

**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:**

<b>APNs:</b>	3066-261-10 (Parcel 1)	<b>USGS Quad:</b>	Phelan 7.5-minute USGS Topographic Quadrangle
<b>Applicant:</b>	Phelan Piñon Hills Community Services District	<b>T, R, Section:</b>	T4N, R7W, Section 24
<b>Location</b>	Sheep Creek Road Between Warbler Road and Brawley Road	<b>Thomas Bros</b>	Page 4473; Grid A7; San Bernard and Riverside Counties (2013)
<b>Project No:</b>	PROJ-2013-00092	<b>Community</b>	Phelan/Piñon Hills
<b>Rep</b>	Mr. George Cardenas	<b>LUC: Zone:</b>	Commercial Phelan/Piñon Hills General Commercial (PH/CG)
<b>Proposal:</b>	Revision to an Approved Plan	<b>Overlays:</b>	None

**PROJECT CONTACT INFORMATION:**

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

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

**PROJECT DESCRIPTION:**

**Summary**

The proposed Project is a revision to the previously approved Phelan Civic Center (Administration Building, Service Building, and Multi-Purpose Building) (Conditional Use Permit P2013-00092). The Proponent of the proposed Project is the Phelan Pinon Hills Community Services District (PPHCSD). The Project Site is part of the unincorporated Phelan Piñon Hills community in San Bernardino County (see Figure 1 – Regional Location). The Project Site is located on Sheep Creek Road north of Warbler Road (see Figure 2 – Project Vicinity). Revisions to the CUP include expansion of the previously approved administration building to 14,034 square-feet (now referred to as the Civic Center Building) and development of a 17,284 square-foot Multi-purpose Community Service building. The previously approved “service building” is no longer being proposed (see Figure 3 – Site Plan). The revision would allow the issuance of a building permit for the expanded Civic Center Building.

The site is described as “Assessor’s Parcel Number (APN) 3066-261-10 Parcel 1” and is approximately 4.65 acres. The Project Proponent plans to develop the eastern adjacent 14 acres as a community park in the future. Development of the park is not included in the proposed Project, however grading of that property to provide fill material for the Civic Center is included. The 5-acre development would occur in phases. However for purposes of meeting CEQA requirements, the 5-acre development is evaluated herein as one phase.

The development would include 35,654 square-feet of landscaping. The proposed Project would include 155 parking stalls (minimum-9’x19’), which would include 16 EV spaces, and 11 accessible parking stalls. Access to the Project Site would be via a proposed 36-foot-driveway along Sheep Creek Road and a proposed 36-foot-driveway along the northern boundary. A 32-foot-driveway is proposed along the southern boundary to provide access to and from the adjacent uses to the south.

#### Grading

Development of the proposed Project involves grading changes to portions of the adjacent eastern parcels 3066-251-14 and 3066-261-08 for proper drainage. Grading requires 23,000 cubic yards of dirt from the eastern adjacent 14 acres. Storm water detention basins would be constructed on the adjacent property. The storm water improvements have been designed to avoid Joshua Trees that are on the adjacent property (see Figure 4 - Grading Plan). This property is being proposed for use as a community park and the storm water facilities would serve the buildout uses of all parcels.

#### ***Project Site Location, Existing Site Land Uses and Conditions***

The Project Site is part of Phelan Piñon Hills community in San Bernardino County and located between Sheep Creek Road and Sahara Road, north of Warbler Road. The Project Site is currently undeveloped but is heavily disturbed. The 5-acre parcel is currently being used as a construction laydown yard.

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

The Project Site is part of Phelan Piñon Hills community in San Bernardino County. As shown on the County of San Bernardino Land Use Map, the Project Site has a zoning of Phelan/Piñon Hills General Commercial (PH/CG) and is within the Countywide Plan Land Use Category of Commercial.

The table on the following page lists the existing adjacent land uses and zoning.

<b>Existing Land Use and Land Use Category</b>			
<b>Location</b>	<b>Existing Land Use</b>	<b>Land Use Category</b>	<b>Zoning</b>
<b>Project Site</b>	Undeveloped; Construction laydown yard	Commercial	Phelan/Piñon Hills General Commercial (PH/CG)
North	Restaurants; Vacant	Commercial	Phelan/Piñon Hills General Commercial (PH/CG)
South	Auto parts store; Community park; Community Center	Commercial	Phelan/Piñon Hills General Commercial (PH/CG)
East	Vacant	Commercial	Phelan/Piñon Hills General Commercial (PH/CG)
West	Vacant	Commercial	Phelan/Piñon Hills General Commercial (PH/CG)

**ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES**

Federal: None.

State of California: None.

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

Regional: Mojave Desert Air Quality Management District.

Local: None

Figure 1 Regional Map

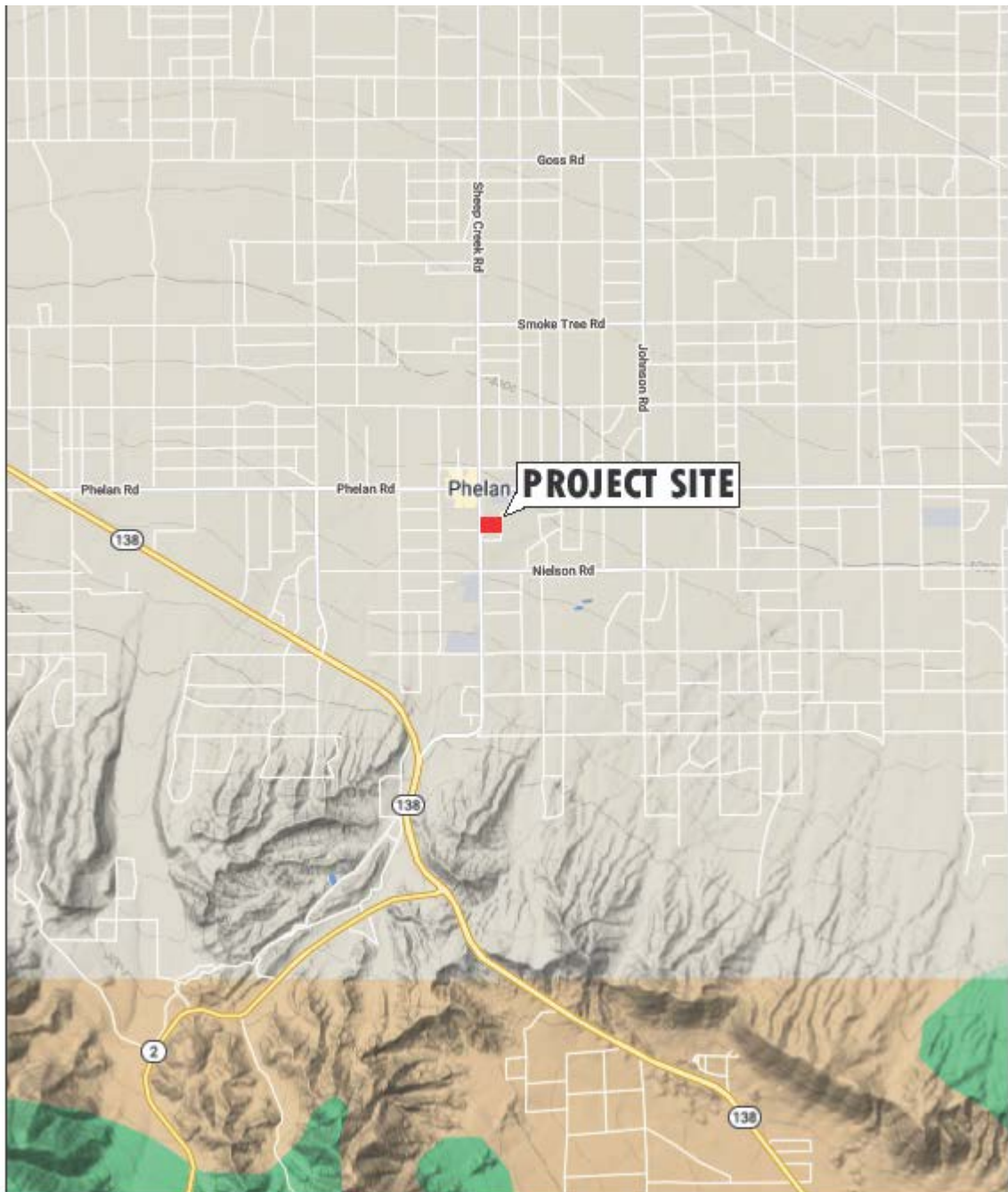
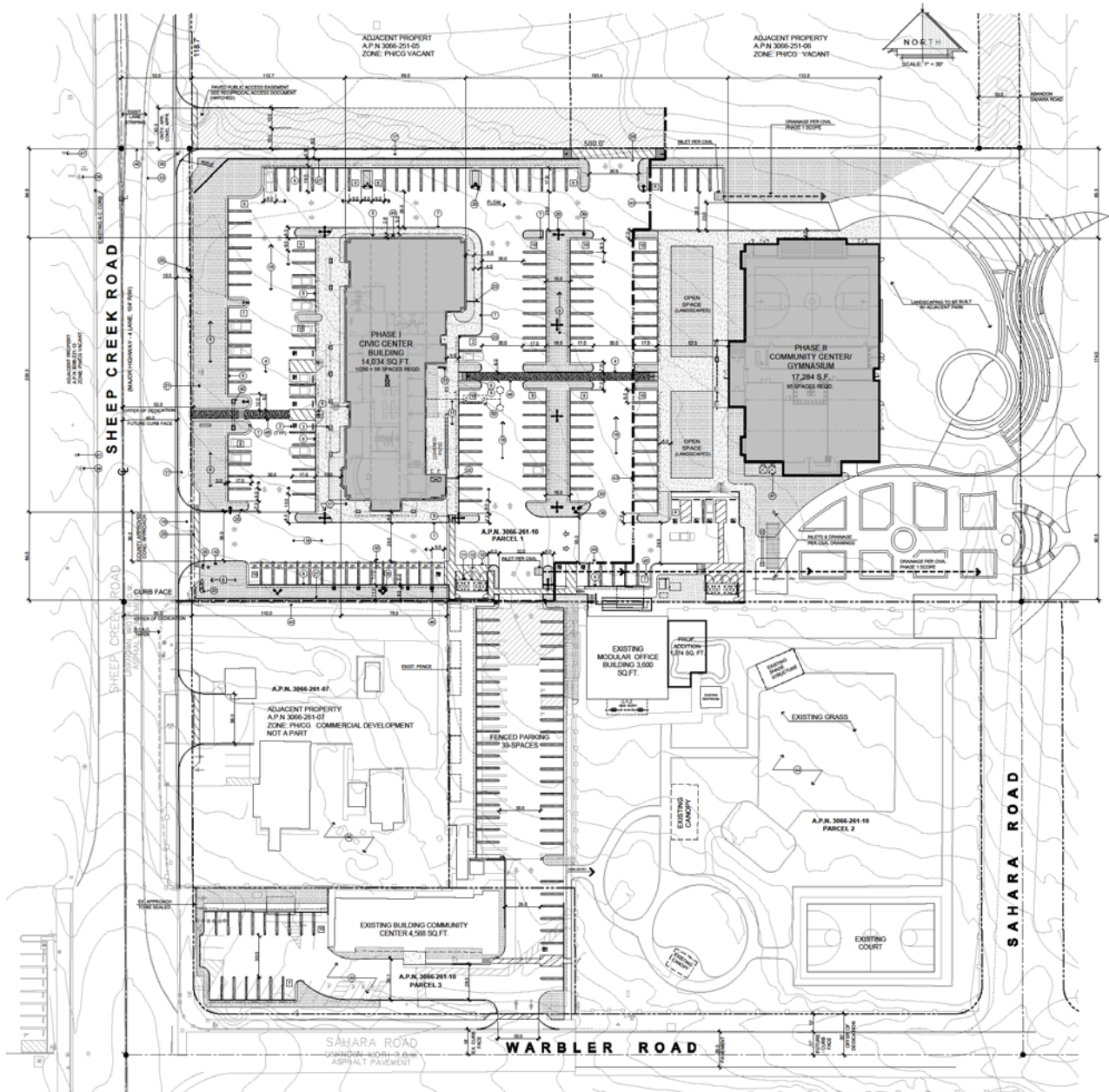


Figure 2 Vicinity Map



Figure 3 Site Plan



**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 confidentiality, etc.?

On April 20, 2022, the County of San Bernardino mailed notification pursuant to AB52 to the following tribes: Fort Mojave Indian Tribe, Morongo Band of Mission Indians, and San Manuel Band of Mission Indians. Requests for consultations were due to the County by May 20, 2022. The table below shows a summary of comments and responses.

**AB 52 Consultation**

<b>Tribe</b>	<b>Comment Letter Received</b>	<b>Summary of Response</b>	<b>Conclusion</b>
Fort Mojave Indian Tribe	None received	N/A	Consultation concluded
Morongo Band of Mission Indians	None received	N/A	Consultation concluded
San Manuel Band of Mission Indians	May 12, 2022	Comments provided on inadvertent finds.	Consultation concluded

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

**EVALUATION FORMAT**

This Initial Study is prepared in compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of an Initial Study is guided by Section 15063 of the State CEQA Guidelines. This format of the study is presented as follows. The project is evaluated based on its effect on 20 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. Technical studies and data were summarized herein to provide analyses of various environmental factors (e.g. air quality model results, biological resources assessment, cultural resources investigation, traffic study); these are cited herein where appropriate and included in the list of references.

The effect of the project is categorized into one of the following four categories of possible determinations:

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

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

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



**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

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

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

James Morrissey  
 Signature: (Jim Morrissey, Planner)

9/19/22  
 Date

Chris Warrick  
 Signature: (Chris Warrick, Supervising Planner)

9/19/2022  
 Date

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>I. AESTHETICS</b> – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

**San Bernardino Countywide Policy Plan, approved October 27, 2020, adopted November 27; San Bernardino County Development Code**

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

The Project Site is part of the Phelan Piñon Hills community. It is located in an area with views of the San Bernardino Mountains. The Project Site is currently surrounded by vacant land and commercial development (restaurant, auto parts store, community center, community park). The Project Site is zoned Phelan/Pinon Hills General Commercial (PH/CG). Proposed buildings would not exceed the maximum allowed height of 35 feet, which would minimize any obstruction of views of the mountains. Subject to a CUP, the proposed Project would be an allowable use within the PH/CG zoning district. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

The Project Site is east of Sheep Creek Road and north of Warbler Road, neither of which are Scenic Routes.<sup>1</sup> The grading improvements on the eastern adjacent properties are designed to avoid impacts to Joshua Trees. The Project Site is currently undeveloped but is heavily disturbed and is currently being used as a construction laydown yard. The proposed Project would not damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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

- 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?*

The Phelan Piñon Hills community is defined by its rural, natural environment. The Project Site is currently surrounded by existing development, such as restaurants, an auto parts store, community center and a community park. The proposed Project would be compatible with the existing community center and community park. The Project Site is visible to the public from Sheep Creek Road. The grading changes on the eastern adjacent properties are designed to avoid Joshua Trees. These grading improvements would result in a permanent change to the existing topography of the entire 19 acres. The proposed Project includes 35,654 square-feet of landscaping, which would make the Project Site more aesthetically pleasing. The proposed Project is not anticipated to substantially degrade the existing visual character of the Project Site. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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

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

Under proposed conditions, the Project Site boundary would be lined with trees to minimize light exposure to adjacent development (see Landscape Plan – Figure 5). The Project Site is also currently surrounded by existing sources of light, such as the commercial uses and park buildings to the south, and the restaurants to the north. According to the San Bernardino County Development Code, Section 83.07.040(a) Glare and Outdoor Lighting – Mountain and Desert Regions, permitted lighting for new construction, unless exempt, shall be shielded in compliance with the requirements outlined in Table 83-7 of the Development Code, in order to preclude light pollution or

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<sup>1</sup> San Bernardino County. San Bernardino Countywide Policy Plan Draft EIR. Figure 5.1-1 “County Designated Scenic Routes.”

light trespass on an abutting residential land use zoning district, a residential parcel, or public right-of-way. The proposed Project will be designed to adhere to these lighting standards, and demonstration of compliance will be required prior to issuance of a building permit. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

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

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

The Project Site is not located within a Farmland Mapping and Monitoring Program Significant Farmland.<sup>2</sup> Therefore, the proposed Project would not convert farmland to a non-agricultural use. No impacts are identified or are anticipated, and no mitigation measures are required.

**No Impact**

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

The Project Site is not under or adjacent to any lands under a Williamson Contract.<sup>3</sup> The Project Site has a current zoning of Phelan/Piñon Hills General Commercial (PH/CG). The proposed Project would not conflict with existing zoning for agricultural uses or a Williamson Contract. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**No Impact**

- 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))?*

The Project Site is currently zoned Phelan/Piñon Hills General Commercial (PH/CG). 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.

<sup>2</sup> San Bernardino County. County Policy Plan web maps: NR-5 Agricultural Resources. Accessed June 17, 2021.

<sup>3</sup> San Bernardino County. County Policy Plan web maps: NR-5 Agricultural Resources. Accessed June 17, 2021.

**No Impact**

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

The Project Site does not support forest land. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

**No Impact**

- 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?*

Implementation of the proposed Project would not involve other changes in the existing environment that could 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.

**No Impact**

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

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

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

***Countywide Policy Plan; Submitted Project Materials; CalEEMod Output; Vehicle Miles Travelled Screening Assessment***

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

The Project Site is within the Mojave Desert Air Basin (MDAB) and under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The MDAQMD is responsible for updating the Air Quality Management Plan (AQMP). A project is inconsistent with the AQMP if: (1) it does not comply with the approved general plan; or (2) it uses a disproportionately large portion of the forecast growth increment (change population or employment levels). The Project Site occurs within the land use category of Commercial and is currently zoned Phelan/Piñon Hills General Commercial (PH/CG). The Project Applicant is requesting approval of a CUP to allow for the construction and operation of a Civic Center on the Project Site. No General Plan Amendment or Zone Change is required. The proposed Project would include a civic center building and a multi-purpose community service building. Subject to a CUP, the proposed Project would be consistent with the Countywide Policy Plan and applicable land use plans. Therefore, emissions associated with the proposed Project would not conflict with those associated with land uses included in the AQMP. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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?*

Construction and operational emissions were screened using the current South Coast Air Quality Management District (SCAQMD) Air Emission Model, CalEEMod version 2020.4.0 to update the previously completed analysis for the 2013 CUP. The MDAQMD allows the use of this model when assessing project level emissions within the MDAB. The criteria pollutants screened for include reactive organic gases (ROG), nitrous oxides (NO<sub>x</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), and particulates (PM<sub>10</sub> and PM<sub>2.5</sub>). Two of the analyzed pollutants, ROG and NO<sub>x</sub>, 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 preparation, grading (fine and mass grading), building construction, paving, and architectural coating. Construction is anticipated to begin in late 2022 and be completed in early 2024. Grading requires 23,000 cubic yards of fill material to be imported from the adjacent 14-acre parcel. Therefore, disturbance of the 14 acres has been accounted for in the model. The resulting emissions

generated by construction of the proposed Project are shown in Table 1 and Table 2, which represent summer and winter construction emissions, respectively.

**Table 1**  
**Summer Construction Emissions Summary**  
**(Pounds per Day)**

Source/Phase	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Site Preparation	3.3	33.1	20.5	0.0	21.5	11.6
Grading	3.8	43.2	31.1	0.1	11.7	5.4
Building Construction	3.5	22.4	34.5	0.1	6.1	2.3
Paving	1.5	10.2	15.2	0.0	0.7	0.5
Architectural Coating	64.4	1.5	4.7	0.0	1.0	0.3
<b>Highest Value (lbs./day)</b>	<b>64.4</b>	<b>43.2</b>	<b>34.5</b>	<b>0.1</b>	<b>21.5</b>	<b>11.6</b>
MDAQMD Thresholds	137	137	548	137	82	65
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod.2020.4.0 Summer Emissions  
 Phases do not overlap and represent the highest concentration.

**Table 2**  
**Winter Construction Emissions Summary**  
**(Pounds per Day)**

Source/Phase	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Site Preparation	3.3	33.1	20.4	0.0	21.5	11.7
Grading	3.8	43.4	31.0	0.1	11.7	5.4
Building Construction	3.5	22.7	31.7	0.1	6.1	2.3
Paving	1.5	10.2	15.1	0.0	0.5	0.5
Architectural Coating	64.4	1.5	4.2	0.0	1.0	0.3
<b>Highest Value (lbs./day)</b>	<b>64.4</b>	<b>43.4</b>	<b>31.7</b>	<b>0.1</b>	<b>21.5</b>	<b>11.7</b>
MDAQMD Thresholds	137	137	548	137	82	65
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod.2020.4.0 Winter Emissions.  
 Phases do not overlap and represent the highest concentration.

As shown in Table 1 and Table 2, the anticipated construction emissions are below MDAQMD thresholds and would therefore be considered less than significant.

Compliance with MDAQMD Rules 402 and 403

Although the proposed Project does not exceed MDAQMD thresholds, the Applicant would be required to comply with applicable MDAQMD Rules 402 for nuisance and 403 for fugitive dust control as well as exhaust emissions standards, 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

The operational mobile source emissions were calculated using the Vehicle Miles Traveled Screening Assessment, dated June 29, 2021, prepared for the proposed Project and development of the adjacent eastern 14 acres as a community park by Ganddini Group, Inc. (on file with the County). The proposed Project includes development of a Civic Center to include a civic center building and multi-purpose community service building. Ganddini Group, Inc. determined that the proposed Project would generate approximately 657 two-way daily trips (Civic Center = 158 daily trips plus Multi-Purpose Community Service Building = 499 daily trips). Operational emissions are listed in Table 3 and Table 4, which represent summer and winter operational emissions, respectively.

**Table 3**  
**Summer Operational Emissions Summary**  
**(Pounds per Day)**

Source	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Area	1.3	0.0	0.1	0.0	0.0	0.0
Energy	0.0	0.2	0.1	0.0	0.0	0.0
Mobile	1.7	1.7	12.5	0.0	2.5	0.7
<b>Totals (lbs./day)</b>	<b>3.1</b>	<b>1.9</b>	<b>12.7</b>	<b>0.0</b>	<b>2.5</b>	<b>0.7</b>
MDAQMD Threshold	137	137	548	137	82	65
<b>Significance</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod.2020.4.0 Summer Emissions.

**Table 4**  
**Winter Operational Emissions Summary**  
**(Pounds per Day)**

<b>Source</b>	<b>ROG</b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>SO<sub>2</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
Area	1.3	0.0	0.1	0.0	0.0	0.0
Energy	0.0	0.2	0.1	0.0	0.0	0.0
Mobile	1.5	1.8	11.6	0.0	2.5	0.7
<b>Totals (lbs./day)</b>	<b>2.8</b>	<b>2.0</b>	<b>11.8</b>	<b>0.0</b>	<b>2.5</b>	<b>0.7</b>
MDAQMD Threshold	137	137	548	137	82	65
<b>Significance</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod.2020.4.0 Winter Emissions.

As shown, both summer and winter season operational emissions are below MDAQMD thresholds. The proposed Project does not exceed applicable MDAQMD regional thresholds either during construction or operational activities. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

The MDAQMD CEQA and Federal Conformity Guidelines (February 2020 ) 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 nearest sensitive receptors to the Project Site are the elementary school located approximate 330 feet to the north and residential uses approximately 625 feet to the east. The proposed Project includes development of a Civic Center to include a civic center building and multi-purpose community service building. As such, the proposed Project does not meet the criteria for a project type which is subject to sensitive receptor significance threshold evaluation. Furthermore, the modeling results shown previously indicate that development of the proposed Project is not anticipated to exceed MDAQMD emissions thresholds. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

Potential odor sources associated with the proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities, as well as the temporary storage of domestic solid waste associated with the proposed Project’s long-term operational uses. Standard construction requirements 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 the respective phase of construction activity. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with County of San Bernardino solid waste regulations. The proposed Project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Potential sources that may emit odors during the on-going operations of the proposed Project would include odor emissions from vehicular emissions and trash storage areas. However, these odor emissions are typical of uses in the vicinity as the Project Site is located within a primarily commercial area. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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**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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| b) | Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?                                                           | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

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

**Countywide Policy Plan; Submitted Project Materials; General Biological Resources Assessment, July 13, 2021, RCA Associates, Inc.; Protected Plant Preservation Plan, July 13, 2021, RCA Associates, Inc.**

- 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?*

A General Biological Resources Assessment (BRA), dated July 13, 2021, was prepared for the Project Site and adjacent eastern 14 acres by RCA Associates, Inc. (RCA) (report available at the County office for review). The Project Site and adjacent 14-acre future park property will be collectively known as “survey area” for this section of the Initial Study.

As part of the environmental process, California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) data sources were reviewed. Following the data review, surveys were performed on June 28, 2021, during which the biological resources within the survey area and in the surrounding areas were documented. As part of the surveys, the survey area and adjoining areas were evaluated for the presence of native habitats which may support populations of sensitive wildlife species. The survey area was also evaluated for the presence of sensitive habitats including wetlands, vernal pools, riparian habitats, and jurisdictional areas.

The vegetation community within the survey area is Mojave desert scrub, encompassing mainly native plants, non-native mustard, and some ornamental trees. Vegetation occurring within the survey area includes Joshua trees (*Yucca brevifolia*), beavertail cactus (*Opuntia basilaris*), Arizona cypress (*Cupressus arizonica*), Asian mustard (*Brassica tournefortii*), desert woollystar (*Erastrum eremicum*), rubber rabbitbrush (*Ericameria nauseosa*), fiddleneck (*Amsinckia tessellata*), and Nevada jointfir (*Ephedra nevadensis*).

#### Federal and State Listed Species

The Crotch's bumble bee is a state candidate endangered species. The survey area lacks suitable habitat for the Crotch's bumble bee to occur on site in the foreseeable future.

#### Species of Special Concern

There are two plant species that are species of special concern in the Phelan quadrangle: The short-joint beavertail and white pygmy-poppy. Both species occur within Joshua Tree woodland and desert scrub habitat with sandy surface substrate. These species are not anticipated to occur on the survey area due to lack of suitable habitat. In addition, none were observed during the June 28, 2021 survey.

There are two wildlife species that are species of special concern in the Phelan quadrangle: The Le Conte's thrasher and coast horned lizard. There is no suitable habitat within the survey area for the Le Conte's thrasher. There is some suitable habitat for the coast horned lizard. Both species were not observed during the June 28, 2021 survey.

#### Protected Plants

A Protected Plant Preservation Plan, dated July 13, 2021, was prepared for the proposed Project by RCA (report available at the County office for review) for protected desert plants located within the survey area. A Joshua Tree Protected Plant Survey was performed on June 24, 2021 and June 28, 2021 as there were no other County protected desert plants located within the survey area. The purpose of the survey was to evaluate the Joshua Trees present on the site and determine which trees were suitable for relocation and which trees could be discarded prior to site clearing activities. Field investigations resulted in the findings of 162 Joshua Trees observed and tagged on the eastern adjacent 14-acre property. There are no Joshua Trees on the Project Site to be developed as a Civic Center. The proposed grading on the adjacent property has been designed for future development of a park that would avoid impacting Joshua Trees by preserving them on-site for educational purposes. Therefore, no impacts to Joshua Trees are anticipated as a result of project implementation.

#### Birds

Nesting birds are protected under the Migratory Bird Treaty Act and Section 3503 of the California Fish and Wildlife Code. Some birds observed during the field investigations included ravens (*Corvus corax*), house finch (*Haemorhous mexicanus*), brown-headed cowbird (*Molothrus ater*), Cooper's hawk (*Accipiter cooperii*), Bewick's wren (*Thryomanes bewickii*), Say's phoebe (*Sayornis saya*), cactus wren (*Campylorhynchus brunneicapillus*), California quail (*Callipepla californica*), and mourning dove (*Zenaida*

*macroura*). Mitigation Measures BIO-1 and BIO-2 shall be implemented to ensure no impacts to nesting birds occur.

#### Desert Tortoise

A habitat assessment was conducted for the desert tortoises on June 28, 2021, and a survey was also performed for the presence of any potential desert tortoise burrows. The survey area is not expected to support populations of the desert tortoise based on the absence of any tortoise sign (e.g., burrows, scats, tracks, etc.). Although suitable habitat is present within the survey area, the probability of the species inhabiting the survey area is very low, given the lack of suitable burrows and disturbance of the site. Implementation of Mitigation Measures BIO-1 and BIO-3 would ensure no impacts to desert tortoise occur with project development.

#### Burrowing Owl

A habitat assessment (Phase 1) was conducted for the burrowing owl in conjunction with the general biological surveys to determine if the survey area supports suitable habitat for the species. Following completion of the habitat assessment, it was determined that the survey area does support suitable foraging habitat for the burrowing owl. After the field investigations, it was determined that there are no suitable burrows for burrowing owls and no burrowing was observed. Implementation of Mitigation Measures BIO-1 and BIO-2 would ensure no impacts to burrowing owls occur with project development.

The proposed Project may have potential significant impacts on candidate, sensitive or special status species. Therefore, Mitigation Measures BIO-1 to BIO-3 should be implemented.

#### **Mitigation Measure BIO-1:**

A qualified biologist shall develop a Worker Environmental Awareness Program (WEAP) that will include information on general and special status species within the Project Site, identification of these species and their habitats, techniques being implemented during construction to avoid impacts to species, consequences of killing or injuring an individual of a listed species, and reporting procedures when encountering listed or sensitive species. Construction crews, foremen, and other personnel potentially working on site will attend this education program and place their name on a sign-in sheet that will be provided to the County Planning Division. This briefing shall include provisions of any requirements required for the project. The Worker Environmental Awareness Program training will be implemented on the first day of work and periodically throughout construction as needed. Verification will be as noted in the Mitigation Monitoring and Reporting Program.

#### **Mitigation Measure BIO-2:**

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. In general, Projects should be constructed outside of this time to avoid impacts to nesting birds. If a Project cannot be constructed outside of nesting season, the project site shall be surveyed for nesting birds by a qualified avian biologist within three (3) days prior to initiating the construction activities. If active nests are found during the pre-construction nesting bird surveys, a Nesting Bird Plan

(NBP) will be prepared and implemented. At a minimum, the NBP will include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The NBP will include a copy of maps showing the location of all nests and an appropriate buffer zone around each nest sufficient to protect the nest from direct and indirect impact. The size and location of all buffer zones, if required, shall be determined by the biologist, and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist has determined the young birds have successfully fledged.

### **Mitigation Measure BIO-3:**

Preconstruction surveys for BUOW and Desert Tortoise shall be conducted at least 30 days prior to new ground disturbance and documentation indicating such a survey has occurred is to be provided to the County. Regardless of the survey results, tortoises cannot be subject to take per the requirements of state and federal law. Handling or other inappropriate treatment of tortoises must be avoided until authorization is obtained from the USFWS and CDFW.

With implementation of Mitigation Measures BIO-1 - 3, the proposed Project would not have a substantial adverse effect on any species identified as a candidate, sensitive or special status species.

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

- b, c) *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? 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?*

The vegetation community within the survey area is Mojave desert scrub encompassing mainly native plants, non-native mustard, and some ornamental trees. According to the CNDDB (2021), no sensitive habitats (e.g., sensitive species critical habitats, vernal pools, etc.) have been documented in the immediate area. Additionally, none were observed during the field investigations.

The United States Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into waters of the United States, and the State of California regulates waters of the State and streambeds under the preview of regional water quality boards and CDFW jurisdiction. These waters include wetlands and non-wetland bodies of water that meet specific criteria. After performing the field surveys on June 28, 2021, it was determined that there are no drainages or channels occurring within the survey area. Therefore, the survey area does not meet federal or state jurisdictional requirements because no navigable water, interstate waters, nor waters, including wetlands, are present on the survey area. One Fremont cottonwood was found on the southwest

corner of the survey area; no other riparian habitat nor riparian flora was observed within the survey area

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

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

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

Wildlife movement and the fragmentation of wildlife habitat are recognized as critical issues that must be considered in assessing impacts to wildlife. Habitat fragmentation is the division or breaking up of larger habitat areas into smaller areas that may or may not be capable of independently sustaining wildlife and plant populations. Habitat linkages provide connections between larger habitat areas that are separated by development. Wildlife corridors are similar to linkages, but provide specific opportunities for animals to disperse or migrate between areas. According to the County Policy Plan Maps, the Project Site is not located within a modeled habitat linkage.<sup>4</sup> Moreover, although the Project Site is located in a rural area it is surrounded with scattered development. Wildlife moving through the area would be able to pass through the currently vacant parcels surrounding the property, but an identified linkage does not occur. The Project Site is adjacent to the paved Sheep Creek Road. Therefore, implementation of the proposed Project would not substantially inhibit the movement of wildlife compared to existing conditions. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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

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

A number of desert plants are protected under specific sections of the Code of Regulations for the County of San Bernardino.

- All species of the genus *Prosopis* (mesquites) with stems two (2) inches or greater in diameter or six (6) feet or greater in height.
- All species of yuccas. Those commonly found in Yucca Valley:
  - Mohave Yucca (*Yucca schidigera*)
- Our Lord's Candle (*Hesperoyucca whipplei*) Creosote Rings, ten (10) feet or greater in diameter.
- All Joshua Trees.

As stated previously, there are no Joshua Trees within the area of the Project Site proposed for development. There were no other County-protected desert plants located

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<sup>4</sup> San Bernardino County. Policy Plan web maps: NR-2 Parks and Open Space Resources. Accessed September 3, 2021.



within the survey area. Joshua Trees exist on the adjacent 14-acre property. However the proposed grading would avoid Joshua Trees. The future park project is designed so that there would be no grading within 40 feet of any Joshua Trees. Therefore, no impacts to Joshua Trees are anticipated as a result of project implementation. No impacts are identified or anticipated, and no mitigation measures are required.

**No Impact**

- 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?*

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. The Town of Apple Valley Multiple Species Habitat Conservation Plan (MSHCP) is the only natural community conservation plan currently being planned within San Bernardino County.<sup>5</sup> No impacts are identified or are anticipated, and no mitigation measures are required.

**No Impact**

**Therefore, no significant adverse impacts are identified or anticipated with the implementation of Mitigation Measures BIO-1 through BIO-3.**

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

<sup>5</sup> San Bernardino Countywide Policy Plan Draft EIR. Biological Resources. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline>. Accessed April 13, 2021.

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

**Tierra Environmental Services, Cultural Resources Study, September 3, 2021**

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?*

A Cultural Resources Study, dated September 3, 2021, was prepared for the Project Site and adjacent eastern properties (approximately 14 acres) by Tierra Environmental Services (Tierra). Development of the proposed Project involves grading changes to portions of the adjacent eastern parcels to allow for installation of a drainage system that will serve the proposed Project and future park. The Project Site and adjacent properties will be collectively known as “Area of Potential Effect (APE)” for this section of the Initial Study.

Tierra conducted an archaeological inventory that encompasses the APE and a one-mile radius. In addition to Tierra’s field survey, the archaeological inventory included archival and other background studies. A records search was procured from the South Central Coastal Information Center (SCCIC) to identify any previously recorded archaeological and historic-era resources within the Area of Potential Effect (APE) and to determine the types of resources that might occur. The records search provided by the SCCIC revealed that six investigations have been previously conducted within a one-mile radius of the Project APE. None of the previous studies involve the Project APE. Two cultural resources or historic properties have been previously identified within one-mile radius of the APE. Both of the previously recorded resources are historic in age. Both these resources are mapped and are within ¼ mile of the APE, but neither occur within the APE. In addition to the investigations identified by the records search, a cultural and paleontological study was recently conducted for the APE by Duke CRM (April 12, 2021). No cultural resources were identified in the APE by that study.

A pedestrian survey of the APE was conducted on July 15, 2021. The 5-acre site for the Civic Center has been completely graded and is being utilized as a construction laydown yard. No cultural resources are located on the surface, and it is highly unlikely that any buried resources exist. The 14-acre site has also been heavily disturbed with modern push piles of soil and trash. Current views and historic photographs show the property to have been disturbed, grubbed and otherwise disturbed by grading. The intensive archaeological survey did not result in the identification or recordation of any cultural resources or historic properties within the APE. Due to disturbances and a lack of food or shelter resources, or parent lithic material conducive for tool production, intact cultural deposits are unlikely to be present.

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

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

However, resources have the potential for occurring anywhere. 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.

Yuhaaviatam of San Manuel Nation (formerly known as the San Manuel Band of Mission Indians) provided the following comments on May 12, 2022, in response the AB52 notification provided by the County of San Bernardino:

**Mitigation Measure CR-1:**

1. In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.
2. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.
3. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

With implementation of Mitigation Measure CR-1, the proposed Project would not cause a substantial adverse change in the significance of a historical or archaeological resource.

**Less than Significant with Mitigation**

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

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. Construction activities, particularly grading, could potentially disturb human remains interred outside of a formal cemetery. To ensure adequate and compliant management of any buried remains that may be identified during project development, the following mitigation measure is required as a condition of project approval to reduce any potential impacts to a less than significant level.

**Mitigation Measure CR-2:**

1. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.
2. If the remains are determined to be of Native American origin, the Coroner will contact the Native American Heritage Commission and the Most Likely Descendant (MLD) will be named. In consultation with the MLD, the County, project proponent, and consulting archaeologist, the disposition of the remains will be determined. Any costs incurred will be the responsibility of the project proponent/property owner.
3. If the remains are determined to be archaeological, but non-Native American, the consulting archaeologist will oversee the removal, analysis, and disposition of the remains. Any costs incurred will be the responsibility of the project proponent/property owner.
4. If the remains are determined to be of forensic value, the County Coroner will arrange for their removal, analysis, and disposition. The Coroner's activities will not involve any costs to the project proponent/property owner.

With implementation of Mitigation Measure CR-2, the proposed Project would not have a significant impact on human remains.

**Less than Significant with Mitigation**

**Therefore, no significant adverse impacts are identified or anticipated with the implementation of mitigation measures.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>VI. ENERGY – Would the project:</b>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

energy resources, during project construction or operation?

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

***SUBSTANTIATION: California Energy Consumption Database; Title 24 Building Energy Efficiency Standards; Submitted Project Materials; CalEEMod Output***

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

Electricity: Southern California Edison (SCE) provides electricity to the Project Site. According to the California Energy Commission, the commercial building sector of the Southern California Edison planning area consumed 34,373.922GWh of electricity in 2020.<sup>6</sup> The Project Site is currently vacant and does not use electricity. The implementation of the proposed Project would result in an increase in electricity demand. The estimated electricity demand for the proposed Project is 0.300736 GWh per year.<sup>7</sup> The proposed Project's estimated annual electricity consumption compared to the 2020 annual electricity consumption of the overall commercial building sector in the SCE Planning Area would account for approximately 0.0009 percent of total electricity consumption. The increase in electricity demand from the proposed Project is insignificant compared to the electricity demand for SCE's commercial building sector.

Natural Gas: The Project Site is located within the service area of Southwest Gas Corporation. The Project Site is currently vacant and has no demand for natural gas. The proposed Project will create a permanent increase in demand for natural gas. The proposed Project's estimated annual natural gas demand is 6,075.01 therms.<sup>8</sup> According to the California Energy Commission, the natural gas consumption of the County of San Bernardino planning area non-residential sector was 259,873,628 therms in 2020.<sup>9</sup> The proposed Project's estimated annual natural gas consumption compared to the 2020 annual natural gas consumption of the overall non-residential sector in the County of San Bernardino Planning Area would account for approximately 0.0023 percent of total natural gas consumption.

The proposed Project would be designed to comply with the 2019 Building Energy Efficiency Standards. The County of San Bernardino would review and verify that the proposed Project plans would be in compliance with the most current version of the

<sup>6</sup>California Energy Commission. <https://ecdms.energy.ca.gov/Default.aspx>. Accessed October 27, 2021.

<sup>7</sup> CalEEMod.2020.4.0 Annual Emissions.

<sup>8</sup> CalEEMod.2020.4.0 Annual Emissions.

<sup>9</sup>California Energy Commission. <https://ecdms.energy.ca.gov/Default.aspx>. Accessed October 27, 2021.

Building and Energy Efficiency Standards. The proposed Project would also be required adhere to CALGreen, which establishes planning and design standards for sustainable developments and energy efficiency. The proposed Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

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. 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. The proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, no significant impacts are identified or anticipated and no mitigation measures are recommended.

**Less Than Significant Impact**

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

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

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

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

- |                                                                                                                                                                                                                                   |                          |                                     |                                     |                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| iii. Seismic-related ground failure, including liquefaction?                                                                                                                                                                      | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iv. Landslides?                                                                                                                                                                                                                   | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil?                                                                                                                                                                     | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 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?                                                               | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 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?                                                | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?                                                                                                                           | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |

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

**Countywide Policy Plan; Submitted Project Materials; Site Visit, June 2021**

- 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*

The Project Site does not occur within an Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zone.<sup>10</sup> The nearest fault zone is the San Andreas Fault Zone, which is approximately 6 miles southwest of the Project Site. The proposed Project would be required to comply with the California Building Code requirements and the Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and

<sup>10</sup> San Bernardino Countywide Plan Draft EIR. Geology and Soils. Figure 5.6-1 "Alquist-Priolo Fault Zones and County Fault Hazard Zones."

standards of the San Bernardino County Fire Department. Compliance with these codes and standards would address potential impacts resulting from an earthquake event. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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**Less Than Significant Impact**

*ii) Strong seismic ground shaking?*

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

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**Less Than Significant Impact**

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

Liquefaction is a process in which cohesion-less, saturated, fine-grained sand and silt soils lose shear strength due to ground shaking and behave as fluid. Areas overlying groundwater within 30 to 50 feet of the surface are considered susceptible to liquefaction hazards. Ground failure associated with liquefaction can result in severe damage to structures. The Project Site is not located in an area susceptible to liquefaction.<sup>11</sup> Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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**Less Than Significant Impact**

*iv) Landslides?*

Seismically induced landslides and other slope failures are common occurrences during or soon after earthquakes. The Project Site is not located within an area susceptible to landslides.<sup>12</sup> Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

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**No Impact**

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<sup>11</sup> San Bernardino Countywide Policy Plan Draft EIR. Geology and Soils. Figure 5.6-3 “Liquefaction and Landslide Susceptibility.”

<sup>12</sup> San Bernardino Countywide Policy Plan Draft EIR. Geology and Soils. Figure 5.6-3 “Liquefaction and Landslide Susceptibility.”



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

Construction activities could result in soil erosion if the Project Site is not properly designed. The proposed Project would require 23,000 cubic yards of fill material from the eastern adjacent parcels for drainage purposes. The potential impacts of soil erosion would be minimized through the preparation and implementation of a Storm Water Pollution and Prevention Plan (SWPPP). The SWPPP would prescribe temporary Best Management Practices (BMPs) to control wind and water erosion during and shortly after the construction of the proposed Project. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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?*

The Project Site is relatively flat with no prominent geologic features. The Project Site is not within an area susceptible to landslides.<sup>13</sup> As stated above, the potential for liquefaction at the Project Site is very low. Because of the site's relatively flat topography and low liquefaction potential, it would not be susceptible to lateral spreading. In addition, the proposed Project would be required to comply with the California Building Code. Impacts from proposed grading improvements would be temporary. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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?*

Expansive soils (shrink-swell) are fine-grained clay silts subject to swelling and contracting in relation to the amount of moisture present in the soil. Structures built on expansive soils may incur damage due to differential settlement of the soil as expansion and contraction takes place. A high shrink-swell potential indicates a hazard to structures built on or with material having this potential. The Project Site consists of Tujunga sand.<sup>14</sup> Sandy soils are usually very stable soil that show little change with the amount of moisture. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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<sup>13</sup> San Bernardino Countywide Policy Plan Draft EIR. Geology and Soils. Figure 5.6-3 "Liquefaction and Landslide Susceptibility."

<sup>14</sup> Natural Resources Conservation Service. Web Soil Survey. Accessed September 7, 2021.

- 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?*

The proposed Project would utilize septic tanks. Subsurface wastewater disposal would be subject to approval of the County's Environmental Health Services Division. No unique conditions are known to exist that would adversely affect the proper use of an on-site septic system. Therefore, no significant adverse impact is identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

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

A Cultural and Paleontological Resources Assessment, dated April 16, 2021, was prepared for the Project Site and adjacent eastern properties (approximately 14 acres) by Duke Cultural Resource Management, LLC (Duke CRM). The Project Site and the adjacent properties are collectively known as "Area of Potential Effect" (APE) for this section of the Initial Study.

On March 25, 2021, DUKE CRM received the results of a paleontological resource records search conducted by the San Bernardino County Museum (SBCM), Division of Earth Science. Review of geologic mapping of the region done by Dibblee and Minch (2002) indicates the APE is located on Quaternary alluvial gravel and canyon flood plains of Holocene age (Qa). Due to their young age (<11,700 years old), these sediments are considered to have low sensitivity for containing paleontological resources but have the potential to overlie high sensitivity deposits of Pleistocene age (2.5 million years ago to 11,700 years ago). Older Pleistocene deposits in the area have been found to be highly fossiliferous yielding the remains of ground sloths, bison, and horse. The nearest fossil locality is approximately 2.25 miles south, where localities SBCM 1.103.179, 1.103.180, and 1.103.181, yielded fossil remains of Scincidae (skink), Sylvilagus (cottontail rabbit), and Leporidae (rabbits and hares). In addition to the records search at the SBCM, a review of on-line and published literature on documented fossils localities in southern California was conducted. These searches did not produce any additional fossil localities within 3 miles of the APE.

DUKE CRM concludes that the proposed Project has a low potential to impact paleontological resources given the young age of the surface sediments (Holocene) and the lack of fossils discovered near the APE. Therefore, it is not likely that any paleontological resources will be impacted by the proposed Project. DUKE CRM does not recommend any additional work regarding paleontological resources.

However, paleontological resources may occur anywhere and ,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.

**Mitigation Measure GEO-1:**

If any inadvertent or unanticipated finds during construction or maintenance activity appear to be paleontological in nature, then a qualified paleontological Principal Investigator shall evaluate the finds and prepare a Paleontological Mitigation and Monitoring Plan (PMMP). The PMMP shall be prepared in accordance with all appropriate County of San Bernardino guidelines. The PMMP shall then be adhered to for the remainder of any land disturbing activities for the project.

Implementation of Mitigation Measure GEO-1 would prevent potential impacts to paleontological resources or reduce such impacts to a less than significant level.

**Less than Significant with Mitigation**

**Therefore, potential impacts can be reduced to less than significant level with implementation of the Mitigation Measure above.**

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

***SUBSTANTIATION:***

***Countywide Policy Plan; Submitted Project Materials; CalEEMod Output for Civic Center***

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

The County of San Bernardino adopted its "Greenhouse Gas Emissions Reduction Plan" (GHG Reduction Plan) in December 2011. The GHG Reduction Plan was updated in June 2021 (Update).<sup>15</sup> A review standard of 3,000 metric tons of carbon dioxide equivalents (MTCO<sub>2</sub>e) per year will be used to identify projects that require the use of the Screening Tables or a project-specific technical analysis to quantify and mitigate

<sup>15</sup> LSA Associates, Inc. County of San Bernardino Greenhouse Gas Reduction Plan Update. Adopted September 21, 2021. [http://www.sbcounty.gov/uploads/LUS/GreenhouseGas/GHG\\_2021/GHG%20Reduction%20Plan%20Update-Greenhouse%20Gas%20Reduction%20Plan%20Update%20-%20Adopted%209-21-2021.pdf](http://www.sbcounty.gov/uploads/LUS/GreenhouseGas/GHG_2021/GHG%20Reduction%20Plan%20Update-Greenhouse%20Gas%20Reduction%20Plan%20Update%20-%20Adopted%209-21-2021.pdf).

project emissions. Screening tables are a menu of options of energy efficiency improvements, renewable energy options, water conservation measures, and other options that provide predictable GHG reductions. Projects that result in GHG emissions exceeding the County's screening threshold of 3,000 MTCO<sub>2</sub>e per year would require the use of the Screening Tables for emission reduction. Each option within the Screening Tables includes point values based upon the GHG reduction that option would provide to a development project. Developers that choose options from the Screening Tables totaling 100 points or more will be determined to have provided a fair-share contribution of GHG reductions and, are considered consistent with the Update.

The levels of GHG reductions designed into the Screening Tables are consistent with the State goal of achieving 40 percent below 1990 levels of emissions by 2030.

GHG emissions were screened using CalEEMod version 2020.4. Construction is anticipated to begin in late 2022 and be completed in early 2024. Other parameters which are used to estimate construction emissions such as those associated with worker and vendor trips, and trip lengths were based on the CalEEMod defaults. The operational mobile source emissions were calculated using the Trip Generation included in the VMT Screening Assessment prepared by Ganddini Group, Inc., which determined that the proposed Project would generate approximately 657 two-way trips per day.

**Table 5  
 Greenhouse Gas Construction Emissions (Metric Tons per Year)**

Source/Phase	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e
Site Preparation	17.6	0.0	0.0	17.8
Grading	112.0	0.0	0.0	114.1
Building Construction (2022)	283.8	0.0	0.1	289.1
Building Construction (2023)	909.1	0.1	0.0	925.5
Paving	21.5	0.0	0.0	21.6
Architectural Coating (2023)	4.6	0.0	0.0	4.6
Architectural Coating (2024)	4.5	0.0	0.0	4.5
<b>Total MTCO<sub>2</sub>e</b>	<b>1,377.2</b>			
<b>Amortized over 30 years</b>	<b>45.9</b>			

Source: CalEEMod.2020.4.0 Annual Emissions.

**Table 6  
 Greenhouse Gas Operational Emissions  
 (Metric Tons per Year)**

Source/Phase	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e
Area	0.0	0.0	0.0	0.0
Energy	105.0	0.0	0.0	105.5
Mobile	398.3	0.0	0.0	405.9
Waste	36.3	2.1	0.0	89.9
Water	19.5	0.1	0.0	23.5
<b>Construction amortized</b>	<b>45.9</b>			
<b>Total MTCO<sub>2</sub>e</b>	<b>670.6</b>			
County Screening Threshold	3,000			

Source: CalEEMod.2020.4.0 Annual Emissions.

The project's total net operational GHG emissions do not exceed the County's screening threshold of 3,000 MTCO<sub>2</sub>e per year and would therefore not require the use of the Screening Tables. No significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

According to the County of San Bernardino GHG Reduction Plan, all development projects, including those otherwise determined to be exempt from CEQA, will be subject to applicable Development Code provisions, including the GHG performance standards, and state requirements, such as the California Building Code requirements for energy efficiency. With the application of the GHG performance standards, projects that are exempt from CEQA and small projects that do not exceed 3,000 MTCO<sub>2</sub>e per year will be considered consistent with the GHG Reduction Plan and determined to have a less than significant individual and cumulative impact for GHG emissions. The GHG Reduction Plan also provides that the 3,000 MTCO<sub>2</sub>e per year value was chosen as the medial value and is used in defining small projects that must include the Performance Standards but do not need to use the Screening Tables or alternative GHG mitigation analysis.

The project's total net operational GHG emissions do not exceed the County's screening threshold of 3,000 MTCO<sub>2</sub>e per year. Therefore, the proposed Project does not need to accrue points using the Screening Tables and is consistent with the GHG Reduction Plan. The proposed Project is expected to comply with the performance standards for commercial uses as detailed in the GHG Reduction Plan. The proposed Project will not result in substantial emissions of greenhouse gases and will not conflict with the GHG Reduction Plan. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

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

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

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

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**SUBSTANTIATION:**

***Submitted Project Materials; EnviroStor Database; San Bernardino Countywide Policy Plan Draft EIR: Hazards and Hazardous Materials***

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- 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?*

The proposed Project is the development of a Civic Center and Community Service Building. Construction of the proposed Project would require the routine transport, use, storage, and disposal of limited quantities of common hazardous materials such as gasoline, diesel fuel, oils, solvents, paint, fertilizers, pesticides, and other similar materials. All materials required during construction would be kept in compliance with

State and local regulations and Best Management Practices. Operations 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. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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

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

Phelan Elementary School is located approximately 0.06-mile north of the Project Site. The proposed Project consists of administrative and recreational uses. It is not anticipated to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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

- 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?*

The Project Site was not found on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system.<sup>16</sup> EnviroStor tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. No hazardous materials sites are located within or in the immediate vicinity of the Project Site. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

#### **No Impact**

- 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?*

The Project Site is not within an airport safety review area or Airport Runway Protection Zone.<sup>17</sup> The Project Site is not located within the vicinity of a private or public airstrip. The nearest airports to the Project Site are Southern Logistics Airport, approximately 14 miles northeast and Hesperia Airport, approximately 14 miles southeast. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

#### **No Impact**

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<sup>16</sup>California Department of Toxic Substances Control. EnviroStor. Accessed June 21, 2021.

<sup>17</sup> San Bernardino County. County Policy Plan web maps: HZ-9 "Airport Safety and Planning." Accessed June 21, 2021.

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

The Project Site does not contain any emergency facilities. The Project Site is adjacent to Sheep Creek Road north of Warbler Road, neither of which is an evacuation route within the County.<sup>18</sup> Access to the Project Site would be via a proposed 36-foot-driveway along Sheep Creek Road and a proposed 36-foot-driveway along the northern boundary. A 32-foot-driveway is proposed along the southern boundary to provide access to and from the adjacent uses to the south. Adequate on-site access for emergency vehicles would be verified during the County’s plan review process. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**No Impact**

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

The Project Site is located within a Moderate Fire Hazard Severity Zone.<sup>19</sup> Therefore, the proposed Project would need to comply with Chapter 7A “Materials and Construction Methods for Exterior Wildfire Exposure” of the California Building Code (CBC). The proposed Project shall comply with all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>X. HYDROLOGY AND WATER QUALITY - Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>18</sup> San Bernardino County. County Policy Plan web maps: PP-2 “Evacuation Routes.” Accessed May 7, 2021.

<sup>19</sup> San Bernardino County. County Policy Plan web maps: HZ-5 “Fire Hazard Severity Zones.” Accessed June 21, 2021.



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

**SUBSTANTIATION:**

***Countywide Policy Plan; Submitted Project Materials; On-site Hydrology Study, August 25, 2021, Red Brick Solution, LLC; Draft 2020 Urban Water Management Plan for Phelan Piñon Hills Community Service District. May 5, 2021.***

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

The proposed Project would disturb more than one-acre and would, therefore, be subject to the National Pollutant Discharge Elimination System (NPDES) permit. The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State's General Construction permit include the 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 stormwater systems, and to develop and implement a SWPPP. The 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.

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 unincorporated areas of San Bernardino County. The implementation of NPDES permits ensures that the State and Federal mandatory standards for the maintenance of clean water are met. A preliminary WQMP, dated October 6, 2021, was prepared for the development of the proposed Project by Red Brick Solution, LLC (available at County office for review). The WQMP is intended to comply with the requirements of the County of San Bernardino and the NPDES Area wide Stormwater Program requiring the preparation of a WQMP. All BMPs included as part of the project WQMP are required to be maintained through regularly scheduled inspection and maintenance. Review and approval of the WQMP would ensure that all potential pollutants of concern are minimized or otherwise appropriately treated prior to being discharged from the Project Site. Therefore, no significant impacts are identified or anticipated and no mitigation measures are required.

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

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

Water supply for the proposed Project would be provided by Phelan Pinon Hills Community Services District (PPHCSD). The PPHCSD's primary source of supply is groundwater pumped from the Mojave Basin Area (MBA). The MBA is adjudicated and managed by Mojave Water Agency (MWA). MWA imports SWP water from Northern California for groundwater basin recharge.<sup>20</sup> The water distribution system of the PPHCSD consists of 12 groundwater wells within the MBA and one groundwater well within the Antelope Valley Adjudication Area (AVAA). Groundwater supply makes up 100 percent of the PPHCSD's existing and planned future source of water supply.

The Project Site consists of disturbed soils with very little vegetation.<sup>21</sup> With implementation of the proposed Project, 136,092 SF of the Project Site would be paved with concrete. Implementation of the project BMPs would ensure that stormwater discharge does not substantially alter the existing drainage pattern or degrade water quality. Stormwater runoff from the Project Site would be collected in the project's proposed retention basins (see 2021 preliminary WQMP) and utilized as a resource for groundwater recharge. Therefore, the proposed Project is not anticipated to have a substantial impact on groundwater supplies or interfere substantially with groundwater recharge. No significant impacts are identified or anticipated and no mitigation measures are required.

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<sup>20</sup> Infrastructure Engineering Corporation. Draft 2020 Urban Water Management Plan for Phelan Piñon Hills Community Service District. May 5, 2021.

<sup>21</sup> RCA Associates, LLC. General Biological Resources Assessment APN 3066-264-10. October 29, 2012.

### **Less Than Significant Impact**

- 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;*

Erosion is the wearing away of the ground surface as a result of the movement of wind or water, and siltation is the process by which water is affected by fine mineral particles in the water. Soil erosion could occur due to a storm event. The Construction General Permit requires the development and implementation of a SWPPP. The SWPPP must list BMPs to avoid and minimize soil erosion. Adherence to BMPs would prevent substantial soil erosion or the loss of topsoil. Therefore, less than significant impacts are identified or anticipated and no mitigation measures are required.

### **Less Than Significant Impact**

- 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?*

A Hydrology Study, dated August 25, 2021, was prepared for the proposed Project by Red Brick Solution, LLC (report available at County office for review). The five-acre site was determined to be part of an overall tributary area consisting of a 25.5-acre drainage area (DA). The storm flows under existing conditions are approximately 49.128 cubic-feet-per-second (cfs) flowing generally to the northeast. Under proposed conditions, drainage would be divided into three separate distinct drainage areas that have their own retention basins. DA1 consists of 7.71 acres which includes the existing PPHCSD facility to the south and the Project Site. DA2 consists of 2.51 acres along the southerly access road and portions of the eastern adjacent parcels. DA3 consists of the remainder of the eastern adjacent parcels. The combined 23-acre area will generate a 100-year 1-hour storm flow of 34.963 cfs, 14.66 cfs, and 29.82 cfs respectively for a total of 79.44 cfs. Converting this data to the unit hydrograph, DA1 And DA2 would have storm flows of 27.26 cfs and 9.75 cfs, respectively.

The proposed retention basins for DA1 and DA2 have been designed with enough capacity to retain the entire storm flow volume for the 100-year storm event. The DA1 Basin will be (0.9626 ac-ft/0.59 acres =) 1.64 feet deep and the DA2 Basin will be (0.325 ac-ft/ 0.65 acres=) 0.50 ft deep. Thus, downstream properties would not be affected by any increase in storm flows from this site. DA3 was not analyzed since there is no new improvement being constructed at this time that would increase the peak storm flow. With the County's approval of the preliminary WQMP's proposed retention basins the proposed Project would not substantially alter the existing drainage pattern of the site or area.

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

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

Due to the inland distance from the Pacific Ocean and any other significant body of water, tsunamis and seiches are not potential hazards in the vicinity of the Project Site. In addition, the Project Site is not in or near a dam and basin hazard.<sup>22</sup> The Project Site is located within a FEMA 100-year floodplain.<sup>23</sup> The proposed Project is subject to the NPDES permit. The permit requires development and implementation of a SWPPP, which includes BMPs to control and abate pollutants. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

Requirements of a NPDES permit to be issued for the proposed Project would include development and implementation of a SWPPP and is subject to RWQCB review and approval. The purpose of an SWPPP is to: 1) identify pollutant sources that may affect the quality of discharges of stormwater associated with construction activities, and; 2) identify, construct and implement stormwater pollution control measures to reduce pollutants in stormwater discharges from the construction site during and after construction. The SWPPP would include BMPs to control and abate pollutants, and treat runoff that can be used for groundwater recharge. The proposed Project would not otherwise substantially degrade water quality as appropriate measures relating to water quality protection would be implemented. A final WQMP with appropriate BMPs will be reviewed and approved by the County. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XI. LAND USE AND PLANNING - Would the project:</b>				

- a) Physically divide an established community?

<sup>22</sup> San Bernardino County. Policy Plan web maps: HZ-3 “Dam & Basin Hazards.” Accessed September 14, 2021.  
<sup>23</sup> San Bernardino County. Policy Plan web maps: HZ-4 “Flood Hazards.” Accessed September 8, 2021.

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

**SUBSTANTIATION:**

**Countywide Policy Plan; Submitted Project Materials**

- a) *Physically divide an established community?*

The physical division of an established community is typically associated with construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility in an existing community or between a community and an outlying area. The proposed Project does not include the construction of a linear feature. In addition, the Project Site is currently undeveloped but surrounded by developed, compatible uses, including restaurants, an auto parts store, community center, and a community park. Therefore, the proposed Project would not physically divide an established community. No impacts are identified or anticipated, and no mitigation measures are required.

**No Impact**

- 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?*

The Project Site is currently undeveloped and has a zoning of Phelan/Pinon Hills General Commercial (PH/CG). The Project Applicant is requesting approval of a CUP to allow for the construction and operation of a Civic Center on the Project Site. The proposed Project would include a civic center building and a multi-purpose community service building. The proposed uses are consistent with the uses allowed in under the existing zoning designation.

With approval of a CUP, the proposed Project would remain consistent with the Countywide Policy Plan and applicable land use plans. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

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

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

**Countywide Policy Plan; Submitted Project Materials**

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

Per Policy NR-6.1 of the Countywide Policy Plan, development of land that would substantially preclude the future development of mining facilities in areas classified as Mineral Resource Zone (MRZ) 2a, 2b, or 3a is discouraged or prohibited. The Project Site is not located within an MRZ.<sup>24</sup> The Project Site is currently surrounded by existing development, such as restaurants, an auto parts store, community center, and a community park. The general area consists of scattered commercial and residential uses. Therefore, the Project Site and current surrounding uses are not compatible with mineral resource extraction. No impacts are identified or anticipated, and no mitigation measures are required.

**No Impact**

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

<sup>24</sup> County of San Bernardino. Countywide Policy Plan web maps: NR-2 “Mineral Resources Zones” web map. Accessed September 8, 2021.

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

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

**Countywide Policy Plan; County Development Code**

- 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?*

Pursuant to section 83.01.080 of the County Development Code, interior noise levels in all single family residences shall not exceed 45 dB(A) Day-Night Sound Level (Ldn) emanating from sources outside the residential building.<sup>25</sup> The exterior noise levels in single family residential land use areas should not exceed 60 dB(A) Ldn for any exterior residential use area. However, an exterior noise level of up to 65 dB(A) is permitted, provided exterior noise levels have been substantially mitigated through a reasonable application of the best available noise reduction technologies.

The Project Site is currently surrounded by vacant land and commercial development (restaurants, auto parts store, community center, community park). The nearest residential use is 600 feet to the west. The proposed Project is the development of a civic center building and multi-purpose community service building. Due to the commercial nature of the proposed use and surrounding development, residentially

<sup>25</sup> County of San Bernardino. Development Code. Section 83.01.08 Noise.

designated land uses would not be significantly affected by operational noise generated by the proposed Project.

Project construction activities and operational characteristics would increase noise above ambient levels. However, construction noise would be temporary and are only permitted to occur between 7:00 a.m. to 7:00 p.m., except on Sundays and Federal holidays, consistent with Section 83.01.080 (g)(3) of the County Development Code.

Therefore, noise generated by the proposed Project is not anticipated to be substantial. No significant impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

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

The proposed Project includes construction of a civic center building and a multi-purpose community service building. However, vibration produced by construction activities would be short-term and temporary. Section 83.01.080(g)(3) of the County of San Bernardino Development Code indicates that construction activity is considered exempt from the noise level standards between the hours of 7:00 a.m. to 7:00 p.m., except on Sundays and Federal holidays. Construction activities can produce vibration that may be felt by adjacent land uses. Construction equipment may result in vibration levels that are considered annoying at nearby sensitive receptors when vibration causing equipment is within 100 feet of a receptor.

There are several types of construction equipment that can cause vibration levels high enough to annoy persons in the vicinity and/or result in architectural or structural damage to nearby structures and improvements. For example, a vibratory roller could generate up to 0.21 PPV at a distance of 25 feet; and operation of a large bulldozer (0.089 PPV) at a distance of 25 feet (two of the most vibratory pieces of construction equipment). Groundborne vibration at sensitive receptors associated with this equipment would drop off as the equipment moves away. For example, as the vibratory roller moves further than 100 feet from the sensitive receptors, the vibration associated with it would drop below 0.0026 PPV. It should be noted that these vibration levels are reference levels and may vary slightly depending upon soil type and specific usage of each piece of equipment.<sup>26</sup>

The Project Site is surrounded primarily by commercial uses. The nearest sensitive receptors are the school approximately 500 feet north of the Project Site and the single-family residences approximately 600 feet west. Given the distance between the Project Site and sensitive receptors being greater than 100 feet, groundborne vibration levels would not be considered annoying to these sensitive receptors. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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<sup>26</sup> Federal Transit Administration: Transit Noise and Vibration Impact Assessment Manual, 2018.



**Less Than Significant Impact**

- 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?*

The Project Site is not within an airport safety review area or Airport Runaway Protection Zone.<sup>27</sup> The Project Site is not located within the vicinity of a private or public airstrip. The nearest airports to the Project Site are Hesperia Airport, approximately 14 miles southeast, and Southwest California Logistics Airport, approximately 14 miles northeast. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**No Impact**

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

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

<sup>27</sup> San Bernardino County. Countywide Policy Plan web maps: HZ-9 "Airport Safety & Planning Areas." Accessed September 9, 2021.

- 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)?*

The proposed Project is the development of a Civic Center to include a civic center building and a multi-purpose community service building. It would serve the local community. It is anticipated that the demand for employment (less than 10 new employees) would be met by the existing local labor pool. Short-term construction activities at the Project Site would not attract new employees to the area since a pool of construction labor exists in the region. As of December 17, 2021, the unemployment rate of San Bernardino County as a whole was 5.5%. Between October 2021 and November 2021, total nonfarm employment increased from 1,561,700 to 1,577,400, an increase of 15,700 jobs.<sup>28</sup>

The proposed Project does not involve construction of new homes, so it would not induce unplanned population growth. No significant adverse impacts are identified or anticipated and no mitigation measures are required.

**Less Than Significant Impact**

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

The Project Site is currently undeveloped and does not contain any residential housing. Implementation of the proposed Project would neither displace existing housing nor require construction of replacement housing elsewhere. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**No Impact**

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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**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:

<sup>28</sup> [https://www.labormarketinfo.edd.ca.gov/file/lfmonth/rive\\$pds.pdf](https://www.labormarketinfo.edd.ca.gov/file/lfmonth/rive$pds.pdf)

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

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**SUBSTANTIATION:**

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**Countywide Policy Plan, 2020; Submitted Project Materials**

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- 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?*

San Bernardino County Fire Station 10, at 9625 Beekley Road, is located approximately 0.9-mile west of the Project Site. New development within the unincorporated county area would not combine with other development in the county to result in a cumulatively considerable impact to fire and emergency services.<sup>29</sup> The County would maintain sufficient services within its boundaries as well as expand to serve other incorporated jurisdictions to improve service and coverage.<sup>30</sup>

Comprehensive safety measures that comply with federal, state, and local worker safety and fire protection codes and regulations would be implemented into project design to minimize the potential for fires to occur during construction and operations. The final site plans would require approval by the County Fire Marshal. The proposed Project would be required to comply with County fire suppression standards and provide adequate fire access. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

**Less Than Significant Impact**

*Police Protection?*

The San Bernardino County Sheriff's Department (SBCSD) – Victor Valley serves the area of the proposed Project. The nearest Sheriff's station to the Project Site is the County Sheriff-Phelan substation located at 4050 Phelan Road, approximately 0.2 miles northwest of the Project Site. The Phelan Substation has one sergeant, one detective, and ten deputies who are responsible for law enforcement services in Phelan, Pinon

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<sup>29</sup> San Bernardino Countywide Policy Plan Draft EIR: Public Services. Page 5.14-17.

<sup>30</sup> San Bernardino Countywide Policy Plan Draft EIR: Public Services. Page 5.14-17.

Hills, Wrightwood, West Cajon Valley, as well as portions of Oak Hills and El Mirage.<sup>31</sup> The SBCSD reviews staffing needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

#### *Schools?*

The Project Site is served by the Snowline Joint Unified School District. Construction activities would be temporary and would not result in substantial population growth. The proposed Project is not expected to draw any new residents to the region as it would serve the local community. With the collection of development impact fees, impacts related to school facilities are expected to be less than significant. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

#### *Parks?*

The proposed Project would neither induce residential development nor significantly increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of any facilities would result. Operation of the proposed Project would place no demands on parks, because it would not involve the construction of housing and would not involve the introduction of a permanent human population into the area. It is important to note that project visitors could potentially use the adjacent park. However, given that the proposed Project offers recreational opportunities, the increased use of the community park would not be significant. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

#### *Other Public Facilities?*

The proposed Project would not result in an increased residential population or a significant increase in the work force. Implementation of the proposed Project would not adversely affect other public facilities or require the construction of new or modified facilities. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

### **No Impact**

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<sup>31</sup> San Bernardino County Sheriff's Department. Victory Valley Patrol Station. <https://wp.sbcounty.gov/sheriff/patrol-stations/victor-valley/>. Accessed September 9, 2021.

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

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

***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?*

The proposed Project does not include development of residential housing or other uses that would lead to substantial population growth. As stated previously, Project visitors could potentially use the adjacent park. However, given that the proposed Project offers recreational opportunities, the increased use of the community park would not be significant. No significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

- 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?*

The proposed Project includes the construction of recreational facilities. With implementation of Mitigation Measures identified in this Initial Study, the proposed Project would not have an adverse physical effect on the environment. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

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

***SUBSTANTIATION:***

***Countywide Policy Plan; Submitted Project Materials; Vehicle Miles Traveled Screening Assessment, June 29, 2021, Ganddini Group, Inc.***

- a) *Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*  
 The proposed Project is the development of a Civic Center, which includes a civic center building and multi-purpose community service building. A VMT Screening Assessment, dated July 29, 2021, has been prepared for the proposed Project, as well as development of the eastern adjacent 14 acres as a community park, by Ganddini Group, Inc. The purpose of this assessment is to document the number of trips forecast to be generated and assess the potential project Vehicle Miles Traveled (VMT) impact for compliance with California Environmental Quality Act (CEQA) and Senate Bill 743 requirements. The proposed Project is forecast to result in 657 new daily trips, including 55 new trips during the AM peak hour and 64 new trips during the PM peak hour. These

trips are limited to the civic center building and multi-purpose community service building and exclude trips calculated for the adjacent park.

The Transportation and Mobility Element of the Countywide Policy Plan:

- Establishes the location and operational conditions of the roadway network.
- Coordinates the transportation and mobility system with future land use patterns and projected growth.
- Provides guidance for the County's responsibility to satisfy the local and subregional mobility needs of residents, visitors and businesses in unincorporated areas.
- Addresses access and connectivity among the various communities, cities, towns, and regions, as well as the range and suitability of mobility options: vehicular, trucking, freight and passenger rail, air, pedestrian, bicycle, and transit.

The following details how the proposed Project would be consistent with the relevant Countywide Policy Plan goals and policies:

**Goal TM 1: Unincorporated areas served by roads with capacity that is adequate for residents, businesses, tourists and emergency services.**

**Policy TM-1.7:** We require new developments to pay its fair share contribution towards off-site transportation improvements.

**Consistent:** Prior to the issuance of building permits, the Project Applicant shall pay the proposed Project's fair share amount for recommended improvements, if any.

**Policy TM-1.8:** When considering new roadway improvement proposals for the Capital Improvements Program or Regional Transportation Plan, we consider the provision of adequate emergency access routes along with capacity expansion in unincorporated areas. Among access route improvements, we prioritize those that contribute some funding through a local area funding and financing mechanism.

**Consistent:** The Project Site is adjacent to Sheep Creek Road and Warbler Road, neither of which is an evacuation route within the County, but do provide vehicle accessibility to and from the site in the event of an emergency.<sup>32</sup>

**Goal TM-2: Roads designed and built to standards in the unincorporated areas that reflect the rural, suburban, and urban context as well as the regional (valley, mountain, and desert) context.**

**Policy TM-2.1:** We maintain and periodically update required roadway cross sections that prioritize multi-modal systems inside mobility focus areas (based on community context), and vehicular capacity on roadways outside of mobility focus areas (based on regional context).

**Consistent:** The Project Site is located within a mobility focus area.<sup>33</sup> A Victor Valley Transit Authority Route passes through Sheep Creek Road adjacent to the Project Site.<sup>34</sup> The proposed Project would not encroach onto the public right-of-way, with the exception of landscaping. Therefore, it would not interfere with the use of the existing bus route. In addition, no bicycle facilities are planned for the area of the Project Site.<sup>35</sup> The proposed Project would provide a permanently anchored bicycle rack with capacity for 5% of the parking stalls and minimum 1 two-bike capacity rack. Sidewalks are

proposed for Sheep Creek Road along the Project Site frontage and along the northern boundary of the Project Site.

**Policy TM-2.2:** We require roadway improvements that reinforce the character of the area, such as curbs and gutters, sidewalks, landscaping, street lighting, and pedestrian and bicycle facilities. We require fewer improvements in rural areas and more improvements in urbanized areas, consistent with the Development Code. Additional standards may be required in municipal spheres of influence.

**Consistent:** No bicycle facilities are planned for the area of the Project Site, although the proposed Project will provide a bicycle rack.<sup>36</sup> Sidewalks are proposed for Sheep Creek Road along the Project Site frontage as part of the proposed Project. The proposed Project includes 35,654 SF of landscaping within the Project Site and 811 SF of landscaping within the right-of-way.

**Policy TM-2.3:** We require new development to mitigate project transportation impacts no later than prior to occupancy of the development to ensure transportation improvements are delivered concurrent with future development.

**Consistent:** Fair-share contributions, if any, would be paid prior to the issuance of building permits.

**Goal TM-4: On- and off-street improvements that provide functional alternatives to private car usage and promote active transportation in mobility focus areas.**

**Policy TM-4.1:** We maintain a network of complete streets within mobility focus areas that provide for the mobility of all users of all ages and all abilities, while reflecting the local context.

**Consistent:** The Project Site is located within a mobility focus area. A Victor Valley Transit Authority Route passes through Sheep Creek Road adjacent to the Project Site.<sup>37</sup> The proposed Project would not encroach on the public right-of-way, other than to provide landscaping and sidewalks. Therefore, it would not interfere with the use of the existing bus route. The proposed Project would provide a permanently anchored bicycle rack with capacity for 5% of the parking stalls and minimum 1 two-bike capacity rack. Sidewalks are proposed for Sheep Creek Road along the Project Site frontage as part of the proposed Project. Eleven of the 155 proposed parking stalls would be handicap accessible spaces.

**Policy TM-4.2:** We evaluate the feasibility of installing elements of complete street improvements when planning roadway improvements in mobility focus areas, and we require new development to contribute to complete street improvements in mobility

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<sup>32</sup> County of San Bernardino. Countywide Policy Plan web maps: PP-2 "Evacuation Routes." Accessed May 7, 2021.

<sup>33</sup> County of San Bernardino. Countywide Policy Plan web maps: TM-3 "Mobility Focus Areas." Accessed September 13, 2021.

<sup>34</sup> County of San Bernardino. Countywide Policy Plan web maps: TM-2 "Transit Network." Accessed September 13, 2021.

<sup>35</sup> County of San Bernardino. Countywide Policy Plan web maps: TM-4 "Bicycle & Pedestrian Planning." Accessed September 13, 2021.

<sup>36</sup> County of San Bernardino. Countywide Policy Plan web maps: TM-4 "Bicycle & Pedestrian Planning." Accessed September 13, 2021.

<sup>37</sup> County of San Bernardino. Countywide Policy Plan web maps: TM-2 "Transit Network." Accessed September 13, 2021.



focus areas. In evaluating complete street improvements, we prioritize those in mobility focus areas that are within unincorporated environmental justice focus areas.

**Consistent:** Sidewalks are proposed along the Project's Sheep Creek Road frontage. 811 SF of landscaping is proposed for the public right-of-way. The Project Site is not located within an environmental justice focus area.<sup>38</sup>

**Policy TM-4.6:** In unincorporated areas where public transit is available, we prefer new public and behavioral health facilities, other public facilities and services, education facilities, grocery stores, and pharmacies to be located within one-half mile of a public transit stop. We encourage and plan to locate new County health and wellness facilities within one-half mile of a public transit stop in incorporated jurisdictions. We encourage public K-12 education and court facilities to be located within one-half mile of public transit.

**Consistent:** The proposed Project provides for public facilities and services. There is one bus stop near the intersection of Nielson Road and Sheep Creek Road and another stop near the intersection of Phelan Road and Sheep Creek Road<sup>39</sup>. Both are within one-half mile of the Project Site.

**Policy TM-4.8:** We support local bike and pedestrian facilities that serve unincorporated areas, connect to facilities in adjacent incorporated areas, and connect to regional trails. We prioritize bicycle and pedestrian network improvements.

**Consistent:** No bicycle facilities are planned for the area of the Project Site.<sup>40</sup> The proposed Project would provide a permanently anchored bicycle rack with capacity for 5% of the parking stalls and minimum 1 two-bike capacity rack.

**Policy TM-4.10:** We support the use of shared parking facilities that provide safe and convenient pedestrian connectivity between adjacent uses.

**Consistent:** A 32-foot-driveway is proposed along the southern boundary to provide access to and from the adjacent uses to the south.

**Policy TM-4.11:** We require publicly accessible parking areas to ensure that pedestrians and bicyclists can safely access the site and onsite businesses from the public right-of-way.

**Consistent:** Sidewalks are proposed along the Project's Sheep Creek Road along frontage and along the northern boundary of the Project Site. This would provide safe access to the site by pedestrians and bicyclists.

The proposed Project would be consistent with the Transportation and Mobility Element of the Countywide Policy Plan. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

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<sup>38</sup> County of San Bernardino. Countywide Policy Plan web maps: HZ-10 'Environmental Justice 7 Legacy Communities.' Accessed September 13, 2021.

<sup>39</sup> Victor Valley Transit Authority. <https://vvtta.org/interactive-map/>. Accessed December 7, 2021.

<sup>40</sup> County of San Bernardino. Countywide Policy Plan web maps: TM-4 "Bicycle & Pedestrian Planning." Accessed September 13, 2021.

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

Senate Bill 743 (SB 743) approved in 2013, endeavors to change the way transportation impacts will be determined according to the CEQA. The VMT Screening Assessment has been prepared for development of the proposed Project, as well as development of the eastern adjacent 14 acres as a community park. The VMT screening assessment has been prepared in accordance with the County guidelines, which were developed based on guidance from the Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA (State of California, December 2018) ["OPR Technical Advisory"]. The County guidelines identify screening criteria for certain types of projects that typically reduce VMT and may be presumed to result in a less than significant VMT impact.

The Civic Center will provide an expansion to the existing public services for the local community. Although the proposed Project is not strictly defined as a park or educational use, it has similar VMT-reducing characteristics based on limited existing similar facilities in the region. The proposed Project is forecast to result in 657 new daily trips. The proposed project trips are to service the local community with needed public services which are not available in the general area.

Without the proposed Project, demand for such recreational space will have to be filled by other existing recreational facilities in the region, which would extend the travel distance for those users that are currently within the Phelan community area. By adding local opportunities into the community and thereby improving proximity, local serving projects tend to shorten trips and reduce VMT.

Based on the land use description of community recreational center, the VMT Screening Assessment finds that the proposed Project should be considered exempt as it provides a quasi-educational recreational use. The proposed project may be presumed to result in a less than significant VMT impact based on the County established project screening criteria for parks and educational projects, fewer daily trips generated than a local-serving retail use, and a similar VMT-reducing effect on the region as local-serving retail use.

Therefore, the proposed Project may be presumed to result in a less than significant VMT impact. No significant impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

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

The Project Site is not adjacent to windy roads or dangerous intersections. The proposed Project is the development of a Civic Center and multi-purpose community service building. It does not include a geometric design or incompatible uses that would substantially increase hazards. The proposed Project would be compatible with the existing park to the south. Adequate on-site access for emergency vehicles would be

verified during the County’s plan review process. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

d) *Result in inadequate emergency access?*

The Project Site is adjacent to Sheep Creek Road and Warbler Road, neither of which is a designated evacuation route within the County.<sup>41</sup> Access to the Project Site would be via a proposed 36-foot-driveway along Sheep Creek Road and a proposed 36-foot-driveway along the northern boundary. A 32-foot-driveway is proposed along the southern boundary to provide access to and from the adjacent uses to the south. Adequate on-site access for emergency vehicles would be verified during the County’s plan review process. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. The proposed Project would include 155 parking stalls (minimum-9’x19’), which would include 16 EV spaces, and 11 handicap accessible parking stalls. The provided parking stalls would be more than the required 151 parking stalls required for the proposed Project. Therefore, vehicles of the proposed operations would be parked on-site and would not interfere with the use of evacuation routes. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**No Impact**

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

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

- a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
- i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
 

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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<sup>41</sup> San Bernardino County. County Policy Plan web maps: PP-2 “Evacuation Routes.” Accessed May 7, 2021.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**

**AB52 Consultation**

- 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;*

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?*

California Assembly Bill 52 (AB52) was approved by Governor Brown on September 25, 2014. AB52 specifies that CEQA projects with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource may have a significant effect on the environment. As such, the bill requires lead agency consultation with California Native American tribes traditionally and culturally affiliated with the geographic area of a proposed project, if the tribe requested to the lead agency, in writing, to be informed of proposed projects in that geographic area. The legislation further requires that the tribe-requested consultation be completed prior to determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project.

Tierra Environmental Services (Tierra) submitted a letter to the Native American Heritage Commission (NAHC) in May 2021 to request a review of their Sacred Lands File, as well as a list of Native American representatives to be contacted for information regarding resources and to update interested parties on changes made to the APE. The response received from the NAHC on August 27, 2021 (Appendix C) indicated that no sensitive resources or traditional cultural places were identified within the project boundaries. Tierra contacted each of the ten Native American representatives provided by the NAHC with a request for additional input and to inform them of the Project. A sample of the information package provided to each of the representatives is also included in Appendix C. To date, one response was received

by the San Manuel Band of Mission Indians. This response acknowledges the Project and offers appreciation for the San Manuel Band of Mission Indians' inclusion in the Project, and states that "The proposed project is not located near any known Serrano village sites, SLFs, or archaeological sites. The area is of great concern to San Manuel Band of Mission Indians and are very interested to consult whenever this project moves into AB52/CEQA territory."

On April 20, 2022, the County of San Bernardino mailed AB52 notifications to the Fort Mojave Indian Tribe, Morongo Band of Mission Indians, and San Manuel Band of Mission Indians. The San Manuel Band of Mission Indians responded on May 12, 2022 and requested the mitigation measure listed below in the event cultural resources are found. AB-52 consultation concluded on May 20, 2022.

Any mitigations requested by the tribe(s) and agreed to by the County are required as project Conditions of Approval (COAs). The required mitigation measures are summarized below:

**Mitigation Measures TRC-1:**

1. The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.
2. Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.

With implementation of these mitigation measures, impacts to tribal cultural resources would be less than significant.

**Less than Significant with Mitigation**

**No significant adverse impacts are identified or anticipated, and no mitigation measures are required at this time.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XIX. UTILITIES AND SERVICE SYSTEMS - Would the project:</b>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

***SUBSTANTIATION:***

***Countywide Policy Plan; Submitted Project Materials; California Energy Commission Energy Report; 2020 UWMP for Phelan Pinon Hills Community Services District***

- 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?*

Water service would be provided by the Phelan Pinon Hills Community Services District (PPHCSD). The Civic Center will be an expansion to the existing PPHCSD facilities (community center) to the south. A water pipeline extension is proposed for the mainline

to serve the proposed Project as well as to serve the existing PPHCSD office to the south. The proposed construction is not anticipated to cause significant environmental effect as it would be a typical water pipeline extension. Water supply would be sufficient to serve the proposed Project as noted below in b) and no expansion would be required.

The proposed Project will utilize a 3,000-gallon on-site septic tank with seepage pits. Therefore, the proposed Project would not require or result in the construction or expansion of existing sewer facilities.

Under proposed conditions, the Project Site and adjacent properties will be divided into three separate distinct drainage areas that have their own retention basins. DA1 consists of 7.71 acres, which includes the existing campus PPHCSD campus to the south and the Project Site. DA2 consists of 2.51 acres along the southerly access road and portions of the eastern adjacent parcels. DA3 consists of the remainder of the eastern adjacent parcels. The proposed retention basins for DA1 and DA2 have more than enough capacity to retain the entire storm flow volume for the 100-year storm event. A3 was not analyzed since there are no new improvements being constructed at this time that would increase the peak storm flow. The proposed Project will mitigate and retain all flows associated with a 100-year storm event.

The proposed Project would be serviced by Southern California Edison (SCE), which provides the electrical service to the general area. There is an existing power pole and guy wire on the southeast corner of the Project Site. As such, the proposed Project would not require construction or expansion of SCE facilities.

Southwest Gas Corporation (SGC) would provide natural gas for the proposed Project. There are existing natural gas pipelines along Sheep Creek Road that the proposed Project would connect to. As such, the proposed Project would not require construction or expansion of SGC facilities.

The proposed Project will be served by Verizon for telecommunication services. Verizon is not anticipated to fall short of services for potential customers.

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

### **Less Than Significant Impact**

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

The Project Site is within the service area of the PPHCSD. According to the UWMP prepared for the PPHCSD, the historical production for the normal water year in 2011 (2,899 AF), the Single dry year in 2013 (3,156 AF), and for five consecutive dry years from 2013 to 2017 (3,156 AF, 3,140 AF, 2,776 AF, 2,595 AF, and 2,671 AF, respectively) were used to estimate the projected water demands during single dry years and five consecutive dry years period. The PPHCSD was projected to have a surplus water

supply to reliably meet water demands during any year type over the ensuing 25 years (through 2045).<sup>42</sup>

The Project Site has a current zoning of Phelan/Piñon Hills General Commercial (PH/CG), which is within the LUC of Commercial. The General Commercial land use zoning district provides sites for retail trade and personal services, lodging services, office and professional services, recreation and entertainment services, wholesaling and warehousing, contract/construction services, transportation services, open lot services, and similar and compatible uses. The Project Applicant is requesting approval of a Revision to An Approved CUP to allow for the construction and operation of a Civic Center on the Project Site. Upon issuance of a CUP, the proposed Project would be consistent with the Countywide Policy Plan and applicable land use plans and, therefore, the expected water demand for the proposed Project would be included in the PPHCSD's projected water demand. Based on projections in the UWMP, water supplies would be sufficient to serve the proposed Project and reasonably foreseeable future development. No significant impacts are identified or anticipated, and no mitigation measures are required.

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

- 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?*

The proposed Project will utilize a 3,000-gallon on-site septic tank with seepage pits. Since the proposed Project would not connect to an existing wastewater treatment provider facility, no impacts are identified or anticipated, and no mitigation measures are required.

#### **No Impact**

- 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?*

The proposed Project would be served by CR&R for solid waste collection. Collected waste would be disposed of at the Victorville Sanitary Landfill. The Victorville Sanitary Landfill currently has a maximum permitted throughput of 3,000 tons/day.<sup>43</sup> CalRecycle provides estimates for solid waste generation created by businesses over a certain amount of time. The proposed Project would require an addition of four employees for the civic center. The proposed multi-purpose community service building is 17,284 SF. According to the CalRecycle's estimated solid waste generation rates for the government and Public/Institutional sectors, the proposed Project would generate approximately 140 pounds of solid waste per day or approximately 0.07 tons per day, based on 0.59 tons per employee per year for government uses (civic center) and 0.007 pounds per square-foot per day for public/institutional uses (multi-purpose

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<sup>42</sup> Infrastructure Engineering Corporation. 2020 UWMP for Phelan Pinon Hills Community Services District: Table 7-4 and Table 7-5. May 5, 2021.

<sup>43</sup> San Bernardino Countywide Policy Plan Draft EIR. Utilities and Service Systems. Table 5.18-9 "Landfill Capacity: Landfills Serving Unincorporated San Bernardino County"



community service building).<sup>44</sup> This equates to 0.002 percent of the permitted throughput for the landfill.

Waste generated from the proposed Project is not expected to significantly impact solid waste collection systems. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

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

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, Department of Public Works, Solid Waste Management Division reviews and approves all new construction projects which are required to submit a Construction and Demolition Solid Waste Management Plan. 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.

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, projects are required to estimate the amount of tonnage to be disposed and diverted during construction. Additionally, projects must provide the amount of waste that will be diverted and disposed. Disposal/diversion receipts or certifications are required as a part of that summary.

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.

### **Less Than Significant Impact**

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

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<sup>44</sup> CalRecycle. <https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>. Accessed September 13, 2021.

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

***SUBSTANTIATION:***

***County of San Bernardino Countywide Policy Plan; Submitted Project Materials***

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

The Project Site is currently undeveloped and does not contain any emergency facilities. The Project Site is adjacent to Sheep Creek Road and Warbler Road, neither of which is an evacuation route within the County.<sup>45</sup> Access to the Project Site would be via a proposed 36-foot-driveway along Sheep Creek Road and a proposed 36-foot-driveway along the northern boundary. A 32-foot-driveway is proposed along the southern boundary to provide access to and from the adjacent uses to the south.

Adequate on-site access for emergency vehicles would be verified during the County's plan review process. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. The proposed Project would include 155 parking stalls (minimum-9'x19'), which would include 16 EV spaces, and 11 handicap accessible parking stalls. The provided parking

<sup>45</sup> San Bernardino County. County Policy Plan web maps: PP-2 "Evacuation Routes." Accessed May 7, 2021.

stalls would be more than the County standard of 151 parking stalls required for the proposed Project. Therefore, vehicles of the proposed operations would be parked on-site and would not interfere with the use of evacuation routes. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

### **No Impact**

- 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?*

The Project Site is located within a Moderate Fire Hazard Severity Zone.<sup>46</sup> Therefore, the proposed Project would need to comply with Chapter 7A “Materials and Construction Methods for Exterior Wildfire Exposure” of the California Building Code (CBC). The proposed Project shall comply with all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. San Bernardino County’s emergency preparedness system, along with established regulations and policies, to reduce wildfire hazards to structures to less than significant level. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

- 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?*

The Project Site is currently surrounded by vacant land and commercial development (restaurants, auto parts store, community center, community park). The proposed Project would not require installation of utilities, other than an on-site septic tank system and stormwater infiltration basins. The installation, operation of maintenance of utilities would comply with fire safety regulations. The minimum building separation for development within the General Commercial zoning district in the desert region of the County is 10 feet. Configuration and dimensions between buildings must permit access to all areas of the property by fire equipment and plans would require review and approval by County Fire. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

- 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?*

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<sup>46</sup> San Bernardino County. County Policy Plan web maps: HZ-5 “Fire Hazard Severity Zones.” Accessed June 21, 2021.

The Project Site is not located within or near a dam and basin hazard.<sup>47</sup> Moreover, it is located in a relatively flat area. The proposed Project would comply with Chapter 7A “Materials and Construction Methods for Exterior Wildfire Exposure” of the California Building Code (CBC) to reduce fire risks. The proposed Project shall comply with all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. The proposed Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. No significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

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

<sup>47</sup> San Bernardino County. Policy Plan web maps: HZ-3 “Dam & Basin Hazards.” Accessed September 14, 2021.

- 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?*

Nesting birds are protected under the Migratory Bird Treaty Act and Section 3503 of the California Fish and Wildlife Code. Some birds were observed during the biological field investigations. Therefore, Mitigation Measure BIO-1 shall be implemented to ensure no impacts to nesting birds occur. Although suitable habitat for Desert Tortoise is present on the survey area, the probability of the species inhabiting the survey area is very low, given the lack of suitable burrows and disturbance of the site. It was determined that the survey area, which includes the Project Site, does support suitable foraging habitat for the burrowing owl. After the field investigations, it was determined that there are no suitable burrows for burrowing owls and no burrowing observed. With implementation of Mitigation Measures BIO-1 - 3, the proposed Project would not have a substantial adverse effect on any species identified as a candidate, sensitive or special status species.

Tierra Environmental Services (Tierra) conducted a cultural resources study. The records search from the South Central Coastal Information Center (SCCIC) indicated that two cultural resources or historic properties have been previously identified within one-mile radius of the APE. None of the previously recorded resources were recorded within the APE. The pedestrian survey did not result in the identification of any cultural resources or historic properties. However, cultural resources have the potential for occurring anywhere. Therefore, possible significant adverse impacts have been identified or anticipated, and Mitigation Measure CR-1 is required to reduce these impacts to a level below significant.

With implementation of Mitigation Measure GEO-1, the potential impacts to paleontological resources can be reduced to a less than significant level.

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

- 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)?*

Cumulative impacts are defined as two or more individual affects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments.

Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period. The CEQA Guidelines, Section 15130 (a) and (b), states:

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

#### Air Quality

Development of the proposed Project will be conditioned to comply with current MDAQMD rules and regulations to minimize impacts to air quality as discussed. Approval of the project does not require a zone change nor a general plan amendment and is consistent with the Countywide Policy Plan. Therefore, cumulative impacts are anticipated to be less than significant.

#### Greenhouse Gas

Greenhouse gas (GHG) emissions are cumulative in nature, in that, no one single project can measurably contribute to climate change and its affects (global average change in temperature, rising sea levels etc.). The direct or indirect GHG impacts are, therefore, not evaluated on a local level, but whether or not the GHG emissions resulting from the project are cumulative. That is, they add considerably to an increase in GHGs as compared to the existing environmental setting based on: 1) an established significance threshold(s); or 2) the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.

The project's total net operational GHG emissions do not exceed the County's screening threshold of 3,000 MTCO<sub>2</sub>e per year. Therefore, the Proposed is consistent with the GHG Reduction Plan. The proposed Project's incremental contribution to greenhouse gas emissions and their effects on climate change would not be cumulatively considerable.

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

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

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

The proposed Project would be required to comply with the California Building Code requirements and the Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Compliance with these codes and standards would address potential impacts due to geologic and fire hazards.

All potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable in terms of any adverse effects upon the region, the local community or its inhabitants. At a minimum, the project will be required to meet the conditions of approval for the project to be implemented. It is anticipated that all such conditions of approval will further ensure that no potential for adverse impacts will be introduced by construction activities, initial or future land uses authorized by the project approval.

The incorporation of design measures, County of San Bernardino policies, standards, and guidelines and proposed mitigation measures as identified within this Initial Study would ensure that the proposed Project would have no significant adverse effects on human beings, either directly or indirectly on an individual or cumulative basis.

### **Less Than Significant Impact**

**Therefore, no significant adverse impacts are identified or anticipated with incorporation of mitigation measures.**

## **MITIGATION MEASURES**

### **Mitigation Measure BIO-1:**

A qualified biologist shall develop a Worker Environmental Awareness Program (WEAP) that will include information on general and special status species within the Project Site, identification of these species and their habitats, techniques being implemented during construction to avoid impacts to species, consequences of killing or injuring an individual of a listed species, and reporting procedures when encountering listed or sensitive species. Construction crews, foremen, and other personnel potentially working on site will attend this education program and place their name on a sign-in sheet that will be provided to the County Planning Division. This briefing shall include provisions of any requirements required for the project. The Worker Environmental Awareness Program training will be implemented on the first day of work and periodically throughout construction as needed. Verification will be as noted in the Mitigation Monitoring and Reporting Program.

### **Mitigation Measure BIO-2:**

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. In general, Projects should be constructed outside of this time to avoid impacts to nesting birds. If a Project cannot be constructed outside of nesting season, the project site shall be surveyed for nesting birds by a qualified avian biologist within three (3) days prior to initiating the construction activities. If active nests are found during the pre-construction nesting bird surveys, a Nesting Bird Plan (NBP) will be prepared and implemented. At a minimum, the NBP will include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The NBP will include a copy of maps showing the location of all nests and an appropriate buffer zone around each nest sufficient to protect the nest from direct and indirect impact. The size and location of all buffer zones, if required, shall be determined by the biologist, and shall be based on the nesting species,

its sensitivity to disturbance, and expected types of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist has determined the young birds have successfully fledged.

**Mitigation Measure BIO-3:**

Preconstruction surveys for BUOW and Desert Tortoise shall be conducted at least 30 days prior to new ground disturbance and documentation, indicating such a survey has occurred is to be provided to the County. Regardless of the survey results, tortoises cannot be subject to take per the requirements of state and federal law. Handling or other inappropriate treatment of tortoises must be avoided until authorization is obtained from the USFWS and CDFW.

**Mitigation Measure CR-1:**

1. In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.
2. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

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

**Mitigation Measure GEO-1:**

If any inadvertent or unanticipated finds during construction or maintenance activity appear to be paleontological in nature, then a qualified paleontological Principal Investigator shall evaluate the finds and prepare a Paleontological Mitigation and Monitoring Plan (PMMP). The PMMP shall be prepared in accordance with all appropriate County of San Bernardino guidelines. The PMMP shall then be adhered to for the remainder of any land disturbing activities for the project.



### **Mitigation Measures TRC-1:**

1. The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.
2. Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project

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