0	0.0
Energy	0.0	0.1	0.0	0.0	0.0	0.0
Mobile	6.2	48.2	50.3	0.2	12.3	3.4
Totals (lbs/day)	**12.2**	**48.4**	**50.5**	**0.2**	**12.4**	**3.4**
MDAQMD Threshold	137	137	548	137	82	65
Significance	**No**	**No**	**No**	**No**	**No**	**No**

Source: CalEEMod.2016.3.2 Summer Emissions.

Table 5
Winter Operational Emissions Summary
(Pounds per Day)

Source	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Area	5.9	0.0	0.0	0.0	0.0	0.0
Energy	0.0	0.1	0.1	0.0	0.0	0.0
Mobile	5.2	47.1	45.7	0.2	12.3	3.4
Totals (lbs/day)	**11.2**	**47.3**	**45.9**	**0.2**	**12.4**	**3.4**
MDAQMD Threshold	137	137	548	137	82	65
Significance	**No**	**No**	**No**	**No**	**No**	**No**

Source: CalEEMod.2016.3.2 Winter Emissions.

As shown in Tables 4 and 5, both summer and winter season operational emissions are below MDAQMD thresholds. Therefore, the Proposed Project is not anticipated to violate any air quality standard or result in a cumulatively considerable net increase in an existing or projected air quality violation. However, to ensure potential impacts related to construction emissions are reduced to a less than significant level, the following mitigation measure shall be implemented:

AQ-1: The Project Proponent shall ensure a minimum duration of 42 days for architectural coating.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact

The MDAQMD CEQA and Federal Conformity Guidelines (August 2016) describes sensitive receptors as being residences, schools, daycare centers, playgrounds and medical facilities. The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor land use must be evaluated using MDAQMD significance thresholds:

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

The Proposed Project does not meet the criteria for a project type which is subject to sensitive receptor significance threshold evaluation. The Proposed Project includes a residential care facility. Furthermore, the modeling results discussed previously indicate that development of the Proposed Project is not anticipated to exceed MDAQMD emissions thresholds. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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

Less Than Significant Impact

The Proposed Project does not contain land uses typically associated with the emission of objectionable odors. Potential odor sources associated with the Proposed Project may result from construction activities including equipment exhaust and the application of asphalt and architectural coatings. Operational odor sources would include the temporary storage of domestic solid waste (refuse). Standard construction requirements (i.e., reduced idling, mufflers) would minimize odor impacts resulting from construction activity. It should be noted that any construction odor emissions generated would be temporary, short-term, and intermittent in nature and would cease upon completion of construction activity. In accordance with the County's Development Code, project-generated refuse would be stored in covered containers and removed at regular intervals. The Proposed Project would also be required to comply with MDAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors associated with the Proposed Project construction and operations would be less than significant. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
IV.	**BIOLOGICAL RESOURCES -** Would the project:				
a)	Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☒	☐
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐

d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	☐	☐	☐	☒

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

Submitted Project Materials; Site Visit

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

Less than Significant with Mitigation

In August 2016, Jericho Systems, Inc., prepared a General Biological Resources Assessment for the Project Site. Updates to the 2016 report were prepared in May 2018 and again in July 2020. The reports are included in Appendix B and are summarized herein.

The Project Site is located adjacent to the neighborhood community of Spring Valley Lake. The site and surrounding area display signs of recent disturbances such as Off-Highway Vehicle (OHV) trails, dirt road, and trash. It is surrounded by a mixture of residential development, a park, railway and disturbed undeveloped land. The habitat onsite consists primarily of a mix of big sagebrush (Holland code 35210) and desert saltbush scrub (Holland code 36110). Much of the vegetative cover onsite consists of big sagebrush (*Artemisia tridentata*) and fourwing saltbush (*Atriplex canescens*), with several Joshua tree (*Yucca brevifolia*) scattered mostly throughout the northern portion of the Project Site.

As a part of the biological assessment, a search of the California Natural Diversity Data Base (CNDDB) and other databases was performed for the Project Site and adjacent areas from the Victorville and Hesperia USGS 7.5-minute series quadrangles. The USFWS threatened and endangered species occurrence data overlay, as well as the most recent versions of the California Natural Diversity Database (CNDDB) and

California Native Plant Society Electronic Inventory (CNPSEI) databases were searched for sensitive species data on the Victorville and Hesperia USGS 7.5-minute series quadrangles. The proposed Project Site occurs in the southern portion of the *Victorville* USGS quad and the site's close proximity to the Hesperia quad lead to its inclusion in the review. These databases contain records of reported occurrences of State and federally listed species or otherwise sensitive species and habitats that may occur within the vicinity of the Project Site. The Project Site is not within a Desert Wildlife Management Area as recommended in the Desert Tortoise (Mojave Population) Recovery Plan (U.S. Fish and Wildlife Service 1994b) and formally adopted in March 2006 as a result of the West Mojave Plan (U.S. Bureau of Land Management 2005). Other available technical information on the biological resources of the area were also reviewed including previous surveys and recent findings.

A total of 35 sensitive State and/or federally-listed species (seven plant species and 28 animal species) were found to be documented within the Project vicinity. The Project Site was assessed for sensitive species and particular attention was focused on those species that have been documented in the local vicinity including: desert tortoise (*Gopherus agassizii*); western yellow-billed cuckoo (*Coccyzus americanus occidentalis*); southwestern willow flycatcher (*Empidonax traillii extimus*); least Bell's vireo (*Vireo bellii pusillus*); Mohave ground squirrel (*Xerospermophilus mohavensis*); Loggerhead shrike (*Lanius ludovicianus*); Coast horned lizard (*Phrynosoma blainvillii*); San Emigdio blue butterfly (*Plebulina emigdionis*); and Le Conte's thrasher (*Toxostoma lecontei*).

In addition to the above listed species, the site was assessed for its potential suitability to support burrowing owl (*Athene cunicularia*). Although not a State or federally listed as threatened or endangered species, burrowing owl are considered a State and federal Species of Special Concern and are a migratory bird protected by the international treaty under the Migratory Bird Treaty Act of 1918 and by State law under the California Fish and Game Code (CDFG Code #3513 & #3503.5). Burrowing owl (BUOW) are known to occur throughout the region and have been documented within the Project vicinity. The site was also assessed for Joshua trees (*Yucca brevifolia*); individual tree locations were recorded previously in 2018 with a GPS unit to determine potential impacts. Recently, the Joshua tree was listed as a candidate species and is protected under the CESA.

Jericho biologist Christian Nordal conducted the biological resources assessment update of the Project Site on June 25, 2020. The survey area encompassed both the proposed access point and Project footprint. Wildlife species were detected during field surveys by sight, calls, tracks, scat, or other signs. In addition to species observed, expected wildlife usage of the site was determined according to known habitat preferences of regional wildlife species and knowledge of their relative distributions in the area. The main focus of the faunal species surveys was to identify potential habitat for special status wildlife within the Project area.

The proposed Project will not impact any critical habitat or otherwise sensitive habitats because none exist within the Project footprint. In addition, no State and/or federally listed threatened or endangered species, or other sensitive species were observed on site during the field survey. No further action is required. However, a further discussion of recent action by the California Fish and Game Commission on protection of the Joshua tree is provided below in this section.

Four birds and two mammals were observed onsite during the survey. Species observed or otherwise detected on or in the vicinity of the Project Site during the surveys included; Cooper's hawk (*Accipiter cooperii*), Anna's hummingbird (*Calypte anna*), common raven (*Corvus corax*), mourning dove (*Zenaida macroura*), black-tailed jack rabbit (*Lepus californicus*) and desert cottontail (*Sylvilagus audubonii*). No suitable habitat was found within the Project boundary for either the desert tortoise (*Gopherus agassizii*) or Mohave ground squirrel (*Xerospermophilus mohavensis*). Please see Appendix B of this Initial Study for a complete discussion of species reviewed during the survey.

The conditions present on-site are marginally-suitable for BUOW. The assessment survey was structured, in part, to detect BUOW, which have been observed in the vicinity of the Project Site (within 3 miles). The survey consisted of walking transects spaced to provide 100 percent visual coverage of the Project Site. The result of the survey found no evidence of BUOW, including no burrows of appropriate size, aspect or shape were located and no BUOW pellets, feathers or whitewash. No burrowing owl individuals were observed. According to the CNDDB, there are 24 documented occurrences of BUOW within the Victorville and Hesperia quads. The nearest documented BUOW occurrence (2006) is approximately 2.75 miles west of the Project Site.

Since the conditions present on-site are marginally suitable for BUOW, and this species has been documented within the vicinity, a preconstruction BUOW survey is recommended to avoid any potential project-related impacts to this species. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measure is:

BIO-1: A Pre-construction Burrowing Owl Survey shall be conducted by a qualified biologist at least 14 days prior to any Project activities, at any time of year. Surveys shall be completed following the recommendations and guidelines provided within the *Staff Report on Burrowing Owl Mitigation* (CDFG, March 2012) or most recent version by a qualified biologist. If an active burrowing owl burrow is detected within any Project disturbance area, or within a 500-foot buffer of the disturbance area, a 300- foot radius buffer zone surrounding the burrow shall be flagged, and no impacts to soils or vegetation or noise levels above 65 dBA shall be permitted while the burrow remains active or occupied. Disturbance-free buffers may be modified based on site-specific conditions in consultation with CDFW. The qualified biologist shall monitor active burrows daily and will increase buffer sizes as needed if owls show signs of disturbance. If active burrowing owl burrows are located within any work area and impact cannot be avoided, a qualified biologist shall submit a burrowing owl exclusion plan to CDFW for review and approval. The burrowing owl exclusion plan shall include permanent compensatory mitigation consistent with the recommendations in the *Staff Report on Burrowing Owl Mitigation* such that the habitat acreage, number of burrows and burrowing owls impacted are replaced. Passive relocation shall take place outside the nesting season (1 February to 31 August).

There are several Joshua trees within the site vicinity, and five Joshua trees were documented within the current site plan. Joshua trees are currently protected by the County of San Bernardino and on September 22, 2020, the California Fish and Game Commission undertook action to determine the tree could be listed as potentially threatened or endangered under the CESA. As such, the tree currently is listed as a candidate species. In the event Joshua trees cannot be avoided on-site, a consultation with the CDFW would be required due to the species' listing status. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are:

BIO-2: If the Project, including any Project related construction activity, results in take of Joshua trees (a CESA-listed species), the applicant shall seek appropriate authorization prior to Project implementation through an Incidental Take Permit if the species cannot be avoided and provide such documentation to the County Planning Division prior to issuance of a grading permit.

BIO-3: In the event relocation of Joshua trees is permissible, the Project Applicant shall prepare a relocation plan for CDFW approval and shall obtain a Relocation-Protected Plant Permit from the County of San Bernardino, prior to commencement of Project activities. Evidence of the CDFW approval shall be provided to the County Planning Division prior to issuance of a grading permit.

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

Less Than Significant Impact

The site and surrounding area has been subject to historic human disturbances and showed signs of recent disturbances such as OHV trails, dirt road, and trash. It is surrounded by a mixture of residential development, a park, railway and disturbed undeveloped land. The habitat onsite consists primarily of a mix of big sagebrush (Holland code 35210) and desert saltbush scrub (Holland code 36110). Much of the vegetative cover onsite consists of big sagebrush (*Artemisia tridentata*) and fourwing saltbush (*Atriplex canescens*), with four Joshua trees (*Yucca brevifolia*) scattered amongst the northern portion of the Project Site. There is also a small patch of highly fragmented riparian vegetation (approximately four (4) acres) consisting mainly of Fremont cottonwood (*Populus fremontii*) with some willow (*Salix* sp.), along the Project Site boundary adjacent to Yates Road. No impact to this vegetation would occur with Project implementation. The vegetation within this area resembles Fremont cottonwood series riparian forest (Holland code 61000) and is associated with an unnamed drainage that flows through the southern end of the Project Site boundary, adjacent to Yates Road.

Furthermore, riparian habitat occurs adjacent to but outside of the eastern boundary of the Project Site (i.e., toward the Mojave Narrows Regional Park). As such, no impact to this habitat would result with implementation of the proposed Project. Therefore, the two

identified riparian habitat areas would not be disturbed. However, there are three cottonwood trees, along the southern boundary of the planned development area that would be removed to allow for Project development. The cottonwood trees are within the jurisdiction of the CDFW and would require appropriate permits prior to removal (see additional discussion in response (c) below. Therefore, no adverse significant impacts would occur or are anticipated and no mitigation measures are required.

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

Less than Significant with Mitigation

An unnamed ephemeral desert dry wash occurs along the southern boundary of the Project Site from west to east. The small patch of riparian habitat located adjacent to the southeastern corner of the Project Site boundary is associated with this ephemeral stream. It is fed by off-site flows originating southwest of the Project Site and appears to be tributary to the Mojave River, which is located north and west of the Project Site, within approximately 0.5 to 1.0 mile of the site. The Mojave River is a jurisdictional water subject to the Clean Water Act (CWA) and Fish and Game Code under the jurisdictions of U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and CDFW. Any project related impacts to the ephemeral stream that exists onsite will likely require a Streambed Alteration Agreement from the CDFW, and CWA Sections 401/404 permits from the RWQCB and Corps respectively.

The Project development proposes to construct an access road from Yates Road, across this wash with turnabout, three concrete drops structures, and a portion of a parking area within the confines of the wash limits. A Jurisdictional Delineation (JD), dated September 28, 2020, was prepared for the Proposed Project by Jericho Systems Inc. and is available for review at the County of San Bernardino Land Use Services Department and is attached as Appendix C to this Initial Study and summarized herein.

The JD addressed potential effects to resources protected under the federal Clean Water Act (CWA) regulated by the U.S. Army Corps of Engineers (USACE) and Regional Water Quality Control Board (RWQCB) respectively, California's Porter-Cologne Water Quality Control Act (Porter-Cologne) administered by the RWQCB and Section 1602 of the California Fish and Game Code (FCG) administered by the CDFW.

On August 26, 2020, Jericho regulatory specialist Shay Lawrey and biologist Christian Nordal evaluated the Project Site for the limits of jurisdictional waters, (i.e. Waters of the US (WoUS) and State streambed waters (or Waters of the State) as regulated by the USACE, RWQCB, and CDFW, respectively. The survey area encompassed 1,800 linear feet of channel that ranges in width from 50 feet to 250 feet. Total area surveyed was 8 acres.

The evaluation of CWA WoUS was based upon the Corps' regulations and technical guidance issued by the USACE including, among other sources described further below, *USACE Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region, December 2008 (Arid West Supplement)* and *USACE A Guide to Ordinary High Water Mark (OHWM) Delineation Arid West Region of the United States,*

2010. The lateral extent of USACE jurisdiction was measured at the Ordinary High Watermark (OHWM), which is indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris.

Evaluation of FGC Section 1600 Streambed Waters followed guidelines of the FGC (MESA Field Guide*)* pursuant to CDFW claims of jurisdiction beyond traditional stream banks and the outer edge of riparian. Under the MESA Field Guide, the term stream is defined broadly to include "a body of water that flows perennially or episodically and that is defined by the area in which water currently flows, or has flowed, over a given course during the historic regime (i.e., 'circa 1800 to the present'), and where the width of its course can reasonably be identified by physical or biological indicators." Specifically, CDFW jurisdiction was delineated by measuring the elevations of land that confine a stream to a definite course when its waters rise to their highest level and to the extent of associated riparian vegetation. The extent of associated riparian vegetation was used to mark the lateral extent of the jurisdictional areas. Other data recorded included bank height and morphology, substrate type, and vegetation within and adjacent to the low flow streambed.

Since under Porter-Cologne, "Waters of the State" are defined by "any surface water or groundwater, including saline waters, within the boundaries of the state" the jurisdictional evaluation followed the same procedures outlined in the FGC Section 1600 Streambed Waters.

A variety of reference materials relevant to the Project Site were also reviewed during the course of the delineation, including historical and current aerial imagery, Federal Emergency Management Agency (FEMA) flood insurance rate maps (FIRM), National Oceanic & Atmospheric Administration (NOAA) climate data, USFWS National Wetland Inventory (NWI) and EPA Water Program "My Waters" data layers and United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) web soil survey. The data provided in the Web Soil Survey provides a standard basis for the soil textures and types that are assigned a hydric indicator status of "hydric" or "non-hydric" by the National Technical Committee for Hydric Soils.

Jurisdictional Wetlands

The bed of the unnamed ephemeral desert dry wash is mostly devoid of vegetation and the banks are bordered by a mix of big sagebrush (Holland code 35210) and desert saltbush scrub (Holland code 36110) comprising the Mojave Desert scrub habitat. There is also cottonwood riparian habitat within the desert dry wash habitat. The wash has been subject to historic human disturbances and showed signs of recent disturbances such as Off-Highway Vehicle (OHV) trails and trash. The wash lacks wetland hydrology, soils or plants. No wetlands occur in the survey area; therefore, the wash is considered a non-wetland water.

Jurisdictional Waters

According to the USACE 2020 rule that narrows the scope of waters subject to federal regulation under the CWA, the wash was excluded as it is an ephemeral stream. An ephemeral stream flows only briefly during and following a period of rainfall in the

immediate locality and is not influenced by groundwater. Even though this wash is tributary to the Mojave River the "significant nexus text" in the 2015 Rule was abandoned in the 2020 rule and it is therefore non jurisdictional in terms of the federal CWA.

The wash is considered jurisdictional however, under the California FGC Section 1600 and Porter- Cologne as a State Streambed Water (Waters of the State). Within the survey area there are 6.73 acres of Waters of the State that fall under the authority of CDFW and RWQCB. The jurisdictional area that would be impacted encompasses cut banks, dry channel bed and no associated riparian vegetation. Below is a breakdown of project-related impacts to the wash according to the plans provided.

Yates Road Crossing: The Proposed Project would construct an access road from Yates Road, across the wash to the development and would install three concrete drop structures. Five, 6-foot by 10-foot culverts would be constructed to accommodate the access road. Permanent impacts to the wash associated with the footprints of the access road, turn-about, parking areas, and storm drain would total 2.43 acres.

Channel Drop Structures: The drop structures would be uniformly 3.8 feet in length and vary in width to accommodate the channel width. These estimated acreages are as follows:

Drop structure 1 - 3.8 feet by 90 feet = 342 square feet = 0.007 acre
Drop structure 2 - 3.8 feet by 100 feet = 380 square feet = 0.008 acre
Drop structure 3 - 3.8 feet by 140 feet = 532 square feet = 0.012 acre

Total permanent impacts to State Streambed Waters associated with the drop structures are calculated at 0.027 acre. Therefore, combined total permanent impacts would be 2.45 acres.

According to the plans, the wash would need to be recontoured to accommodate the improvements. With a total of 6.73 acres of Waters of the State and 2.45 acres of permanent impacts, there would be a temporary impact of 4.28 acres resulting from the recontouring. Once the Project is built the channel would remain in a natural desert dry wash state and flow naturally as it does now as an ephemeral wash. The channel morphology and hydrology make this channel subject to the California FGC and Porter-Cologne. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measure is:

BIO-4: Construction of the access road and in-channel drop structures are considered an alteration of a State Streambed Water that falls under the jurisdictions of the CDFW and RWQCB. A Section 1600 Streambed Alteration Agreement from the CDFW and a Waste Discharge Requirement (WDR) Permit from the RWQCB shall be obtained prior to the issuance of grading/construction permits.

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

Less than Significant with Mitigation

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

Four birds and two mammals were observed onsite during the July 2020 survey. Species observed or otherwise detected on or in the vicinity of the Project Site during the surveys included; Cooper's hawk (*Accipiter cooperii*), Anna's hummingbird (*Calypte anna*), common raven (*Corvus corax*), mourning dove (*Zenaida macroura*), black-tailed jack rabbit (*Lepus californicus*) and desert cottontail (*Sylvilagus auduboni*).

Cooper's hawk was observed in the riparian habitat adjacent to the Project Site but outside of the parcel. There is some habitat within the proposed Project footprint that is marginally-suitable for four sensitive species identified in the CNDDB search, including Loggerhead shrike, Coast horned lizard, San Emigdio blue butterfly and Le Conte's thrasher (see Appendix B, July 27, 2020 Updated Biological Assessment Table 2). None of these species were observed onsite during the 2016, 2018 and 2020 surveys. Therefore, focused surveys are not warranted. However, preconstruction nesting bird surveys as required to determine if any sensitive bird species are present prior to the onset of construction activities. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measure is:

BIO-5: Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) prior to project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage and expected types, intensity and duration of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in

the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.

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

Less Than Significant Impact

The California Desert Native Plants Act prohibits unlawful harvesting of species of the Agavaceae (century plants, nolinas, and yuccas); all species of the family Cactaceae; all species of the family Fouquieriaceae (ocotillo, candlewood); all species of the genus Prosopis (mesquites); all species of the genus Parkinsonia (paloverdes); catclaw acacia (*Acacia greggii*); desert holly (*Atriplex hymenelytra*); smoke tree (*Psorothamnus spinosus*); and desert ironwood (*Olneya tesota*), both dead and alive.

According to the California Desert Native Plants Act, Division 23 of the Californian Food and Agricultural Code, Chapter 3 California Desert Native Plants, Section 80075, any native plant that is declared to be a rare, endangered, or threatened species by federal or state law or regulations, including, but not limited to, the fish and game code, is exempt from this division[3]. Therefore, the Joshua trees on-site, due to their candidate listing by the CESA are considered exempt from the California Desert Native Plants Act.

According to the San Bernardino Countywide Plan EIR, removal of any Joshua trees would require a permit and fee[4]. Adherence to the Mitigation Measures BIO-2 and BIO-3 and requires set forth in the Countywide Plan, would ensure potential impacts are reduced to a less than significant level. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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

No Impact

The Project Site is not located within the planning area of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan as identified in the California Department of Fish and Wildlife's California Natural Community Conservation Plans Map.[5] No impacts are identified or are anticipated and no mitigation measures are required.

[3] https://wildlife.ca.gov/conservation/plants/ca-desert-plant-act. Accessed October 27, 2020.
[4] http://countywideplan.com/wp-content/uploads/2019/06/Ch_05-04-BIO.pdf. Accessed October 27, 2020.
[5] https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline. Accessed July 15, 2020.

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

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

Countywide Plan 2020; Phase I Cultural Resources Assessment, Archaeological Resources Testing and Evaluation Report

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

Less than Significant with Mitigation

A Phase I Cultural Resources Assessment, dated October 2017, was prepared by McKenna et al., for the Proposed Project (see Appendix D). Based on recommendations provided in the Phase I Cultural Resources Assessment, a Phase II Archaeological Resources Testing and Evaluation Report, dated October 2020, was prepared by Tierra Environmental Services (Tierra) for the Project Site (see Appendix E). Findings of the reports are summarized herein and are available for review at the County of San Bernardino Land Use Services Department and included as appendices to this Initial Study.

During preparation of the Phase I Cultural Resources Assessment, a cultural resources records search was completed at the South Central Coastal Information Center (SCCIC) located at California State University, Fullerton. McKenna et al. completed the search on July 13, 2017 for the Project area and all lands found within a one-mile radius. The search found that a majority of the Project area was previously surveyed for cultural resources and included in three reports (1061041, 1061044, and 1067167). In addition, 52 other studies were completed within a one-mile radius of the project site that collectively recorded a total of 33 cultural resources. Of these, two were found to be within or directly adjacent to the project site.

The first previously identified cultural resource - P36-010154 was recorded in 1999 and described to be an historic foundation with an associated scatter of historic refuse. The cultural resource was mapped as being northwest of the project site boundary and therefore, would not be impacted by the Proposed Project.

The second previously identified cultural resource - P36-004313 was recorded numerous times including 1980, 1999, and 2011. The resource was identified as both a surface and subsurface distribution of artifacts located on upper Mojave River terrace and southwest of the Mojave River Narrows Regional Park. The resource was identified as being a village site that included a historic irrigation canal, presence of dark soil localities that may be representative of hearth locations and artifact scatter including fire-affected rock, jasper and quartzite debitage, cobble manos, a schist metate, quartzite scraper, and quartzite chopper. Cultural resource P36-004313 was identified to cover the northern portion of the property and extends to the east and west of the Project Site. This resource, although not listed in the National Register of Historic Places (NRHP), would qualify for recognition as a significant resource.

A pedestrian survey was conducted and resulted in evidence of a village site. Metates, manos, pestle(s), flaked tools, projectile points, core(s), and debitage were observed over an area that dominates the Project Site. Darkened soils were also present and suggest the potential for midden deposits and fire affected rock associated with buried hearths. Artifact scatter was identified on the surface, but generally in areas where there was some surface disturbance, indicating these items were buried at some point. Therefore, the potential for additional buried artifacts was determined to be relatively high. As concluded in the Phase I Cultural Resources Report, a Phase II archaeological testing program was recommended.

Tierra Environmental Services (Tierra) prepared an Archaeological Resources Testing and Evaluation Report for the Project Site. After negotiations with representatives of the County of San Bernardino, Lilburn Corporation, and the San Manuel Band of Mission Indians (SMBMI) regarding the scope of work to be undertaken, a Phase II Testing Plan was developed, and fieldwork began on May 11, 2020, and testing took place on May 13-15 and 18-20, 2020.

The purpose of the Archaeological Resources Testing was to evaluate the significance of SBR-4313-H (i.e. P36-004313) using both California Register of Historic Resources (CRHR) criteria and Native American tribal values and concerns. The final agreed-upon approach was the excavation of 48, 50 x 50 cm Shovel Test Pits (STPs), spaced 45 meters apart, in a grid pattern covering the site's furthest extent as derived from the various site boundaries created by Drover (1980), James and Briggs (1999) and McKenna (2017) to the extent they are within the Project Site for a total of about 14 acres. These were excavated to a minimum of 40 cm (the depth of the deposits estimated by Drover in 1980). If any cultural material was encountered, excavations continued at least 20 cm of sterile soil beyond those finds. In accordance with the Phase II Testing Plan, all artifacts and ecofacts were photographed, key artifact attributes were recorded in the field, and then all cultural material was reburied without external laboratory or specialized analyses. Information on soils was also noted. Disturbed areas were also mapped, including the presence of berms and other raised areas, trails, dirt roads, and historic trash.

A total of 140 prehistoric and 25 historic artifacts were recovered from subsurface excavations along with one surface prehistoric artifact. Prehistoric artifacts included primarily fire-altered rock and fire-affected small animal and bird bone, along with two *Olivella* side wall beads, three flakes (chalcedony and quartzite), and an obsidian projectile point fragment from the surface. Several possible prehistoric flakes, cores and mano fragments, along with a possible hammerstone and scraper, were also found. Three gastropod shells (not *Olivella*) and 2 tiny fragments of possible oyster shell were recovered, but these were not viewed as cultural ecofacts. These finds are in addition to 10 mano and metate fragments, a core, a pestle fragment, five bifaces (including projectile points and point fragments), and a cluster of chalcedony and jasper flakes found on the surface by McKenna (2017). Note that of the latter, six formal tools and the cluster of debitage are located outside of the project boundary.

The Archaeological Resources Testing and Evaluation Report concluded that the site was not a village site as was suggested by McKenna (2017), due to the low diversity of artifacts, the lack of developed midden, the relatively few areas with significant subsurface deposits, and the absence of any indication of human remains (other than possibly the presence of the two shell beads). In addition, historic features on the part of the site within the Project area are unlikely to be more than 50 years old, and only a few scattered artifacts greater than 50 years old were recovered, often from different time periods-- a few scattered, almost entirely surface fragments of purple glass (1870s-1925), a Remington bullet casing (1962-present), a Coors beer can with removal pull tab without sharp edges (1965-1975), and Styrofoam (1941-present) fragments in STP 39. The thinly scattered surface and few subsurface artifacts do not establish the existence of an historic site greater than 50 years old and are not viewed as a significant historic resource. In conclusion, both the prehistoric and historic components of SBR-4313-H situated in the project area are not considered significant historic resources under CEQA criteria. Nonetheless, given the general sensitivity of the site's location with important village sites in the general vicinity, construction monitoring is recommended for the northern third of the Project, i.e., north of the wash which crosses the center of the Project Site.

There are no historic features or sites more than 50 years old within the Project Site. One historic component does exist within SBR-4313-H to the west of the Project Site, which placed it outside the scope of the investigation and evaluation.

Based on CEQA, unless a site has very unusual or unique characteristics, to be evaluated as significant it must satisfy one or more of the following criteria:

A. The resource is associated with events that have made a contribution to the broad patterns of California history;
B. The resource is associated with the lives of important persons from our past;
C. The resource embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important individual or possesses high artistic values; or
D. The resource has yielded, or may be likely to yield, important information in prehistory or history.

As for Criterion A, given the site only represents episodic camping and food preparation, it is hard to argue that it represents a major contribution to the broad patterns of

prehistory. The historic period artifacts within the subject property are mostly less than 50 years old, and were not able to analyze the ca. 1900 historic deposits recorded by James and Briggs (1999) outside the project area.

Criterion B is not relevant prehistorically. It is true that the property was once a ranch that belonged to James Brown, brother of John Brown, builder of Brown's Toll Road in Cajon Pass more than a century ago; however, there are no significant elements attributable to this ranch within the subject property, such as major structures, buildings or landscape improvements that are greater than 50 years old.

Given the data available for the site, Criterion C is not relevant as there are no structures, buildings or rock art with the Project area.

Criterion D refers to the site's research potential. Given the paucity and narrow range of artifacts found during Phase II excavations, except for fire-altered rock and small animal bird and animal bone, the research potential is viewed as largely exhausted with the test excavations.

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:

CR-1: An archaeological monitor with at least 3 years of regional experience in archaeology shall be present for all ground-disturbing activities that occur within culturally-sensitive portions of the proposed project area, as delineated by the San Manuel Band of Mission Indians (SMBMI). Ground-disturbing activities include, but are not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work. A sufficient number of archaeological monitors shall be present each work day to ensure that simultaneously occurring ground-disturbing activities within culturally sensitive areas receive thorough levels of monitoring coverage.

A Monitoring and Treatment Plan that is reflective of the project mitigation and includes a map of areas sensitive for Tribal Cultural Resources provided by San Manuel Band of Mission Indians (SMBMI) shall be completed by the archaeologist and submitted to the Lead Agency for dissemination to the SMBMI Cultural Resources Department. Once all parties review and approve the plan, it shall be adopted by the Lead Agency – the plan must be adopted prior to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring and Treatment Plan.

CR-2: If a cultural resource is discovered during project implementation, ground-disturbing activities shall be suspended 60 feet around the

resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed.

Representatives from the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI), a qualified archaeologist/applicant, and the Lead Agency shall confer regarding the treatment of the discovered resource(s). As outlined in CEQA, the Applicant shall make a good faith effort to redesign the project area in such a way that impacts to the identified resource(s) can be avoided/preserved in place. Should any resource(s) not be a candidate for avoidance/preservation in place, and therefore the removal of the resource(s) is necessary to mitigate impacts, a research design may be developed in consultation with SMBMI.

The research design will include a plan to formally evaluate the resource(s) for significance under CEQA criteria, as well as to formally address the resource(s) place within the landscape identified as a Tribal Cultural Resource (TCR) by the San Manuel Band of Mission Indians. Additionally, the research design shall include a comprehensive discussion of sampling strategies, resource processing, analysis, and reporting protocols/obligations. Removal of any cultural resource(s) shall be conducted with the presence of a Tribal Monitor representing the Tribe, unless otherwise decided by SMBMI. All plans for analysis shall be reviewed and approved by the Applicant, Lead Agency, and SMBMI prior to implementation, and all removed material shall be temporarily curated on-site.

It is the preference of SMBMI that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during project implementation not be feasible, then a reburial location for future reburial shall be decided upon by SMBMI, the landowner, and the Lead Agency, and all finds shall be reburied within this location. Additionally, in the case of a single reburial area, reburial shall not occur until all ground-disturbing activities associated with the project have been completed, all cataloging and basic recordation of cultural resources have been completed, and a final report has been approved by SMBMI and the Lead Agency. All reburials are subject to a reburial agreement that shall be developed between the landowner and SMBMI outlining the determined reburial process/location and shall include measures and provisions to protect the reburial area from any future impacts (i.e. project plans, conservation/preservation easements, etc.).

Should it occur that avoidance, preservation in place, and on-site reburial are not an option for treatment, the landowner shall relinquish all ownership and rights to this material and confer with SMBMI to identify an American Association of Museums (AAM)-accredited facility within the County that can accession the materials into their permanent collections and provide for the proper care of these objects in accordance with the 1993 CA Curation Guidelines. A curation agreement with an appropriate qualified repository shall be developed between the

landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project developer/Applicant to pay for those fees.

All draft archaeological records/reports created throughout the life of the project shall be prepared by the archaeologist and submitted to the Applicant, Lead Agency, and SMBMI for their review and approval. After approval from all parties, the final reports and site/isolate records are to be submitted to the local CHRIS Information Center, the Lead Agency, and SMBMI.

CR-3: In accordance with California Health and Safety Code Section 7050.5, if human remains are found, the County Coroner shall be notified within 24 hours of the discovery. The project lead/foreman shall designate an Environmentally Sensitive Area (ESA) physical demarcation/barrier 100 feet around the resource. No further excavation or disturbance of the site within 100 feet of the identified resource shall occur until the County Coroner has determined makes his/her assessment regarding the nature of the remains. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours. In accordance with Public Resources Code Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant (MLD) from the deceased Native American. The MLD shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative will then determine, in consultation with the property owner, the disposition of the human remains.

Reburial of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The MLD in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The applicant/developer/landowner should accommodate on-site reburial in a location mutually agreed upon by the Parties.

It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

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

Less than Significant with Mitigation

Construction activities, particularly grading, could potentially disturb human remains interred outside of a formal cemetery. Field surveys conducted as part of the Phase I Cultural Report and the Archaeological Resources Testing and Evaluation Report did not encounter any evidence of human remains. The Project Site is not located on or near a known cemetery, and no human remains are anticipated to be disturbed during the construction stage. However, the discovery of human remains is always a possibility during ground-disturbing activities. A possible significant adverse impact has been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce the impact to a level below significant. The required mitigation measure is:

CR-4: If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site and provide recommendations for treatment to the landowner within 48 hours of being granted access.

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

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

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

SUBSTANTIATION: Countywide Plan, 20020; Submitted Materials

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

Less Than Significant Impact

Building Energy Conservation Standards

The California Energy Conservation and Development Commission (California Energy Commission) adopted Title 24, Part 6, of the California Code of Regulations; energy Conservation Standards for new residential and nonresidential buildings in June 1977 and standards are updated every three years. Title 24 ensures building designs conserve energy. The requirements allow for the opportunities to incorporate updates of new energy efficiency technologies and methods into new developments. In June 2015, the California Energy Commission (CEC) updated the 2016 Building Energy Efficiency Standards. Under the 2016 Standards, residential buildings are approximately 28 percent more energy efficient than the previous 2013 Energy Efficiency Standards. The 2016 Standards improved upon the previous 2013 Standards for new construction of and additions and alterations to residential and nonresidential buildings. The 2019 Title 24 standards state that residential buildings are anticipated to be approximately 7 percent more energy efficient. When the required rooftop solar is factored in for low-rise residential construction, residential buildings that meet the 2019 Title 24 standards would use approximately 53 percent less energy than residential units built to meet the 2016 standards.

Senate Bill 350

Senate Bill (SB) 350 (de Leon) was signed into law in October 2015. SB 350 establishes new clean energy, clean air and greenhouse gas reduction goals for 2030. SB 350 also establishes tiered increases to the Renewable Portfolio Standard: 40 percent by 2024, 45 percent by 2027, and 50 percent by 2030.

Senate Bill 100

Senate Bill 100 (SB 100) was signed into law September 2018 and increased the required Renewable Portfolio Standards. SB 100 requires the total kilowatt-hours of energy sold by electricity retailers to their end-use customers must consist of at least 50 percent renewable resources by 2026, 60 percent renewable resources by 2030, and 100 percent renewable resources by 2045. SB 100 also includes a State policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all State agencies by December 31, 2045. Under the bill, the State cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

Electricity

The Proposed Project would include development and operation of a residential care facility and would include a two-story, 29,952 square-foot Medical Office Building, a two-story, 24,723 square-foot Commons (Amenities/Rehabilitation) building, a three-story 60,190 square-foot Assisted Living building, a three-story 47,769 square-foot Independent Living building, and a two-story 41,551 square-foot Skilled Nursing building. Specifically, the residential care facility would be comprised of 100 assisted living units, 99 sub-acute rehabilitation beds, 52 basic skilled nursing beds, and 50 one-bedroom independent living units. The Project Site is serviced by Southern California Edison for electric power. In 2019, the Commercial sector of the Southern California Edison planning area consumed 5179.708 GWh of electricity. The estimated electricity demand for the Proposed Project is 1.94 GWh per year. The increase in electricity demand from the project would represent approximately 0.037 percent of the overall "Commercial Other" consumption.

The Proposed Project is required to be designed in accordance with CCR Title 24 to ensure building designs conserve energy. Therefore, projected electrical demand would not significantly impact Southern California Edison's level of service or result in an inefficient use of electricity.

Natural Gas

The Project Site is serviced by Southern California Gas Company. The Project Site is currently vacant. According to the California Energy Commission's 2019 Energy Report, the "Commercial Other" Sector was responsible for 88,553,511 Therms of natural gas consumption in the SoCalGas Planning Area in 2019.[6] According to the CalEEMod Annual Output Tables, the Proposed Project's estimated natural gas demand is 7.08 Therms and represents an insignificant percentage to the overall "Commercial Other" demand in SoCalGas's service area. Therefore, implementation of the Proposed Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact

The Proposed Project would be designed to comply with the County of San Bernardino Greenhouse Gas Emissions Reduction Plan and the State Building Energy Efficiency Standards (Title 24). Project development would not cause inefficient, wasteful and unnecessary energy consumption, and no adverse impact would occur.

[6] https://ecdms.energy.ca.gov/Default.aspx. Accessed July 24, 2020.

The Proposed Project would not conflict with any applicable plan, policy or regulation of an agency adopted to reduce GHG emissions, including Title 24, AB 32, and SB 32. Therefore, the Project is consistent with AB 32, which aims to decrease emissions statewide to 1990 levels by to 2020. The Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, no impacts are identified or anticipated, and no mitigation measures are recommended.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
VII.	**GEOLOGY AND SOILS** - Would the project:				
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
	ii. Strong seismic ground shaking?	☐	☐	☒	☐
	iii. Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐
	iv. Landslides?	☐	☐	☒	☐
b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☒	☐	☐

e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

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

Countywide Plan, 2020; Submitted Project Materials; Preliminary Geotechnical Investigation; Department of Conservation Fault Activity Map of California

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

Less Than Significant Impact

A Preliminary Geotechnical Investigation, dated January 26, 2018, was prepared for the Project Site by Converse Consultants and is available for review at the County of San Bernardino Land Use Services Department and is summarized herein.

The Project Site does not occur within an Alquist-Priolo Earthquake Fault Zone, as concluded in the Geotechnical Investigation and shown in the Department of Conservation Fault Activity Map of California (2010).[7] As discussed in the Preliminary Geotechnical Investigation, the Project Site is not located within a currently designated San Bernardino County (2010) State of California Earthquake Fault Zone. There are no known active faults projecting toward or extending across the Project Site. As concluded in the report, the potential for surface rupture resulting from the movement of nearby major faults is not known with certainty but is considered low. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

ii) Strong seismic ground shaking?

Less Than Significant Impact

As is the case for most areas of Southern California, ground shaking resulting from earthquakes associated with nearby and more distant faults may occur at the Project Site. The design of any structures on-site would incorporate measures to accommodate projected seismic ground shaking in accordance with the California Building Code (CBC) and local building regulations. The CBC is designed to preclude significant adverse effects associated with strong seismic ground shaking. Compliance with the CBC would ensure potential impacts are reduced to a less than significant level and the

[7] http://maps.conservation.ca.gov/cgs/fam/. Accessed August 12, 2020.

Proposed Project would not expose people or structures to substantial adverse effects, including loss, injury or death, involving seismic ground shaking. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

iii) Seismic-related ground failure, including liquefaction?

Less than Significant with Mitigation

As shown on the Countywide Plan Policy Map HZ-2, the Project Site is not located within a zone of liquefaction susceptibility.[8] However, as part of the Geotechnical Investigation prepared for the Project Site, 27 exploratory soil borings were drilled to maximum depths of 6.5 and 51.5 feet below grade surface (bgs). The subsurface soil at the Project Site consisted primarily of unconsolidated alluvial sand and silty sand. Layers of clayey sand, and sandy clay were encountered in some borings at approximately 15 to 20 feet bgs and at approximately 45 feet bgs. Scattered gravel was observed in most of the borings. Groundwater was encountered during excavation between depths of 14.1 and 23 feet bgs. Analysis from laboratory tests found the potential for liquefaction to be high due to the presence of shallow groundwater and granular sediments. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce the impact to a level below significant. The required mitigation measure is:

GEO-1: The Project Applicant shall incorporate appropriate geotechnical recommendations, as contained in the Final Geotechnical Report, into all building and grading plans provided to the County for review and approval prior to issuance of building and/or grading permits.

iv) Landslides?

Less Than Significant Impact

Landslides and slope failure can result from ground motion generated by earthquakes. As shown on the Countywide Plan Policy Map HZ-2, the Project Site and surrounding area is not located within an area susceptible to landslides.[9] Further, as concluded in the Preliminary Geotechnical Report, there are no significant slopes at the Project Site and therefore, the potential for seismically induced landslides affecting the Proposed Project is considered to be low. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

[8] https://www.arcgis.com/apps/webappviewer/index.html?id=5864a434814c4e53adc74101b34b1905 Accessed October 27, 2020.
[9] https://www.arcgis.com/apps/webappviewer/index.html?id=5864a434814c4e53adc74101b34b1905 Accessed October 27, 2020.

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

Less Than Significant Impact

During the development of the Project Site, which would include disturbance of approximately 17.73-acres, construction-related dust may be generated due to the operation of machinery on-site or due to high winds. Additionally, erosion of soils could occur due to a storm event. Since development of the Proposed Project would disturb more than one acre of soil, the Proposed Project is subject to the requirements of the State Water Resources Control Board General Permit for Discharges of Storm Water Associated with Construction Activity. Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling or excavation. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP is required to include Best Management Practices (BMPs) to avoid and minimize soil erosion. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

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

Less Than Significant Impact

As discussed in response (iii) above, groundwater was encountered during on-site testing between depths of 14.1 and 23 feet bgs. Analysis from laboratory tests found the potential for liquefaction to be high due to the presence of shallow ground water and granular sediments. Implementation of Mitigation Measure GEO-1 as provided in this Initial Study, would ensure that potential impacts to liquefaction are reduced to a less than significant level.

Seismic-induced settlement occurs in unsaturated, unconsolidated, granular sediments during ground shaking associated with earthquakes. The Preliminary Geotechnical Investigation found that the proposed Project Site has the potential for up to 3.20 inches of dynamic settlement to occur.

Lateral spreading involves lateral movement of earth materials due to ground shaking. The Project Site is relatively flat with slight inclines to a ridge located in the center of the property. Under existing conditions, there is a low potential for lateral spreading. Therefore, with implementation of Mitigation Measure GEO-1, potential impacts due to liquefaction would be reduced to a less than significant level. No significant adverse impacts are identified or anticipated and no mitigation measures are required.

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

Less than Significant with Mitigation

According to the Preliminary Geotechnical Investigation, the Project Site has subsurface soil that consist primarily of unconsolidated alluvial sand and silty sand. Layers of clayey

sand, and sandy clay were encountered at depths between 15 and 20 feet below ground surface (bgs). Due to the presence of clay within the soil, there is a potential for soil expansion. However, the Project would be required to comply with the County Building & Safety Department requirements and the California Building Code, which would ensure that impacts due to expansive soil are reduce to less than significant level.

To determine final design requirements for foundations, slabs and concrete, appropriate testing would be required. Therefore, possible significant adverse impacts have been identified or anticipated, and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level below significant.

GEO-2: At the completion of rough grading, additional testing of engineering characteristics, such as expansion potential and ancillary testing, shall take place. Findings shall be summarized in a letter report and submitted to the County. Recommendations presented in the letter report and approved by the County shall be incorporated during final grading stages of the Project.

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

No Impact

The Proposed Project would connect to the County's sewer collection system that currently serves the Project area. No septic tanks or alternative wastewater disposal is proposed. No impacts are identified or anticipated and no mitigation measures are required.

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

Less than Significant with Mitigation

The Project Site is underlain by shallow younger Quaternary alluvial over older Quaternary alluvial. The nearest fossil recording was a specimen of a camel, located southwest of the Project Site along Dean Avenue, south of Green Tree Boulevard (approximately one-mile southwest of the Project Site). Two additional fossils were found nearby and included an unrecorded mammoth located southeast of the Project Site on the west side of the Mojave River below the bluffs and a meadow vole found approximately seven miles northwest of the Project Site located between Adelanto and the former George Air Force Base. Older Quaternary alluvial was found at relatively shallow depths and therefore the potential for identifying fossil specimens is considered to be high. The Proposed Project would require excavation to depths that would encounter older Quaternary alluvium deposits. Therefore, possible significant adverse impacts have been identified or anticipated, and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant.

GEO-3: In the event excavations exceed three (3) feet, a qualified vertebrate paleontologist shall be present. All monitoring shall conform to the

standards and protocols of the San Bernardino County Museum and approved by the County Planning Division.

GEO-4: The approved paleontologist shall collect sediment samples and make a determination regarding the small fossil potential in soils at the Project Site.

GEO-5: Any fossils recovered during mitigation shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.

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

SUBSTANTIATION:
Countywide Plan, 2020; Submitted Project Materials

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

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

Less than Significant with Mitigation

Greenhouse gas (GHG) emissions were estimated using the CalEEMod version 2016.3.2. Many gases make up the group of pollutants that contribute to global climate change. However, three gases are currently evaluated and represent the highest concertation of GHGs: Carbon dioxide (CO_2), Methane (CH_4), and Nitrous oxide (N_2O). San Bernardino County provides guidance methods and/or Emission Factors that are used for evaluating a project's emissions in relation to the thresholds. A threshold of 3,000 Metric Tons of Carbon Dioxide Equivalent ($MTCO_2e$) per year for non-industrial uses has been adopted by the County of San Bernardino Greenhouse Gas Emissions Reduction Plan (Emissions Reduction Plan). The modeled emissions anticipated from the Proposed Project during both construction and operational phases, are compared to the Emissions Reduction Plan threshold and shown below in Table 6 and Table 7.

Table 6
Greenhouse Gas Construction Emissions
(Metric Tons per Year)

Source/Phase	**CO_2**	**CH_4**	**N_20**
Site Preparation	17.3	0.0	0.0
Grading	82.7	0.0	0.0
Building Construction	15.8	0.0	0.0
Paving	20.9	0.0	0.0
Architectural Coating	13.3	0.0	0.0
Total $MTCO_2e$	**150.6**		
County of San Bernardino GHG Emissions Reduction Plan Threshold	3,000		
Significant	**No**		

Source: CalEEMod.2016.3.2 Annual Emissions

Table 7
Greenhouse Gas Operational Emissions
(Metric Tons per Year)

Source/Phase	**CO_2**	**CH_4**	**N_20**
Area	0.0	0.0	0.0
Energy	37.8	0.0	0.0
Mobile	3530.5	0.3	0.0
Waste	447.6	26.4	0.0
Water	8.1	0.8	0.0
Total $MTCO_2e$	**4,720.4**		
County of San Bernardino GHG Emissions Reduction Plan Threshold	3,000		
Exceed Standard	**YES**		
MDAQMD Threshold	100,000		
Significant	**No**		

Source: CalEEMod.2016.3.2 Annual Emissions.

As shown in Table 6, the Proposed Project's emissions during construction would not exceed the County of San Bernardino GHG Emissions Reduction Plan's threshold of 3,000 MTCO2e and therefore would have less than significant impacts regarding greenhouse gas emissions.

Table 7 shows that during operation the Proposed Project would generate approximately 4,720.4 MTCO2e and therefore would be over the County of San Bernardino GHG Emissions Reduction Plan's threshold of 3,000 MTCO2e. Therefore, project operational activities were evaluated compared to the San Bernardino County GHG Reduction Plan Screening Tables (see Appendix A).

The purpose of the Screening Tables is to provide guidance in measuring the reduction of greenhouse gas emissions attributable to certain design and construction measures incorporated into the development. The Screening Table assigns points for each option incorporated into a project as mitigation or a project design feature (collectively referred

to as "feature"). The point values correspond to the minimum emissions reduction expected from each feature. The menu of features allows maximum flexibility and options for how development projects can implement the GHG reduction measures. Projects that garner at least 100 points will be consistent with the reduction quantities anticipated in the County's GHG Plan. As such, those projects that garner a total of 100 points or greater would not require quantification of project specific GHG emissions reductions. Consistent with CEQA Guidelines, such projects would be determined to have a less than significant impact.

Although operations of the Proposed Project would be over the County of San Bernardino GHG Emissions Reduction Plan's threshold, the Proposed Project has a sum of 138 San Bernardino County GHG Reduction Plan Screening Table points and would be consistent with the reduction quantities anticipated in the County's GHG Plan. To ensure less than significant impacts occur, the construction of the Proposed Project shall adhere to GHG Emissions Reduction Plan Measures as follows:

GHG-1: The Project Proponent shall ensure that the following enhanced building materials are used during the construction of each building: insulation (rigid wall insulation R-13, roof/attic: R-38), window insulation (0.32 U-Factor, 0.25 SHGC); air infiltration - blower Door HERS Verified Envelope Leakage or equivalent; High Efficiency Water Heater (0.72 Energy Factor); Very High Efficiency Lights (100 percent of in-unit fixtures are high efficacy); Energy Star Refrigerator (new), Energy Star Dish Washer (new), and Energy Star Washing Machine (new); Solar Ready Homes (sturdy roof and solar ready service panel).

GHG-2: The Project Proponent/Applicant shall be responsible for overseeing the installation of water efficient showerheads (2.0 gallons per minute), water efficient toilets (1.5 gallons per minute), water efficient faucets (1.28 gallons per minute), water efficient dishwasher (6 gallons per cycle or less), and water efficient washing machine (water factor less than 5.5 gallons per cycle).

GHG-3: Prior to construction, the Project Proponent shall develop a Construction and Demolition Debris Diversion Program to include a minimum 10 percent recycling of construction debris to be implemented by the construction contractor during construction of the Project.

GHG-4: Prior to final inspection and issuance of occupancy permits, the Project Proponent shall implement a 75 percent Solid Waste Diversion Program by providing separated recycling bins on every floor of each building. In addition, large external recycling collection bins shall be provided at a central location for collection truck pick-up.

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

SUBSTANTIATION:

Countywide Plan, 2020; Submitted Project Materials

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

Less Than Significant Impact

The Proposed Project includes a request for a CUP to allow for the construction and operation of a residential care facility that would provide medical services including, behavioral health, audiology, speech pathology, chronic dialysis, ambulatory surgical center, and physical & occupational therapies.

Hazardous or toxic materials transported in association with construction may include items such as oils, paints, and fuels. All materials required during construction would be kept in compliance with State and local regulations. With implementation of Best Management Practices (BMPs) and compliance with all applicable federal, state and local regulations including all Certified Unified Program Agency (CUPA) regulations, potential impacts to the public or the environment from the routine transport, use, or disposal of hazardous materials during construction are considered to be less than significant.

The Project Proponent would be required to submit all necessary applications for certification by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) for the operation of the residential care facility. The Joint Commission, an independent, not-for-profit organization, evaluates and accredits nearly 21,000 health care organizations and programs in the United States. The Joint Commission's accreditation process would evaluate the residential care facility's compliance with set standards and other accreditation requirements.

In addition to JCAHO certification, a Medical Waste Management Plan per the County of San Bernardino Waste Management Division would be required and all other applicable State and federal requirements for medical office, including the appropriate procedures for disposal and transport of bio-medical wastes would be followed. Therefore, operation of the residential care facility would not create a significant hazard to the public or the environment with the facility complying with federal and State regulations regarding the disposal and transport of bio-medical wastes. No significant adverse impacts are identified or anticipated and no mitigation measures are required.

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

Less Than Significant Impact

As stated in response (a) above, hazardous or toxic materials transported in association with construction of the Proposed Project may include items such as oils, paints, and fuels. All materials required during construction would be kept in compliance with State and local regulations. Operational activities would include standard maintenance (i.e., landscape upkeep, exterior painting and similar activities) involving the use of commercially available products (e.g., pesticides, herbicides, gas, oil, paint, etc.) the use

of which would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accidental release of hazardous materials into the environment. With implementation of Best Management Practices (BMPs) and compliance with all applicable regulations, potential impacts from the use of hazardous materials would be less than significant. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

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

No Impact

Green Tree East Leadership Academy is the nearest school to the Project Site and occurs approximately 0.5 miles to the west. No hazardous materials would be emitted as a result of the construction or operation of the Proposed Project. Therefore, no impacts associated with emission of hazardous or acutely hazardous materials, substances, or waste within 0.25-mile of a school are anticipated. No impacts or anticipated and no mitigation measures are required.

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

No Impact

The Project Site was not found on the list of hazardous materials sites complied pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system.[10] EnviroStor tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. No hazardous materials sites are located within or in the vicinity of the Project Site. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

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

No Impact

The Project Site is located approximately eight miles southwest of the Apple Valley Airport. As shown on the Countywide Plan Policy Map HZ-9, the Project Site is not within an airport safety review area.[11] The Project Site is not located within the vicinity of a private or public airstrip. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

[10] https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=1905+business+center+dr+san+bernardino+ca+92408. Accessed August 5, 2020.
[11] https://www.arcgis.com/apps/webappviewer/index.html?id=5dc02b81369c49c9a1947aedfc300a45. Accessed October 27, 2020.

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

No Impact

According to the San Bernardino Countywide Plan Draft EIR, Table 5.8-10, evacuation routes include major highways, including Yates Road which is located south of the Project Site[12].

Access to the Project Site would be provided via Yates Road. Specifically, one full access driveway and one secondary access driveway are proposed along Yates Road including a signalized main driveway near the southeast corner of the site and a stop-controlled driveway located near the southwest corner. During construction, the contractor would be required to maintain adequate emergency access. Operation of the Proposed Project is not anticipated to interfere with the use of Yates Road during an evacuation. As concluded in the recently certified Countywide Plan EIR, Projects developed under the Countywide Plan would not block or otherwise interfere with the use of evacuation routes. Specific evacuation routes would be designated during an emergency by the San Bernardino County Sheriff 's Department in accordance with the County's emergency management plan. No impacts are identified or anticipated, and no mitigation measures are required.

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

Less Than Significant Impact

The Project Site does not occur within a Fire Safety Overlay (FS1) area and is identified as having a Fire Hazard Severity Class of "Moderate" as shown on the Countywide Plan Policy Map HZ-5 [13]. The Site is surrounded by vacant land followed by railroad tracks to the west, residential uses to the south, Mojave Narrows Regional Park to the north and vacant land to the east. Mojave Narrows Regional Park is regularly maintained and is void of heavy vegetation. The Proposed Project is located approximately nine miles northeast of the nearest identified hazardous fire area. Therefore, the Proposed Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

[12] https://Countywideplan.com/wp-content/uploads/2019/06/Ch_05-08-HAZ.pdf Accessed October 27, 2020.
[13] https://www.arcgis.com/apps/webappviewer/index.html?id=355f9beb4a8f446e8869459e91d58431 Accessed October 28, 2020.

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

SUBSTANTIATION:

Countywide Plan, 2020; Submitted Project Materials; FEMA Flood Map

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

Less Than Significant Impact

The Proposed Project would disturb approximately 17.73-acres and therefore is subject to the National Pollutant Discharge Elimination System (NPDES) permit requirements.

The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State's General Construction permit include removal of vegetation, grading, excavating, or any other activity that causes the disturbance of one-acre or more. The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into storm water systems, and to develop and implement a Storm Water Pollution Prevention Plan (SWPPP). The purpose of a SWPPP is to: 1) identify pollutant sources that may affect the quality of discharges of storm water associated with construction activities; and 2) identify, construct, and implement storm water pollution control measures to reduce pollutants in storm water discharges from the construction site during and after construction.

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

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

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

- All equipment and vehicles to be serviced off-site.

In addition to complying with NPDES requirements, the County also requires the preparation of a Water Quality Management Plan (WQMP). In accordance with the County's requirements, Red Brick Solution prepared a WQMP for the Proposed Project, dated January 2018. The WQMP has identified various BMPs which shall be implemented by the Proposed Project. Mandatory compliance with the Proposed Project's SWPPP and WQMP, in addition to compliance with NPDES Permit requirements, would ensure that all potential pollutants of concern are minimized or otherwise appropriately treated prior to being discharged from the Project Site. Therefore, implementation of the Proposed Project would not violate any water quality standards or waste discharge requirements. No significant adverse impacts are identified or anticipated and no mitigation measures are required.

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

Less Than Significant Impact

The Project Site is currently vacant and no groundwater recharge facilities or wells occur on-site. The Project Site would be served by the County of San Bernardino and is

located within County Service Area 64 (CSA 64). CSA 64 covers approximately four square miles and provides water to residential, commercial, retail, schools and recreational uses, including golf courses and Spring Valley Lake. A draft Urban Management Plan was created for CSA 64 and states that groundwater is the primary source that supplies CSA 64. A Groundwater Management Plan was put into place that monitors groundwater levels. CSA 64 has a Free Production Allowance (FPA) available to pump groundwater to use as a potable water source. Once CSA 64 pumps above the FPA, they must purchase water from MWA to offset what is pumped above the FPA. The current water system includes five wells with a total pumping capacity of 5,560 gallons per minute (gpm) or 8,652 acre-feet per year (AFY), operating full time. Each well requires downtime for maintenance. For the purposes of establishing annual supply, it is assumed that each well could be down up to 50 percent of the time. This would equate to a reliable supply of 4,476 AFY. CSA 64 is in the process of drilling and equipping a new source well with the capacity of 1,800 gpm that would increase pumping capacity to an adequate level during max demand periods.

Based on current demands, future water requirements in 2040 would be higher than 50 percent utilization that well pump capacity could deliver, if well pumps operated at 100 percent, water requirement would be achieved. Depending on yearly precipitation rates, future water demands could exceed supply. To fulfill future water supplies, other water options may include desalinated water, water transfers, reduction analysis and recycled water to replenish future groundwater aquifer levels if pumping surpasses the Free Production Allowance.

The Proposed Project is estimated to have an annual water demand of approximately 15 acre-feet, including approximately 2.25 acre-feet for landscaping (about 15 percent of the total), or less than ½ of one percent of the currently available CSA 64 water supply, assuming wells are down up to 50 percent of the time. The Proposed Project is an allowable use under the County land use Zoning District RM. If the overall usage of water within CSA 64 exceeded allocation limits, CSA 64 would be assessed a replenishment charge to buy resources for aquifer replenishment. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

Less Than Significant Impact

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

A Hydrology Study, dated October 6, 2019, a Water Quality Management Plan, dated April 25, 2019 and an Off-Site Storm Water Drainage Report, dated August 3, 2020 were prepared for the Project Site by Red Brick Solutions, LLC (see Appendix F) and are available for review at the County of San Bernardino Land Services and summarized herein.

Based on two distinct drainage areas that occur on the 17.73-acre site, existing hydrologic conditions were reviewed and included: 1) an existing drainage channel

along the southern boundary of the site occupying approximately 6.05 acres; and 2) a 12.61-acre developable area consisting of two drainage areas (DA1 and DA2) proposed for development (i.e., Medical Office Building, Commons (Amenities/Rehabilitation) building, Assisted Living building, Independent Living building, and Skilled Nursing building). As previously discussed, the large natural watercourse conveys tributary offsite stormwater runoff through the site to the Mojave Narrows Regional Park downstream. In the proposed developed condition, the watercourse will be channelized with revetment side slopes, soft-bottom invert, drop structures and 2 culvert crossings for the access driveways to the developed site.

The area proposed for development is bisected in a north/south direction by an existing ridge creating two distinct drainage areas. The southern 11.51-acre drainage area (DA1) drains southeast to the southern boundary then confluences with historic off-site flows and exits the site at the southeast corner. DA1 has a westerly off-site tributary watershed that would be captured off-site by a storm drain approximately 650 feet north of the southwest corner of the Project Site. The 12.61-acre developed site would drain to the southeast corner of the Project Site into a retention/infiltration basin underneath a parking lot. Excess mitigated flows would be released to confluence with the historic off-site flows prior to exiting the site at the southeast corner.

Currently, the northern 1.1 acre drainage area (DA2) drains toward the northeast toward the Mojave Narrows Regional Park. As proposed, the flows from DA2 would drain to the northeast to an underground retention/infiltration under the parking lot then exit at the historic point of confluence with off-site flows.

DA1 flows would travel northeast and then southeast along interior streets to the southeast corner of the Project Site where they would be directed to an underground retention\detention basin where mitigated flows would exit the site. DA2 storm flows would sheet flow across a parking lot to a curb and gutter along the eastern property line and enter an underground retention/infiltration basin. Treated flows would exit the site at their historic confluence point with off-site flows. All post-construction flows would be captured on-site. The total required and proposed retention basin with low impact development (LID) infiltration for DA1 would have a design capture volume (DCV) of 19,737 cubic feet (CF). The on-site retention required for DA2 is 2,066 CF and proposed retention with LID infiltration would have a DCV of 3,525 CF. Therefore, retention of 100 percent of stormwater flows would be provided on-site. The proposed drainage channel along the southerly property line is designed to reduced velocities exiting the property and the potential for erosion through the site, through the use of concrete drop structures and widening of the channel area to reduce flows. As such, no significant adverse impacts are identified or anticipated and no mitigation measures are proposed.

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

Less Than Significant Impact

As stated in response i) above, DA1 and DA2 would have a DCV of 19,737 CF and 3,525 CF, respectively. The LID BMPs have been deemed feasible (Water Quality Management Plan, dated April 25, 2019) and the required DCV infiltrated. Therefore, no increase in the rate or amount of surface runoff would result in flooding on or offsite.

No significant adverse impacts are identified or anticipated, and no mitigation measures are required

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

Less Than Significant Impact

As stated in the WQMP prepared for the Project Site, the LID BMPs have been deemed feasible, and the required DCV infiltrated. As such, full retention of stormwater flows would be provided on-site. With adherence to BMPs has provided in the WQMP, the Proposed Project is not anticipated to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

iv) Impede or redirect flood flows?

Less Than Significant Impact

Off-Site Drainage Flows

The off-site tributary area consists of a major 7,128-acre drainage area and a minor 9.04-acre drainage area. According to the USGS topographic survey of the area, the 7,128-acre historic off-site drainage area flows generally from southwest to northeast from the north side of the California Aqueduct and the I-15 freeway. The minor 9.04-acre off-site area flows are generally captured within a naturally occurring drainage conveyance that borders the Project Site on the west up to the railroad tracks. The minor off-site area drainage conveyance has a base width of approximately 10 feet with a 3:1 side slope and flows north along the westerly property line for approximately 600 feet and then enters the Project Site then turns east and flows across the Project Site toward the east property boundary. The off-site areas were assumed as pre-developed open brush terrain to establish historic natural flows.

The 7,128-acre and 9.04-acre off-site tributary drainage areas were analyzed using the San Bernardino County Hydrology Manuel and CivilDesign software to perform a Unit Hydrograph and Rational method analysis of the off-site flows respectively. The off-site tributary area was determined by reviewing the Hesperia Master Plan of Drainage and confirming the boundary for the tributary flows.

The 9.04-acre off-site tributary area associated with on-site drainage area (DA1) is bounded upstream by the railroad tracks that limits its area and Q100 flows to 9.65 cfs and 25-year flows to 2.95 cfs along the westerly property line and flows approximately 600 north of the major tributary off-site tributary area channel and enters our project site. The developed site will capture this flow in a storm drain and convey these flows southwesterly to confluence with the major channel flows prior to exiting the site.

The Proposed Project would capture the major (3,370 cfs) off-site drainage flows at the southwest corner of the site, where the existing channel base width is approximately 60-foot wide, by continuing the channel along the southern boundary to the first of three proposed drop structures and diversion dikes to channelize the flows and reduce their velocities as they pass through the site. The proposed 1,372 linear foot on-site earthen channel would vary in base width from 55 feet to 235 feet with three concrete drop

structures with three-foot high steps. In addition, the Proposed Project would capture the minor 9.06-acre undeveloped 100-year 9.35 cfs off-site drainage flow within an earthen channel along the westerly property boundary as it travels approximately 625 feet north of the southern property to a concrete headwall entrance into a proposed 24-inch diameter storm drain directing these flow southeasterly approximately 500 linear feet at a slope of 1 percent to confluence with the major 3,370 cfs tributary flows prior to exiting the southeast corner of the site.

As existing off-site flows enter the southwest corner of the site, the velocities in both the existing and proposed conveyances have erosive velocities greater than 10 fps and would transport granular material downstream. The developed channel velocity at the westerly property line was estimated to be within approximately five percent of the existing channel and would reduce the flood depth to 0.03 feet. Approximately 550 feet into the site the developed site would continue to mimic the existing channel characteristics flowing at approximately 3.3 percent of the velocity with an increased depth of 0.96 feet, but with a water surface below existing levels due to a lowering of the channel invert elevation.

To prevent shifting flood limits, a proposed erosion control system (i.e. blankets, armor, or concrete) shall be placed along the side slopes and extended six (6) feet below the proposed invert of the channel.

The Off-Site Storm Water Drainage Report concluded that the existing and proposed conveyances exiting the site for the 100-year 3,370 cfs storm event would have a reduction in velocities. The proposed conveyances will spread out from as narrow as a 55-foot base width channel to a 225-foot base width channel at the easterly boundary to mimic the historic natural flows previously exiting the site at the same location.

The Off-Site Storm Water Drainage Report concluded that the Proposed Project would follow regional and local laws and ordinances that require off-site flows that would be released in the historic drainage pattern, to maintain pre-developed velocities and depth of flow, after passing through the site.

As designed, the historic drainage discharge points would be maintained and the off-site 3,370 cfs 100-year flood flows would be conveyed through the site via an improved channel designed to have 1.5-2.0 feet of freeboard; reducing the floodplain area across the entire Project Site to the area designated as a “Drainage Acceptance Easement” (see Off-Site Storm Water Drainage Report Exhibit D.3). The developed on-site flows would be detained in an underground detention/ infiltration basin and the developed 100-year 29.15 cfs storm flows would be mitigated to 3.73 cfs which is below the 25-year undeveloped flow of 6.23 cfs. Therefore, with adherence to the WQMP, the Proposed Project is not anticipated to impede or redirect flood flows. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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

Less Than Significant Impact

Tsunamis are large waves generated in open bodies of water by geologic fault displacement due to major ground movement. Due to the Project Site’s distance from the Pacific Ocean, tsunamis are not potential hazards in the vicinity of the Project Site. As shown on the Countywide Plan Policy Map HZ-4, the Project Site occurs within

FEMA Flood Zone X[14], which is also referred to as a 500-year or 0.2% flood occurrence. As shown on the FEMA Flood Map 06071C5820J (effective on September 2, 2016), the Project Site is located outside of the 0.2% annual chance floodplain.[15]

According to the Countywide Plan Policy Map HZ-3, the Project Site is located within a dam inundation area (Mojave Forks Dam) and is also located near several lakes including Silverwood Lake, Spring Valley Lake and Horseshoe Lake[16]. A large earthquake could result in earthquake-induced flooding and/or seiches. For earthquake induced flooding to occur waters would need to breach Silverwood Lake and the Mojave Forks Dam. Similarly, seiches caused by a large earthquake would require waters to breach Spring Valley Lake and Horseshoe Lake. The likelihood of these occurrences is considered minimal. Therefore, the risk of release of pollutants of by flood, seiche, or tsunami is considered low. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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

Less Than Significant Impact

The Project's WQMP was prepared to comply with the requirements of the San Bernardino County and the NPDES Areawide Stormwater Program. The Proposed Project would adhere to BMPs, regional and local water quality control and/or sustainable groundwater management plans. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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

[14] https://www.arcgis.com/apps/webappviewer/index.html?id=d276e645a4ae4e2bb95694ff06b4f0be. Accessed October 28, 2020.
[15] https://msc.fema.gov/portal/search. Accessed October 28, 2020.
[16] https://www.arcgis.com/apps/webappviewer/index.html?id=ca51d39ef1ee444eb4bb17ca5d4297dc. Accessed October 28, 2020.

SUBSTANTIATION:

Countywide Plan, 2020; Submitted Project Materials

a) Physically divide an established community?

No Impact

The Proposed Project is a request for a CUP to allow for the construction and operation of a residential care facility that would include two-story, 29,952 square-foot Medical Office Building, a two-story, 24,723 square-foot Commons (Amenities/Rehabilitation) building, a three-story 60,190 square-foot Assisted Living building, a three-story 47,769 square-foot Independent Living building, and a two-story 41,551 square-foot Skilled Nursing building. Specifically, the residential care facility would be comprised of 100 assisted living units, basic skilled nursing beds, and 52 one-bedroom independent living units. At full occupancy the facility would include 152 permanent residences.

Surrounding land use categories including Open Space (OS) to the north and east, Low Density Residential (LDR) to the south, and Industrial Park-Transitional (IPDT) to the west (City of Victorville). The Project Site is designated MDR and the Proposed Project is conditionally permitted within the land use category. Based on the current land uses and land use designations that surround the Project Site, the Proposed Project would not physically divide an established community nor cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact

The Project Site land use zoning District is RM and has a Countywide Plan land use category of MDR. The Proposed Project is subject to the approval of the CUP and is not anticipated to result in conflicts with applicable land use plans or policies. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

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

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

Countywide Plan, 2020; California Department of Conservation Mineral Land Classification

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

No Impact

According to the California Department of Conservation, Mineral Land Classification map, the Project Site occurs in the Southwestern San Bernardino (East) region, specifically in Open File Report 94-08. As shown on the report, the Project Site and immediate vicinity occur within Mineral Resource Zone 3 (MRZ-3). This zone is defined as an area containing mineral deposits with a significance that cannot be evaluated from available data. An area with undetermined mineral significance would not be valuable to the region or residents of the State until its mineral significance is confirmed. Moreover, the Project Site is surrounded primarily by urban uses and vacant land. The current uses of the surrounding area would not be compatible with mineral resource extraction. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

b) *Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

No Impact

According to the Countywide Plan Policy Map NR-4, the Project Site is not defined as occurring within a Mineral Resource Zone[17]. The Project Site has a Countywide land use designation of MDR and therefore is not located within an area designated for mining. As such, the Proposed Project would not result in the loss of availability of a locally important mineral resource recovery site. No impacts are identified or are anticipated, and no mitigation measures are required.

Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XIII. NOISE – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise	☐	☒	☐	☐

[17] https://www.arcgis.com/apps/webappviewer/index.html?id=9948b9bc78f147fd9ea193c2ce758081. Accessed October 27, 2020.

	ordinance, or applicable standards of other agencies?				
b)	Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

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

Countywide Plan, 2020; Submitted Project Materials; Noise Impact Analysis; Traffic Impact Analysis

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

Less than Significant with Mitigation

A Noise Impact Analysis, dated August 12, 2020, was prepared for the Proposed Project by Ganddini Group (see Appendix G). A copy of the report is available for review at the County of San Bernardino Land Use Services Department and is summarized herein.

The report assessed the noise impacts resulting from development of the Proposed Project and identified mitigation measures to reduce impacts. The noise issues related to the Proposed Project were evaluated based on applicable federal, State and local policies, including those of the County of San Bernardino and the United States Department of Housing and Urban Development.

Sensitive receptors that may be affected by project-generated noise include Mojave Narrows Regional Park located to the north and residences located approximately 120 feet south (across Yates Road) of the Project Site. To a lesser extent, Green Tree East Elementary School located approximately 0.5 miles to the west and single-family residences located approximately 0.48 miles to the west of the Project Site may also be impacted by Project-related noise. Traffic noise and noise associated with the adjacent rail line may impact the Proposed Project.

Noise can be measured in the form of a decibel (dB), which is a unit for describing the amplitude of sound. The predominant rating scales for noise in the State of California are the Equivalent Continuous Sound Level (L_{eq}), and the Community Noise Equivalent Level (CNEL), which are both based on the A-weighted decibel (dBA). The L_{eq} is the

average of the sound level energy for a one-hour period and employs an A-weighted decibel correction that corresponds to the optimal frequency response of the human ear. The CNEL is based upon 24 one-hour L_{eq} measurements.

An American National Standards Institute (ANSI Section SI4 1979, Type 1) Larson Davis model LxT sound level meter was used to document existing ambient noise levels. In order to document existing ambient noise levels in the project area, four (4) 10-minute daytime noise measurements were taken between 10:25 AM and 3:07 PM on April 13, 2018. In addition, one (1) 24-hour noise measurement was taken on April 13, 2018 starting at 5:00 PM and ending at 5:00 PM on April 14, 2018.

Construction Noise Impacts

The existing Mojave Narrows Regional Park to north and residential development south of the Project Site may be affected by short-term noise impacts associated with the transport of workers, the movement of construction materials to and from the Project Site, ground clearing, excavation, grading, and building activities. Construction noise is considered a short-term impact and would be considered significant if construction activities are undertaken outside the allowable times as described by Section 83.01.080(g)(3) of the San Bernardino Development Code.

Assuming a usage factor of 40 percent for each piece of equipment, unmitigated noise levels have the potential to reach 87.2 dBA Leq and 91 dBA Lmax at the property line during grading. Therefore, unmitigated noise levels have the potential to reach 74.2 dBA Leq and 77 dBA Lmax at the northern property lines of single-family residences located approximately 100 feet south of the Project Site. Ambient noise readings show that receptors in the project vicinity are already exposed to maximum (Lmax) noise levels between 66.2 and 79.5 dBA.

As stated previously, per the County of San Bernardino Development Code, temporary construction, maintenance, repair, and demolition activities between 7:00 AM and 7:00 PM, except Sundays and federal holidays, are exempt from Section 83.01.080(g)(3) of the San Bernardino Development Code. Although construction noise will have a temporary or periodic increase in the ambient noise levels above the existing within the project vicinity, construction activities are anticipated to occur during the permissible hours stated above. However, to be conservative and to reduce construction noise levels at the nearest sensitive receptors, construction noise reduction measures shall be required and are presented herein.

Operational Noise Impacts to Off-Site Receptors Due to Project-generated Trips

The Proposed Project's generated vehicle trips were determined in the Traffic Impact Analysis (TIA), dated August 5, 2020 and revised October 9, 2020 prepared by Ganddini Group. During operation, the Proposed Project is expected to generate approximately 2,927 average daily trips with 221 trips during the AM peak-hour and 253 trips during the PM peak-hour. A worst-case, project- generated traffic noise level was modeled utilizing the FHWA Traffic Noise Prediction Model - FHWA- RD-77-108. Traffic noise levels were calculated from the centerline of the roadway to the roadway right-of-way. The modeling is theoretical and does not take into account any existing barriers, structures, and/or topographical features that may further reduce noise levels.

Modeled Existing traffic noise levels range between 60.3-80.6 dBA CNEL at the right-of-way of each modeled roadway segment and the modeled Existing Plus Project Without Green Tree Boulevard Extension traffic noise levels range between 60.6-80.6 dBA CNEL at the right-of-way of each modeled roadway segment.

Increases in noise levels associated with project-generated vehicle trips will be considered substantial if they result in an increase of at least 5 dBA CNEL and (1) the existing noise levels already exceed the applicable land use compatibility standard for the affected sensitive receptors set forth in the Noise Element of the Countywide Plan; or (2) the project increases noise levels by at least 5 dBA CNEL and raises the ambient noise level from below the applicable land use compatibility standard for the affected sensitive receptors to above the standard.

As demonstrated in the TIA, for the Without Green Tree Boulevard Extension scenario, all modeled roadway segments are anticipated to change the noise a nominal amount (approximately 0.03 to 0.79 dBA CNEL). For the With Green Tree Boulevard Extension scenario all modeled roadway segments are anticipated to change the noise a nominal amount (approximately 0.02 to 2.38 dBA CNEL). Therefore, a change in noise level would not be audible and would be considered less than significant.

Future Operational Traffic Noise Impacts to On-Site Receptors

HUD Criteria

The Office of Environmental and Energy has developed an electronic assessment tool that calculates the Day/Night Noise Level (DNL) site exposure. The DNL Calculator calculates noise from road and railway activity levels. The DNL calculator was utilized to calculate on-site noise levels at proposed residential care buildings due to transportation noise. The HUD Noise Guidebook and Worksheets were also referred to during the analysis. HUD regulations establish noise levels of up to 65 dBA DNL as acceptable for housing; and noise levels that range between 65 and 75 dBA as “normally unacceptable” but may be approved as long as additional sound attenuation is designed into new housing. Sites where the DNL exceeds 75 dBA are classified by HUD as “unacceptable.”

Exterior noise levels at facades facing transportation noise sources were calculated using the HUD methodology. Noise levels at the western and southern facades of the proposed assisted living building will reach up to 69 DNL/CNEL; and noise levels at the western and northern facades of the independent living building are expected to reach up to 70 DNL/CNEL. It should be noted that this methodology did not take into consideration the added attenuation provided by buildings that are proposed in-between the rail line and roadway that would shield the proposed residential care buildings.

Future transportation noise impacts to on-site receptors will exceed what is considered “acceptable” by HUD standards (65 DNL) but may be approved if additional sound attenuation is designed into the new housing per 24 Code of Federal Regulations Part 51, Section 103.

Normal building construction typically provides at least 20 dB of exterior to interior noise reduction. Utilization of windows with a Sound Transmission Class (STC) rating of at

least 27 would ensure that noise levels inside the proposed residential units at the assisted care building would not exceed 45 DNL and utilization of windows with an STC rating of 28 would ensure that noise levels inside the proposed independent living building would not exceed 45 DNL.

Operational Stationary Noise Impacts

Land uses surrounding the site include the Mojave Narrows Regional Park to the north, single-family residential to the south, vacant land and railroad tracks to the west, and vacant land to the east.

Potential on-site operational noise impacts were modeled and evaluated in light of the County of San Bernardino Development Code Table 83-2 which prescribes stationary noise level standards for noise generated on one property to another. Project operation is prohibited from generating sounds that exceed 55 dBA L_{eq} during the daytime or exceeding 45 dBA L_{eq} during the nighttime, at residential land uses.

Exterior noise levels at the nearest sensitive receptors due to project operational noise are expected to range between 43.4 and 47.6 during peak-hour project operation. Noise associated with parking lots include, but are not limited to idling cars/trucks, trucks, doors closing, and starting engine noise. Noise levels associated with parking lots typically range between 44-63 dBA L_{eq} at a distance of 100 feet. Parking lot noise was modeled assuming 252 parking movements during the peak-hour. The location of the rooftop HVAC equipment was estimated and modeled as point sources placed on-top of the structures' roofs. No rooftop parapets or shielding were included in the model. A representative sound power level of 86.1 dB (York RTU 150 ([12.5]) was utilized for modeling purposes.

Peak-hour operational noise would not exceed the County's daytime or nighttime noise standards (55 and 45 dBA L_{eq}, respectively) for stationary noise sources. The Proposed Project is consistent with applicable noise standards and impacts would be less than significant. However, to ensure potential construction and operational noise impacts are reduced to the extent feasible, the following mitigation measures shall be implemented and stated verbatim on approved grading plans:

N-1: During all project site excavation and grading, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

N-2: The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

N-3: Equipment shall be shut off and not left to idle when not in use.

N-4: The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction.

N-5: The project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the project site during construction.

N-6: The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment.

The following measure shall be implemented and stated verbatim on the approved Building Plans:

N-7: In order to meet HUD requirements, the Project Proponent shall ensure that windows proposed on the southern and western facades of the assisted care building shall have an STC rating of at least 27 to ensure that noise levels inside the proposed residential units do not exceed 45 DNL; and windows proposed on the western and northern facades of the independent living building shall have an STC rating of at least 28 to ensure that noise levels inside the proposed independent living building do not exceed 45 DNL.

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

Less Than Significant Impact

Construction activity can result in varying degrees of ground vibration, depending on the equipment used on the site. Operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Buildings respond to these vibrations with varying results ranging from no perceptible effects at the low levels to slight damage at the highest levels. Typically, particle velocity or acceleration (measured in gravities) is used to describe vibration in context of potential structural damage.

The nearest structure to the Project Site is located approximately 120 feet to the south. The threshold at which there may be a risk of architectural damage to houses with plastered walls and ceilings is 0.20 peak particle velocities (PPV) in/second. Primary sources of vibration during construction would be from vibratory rollers or bulldozers. A vibratory roller could produce 0.21 PPV at 25 feet or a large bulldozer could produce up to 0.089 PPV at 25 feet. At a distance of 120 feet, a vibratory roller would yield a worst-case 0.020 PPV (in/sec) and a large bulldozer would yield a worst-case 0.008 PPV (in/sec), both of which are well below the threshold for any risk of architectural damage or annoyance to nearby sensitive receptors. Furthermore, project construction is exempt from Section 83.01.090(a) of the County of San Bernardino Development Code, which prohibits the creation of ground vibration that can be felt without the aid of instruments at or beyond the lot-line, or any activity that produces a particle velocity greater than or equal to two-tenths (0.2) inches per second measured at or beyond the lot-line, as long as the activity occurs between 7:00 AM and 7:00 PM, and not on Sundays or federal holidays.

Construction equipment is anticipated to be located at a distance of at least 120 feet or more from any receptor. Temporary vibration levels associated with project construction would be less than significant.

Ground-borne vibration associated with nearby railroad activity can result in sleep disturbance, annoyance and/or interfere with sensitive medical equipment. The Federal Rail Authority has established thresholds to assess potential impacts related to rail pass-bys and potential ground-borne vibration at sensitive receptor locations. A VdB level of 75 is the appropriate threshold for rail related ground-borne vibration impacts for the non-residential buildings and 72 VdB is the appropriate threshold for residential buildings. Burlington Northern Santa Fe tracks run relatively parallel to the Project site, in a north/south direction, and occur approximately 60 feet west of the Project Site boundary. Two rail tracks cross each other just southwest of the Project Site and are separated by 220 feet to 336 feet at the greatest distant. The nearest proposed non-residential structure is approximately 90 feet from the northbound rail track. The nearest proposed residential building is approximately 355 feet east of the nearest rail line.

Groundborne vibration levels at the nearest proposed building, which is approximately 90 feet from the existing rail activity, may reach up to 79 VdB at speeds of 50 miles per hour and approximately 65 VdB at the nearest residential building, located at a distance of approximately 355 feet from rail activity. However, a speed of 35 miles per hour is typical in this location. Therefore, an adjustment of -4.4 dB is applied to represent a train speed of 30 miles per hour. This results in a groundborne vibration level of approximately 74.6 at the nearest non-residential building and a vibration level of 60.6 at the nearest residential building. Therefore, at a level of 74.6 VdB, the groundborne vibration level at the closest non-residential building will not exceed the 75 VdB threshold. Like-wise, at a level of 60.6 VdB, the groundborne vibration level at the closest residential building will not exceed the 72 VdB threshold, and rail-related groundborne vibration is expected to result in less than significant impacts. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact

The Project Site is located approximately eight (8) miles southwest of the Apple Valley Airport. As shown on the Countywide Plan Policy Map HZ-9, the Project Site is not within an airport safety review area.[18] The Project Site is not located within the vicinity of a private or public airstrip. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XIV. POPULATION AND HOUSING – Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and	☐	☐	☒	☐

[18] https://www.arcgis.com/apps/webappviewer/index.html?id=ca51d39ef1ee444eb4bb17ca5d4297dc Accessed October 28, 2020.

	businesses) or indirectly (for example, through extension of roads or other infrastructure)?				
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

SUBSTANTIATION:

Submitted Project Materials

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

Less Than Significant Impact

The Proposed Project is the construction of a residential care facility on a currently vacant 17.73-acre site. The Project is anticipated to have 150 permanent residents that would likely come from the high desert area for retirement and assisted living needs. The Proposed Project is estimated to create 279 new jobs in the community. However, it is unlikely that the new jobs would result in the need for development of new housing as workers would likely come from the existing employment pool in the community or would be commuting from nearby areas. Construction activities would be temporary and would not attract new employees to the area. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact

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

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

Fire Protection?	☐	☐	☒	☐
Police Protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other Public Facilities?	☐	☐	☐	☒

SUBSTANTIATION:

Submitted Project Materials

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

Fire Protection?

Less Than Significant Impact

The San Bernardino County Fire Department serves the unincorporated portions of the County including the Project Site. San Bernardino County Fire Station No. 314 is located approximately 2.5 miles southwest of the Project Site. Response times between five to eight minutes are considered maximum in the case of structural fires. A longer response time will result in the loss of most of the structural value. Fire station organization, distance, grade and road conditions affect response times.

County Department of Public Safety provides required fire standards during review of building plans and inspections. The proposed development would be required to comply with County fire suppression standards and adequate fire access. Since the Project Site and surrounding area is currently served by the County of San Bernardino, impacts to fire response times are anticipated to be less than significant. With an estimated County population of 2.1 million people, the firefighter to citizen ratio is approximately 1:2,064 (based on 8 firefighters per 24-hour shift). According to the Countywide Plan, the Project Site occurs within the land use category of MDR and has a land use Zoning District of RM and, therefore, includes the anticipated build-out of the area. Increased property and sales tax associated with the direct and indirect improvement of the property would provide funding for necessary service increases associated with growth and development. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Police Protection?

Less Than Significant Impact

The Project Site is located in the service area of the Victorville Police Department which contracts through San Bernardino County Sheriff's Department (SBSD). The Victorville

station is located at 14200 Amargosa Road, approximately three miles west of the Project Site.

The SBSD currently has 100 sworn officers assigned to the area of the City of Victorville and its Sphere of Influence. With an estimated population of 115,000 people, the ratio of officers to citizens is approximately 1:1,150. The Proposed Project, including the operation of a residential care facility, would likely be occupied by individuals from the surrounding areas and is not anticipated to create a significant increase in population. Additionally, employees are also expected to come from the existing local labor pool. The County of San Bernardino Police Department reviews its needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection throughout the County. Increased property and sales tax associated with the direct and indirect improvement of the property would provide funding for necessary service increases associated with growth and development. Therefore, the Proposed Project is not anticipated to significantly increase demand for police protection services. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Schools?

Less Than Significant Impact

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

Parks?

Less Than Significant Impact

The County of San Bernardino has a total of ten regional parks including the Mojave Narrows Regional Park, located north and adjacent to the Project Site. The City of Victorville has 19 parks that total approximately 216 acres and four activity centers. The Proposed Project would include recreation amenities on-site including an amenity center, lounges, walkways and hardscape courtyards that include outdoor seating, a reflective pool, and gathering spaces. The population that would be served by the Project would be primarily senior citizens and is not anticipated to draw a significant number of additional residents (i.e., families) to the area. In addition, employees would likely come from the surrounding community and would not result in people relocating to the area. The Proposed Project would not result in an increase in population that would increase the use of existing neighborhood and regional parks or other recreation

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

Other Public Facilities?

No Impact

The County Department of Public Works maintains most roads, drainage easements and regional flood control facilities in the general Project vicinity. The County will provide water and sewer services, and police and fire services will be provided by the County and the City of Victorville. Therefore, no impacts are identified or anticipated, and no mitigation measure is required.

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

SUBSTANTIATION:

Submitted Project Materials

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

Less Than Significant Impact

The Proposed Project would include the construction of on-site recreational amenities and would not result in an increased use of existing neighborhood or regional parks which would result in the deterioration of these facilities. Increased property and sales tax associated with the direct and indirect improvement of the property would provide funding for necessary service increases associated with growth and development. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact

The Proposed Project is a request for a CUP to allow for the construction and operation of a residential care facility. The Proposed Project would include recreation amenities on-site including an amenity center, lounges, walkways and hardscape courtyards that include outdoor seating, a reflective pool, and gathering spaces. The population served by the Project would be primarily senior citizens and is not anticipated to draw a significant number of additional residents (i.e., families) to the area. In addition, new employees would likely come from the surrounding community and would not result in people relocating to the area. The Proposed Project would not result in an increase in population that would increase the use of existing neighborhood and regional parks or other recreation facilities in the vicinity as appropriate amenities would be provided on-site. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

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

SUBSTANTIATION:

Traffic Impact Analysis; Project Application Materials

a,b) *Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*
Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?

Less than Significant with Mitigation

A Traffic Impact Analysis (TIA), dated August 5, 2020 and revised October 9, 2020[19], was prepared for the Proposed Project by Ganddini Group (see Appendix H). The report is available for review at the County of San Bernardino Land Use Services Department and is summarized herein. This Project was submitted and accepted for review prior to July 2019, and based upon County requirements, is not required to file a VMT analysis.

The purpose of the TIA was to provide an assessment of the traffic impacts resulting from the Proposed Project. The study objectives include (1) documentation of Existing traffic conditions in the project vicinity; (2) evaluation of Project and Cumulative traffic impacts; (3) evaluation of the Buildout Year (2040) conditions; and (4) identification of on-site and off-site improvements needed to mitigate potential impacts to the transportation system. The report analyzed traffic impacts for the anticipated opening date with occupancy of the development in Opening Year (2020) and Buildout Year (2040), at which time the Project would be generating trips at its full potential. For Buildout Year (2040) conditions, the roadway network would include the extension of Green Tree Boulevard between Hesperia Road and Ridgecrest Road. Based on the scoping agreement with County of San Bernardino and input from adjacent jurisdictions (Cities of Victorville, Hesperia, and Apple Valley), the study area consists of the following study intersections:

Study Intersections	Jurisdiction
1. Hesperia Road (NS) at Bear Valley Road (EW)	Victorville/Hesperia
2. Ridgecrest Road (NS) at Chinquapin Drive (EW)	County
3. Ridgecrest Road (NS) at Bluffcrest Street/Vista Point Drive (EW)	County/Victorville
4. Ridgecrest Road (NS) at High Crest St/Pebble Beach Drive (EW)	County/Victorville
5. Ridgecrest Road (NS) at Pahute Drive (EW)	County/Victorville
6. Ridgecrest Road (NS) at Bear Valley Road (EW)	Hesperia/Victorville
7. Park Road (NS) at Yates Road (EW)	County
8. Apple Valley Road (NS) at Yucca Loma Road (EW)	Apple Valley
9. Apatite Avenue (NS) at Bear Valley Road (EW)	Victorville/Hesperia
10. Industrial Boulevard (NS) at Bear Valley Road (EW)	Victorville/Hesperia
11. Project East Driveway (NS) at Yates Road (EW)	County
12. Ridgecrest Road (NS) at Green Tree Blvd (EW) -future 2040 only	Victorville
13. Hesperia Road (NS) at Green Tree Blvd (EW) -future 2040 only	Victorville
14. Tamarisk Road-I Avenue (NS) at Bear Valley Road (EW)	Hesperia
15. Peach Avenue (NS) at Bear Valley Road (EW)	Hesperia

[19] The updated TIA addressed a request from the City of Hesperia to include two additional study area intersections including Tamarisk Road-I Avenue (NS) at Bear Valley Road (EW) and Peach Avenue (NS) at Bear Valley Road (EW).

The following six (6) scenarios were analyzed for weekday AM and PM peak hour conditions:

- Existing (2018) Conditions
- Existing (2018) Plus Project
- Opening Year (2020) Without Project
- Opening Year (2020) With Project
- Buildout Year (2040) Without Project
- Buildout Year (2040) With Project

Pursuant to the traffic study guideline requirements, the minimum acceptable Level of Service in desert areas of the County of San Bernardino is C. Therefore, any intersection operating at Level of Service D, E or F will be considered deficient. For study intersections within the County of San Bernardino jurisdiction, a project traffic impact is considered significant if the project: (i) changes the Level of Service at an intersection from acceptable under "without project" conditions to unacceptable under "with project" conditions; or (ii) worsens a Level of Service deficiency under "without project" conditions, which requires mitigation to bring the Level of Service to without project conditions or better.

The study intersections currently operate at Level of Service C or better during the peak hours for Existing traffic conditions, except at the following study intersections that are projected to operate at Levels of Service D/E/F during the peak hours: 1) Hesperia Road/Bear Valley Road; 2) Ridgecrest Road/Bear Valley Road; 3) Apatite Avenue/Bear Valley Road; 4) Tamarisk Road – I Avenue/Bear Valley Road; 5) Peach Avenue/Bear Valley Road. In addition, a traffic signal appears to currently be warranted at the study intersection of Apatite Avenue and Bear Valley Road and Peach Avenue and Bear Valley Road for Existing conditions.

The Proposed Project is forecast to generate a total of approximately 2,927 daily trips, including 221 trips during the AM peak hour and 253 trips during the PM peak hour. The following forecast conditions were calculated for the Project:

Existing Plus Project Conditions: The study intersections are forecast to operate at Level of Service C or better during the peak hours for Existing Plus Project conditions, except at the following study intersections that are forecast to operate at Levels of Service D/E/F during the peak hours: 1) Hesperia Road/Bear Valley Road; 2) Ridgecrest Road/Chinquapin Drive; 3) Ridgecrest Road/Bear Valley Road; 4) Apatite Avenue/Bear Valley Road; 5) Project East Driveway/Yates Road; 6) Tamarisk Road – I Avenue/Bear Valley Road; and 7) Peach Avenue/Bear Valley Road.

Opening Year (2020) Without Project: The study intersections are forecast to operate at Level of Service C or better during the peak hours for Opening Year (2020) Without Project conditions, except at the following study intersections that are forecast to operate at Levels of Service D/E/F during the peak hours: 1) Hesperia Road/Bear Valley Road; 2) Ridgecrest Road/Chinquapin Drive; 3) Ridgecrest Road/Bear Valley Road; 4) Apatite Avenue/Bear Valley Road; 5) Tamarisk Road – I Avenue/Bear Valley Road; and 6) Peach Avenue/Bear Valley Road.

Opening Year (2020) With Project: The study intersections are forecast to operate at Level of Service C or better during the peak hours for Opening Year (2020) With Project conditions, except at the following study intersections that are forecast to operate at Levels of Service D/E/F during the peak hours: 1) Hesperia Road/Bear Valley Road; 2) Ridgecrest Road/Chinquapin Drive; 3) Ridgecrest Road/Bear Valley Road; 4) Apatite Avenue/Bear Valley Road; 5) Project East Driveway/Bear Valley Road; 6) Tamarisk Road – I Avenue/Bear Valley Road; and 7) Peach Avenue/Bear Valley Road. The Proposed Project is forecast to result in no significant impacts at the study intersections for Opening Year (2020) With Project conditions, with implementation of recommended improvements incorporated as mitigation in this Initial Study.

Buildout Year (2040) Without Project: The study intersections are forecast to operate at Level of Service C or better during the peak hours for Buildout Year (2040) Without Project conditions, except at the following study intersections that are forecast to operate at Levels of Service D/E/F during the peak hours: 1) Hesperia Road/Bear Valley Road;2) Ridgecrest Road/Chinquapin Drive; 3) Ridgecrest Road/Bear Valley Road; 4) Apple Valley Road/Yucca Loma Road; 5) Apatite Avenue/Bear Valley Road; 6) Ridgecrest Road/Green Tree Boulevard; 7) Hesperia Road/Green Tree Boulevard; 8) Tamarisk Road – I Avenue/Bear Valley Road; and 9) Peach Avenue/Bear Valley Road

Buildout Year (2040) With Project: The study intersections are forecast to operate at Level of Service C or better during the peak hours for Buildout Year (2040) With Project conditions, except at the following study intersections that are forecast to operate at Levels of Service D/E/F during the peak hours:1) Hesperia Road/Bear Valley Road; 2) Ridgecrest Road/Chinquapin Drive; 3) Ridgecrest Road/Vista Point Drive; 4) Ridgecrest Road/Bear Valley Road; 5) Apple Valley Road/Yucca Loma Road; 6) Apatite Avenue/Bear Valley Road; 7) Project East Driveway/Yates Road; 8) Ridgecrest Road/Green Tree Boulevard; 9) Hesperia Road/Green Tree Boulevard; 10) Tamarisk Road – I Avenue/Bear Valley Road; and 11) Peach Avenue/Bear Valley Road.

The Project Applicant will be required to construct a number of on-site and off-site improvements to reduce impacts to study area intersections and roadway improvements (see Mitigation Measures below). The Project fair share contributions have also been calculated for Buildout Year (2040) improvement locations. The Project share of cost has been based on the proportion of project peak hour intersection turning movement volumes contributed to the improvement location relative to the total new Buildout Year (2040) peak hour intersection turning movement volume. The intersection fair share cost calculations are typically based on the higher of the morning and evening peak hour intersection turning movement volumes. The actual fair share calculations will be finalized subsequent to discussions between the County and the Applicant.

As noted in the TIA, since the intersection of Apatite Avenue and Bear Valley Road currently satisfies the traffic signal warrant based on Existing traffic conditions, the fair share percentage was calculated based on overall traffic volumes, including existing traffic volumes. The Proposed Project does not trigger the need for the traffic signal, because the intersection is already operating at Level of Service F during the peak hours. The intersection of Ridgecrest Road and Chinquapin Drive is already operating

at deficient Level of Service under Existing conditions, the Proposed Project should contribute its fair cost based on total traffic volumes. The deficient LOS at the Intersection of Ridgecrest Road and Chinquapin is only experienced by the existing residential traffic and turning movements from Chinquapin Drive where the Proposed Project does not increase the existing turning traffic on Chinquapin Drive.

As concluded in the TIA, the Proposed Project would contribute additional traffic at area intersections that are either already or will experience LOS of D, E, or F during future 2040 conditions. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are:

TC-1: Prior to issuance of building occupancy, the Project Proponent shall make the following improvements:

- **Add northbound right turn overlap phasing for the intersection of Hesperia Road (NS) at Bear Valley Road (EW);**
- **Restripe to provide eastbound and westbound left turn lanes at the intersection of Ridgecrest Road (NS) at Bluff Crest Street/Vista Point Drive (EW);**
- **Provide a second eastbound left turn lane for the intersection of Ridgecrest Road (NS) at Bear Valley Road (EW);**
- **Install a new traffic signal at the Project's East Driveway (NS) at Yates Road (EW). The proposed signal shall be coordinated with the existing signal at Park Road by hardline connection.**
- **For the intersection of Tamarisk Road-I Avenue (NS) at Bear Valley Road (EW): 1) Restripe northbound approach to provide dual left turn lanes and one shared northbound through- right lane; 2) Restripe southbound approach to provide a left turn lane and one shared northbound through-right lane; 3) Modify northbound-southbound signal phasing to protected left turn.**
- **The Project Proponent shall contribute on a fair share basis (based on total traffic volumes) toward the installation of a new traffic signal at the intersection of Peach Avenue (NS) at Bear Valley Road (EW).**

TC-2: The Project Proponent shall contribute through an adopted traffic impact fee program in addition to any fair share contributions as shown in Figure 9 of the Traffic Impact Analysis dated October 9, 2020, for the following improvements:

- **Installation of a new traffic signal at the intersection of Ridgecrest Road (NS) at Chinquapin Drive (EW).**
- **Installation of a new traffic signal at the intersection of Apatite Avenue (NS) at Bear Valley Road (EW).**

- **Installation of a new traffic signal at Ridgecrest Road (NS) at Green Tree Boulevard (EW in addition to the following: provide northbound left turn lane; provide shared northbound left/right lane; provide northbound right turn lane; provide eastbound right turn lane; provide westbound left turn.**

- **Provide third northbound through lane for the intersection at Hesperia Road (NS) at Green Tree Boulevard (EW). In addition fair share contributions shall also provide a northbound right turn lane; add northbound right turn overlap phasing; provide southbound left turn lane; provide third southbound through lane; provide southbound right turn lane; provide second eastbound left turn lane; provide two eastbound through lanes; provide two westbound left turn lanes; provide two westbound through lanes; add westbound right turn overlap phasing.**

TC-3: For Buildout Year (2040) With Project conditions, the Project Proponent shall pay their fair share for improvements as recommended in the Traffic Impact Analysis dated October 9, 2020 toward the following improvements:

- **Hesperia Road (NS) at Bear Valley Road (EW) - #1**
  - **Add northbound right turn overlap phasing.**

- **Ridgecrest Road (NS) at Chinquapin Drive (EW) - #2**
  - **Install a new traffic signal. Since the intersection is already operating at deficient Level of Service under Existing conditions, the project should contribute its fair cost based on total traffic volumes. The deficient LOS at the Intersection of Ridgecrest Road and Chinquapin (Intersection #2) is only experienced by the existing residential traffic and turning movements from Chinquapin Drive where the project does not increase the existing turning traffic on Chinquapin Drive.**

- **Ridgecrest Road (NS) at Bluff Crest Street/Vista Point Drive (EW) - #3**
  - **Restripe to provide eastbound and westbound left turn lanes.**

- **Ridgecrest Road (NS) at Bear Valley Road (EW) - #6**
  - **Provide a second eastbound left turn lane.**

- **Apple Valley Road (NS) at Yucca Loma Road (EW) - #8 [Part of the Green Tree Boulevard Extension Transportation Improvement Project]**
  - **Provide a second northbound left turn lane.**
  - **Add southbound right turn overlap phasing.**
  - **Add eastbound right turn overlap phasing.**
  - **Provide westbound right turn lane.**

- **Apatite Avenue (NS) at Bear Valley Road (EW) - #9**
  - **Install a new traffic signal. Since a traffic signal is already warranted under Existing conditions, the project should contribute its fair cost based on total traffic volumes.**

- **Project East Driveway (NS) at Yates Road (EW) - #11**
  - **Install a new traffic signal. The proposed signal on Yates at the Project East Driveway (Intersection #11) should be coordinated with the existing signal at Park Road (Intersection #7) by hard line connection.**

- **Ridgecrest Road (NS) at Green Tree Boulevard (EW) - #12 [Part of the Green Tree Boulevard Extension Transportation Improvement Project]**
  - **Install a traffic signal.**
  - **Provide northbound left turn lane.**
  - **Provide shared northbound left/right lane.**
  - **Provide northbound right turn lane.**
  - **Provide eastbound right turn lane.**
  - **Provide westbound left turn.**

- **Hesperia Road (NS) at Green Tree Boulevard (EW) - #13 [Part of the Green Tree Boulevard Extension Transportation Improvement Project]**
  - **Provide third northbound through lane.**
  - **Provide northbound right turn lane.**
  - **Add northbound right turn overlap phasing.**
  - **Provide southbound left turn lane.**
  - **Provide third southbound through lane.**
  - **Provide southbound right turn lane.**
  - **Provide second eastbound left turn lane.**
  - **Provide two eastbound through lanes.**
  - **Provide two westbound left turn lanes.**
  - **Provide two westbound through lanes.**
  - **Add westbound right turn overlap phasing.**

- **Tamarisk Road-I Avenue (NS) at Bear Valley Road (EW) - #14**
  - **Restripe northbound approach to provide dual left turn lanes and one shared northbound through- right lane.**
  - **Restripe southbound approach to provide a left turn lane and one shared northbound through-right lane.**
  - **Modify northbound-southbound signal phasing to protected left turn.**

- **Peach Avenue (NS) at Bear Valley Road (EW) - #15**
  - **Install a new traffic signal. Since a traffic signal is already warranted under Existing conditions, the project should contribute its fair cost based on total traffic volumes.**

TC-4: The Project Proponent shall implement the following site-specific circulation and access mitigations including:

- **Yates Road along the project boundary shall be constructed at the ultimate half-section width, including landscaping and parkway improvements in conjunction with development, or as otherwise approved by the County of San Bernardino Public Works Department.**
- **The proposed project driveways shall be constructed in conformance with County of San Bernardino standards, including provisions for sight distance requirements and truck turning radii, or as otherwise approved by the County of San Bernardino Public Works Department.**
- **All on-site and site-adjacent improvements, including traffic signing/striping and project driveways, shall be constructed as approved by the County of San Bernardino Public Works Department.**
- **On-site parking shall be provided to the satisfaction of County of San Bernardino Planning Department.**

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

Less than Significant with Mitigation

The Project does not include a geometric design feature or incompatible uses that would substantially increase hazards. The speed limit on Yates Road is currently posted at 55 miles per hour. Based on Table 405.1A of the 2018 Highway Design Manual, to account for a single-unit truck making a left-turn from a stop with a 9.5 second time gap, the minimum corner sight distance was calculated to be 768 feet. The minimum stopping sight distance standard is 500 feet. As concluded in the TIA, the proposed Project driveway has adequate sight distances when the removal of visual obstructions for specific areas is adhered to. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level below significant.

TC-5: During final plan check, County Planning Staff shall ensure that the yellow highlighted triangular areas as shown in Figure 35 of the Traffic Impact Analysis is clear of visual obstructions no more than two feet in height.

d) *Result in inadequate emergency access?*

Less Than Significant Impact

As required by the County, the Project would provide two driveways with a minimum width of 26 feet to allow for emergency access. A second driveway near the southwest corner of the Project Site, would be dedicated for emergency access only. The Proposed Project would be subject to any conditions required by the San Bernardino County Fire Department to maintain adequate emergency access. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

SUBSTANTIATION:

Countywide Plan, 2020; Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton; Submitted Project Materials

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

Less Than Significant Impact

During preparation of the Phase I Cultural Resources Assessment, a cultural resources records search was completed at the South Central Coastal Information Center (SCCIC) located at California State University, Fullerton. McKenna et al. completed the search on July 13, 2017 for the Project area and all lands found within a one-mile radius. The search found that a majority of the Project area was previously surveyed for cultural resources and included in three reports (1061041, 1061044, and 1067167). In addition, 52 other studies were completed within a one-mile radius of the project site that collectively recorded a total of 33 cultural resources. Of these, two were found to be within or directly adjacent to the project site.

The first previously identified cultural resource - P36-010154 was recorded in 1999 and described to be an historic foundation with an associated scatter of historic refuse. The cultural resource was mapped as being northwest of the project site boundary and, therefore, would not be impacted by the Proposed Project.

The second previously identified cultural resource - P36-004313 was recorded numerous times including 1980, 1999, and 2011. The resource was identified as both a surface and subsurface distribution of artifacts located on upper Mojave River terrace and southwest of the Mojave River Narrows Regional Park. The resource was identified as being a village site that included a historic irrigation canal, presence of dark soil localities that may be representative of hearth locations and artifact scatter including fire-affected rock, jasper and quartzite debitage, cobble manos, a schist metate, quartzite scraper, and quartzite chopper. Cultural resource P36-004313 was identified to cover the northern portion of the property and extends to the east and west of the Project Site. This resource, although not listed in the National Register of Historic Places (NRHP), would qualify for recognition as a significant resource.

A pedestrian survey was conducted and resulted in evidence of a village site. Metates, manos, pestle(s), flaked tools, projectile points, core(s), and debitage were observed over an area that dominates the Project Site. Darkened soils were also present and suggest the potential for midden deposits and fire affected rock associated with buried hearths. Artifact scatter was identified on the surface, but generally in areas where there was some surface disturbance, indicating these items were buried at some point. Therefore, the potential for additional buried artifacts was determined to be relatively high. As concluded in the Phase I Cultural Resources Report, a Phase II archaeological testing program was recommended.

Tierra Environmental Services (Tierra) prepared an Archaeological Resources Testing and Evaluation Report for the Project Site. After negotiations with representatives of the County of San Bernardino, Lilburn Corporation, and the San Manuel Band of Mission Indians (SMBMI) regarding the scope of work to be undertaken, a Phase II Testing Plan was developed, and fieldwork began on May 11, 2020, and testing took place on May 13-15 and 18-20, 2020.

The purpose of the Archaeological Resources Testing was to evaluate the significance of SBR-4313-H (i.e. P36-004313) using both California Register of Historic Resources (CRHR) criteria and Native American tribal values and concerns. The final agreed-upon approach was the excavation of 48, 50 x 50 cm Shovel Test Pits (STPs), spaced 45 meters apart, in a grid pattern covering the site's furthest extent as derived from the various site boundaries created by Drover (1980), James and Briggs (1999) and McKenna (2017) to the extent they are within the Project Site for a total of about 14 acres. These were excavated to a minimum of 40 cm (the depth of the deposits estimated by Drover in 1980). If any cultural material was encountered, excavations continued at least 20 cm of sterile soil beyond those finds. In accordance with the Phase II Testing Plan, all artifacts and ecofacts were photographed, key artifact attributes were recorded in the field, and then all cultural material was reburied without external laboratory or specialized analyses. Information on soils was also noted. Disturbed areas were also mapped, including the presence of berms and other raised areas, trails, dirt roads, and historic trash.

A total of 140 prehistoric and 25 historic artifacts were recovered from subsurface excavations along with one surface prehistoric artifact. Prehistoric artifacts included primarily fire-altered rock and fire-affected small animal and bird bone, along with two *Olivella* side wall beads, three flakes (chalcedony and quartzite), and an obsidian projectile point fragment from the surface. Several possible prehistoric flakes, cores and mano fragments, along with a possible hammerstone and scraper, were also found. Three gastropod shells (not *Olivella*) and 2 tiny fragments of possible oyster shell were recovered, but these were not viewed as cultural ecofacts. These finds are in addition to 10 mano and metate fragments, a core, a pestle fragment, five bifaces (including projectile points and point fragments), and a cluster of chalcedony and jasper flakes found on the surface by McKenna (2017). Note that of the latter, six formal tools and the cluster of debitage are located outside of the project boundary.

The Phase II Investigation concluded that the site was not a village site due to the low diversity of artifacts, the lack of developed midden, the relatively few areas with significant subsurface deposits, and the absence of any indication of human remains (other than possibly the presence of the two shell beads). In addition, historic features on the part of the site within the Project area are unlikely to be more than 50 years old, and only a few scattered artifacts greater than 50 years old were recovered, often from different time periods including a few scattered, almost entirely surface fragments of purple glass (1870s-1925), a Remington bullet casing (1962-present), a Coors beer can with removal pull tab without sharp edges (1965-1975), and Styrofoam (1941-present) fragments in STP 39. The thinly scattered surface and few subsurface artifacts do not establish the existence of an historic site (i.e., greater than 50 years old) and are not viewed as a significant historic resource. Implementation of Mitigation Measures CR-1, CR-2 and CR-3 as presented in Section V of this Initial Study would ensure that potential impacts to any early California historical resources are reduced to a less than significant level. Therefore, no significant adverse impacts are identified or anticipated and no additional mitigation measures are proposed.

b) *ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource*

Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Less than Significant with Mitigation

A search of the Native American Heritage Commission Sacred Lands File was completed for the area of potential effect (APE), with negative results. On October 19, 2020, the County of San Bernardino mailed notification pursuant to AB52 to the following 6 tribes: Gabrieleno/Tongva San Gabriel Band of Mission Indians, Morongo Band of Mission Indians, San Manuel Band of Mission Indians, Colorado River Indian Tribes, Fort Mojave Indian Tribe, and Twenty-Nine Palms Band of Mission Indians.

McKenna et al. conducted Native American consultation through contact with the Native American Heritage Commission in Sacramento and inquired into the presence or absence of known sacred or religious sites in or around the APE (Appendix C). The Native American Heritage Commission reported that no known sacred sites or religious resources were identified with the specific project area or its surrounding areas, but noted resources were known and recorded for the general area. Additional research identified rock art sites and at least one burial.

In addition to consultation with the Commission, McKenna et al. received a listing of local Native American representatives wishing to comment on projects within their sphere(s) of influence or cultural affiliation. McKenna et al. send letters to all identified individuals, describing the project and included maps illustrating the specific location of the project.

McKenna et al. exchanged a series of emails with representatives of the San Manuel Band of Mission Indians. McKenna et al. informed the San Manuel of the recent findings and preliminary conclusions and the need for a Phase II testing program. The San Manuel concurred and assisted in the preparation of the Phase II Testing Program.

Based on consultation under AB 52 with interested tribes, final recommendations shall be incorporated into the Project's Conditions of 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. The required mitigation measures are:

TCR-1: Prior to the issuance of a grading permit, the Applicant shall produce a letter from the Cultural Resources Management Department of the San Manuel Band of Mission Indians indicating that the Applicant has avoided impacts to sensitive tribal cultural resources (TCRs) and/or completed archaeological data recovery of those resources to the Tribe's satisfaction. While preservation in place is the Tribe's preferred treatment of TCRs, should data recovery prove necessary, a qualified archaeologist shall create a research design in coordination with the Tribe, that shall include a comprehensive discussion of sampling strategies, resource processing, analysis, and reporting protocols/obligations. All plans for analysis shall be reviewed and approved by the Applicant, Lead Agency, and SMBMI prior to

implementation, and all removed material shall be temporarily curated on-site in a secure location. The long-term artifact treatment for cultural resources recovered during archaeological data recovery shall follow protocols established in CUL-2.

Draft copies of the archaeological data recovery report shall be prepared by the archaeologist and submitted to the Applicant, Lead Agency, and SMBMI for their review and approval. After approval from all parties, the final report and updated site record are to be submitted to the local CHRIS Information Center, the Lead Agency, and SMBMI.

TCR-2: Due to the heightened cultural sensitivity of the proposed project area, Tribal monitors representing the San Manuel Band of Mission Indians shall be present for all ground-disturbing activities that occur within culturally-sensitive portions of the proposed project area, as delineated by the San Manuel Band of Mission Indians. Ground-disturbance includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work). A sufficient number of Tribal monitors shall be present each work day to ensure that simultaneously occurring ground-disturbing activities receive thorough levels of monitoring coverage. A Monitoring and Treatment Plan that is reflective of the project mitigation ("Cultural Resources" and "Tribal Cultural Resources") shall be completed by the archaeologist, as detailed within CUL-1, and submitted to the Lead Agency for dissemination to the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI). Once all parties review and agree to the plan, it shall be adopted by the Lead Agency. The plan must be adopted prior to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring and Treatment Plan.

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

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

SUBSTANTIATION:

Mojave Water Agency Urban Management Plan; Submitted Project Materials

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

Less Than Significant Impact

The Project Site is currently vacant and includes a request for a CUP to allow for the construction and operation of a residential care facility. The Project would receive water service from the County of San Bernardino (CSA 64), natural gas service from SoCal Gas, electricity from Edison, and phone service from Verizon.

Nearby water lines, electric power lines, and gas lines south of the Project Site would be extended to service the Proposed Project. The Proposed Project would not require construction of new or expanded water facilities, electric power, or natural gas facilities. Additionally, implementation of the Proposed Project would not result in a significant increase in demand for phone services. The San Bernardino County Department of Public Works, Special Districts Water and Sanitation Division provided a letter of intent to provide water and sewer service the Proposed Project. As stated in the letter, dated September 17, 2020, the Division intends to serve the Proposed Project provided that all conditions are met as outlined in the sewer feasibility study and the water feasibility study. The required water and wastewater infrastructure improvements necessary for County Service Area 64 (CSA 64) to serve as outlined in the feasibility studies shall be constructed and paid for by the developer. All improvements would be constructed to

CSA 64's standards and would be deeded to that Division. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

Less Than Significant Impact

The Project Site would be served by the County of San Bernardino and is located within CSA 64. CSA 64 covers approximately four square miles and provides water to residential, commercial, retail, schools and recreational uses including golf courses and Spring Valley Lake. Water supply for CSA 64 is supplied by the Mojave Water Agency (MWA). A draft Urban Management Plan was created for CSA 64 and states that groundwater is the primary source that supplies CSA 64. CSA 64 has a Free Production Allowance (FPA) available to pump groundwater to use as a potable water source. Once CSA 64 pumps above the FPA, they must purchase water from MWA to offset what is pumped above the FPA. A Groundwater Management Plan was put into place that monitors groundwater levels. The current water system includes five wells with a total pumping capacity of 5,560 gallons per minute (gpm) or 8,652 acre-feet per year (AFY), operating full time). Each well requires downtime for maintenance. For the purposes of establishing annual supply, it is assumed that each well could be down up to 50 percent of the time. This would equate to a reliable supply of 4,476 AFY. CSA 64 is in the process of drilling and equipping a new source well with the capacity of 1,800 gpm that would increase pumping capacity to an adequate level during max demand periods.

Based on current demands, future water requirements in 2040 would be higher than 50 percent utilization that well pump capacity could deliver, if well pumps operated at 100 percent, water requirement would be achieved. Depending on yearly precipitation rates, future water demands could exceed supply. To fulfill future water supplies, other water options may include desalinated water, water transfers, reduction analysis and recycled water to replenish future groundwater aquifer levels if pumping surpasses the Free Production Allowance.

With regards to source water production, the State Water Resources Control Board (Division of Drinking Water) performed a Sanitary Survey for CSA 64 with results provided in a letter dated May 14, 2020. The letter identified the historic Maximum Day Demand (MDD) (year 2010) exceeds the current source capacity (with the highest source off-line). A MDD of 5.92 MGD is compared with a source capacity of 5.06 MGD resulting in an apparent existing deficiency of 0.86 MGD. However, given the significant MDD reduction trend (since 2010) when compared to years 2011-2018, a more appropriate computation could be made by averaging the current trend values. In doing so (and excluding year 2017 as an anomaly), the MDD would adjust to 4.48 MGD and thus an apparent surplus of 0.58 MGD would result.

The Proposed Project is estimated to have an annual water demand of approximately 15 acre-feet, including approximately 2.25 acre-feet for landscaping (about 15 percent of the total), or less than ½ of one percent of the currently available CSA 64 water supply assuming wells are down up to 50 percent of the time. The Project is an allowable use under the Countywide Plan and has been zoned for residential use. As previously stated, a letter of intent to service the Project was provided by the County. If an overall usage

of water within CSA 64 exceeded allowable levels, CSA 64 would be assessed a replenishment charge to buy resources for aquifer replenishment. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

Less Than Significant Impact

The CSA 64 service area does not contain any wastewater treatment facilities. A sewer collection system collects all the wastewater from the customers that do not have septic systems. Currently, wastewater within the service boundary of CSA 64 is collected via the collector sewer system owned and operated by CSA 64. The collector system includes three sewage lift stations. Total wastewater flow is measured through a single metering station as it discharges to regional interceptor sewer (CSA 64 Outfall) and to the Regional Wastewater Treatment Plant (Regional Plant) owned and operated by the Victor Valley Wastewater Reclamation Authority (VVWRA). The VVWRA serves portions of Victorville, Hesperia, Apple Valley, and CSA 64.

VVWRA conveys wastewater using 41.5 miles of interceptor sewer and two pump stations to its Regional Plant that currently has 17 million gallons per day of treatment capacity. Wastewater treated by the VVWRA is either discharged to the Mojave River or utilized as recycled water for irrigative use after undergoing an extensive cleaning and purification process. The Regional Plant is located adjacent to the Southern California Logistics Airport (SCLA) approximately nine miles north of CSA 64.

Based on a Sewer Feasibility Study, dated September 4, 2020, prepared for the Proposed Project by Albert A Webb Associated, the Project would have an estimated peak flow of 152,155 gpd (0.24 cfs). The Project Proponent proposes to build approximately 2,100 linear feet of 8-inch sewer line in the public right of way of Yates Road and connect to the existing CSA 64 24-inch sewer with a new 60-inch diameter manhole at the intersection of Tahoe Lane and Yates Road at a flow line of approximately 2754.80 feet per the as-built drawings. The proposed manhole connection point is approximately 20 feet deep. Minimum slope and minimum cover requirements are expected to be satisfied. The analysis included the review of the existing downstream 21-inch Vitrified clay pipe (VCP) sewer and was found to have capacity for the proposed development. The Sewer Feasibility Study found that the CSA 64 sewer system is capable of receiving flows from the Proposed Project.

The required wastewater infrastructure improvements necessary for County Service Area 64 (CSA 64) to serve as outlined in the feasibility studies shall be constructed and paid for by the developer. Sufficient wastewater treatment capacity exists at the VVWRA Regional Plant. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

Less Than Significant Impact

The Project Site is currently within the refuse collection area of Burrtec Waste Industries. Solid waste generated at the Project Site is disposed of at either the San Bernardino County Victorville Sanitary Landfill (36-AA-0045) or other active landfills as necessary. Burrtec's operators determine the final disposal location on a case-by-case basis. The Victorville Sanitary Landfill has a maximum throughput of 3,000 tons per day, an expected operational life through 2047, and a remaining capacity of 81,510,000 cubic yards. The Proposed Project includes a request for a CUP to allow for the construction and operation of a residential care facility. The Project would include 279 employees and 150 residences and is estimated to generate approximately one ton of solid waste per day (Nursing/retirement home estimated rate of five pounds per person per day).[20] The project-generated waste represents less than one percent (approximately 0.033 percent) of the total permitted waste received at the Victorville Sanitary Landfill. The Project would be served by a landfill with sufficient permitted capacity to accommodate its solid waste disposal needs. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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

Less Than Significant Impact

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

A project's waste management plan is to consist of two parts which are incorporated into the Conditions of Approval (COA's) by the County of San Bernardino Planning and Building & Safety divisions. As part of the plan, proposed projects are required to estimate the amount of tonnage to be disposed and diverted during construction. Disposal/diversion receipts or certifications are required as a part of that summary.

The mandatory requirement to prepare a Construction and Demolition Solid Waste Management Plan would ensure that impacts related to construction waste would be less than significant. The Proposed Project would comply with all federal, State, and local statutes and regulations related to solid waste. Solid waste produced during the construction phase or operational phase of the Proposed Project would be disposed of in accordance with all applicable statutes and regulations. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

[20] https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates. Accessed October 29, 2020.

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

SUBSTANTIATION:

Countywide Plan; Submitted Project Materials

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

No Impact

According to the San Bernardino Countywide Plan Draft EIR, Table 5.8-10, evacuation routes include major highways, including Yates Road which is located south of the Project Site[21]. Specifically, one full access driveway and one secondary access driveway are proposed along Yates Road including a signalized main driveway near the southeast corner of the site and a stop-controlled driveway located near the southwest corner. The Proposed Project is not anticipated to interfere with the use of Yates Road during an evacuation. As concluded in the EIR, Projects developed under the Countywide Plan would not block or otherwise interfere with the use of evacuation routes. Specific evacuation routes would be designated during an emergency by the San Bernardino County Sheriff's Department in accordance with the County's emergency management plan. The Proposed Project would comply with the policies set forth in the Countywide Plan and would not impair an adopted emergency response

[21] ountywideplan.com/wp-content/uploads/2019/06/Ch_05-08-HAZ.pdf. Accessed October 27, 2020.

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

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

No Impact

Fire safety areas are prone to wildfires and require additional development standards. The Project Site does not occur within a Fire Safety Overlay (FS1) area and is identified as having a Fire Hazard Severity Class of "Moderate" as shown on the Countywide Plan Policy Map HZ-5 [22]. The Site is surrounded by vacant land followed by railroad tracks to the west, residential uses to the south, Mojave Narrows Regional Park to the north and vacant land to the east. Mojave Narrows Regional Park is regularly maintained and is void of heavy vegetation. Due to the lack of wildfire fuel factors within the area and at the Project Site, the risk of wildfire is considered less than significant. The Proposed Project shall comply with applicable standards required by the County of San Bernardino. The Proposed Project is not anticipated to exacerbate wildfire risks, thereby exposing project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

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

No Impact

The Project Site does not occur within a Fire Safety Overlay (FS1) area and is identified as having a Fire Hazard Severity Class of "Moderate" as shown on the Countywide Plan Policy Map HZ-5 [23]. The Project Site is currently vacant and is located in an urbanized area and includes existing roadways and emergency water sources. The Project Site is relatively flat and accessible by emergency services (i.e., fire apparatus) and does not include the installation of new roads, power lines or other utilities that would result in an additional fire risk for the area. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

[22] https://www.arcgis.com/apps/webappviewer/index.html?id=355f9beb4a8f446e8869459e91d58431 Accessed October 28, 2020.

[23] https://www.arcgis.com/apps/webappviewer/index.html?id=355f9beb4a8f446e8869459e91d58431 Accessed October 28, 2020.

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

Less Than Significant Impact

The Project Site and its immediate vicinity are relatively flat, not located within a Fire Safety Overlay, and the subject property is relatively free of notable slopes. As such, post-fire slope instability is not anticipated. The implementation of associated storm water BMPs would ensure that the Proposed Project appropriately conveys storm water runoff without affecting upstream or downstream drainage characteristics. As a result, the Proposed Project would not expose people or structure to significant risks, such as downslope flooding or landslides. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

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

Less Than Significant Impact

The conditions present onsite are marginally suitable for BUOW. The results of the field survey concluded that no evidence of BUOW was found in the survey area. No burrows of appropriate size, aspect or shape were located and no BUOW pellets, feathers or whitewash was found. No burrowing owl individuals were observed. According to the CNDDB, there are 24 documented occurrences of BUOW within the Victorville and Hesperia quads. The nearest documented BUOW occurrence (2006) is approximately 2.75 miles west of the Project Site.

Since the conditions present onsite are marginally suitable for BUOW, and this species has been documented within the vicinity, a preconstruction BUOW survey, as required in Mitigation Measure BIO-1, is required to avoid any potential project-related impacts to this species. Similarly, five Joshua trees were documented within the current site plan. Joshua trees are currently protected by the County of San Bernardino protected by the CESA. Currently, all Joshua trees would be removed to allow for construction of the Proposed Project and replanted on-site following post construction. Implementation of Mitigation Measures AES-1, BIO-2 and BIO-3 as provided in this Initial Study, would ensure potential impacts to Joshua trees are reduced to a less than significant level. Therefore, with implementation of mitigation measures presented in this Initial Study the Proposed Project would not 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, or substantially reduce the number or restrict the range of a rare or endangered plant or animal.

An Archaeological Resources Testing and Evaluation Report, dated October 2020, was prepared for the Project Site by Tierra Environmental Services (Tierra). The purpose of the Archaeological Resources Testing was to evaluate the significance of SBR-4313-H using both California Register of Historic Resources (CRHR) criteria and Native American tribal values and concerns. A total of 140 prehistoric and 25 historic artifacts were recovered from subsurface excavations along with one surface prehistoric artifact.

The Archaeological Resources Testing and Evaluation Report concluded that the site was not a village site as was suggested by McKenna (2017), due to the low diversity of artifacts, the lack of developed midden, the relatively few areas with significant subsurface deposits, and the absence of any indication of human remains (other than possibly the presence of the two shell beads). In addition, historic features on the part of the site within the project area are unlikely to be more than 50 years old, and only a few scattered artifacts greater than 50 years old were recovered, often from different time periods-- a few scattered, almost entirely surface fragments of purple glass (1870s-1925), a Remington bullet casing (1962-present), a Coors beer can with removal pull tab without sharp edges (1965-1975), and Styrofoam (1941-present) fragments in STP 39. The thinly scattered surface and few subsurface artifacts do not establish the

existence of an historic site greater than 50 years old and are not viewed as a significant historic resource. In conclusion, both the prehistoric and historic components of SBR-4313-H situated in the project area are not considered significant historic resources under CEQA criteria. Nonetheless, given the general sensitivity of the site's location with important village sites in the general vicinity, construction monitoring is recommended for the northern third of the Project, i.e., north of the wash which crosses the center of the Project Site, to ensure potential impacts are reduced to a less than significant level. Therefore, no significant adverse impacts are identified or anticipated, and no additional mitigation measures are required.

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

Less Than Significant Impact

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

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

As concluded in the TIA, the Proposed Project is anticipated to generate a total of approximately 2,927 daily trips, including 221 trips during the AM peak hour and 253 trips during the PM peak hour. Cumulative impacts associated with the Proposed Project would be mitigated to a less than significant impact with implementation of Mitigation Measures TC-1 through TC-5. Construction emissions from the Proposed Project were calculated to exceed the SCAQMD threshold for ROG. However, with implementation of Mitigation Measure AQ-1, which would extend painting activities during construction to 42 days, impacts to Air Quality would be reduced to less than significant, and the Proposed Project would comply SCAQMD's AQMP. Greenhouse gas emissions from the Proposed Project would exceed County thresholds. However, implementation of Mitigation Measures GHG-1 through GHG-5 would reduce potential impacts to GHGs to a less than significant level. Therefore, air quality and greenhouse gas impacts would not be cumulatively considerable.

Impacts associated with the Proposed Project would not be considered individually or cumulatively adverse or considerable. Impacts identified in this Initial Study can be

reduced to a less than significant impact. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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

Less Than Significant Impact

The Project Site is not located in an area that is susceptible to geologic hazards. Implementation of Mitigation Measures GEO-1 and GEO-2 would ensure that impacts due to geologic hazards would be reduced to a less than significant level. In addition, implementation of Mitigation Measure N-1 through N-7 would ensure that noise impacts are reduced to a less than significant level. Therefore, implementation of the Proposed Project would not have environmental effects that would cause substantial adverse effects on human beings. At a minimum, the Project will be required to meet the conditions of approval for the project to be implemented. It is anticipated that all such conditions of approval will further ensure that no potential for adverse impacts will be introduced by construction activities, and current or future land uses authorized by the Project approval. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

MITIGATION MEASURES

Any mitigation measures that are not "self-monitoring" shall have a Mitigation Monitoring and Reporting Program prepared and adopted at time of project approval. Condition compliance will be verified by existing procedure.

Biological Resources

BIO-1: A Pre-construction Burrowing Owl Survey shall be conducted by a qualified biologist at least 14 days prior to any Project activities, at any time of year. Surveys shall be completed following the recommendations and guidelines provided within the *Staff Report on Burrowing Owl Mitigation* (CDFG, March 2012) or most recent version by a qualified biologist. If an active burrowing owl burrow is detected within any Project disturbance area, or within a 500-foot buffer of the disturbance area, a 300- foot radius buffer zone surrounding the burrow shall be flagged, and no impacts to soils or vegetation or noise levels above 65 dBA shall be permitted while the burrow remains active or occupied. Disturbance-free buffers may be modified based on site-specific conditions in consultation with CDFW. The qualified biologist shall monitor active burrows daily and will increase buffer sizes as needed if owls show signs of disturbance. If active burrowing owl burrows are located within any work area and impact cannot be avoided, a qualified biologist shall submit a burrowing owl exclusion plan to CDFW for review and approval. The burrowing owl exclusion plan shall include permanent compensatory mitigation consistent with the recommendations in the *Staff Report on Burrowing Owl Mitigation* such that the habitat acreage, number of burrows and burrowing owls impacted are replaced. Passive relocation shall take place outside the nesting season (1 February to 31 August).

BIO-2: If the Project, including any Project related construction activity, results in take of Joshua trees (a CESA-listed species), the applicant shall seek appropriate authorization prior to Project implementation through an Incidental Take Permit if the species cannot be avoided and provide such documentation to the County Planning Division prior to issuance of a grading permit.

BIO-3: In the event relocation of Joshua trees is permissible, the Project Applicant shall prepare a relocation plan for CDFW approval and shall obtain a Relocation-Protected Plant Permit from the County of San Bernardino, prior to commencement of Project activities. Evidence of the CDFW approval shall be provided to the County Planning Division prior to issuance of a grading permit.

BIO-4: Construction of the access road and in-channel drop structures are considered an alteration of a State Streambed Water that falls under the jurisdictions of the CDFW and RWQCB. A Section 1600 Streambed Alteration Agreement from the CDFW and a Waste Discharge Requirement (WDR) Permit from the RWQCB shall be obtained prior to the issuance of grading/construction permits.

BIO-5: Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory

passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) prior to project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage and expected types, intensity and duration of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.

Cultural Resources

CR-1: **An archaeological monitor with at least 3 years of regional experience in archaeology shall be present for all ground-disturbing activities that occur within culturally-sensitive portions of the proposed project area, as delineated by the San Manuel Band of Mission Indians (SMBMI). Ground-disturbing activities include, but are not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work. A sufficient number of archaeological monitors shall be present each work day to ensure that simultaneously occurring ground-disturbing activities within culturally sensitive areas receive thorough levels of monitoring coverage.**

A Monitoring and Treatment Plan that is reflective of the project mitigation and includes a map of areas sensitive for Tribal Cultural Resources provided by San Manuel Band of Mission Indians (SMBMI) shall be completed by the archaeologist and submitted to the Lead Agency for dissemination to the SMBMI Cultural Resources Department. Once all parties review and approve the plan, it shall be adopted by the Lead Agency – the plan must be adopted prior to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring and Treatment Plan.

CR-2: **If a cultural resource is discovered during project implementation, ground-disturbing activities shall be suspended 60 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed.**

Representatives from the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI), a qualified archaeologist/applicant, and the Lead Agency shall confer regarding the treatment of the discovered resource(s). As outlined in CEQA, the Applicant shall make a good faith effort to redesign the project area in such a way that impacts to the identified resource(s) can be avoided/preserved in place. Should any resource(s) not be a candidate for avoidance/preservation in place, and therefore the removal of the resource(s) is

necessary to mitigate impacts, a research design may be developed in consultation with SMBMI.

The research design will include a plan to formally evaluate the resource(s) for significance under CEQA criteria, as well as to formally address the resource(s) place within the landscape identified as a Tribal Cultural Resource (TCR) by the San Manuel Band of Mission Indians. Additionally, the research design shall include a comprehensive discussion of sampling strategies, resource processing, analysis, and reporting protocols/obligations. Removal of any cultural resource(s) shall be conducted with the presence of a Tribal Monitor representing the Tribe, unless otherwise decided by SMBMI. All plans for analysis shall be reviewed and approved by the Applicant, Lead Agency, and SMBMI prior to implementation, and all removed material shall be temporarily curated on-site.

It is the preference of SMBMI that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during project implementation not be feasible, then a reburial location for future reburial shall be decided upon by SMBMI, the landowner, and the Lead Agency, and all finds shall be reburied within this location. Additionally, in the case of a single reburial area, reburial shall not occur until all ground-disturbing activities associated with the project have been completed, all cataloging and basic recordation of cultural resources have been completed, and a final report has been approved by SMBMI and the Lead Agency. All reburials are subject to a reburial agreement that shall be developed between the landowner and SMBMI outlining the determined reburial process/location and shall include measures and provisions to protect the reburial area from any future impacts (i.e. project plans, conservation/preservation easements, etc.).

Should it occur that avoidance, preservation in place, and on-site reburial are not an option for treatment, the landowner shall relinquish all ownership and rights to this material and confer with SMBMI to identify an American Association of Museums (AAM)-accredited facility within the County that can accession the materials into their permanent collections and provide for the proper care of these objects in accordance with the 1993 CA Curation Guidelines. A curation agreement with an appropriate qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project developer/Applicant to pay for those fees.

All draft archaeological records/reports created throughout the life of the project shall be prepared by the archaeologist and submitted to the Applicant, Lead Agency, and SMBMI for their review and approval. After approval from all parties, the final reports and site/isolate records are to be submitted to the local CHRIS Information Center, the Lead Agency, and SMBMI.

CR-3: **In accordance with California Health and Safety Code Section 7050.5, if human remains are found, the County Coroner shall be notified within 24 hours of the discovery. The project lead/foreman shall designate an Environmentally Sensitive Area (ESA) physical demarcation/barrier 100 feet around the resource. No further excavation or disturbance of the site within 100 feet of the identified resource shall occur until the County Coroner has determined makes his/her assessment regarding the nature of the remains. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours. In accordance with Public Resources Code Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant (MLD) from the deceased Native American. The MLD shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative will then determine, in consultation with the property owner, the disposition of the human remains.**

Reburial of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The MLD in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The applicant/developer/landowner should accommodate on-site reburial in a location mutually agreed upon by the Parties.

It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

CR-4: **If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site and provide recommendations for treatment to the landowner within 48 hours of being granted access.**

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

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

Geology/Soils

GEO-1: The Project Applicant shall incorporate appropriate geotechnical recommendations, as contained in the Final Geotechnical Report, into all building and grading plans provided to the County for review and approval prior to issuance of building and/or grading permits.

GEO-2: At the completion of rough grading, additional testing of engineering characteristics, such as expansion potential and ancillary testing, shall take place. Findings shall be summarized in a letter report and submitted to the County. Recommendations presented in the letter report and approved by the County shall be incorporated during final grading stages of the Project.

GEO-3: In the event excavations exceed three (3) feet, a qualified vertebrate paleontologist shall be present. All monitoring shall conform to the standards and protocols of the San Bernardino County Museum and approved by the County Planning Division.

GEO-4: The approved paleontologist shall collect sediment samples and make a determination regarding the small fossil potential in soils at the Project Site.

GEO-5: Any fossils recovered during mitigation shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.

Greenhouse Gases

GHG-1: The Project Proponent shall ensure that the following enhanced building materials are used during the construction of each building: insulation (rigid wall insulation R-13, roof/attic: R-38), window insulation (0.32 U-Factor, 0.25 SHGC); air infiltration - blower Door HERS Verified Envelope Leakage or equivalent; High Efficiency Water Heater (0.72 Energy Factor); Very High Efficiency Lights (100 percent of in-unit fixtures are high efficacy); Energy Star Refrigerator (new), Energy Star Dish Washer (new), and Energy Star Washing Machine (new); Solar Ready Homes (sturdy roof and solar ready service panel).

GHG-2: The Project Proponent/Applicant shall be responsible for overseeing the installation of water efficient showerheads (2.0 gallons per minute), water efficient toilets (1.5 gallons per minute), water efficient faucets (1.28 gallons per minute), water efficient dishwasher (6 gallons per cycle or less), and water efficient washing machine (water factor less than 5.5 gallons per cycle).

GHG-3: Prior to construction, the Project Proponent shall develop a Construction and Demolition Debris Diversion Program to include a minimum 10 percent recycling of construction debris to be implemented by the construction contractor during construction of the Project.

GHG-4: Prior to final inspection and issuance of occupancy permits, the Project Proponent shall implement a 75 percent Solid Waste Diversion Program by providing separated recycling bins on every floor of each building. In addition, large external recycling collection bins shall be provided at a central location for collection truck pick-up.

Noise

N-1: During all project site excavation and grading, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

N-2: The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

N-3: Equipment shall be shut off and not left to idle when not in use.

N-4: The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction.

N-5: The project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the project site during construction.

N-6: The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment.

N-7: In order to meet HUD requirements, the Project Proponent shall ensure that windows proposed on the southern and western facades of the assisted care building shall have an STC rating of at least 27 to ensure that noise levels inside the proposed residential units do not exceed 45 DNL; and windows proposed on the western and northern facades of the independent living building shall have an STC rating of at least 28 to ensure that noise levels inside the proposed independent living building do not exceed 45 DNL.

Transportation

TC-1: Prior to issuance of building occupancy, the Project Proponent shall make the following improvements:

- **Add northbound right turn overlap phasing for the intersection of Hesperia Road (NS) at Bear Valley Road (EW);**
- **Restripe to provide eastbound and westbound left turn lanes at the intersection of Ridgecrest Road (NS) at Bluff Crest Street/Vista Point Drive (EW);**
- **Provide a second eastbound left turn lane for the intersection of Ridgecrest Road (NS) at Bear Valley Road (EW);**

- **Install a new traffic signal at the Project's East Driveway (NS) at Yates Road (EW). The proposed signal shall be coordinated with the existing signal at Park Road by hardline connection.**
- **For the intersection of Tamarisk Road-I Avenue (NS) at Bear Valley Road (EW): 1) Restripe northbound approach to provide dual left turn lanes and one shared northbound through- right lane; 2) Restripe southbound approach to provide a left turn lane and one shared northbound through-right lane; 3) Modify northbound-southbound signal phasing to protected left turn.**
- **The Project Proponent shall contribute on a fair share basis (based on total traffic volumes) toward the installation of a new traffic signal at the intersection of Peach Avenue (NS) at Bear Valley Road (EW).**

TC-2: **The Project Proponent shall contribute through an adopted traffic impact fee program in addition to any fair share contributions as shown in Figure 9 of the Traffic Impact Analysis dated October 9, 2020, for the following improvements:**

- **Installation of a new traffic signal at the intersection of Ridgecrest Road (NS) at Chinquapin Drive (EW).**
- **Installation of a new traffic signal at the intersection of Apatite Avenue (NS) at Bear Valley Road (EW).**
- **Installation of a new traffic signal at Ridgecrest Road (NS) at Green Tree Boulevard (EW in addition to the following: provide northbound left turn lane; provide shared northbound left/right lane; provide northbound right turn lane; provide eastbound right turn lane; provide westbound left turn.**
- **Provide third northbound through lane for the intersection at Hesperia Road (NS) at Green Tree Boulevard (EW). In addition fair share contributions shall also provide a northbound right turn lane; add northbound right turn overlap phasing; provide southbound left turn lane; provide third southbound through lane; provide southbound right turn lane; provide second eastbound left turn lane; provide two eastbound through lanes; provide two westbound left turn lanes; provide two westbound through lanes; add westbound right turn overlap phasing.**

TC-3: **For Buildout Year (2040) With Project conditions, the Project Proponent shall pay their fair share for improvements as recommended in the Traffic Impact Analysis dated October 9, 2020 toward the following improvements:**

- **Hesperia Road (NS) at Bear Valley Road (EW) - #1**
  - **Add northbound right turn overlap phasing.**
- **Ridgecrest Road (NS) at Chinquapin Drive (EW) - #2**
  - **Install a new traffic signal. Since the intersection is already operating at deficient Level of Service under Existing conditions, the project**

should contribute its fair cost based on total traffic volumes. The deficient LOS at the Intersection of Ridgecrest Road and Chinquapin (Intersection #2) is only experienced by the existing residential traffic and turning movements from Chinquapin Drive where the project does not increase the existing turning traffic on Chinquapin Drive.

- **Ridgecrest Road (NS) at Bluff Crest Street/Vista Point Drive (EW) - #3**
  - **Restripe to provide eastbound and westbound left turn lanes.**
- **Ridgecrest Road (NS) at Bear Valley Road (EW) - #6**
  - **Provide a second eastbound left turn lane.**
- **Apple Valley Road (NS) at Yucca Loma Road (EW) - #8 [Part of the Green Tree Boulevard Extension Transportation Improvement Project]**
  - **Provide a second northbound left turn lane.**
  - **Add southbound right turn overlap phasing.**
  - **Add eastbound right turn overlap phasing.**
  - **Provide westbound right turn lane.**
- **Apatite Avenue (NS) at Bear Valley Road (EW) - #9**
  - **Install a new traffic signal. Since a traffic signal is already warranted under Existing conditions, the project should contribute its fair cost based on total traffic volumes.**
- **Project East Driveway (NS) at Yates Road (EW) - #11**
  - **Install a new traffic signal. The proposed signal on Yates at the Project East Driveway (Intersection #11) should be coordinated with the existing signal at Park Road (Intersection #7) by hard line connection.**
- **Ridgecrest Road (NS) at Green Tree Boulevard (EW) - #12 [Part of the Green Tree Boulevard Extension Transportation Improvement Project]**
  - **Install a traffic signal.**
  - **Provide northbound left turn lane.**
  - **Provide shared northbound left/right lane.**
  - **Provide northbound right turn lane.**
  - **Provide eastbound right turn lane.**
  - **Provide westbound left turn.**
- **Hesperia Road (NS) at Green Tree Boulevard (EW) - #13 [Part of the Green Tree Boulevard Extension Transportation Improvement Project]**
  - **Provide third northbound through lane.**
  - **Provide northbound right turn lane.**

- **Add northbound right turn overlap phasing.**
- **Provide southbound left turn lane.**
- **Provide third southbound through lane.**
- **Provide southbound right turn lane.**
- **Provide second eastbound left turn lane.**
- **Provide two eastbound through lanes.**
- **Provide two westbound left turn lanes.**
- **Provide two westbound through lanes.**
- **Add westbound right turn overlap phasing.**

▪ **Tamarisk Road-I Avenue (NS) at Bear Valley Road (EW) - #14**

- **Restripe northbound approach to provide dual left turn lanes and one shared northbound through- right lane.**
- **Restripe southbound approach to provide a left turn lane and one shared northbound through-right lane.**
- **Modify northbound-southbound signal phasing to protected left turn.**

▪ **Peach Avenue (NS) at Bear Valley Road (EW) - #15**

- **Install a new traffic signal. Since a traffic signal is already warranted under Existing conditions, the project should contribute its fair cost based on total traffic volumes.**

TC-4: The Project Proponent shall implement the following site-specific circulation and access mitigations including:

- **Yates Road along the project boundary shall be constructed at the ultimate half-section width, including landscaping and parkway improvements in conjunction with development, or as otherwise approved by the County of San Bernardino Public Works Department.**
- **The proposed project driveways shall be constructed in conformance with County of San Bernardino standards, including provisions for sight distance requirements and truck turning radii, or as otherwise approved by the County of San Bernardino Public Works Department.**

▪ **Hesperia Road (NS) at Green Tree Boulevard (EW) - #13 [Part of the Green Tree Boulevard Extension Transportation Improvement Project]**

- **Provide third northbound through lane.**
- **Provide northbound right turn lane.**
- **Add northbound right turn overlap phasing.**

- **Provide southbound left turn lane.**
- **Provide third southbound through lane.**
- **Provide southbound right turn lane.**
- **Provide second eastbound left turn lane.**
- **Provide two eastbound through lanes.**
- **Provide two westbound left turn lanes.**
- **Provide two westbound through lanes.**
- **Add westbound right turn overlap phasing.**

▪ **Tamarisk Road-I Avenue (NS) at Bear Valley Road (EW) - #14**

- **Restripe northbound approach to provide dual left turn lanes and one shared northbound through- right lane.**
- **Restripe southbound approach to provide a left turn lane and one shared northbound through-right lane.**
- **Modify northbound-southbound signal phasing to protected left turn.**

▪ **Peach Avenue (NS) at Bear Valley Road (EW) - #15**

- **Install a new traffic signal. Since a traffic signal is already warranted under Existing conditions, the project should contribute its fair cost based on total traffic volumes.**

TC-4: **The Project Proponent shall implement the following site-specific circulation and access mitigations including:**

- **Yates Road along the project boundary shall be constructed at the ultimate half-section width, including landscaping and parkway improvements in conjunction with development, or as otherwise approved by the County of San Bernardino Public Works Department.**
- **The proposed project driveways shall be constructed in conformance with County of San Bernardino standards, including provisions for sight distance requirements and truck turning radii, or as otherwise approved by the County of San Bernardino Public Works Department.**

TC-5: **During final plan check, County Planning Staff shall ensure that the yellow highlighted triangular areas as shown in Figure 35 of the Traffic Impact Analysis is clear of visual obstructions no more than two feet in height.**

Tribal Cultural Resource

TCR-1: **Prior to the issuance of a grading permit, the Applicant shall produce a letter from the Cultural Resources Management Department of the San Manuel Band of Mission Indians indicating that the Applicant has avoided impacts to sensitive tribal cultural resources (TCRs) and/or completed archaeological data recovery**

of those resources to the Tribe's satisfaction. While preservation in place is the Tribe's preferred treatment of TCRs, should data recovery prove necessary, a qualified archaeologist shall create a research design in coordination with the Tribe, that shall include a comprehensive discussion of sampling strategies, resource processing, analysis, and reporting protocols/obligations. All plans for analysis shall be reviewed and approved by the Applicant, Lead Agency, and SMBMI prior to implementation, and all removed material shall be temporarily curated on-site in a secure location. The long-term artifact treatment for cultural resources recovered during archaeological data recovery shall follow protocols established in CUL-2.

Draft copies of the archaeological data recovery report shall be prepared by the archaeologist and submitted to the Applicant, Lead Agency, and SMBMI for their review and approval. After approval from all parties, the final report and updated site record are to be submitted to the local CHRIS Information Center, the Lead Agency, and SMBMI.

TCR-2: Due to the heightened cultural sensitivity of the proposed project area, Tribal monitors representing the San Manuel Band of Mission Indians shall be present for all ground-disturbing activities that occur within culturally-sensitive portions of the proposed project area, as delineated by the San Manuel Band of Mission Indians. Ground-disturbance includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work). A sufficient number of Tribal monitors shall be present each work day to ensure that simultaneously occurring ground-disturbing activities receive thorough levels of monitoring coverage. A Monitoring and Treatment Plan that is reflective of the project mitigation ("Cultural Resources" and "Tribal Cultural Resources") shall be completed by the archaeologist, as detailed within CUL-1, and submitted to the Lead Agency for dissemination to the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI). Once all parties review and agree to the plan, it shall be adopted by the Lead Agency. The plan must be adopted prior to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring and Treatment Plan.

GENERAL REFERENCES

California Department of Conservation. Seismic Hazards Program, California Geological Survey Interactive Map https://maps.conservation.ca.gov/cgs/EQZApp/app/ Accessed April 9, 2020.

California Department of Conservation's Farmland Mapping and Monitoring Program https://maps.conservation.ca.gov/dlrp/ciff/. Accessed July 13, 2020.

California Department of Fish and Wildlife's California Natural Community Conservation Plans Map https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline. Accessed July 15, 2020.

California Department of Toxic Substances Control's EnviroStor data management system https://www.envirostor.dtsc.ca.gov/public/map/ accessed August 5, 2020.

Draft Environmental Impact Report San Bernardino Countywide Plan, June 2019 (State Clearinghouse No. 2017101033). http://countywideplan.com/eir/ Accessed October 27, 2020.

FEMA Flood Map Service Center: Search By Address. Accessed October 2020. https://msc.fema.gov/portal/search?AddressQuery=victorville%20#searchresultsanchor

MDAQMD CEQA and Federal Conformity Guidelines, August 2016

Mojave Desert Air Quality Management District. California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, August 2016.

PROJECT-SPECIFIC REFERENCES

Converse Consultants, Preliminary Geotechnical Investigation Report, Mojave Narrows Medical Pavilion, January 26, 2018.

Ganddini, Noise Impact Analysis, Mojave Narrows Chateau Senior Living Facility Project, San Bernardino County, August 12, 2020.

Ganddini, Traffic Impact Analysis, Chateau Senior Living Facility, County of San Bernardino, October 9, 2020.

Jericho Systems, Inc., Biological resources assessment, Victorville Residential Care Facility, City of Victorville, County of San Bernardino, California, August 4, 2016

Jericho Systems, Inc., Updated Biological Resources Assessment, Victorville Residential Care Facility, City of Victorville – County of San Bernardino, May 1, 2017.

Jericho Systems, Inc., Updated Biological Resources Assessment, Victorville Residential Care Facility, City of Victorville – County of San Bernardino, May 22, 2018.

Jericho Systems, Inc., Updated Biological Resources Assessment, Victorville Residential Care Facility, Spring Valley Lake - Unincorporated Area of San Bernardino County, July 27, 2020.

Jericho Systems, Inc., Jurisdictional Delineation, Victorville Residential Care Facility, Spring Valley Lake - Unincorporated Area of San Bernardino County, September 28, 2020.

Lilburn Corporation, Phase I Environmental Site Assessment, Mojave Narrows Chateau Continuing Care Retirement Facility (APN 0479-131-09), Victorville Area, County of San Bernardino, California, December 2019.

McKenna et al., Phase I Cultural Resources Investigation for Proposed Victorville Residential Care Facility in Unincorporated San Bernardino County, California, October 4, 2017.

Ninyo & Moore, Infiltration Testing, Senior Wellness Facility, Mojave River Valley, San Bernardino County, California, July 9, 2020.

Tierra Environmental Services, Archaeological Resources Testing and Evaluation Report for Site CA-SBR-4313/H, Victorville Residential Care Facility Project, San Bernardino County, California, October 1, 2020.

Red Brick Solution, Hydrology Study, Mojave Narrows Senior Medical Pavilion, San Bernardino County, California, October 6, 2019

Red Brick Solution, Mojave River Watershed Water Quality Management Plan for Chateau Resort Continuing Care Retirement Community, Revision No. 4, April 25, 2019.

Red Brick Solution, Off-Site Storm Water Drainage Report, Mojave Narrows Senior Medical Pavilion, August 3, 2020.