

Initial Study/Mitigated Negative Declaration San Bernardino County

Lonely Dove Motel Expansion

**1473 Wamego Trail
Landers, California**

Lead Agency:



San Bernardino County Land Use Services
385 N. Arrowhead Ave.,
San Bernardino, CA 92415

Technical assistance provided by:



Lilburn Corporation
1905 Business Center Drive
San Bernardino, CA 92408

January 2026

TABLE OF CONTENTS

| | |
|---|----|
| PROJECT LABEL..... | 1 |
| PROJECT CONTACT INFORMATION | 1 |
| DETAILED PROJECT DESCRIPTION | 1 |
| EVALUATION FORMAT | 13 |
| I. AESTHETICS | 15 |
| II. AGRICULTURE AND FORESTRY RESOURCES | 18 |
| III. AIR QUALITY..... | 20 |
| IV. BIOLOGICAL RESOURCES | 25 |
| V. CULTURAL RESOURCES..... | 32 |
| VI. ENERGY..... | 37 |
| VII. GEOLOGY AND SOILS | 40 |
| VIII. GREENHOUSE GAS EMISSIONS..... | 45 |
| IX. HAZARDS AND HAZARDOUS MATERIALS..... | 48 |
| X. HYDROLOGY AND WATER QUALITY..... | 51 |
| XI. LAND USE AND PLANNING..... | 56 |
| XII. MINERAL RESOURCES | 58 |
| XIII. NOISE | 59 |
| XIV. POPULATION AND HOUSING..... | 63 |
| XV. PUBLIC SERVICES | 64 |
| XVI. RECREATION | 67 |
| XVII. TRANSPORTATION..... | 68 |
| XVIII. TRIBAL CULTURAL RESOURCES..... | 73 |
| XIX. UTILITIES AND SERVICE SYSTEMS | 77 |
| XX. WILDFIRE | 81 |
| SECTION 5 - MANDATORY FINDINGS OF SIGNIFICANCE..... | 84 |
| SECTION 6 - SUMMARY OF MITIGATION MEASURES..... | 86 |
| SECTION 7 – REFERENCES..... | 91 |

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

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

PROJECT LABEL

| | | | |
|--------------------|--|------------------------|---|
| APNs: | 0629-282-03, and 06 | USGS Quad: | Landers, CA Quadrangle |
| Applicant: | Rod Rigole 1473 Wamego Trail Landers, CA 92285 | T, R, Section: | T02N, R05E, Sec. 10 |
| Location | 1473 Wamego Trail Landers, California, San Bernardino County 92285 | | |
| Project No: | PROJ-2022-00200 | Community | Landers |
| Rep | Rod Rigole rarigole@gmail.com | Land Use: Zone: | Rural Living (RL) Homestead Valley/Special Development - Commercial (HV/SD-COM), and Homestead Valley/Rural Living (HV/RL) |
| Proposal: | A Zone Change and Conditional Use Permit for expansion of an existing motel and addition of a restaurant and pool/spa complex. | Overlays: | Biotics: Desert Tortoise (sparse), Burrowing Owl (SE) |

PROJECT CONTACT INFORMATION

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

Contact person: Luis. Rodriguez, Contract Planner
Phone No: 909-387-4106 **Fax No:** (909) 387-3223
E-mail: Luis.Rodriguez@lus.sbccounty.gov

DETAILED PROJECT DESCRIPTION:

The Applicant has submitted an Application to the San Bernardino County Land Use Services Department-Planning Division for a partial Zone District Change from Homestead Valley/Rural Living (HV/RL) to Homestead Valley/Special Development-Residential (HV/SD-RES) and a Conditional Use Permit (CUP) for the expansion of an existing motel ("Lonely Dove") an existing eight room, 2,442 square foot motel on two 5-acre parcels in the Homestead Valley area of the community of Landers. The existing residential complex and 8-room motel is located on the western 5-acre parcel (APN 0629-282-03) and would undergo improvements to the motel with 12 additional rooms in 6 separate free-standing structures with

2 rooms each, upgrades to an existing 2,540 square foot caretaker residence, 1,800 square foot restaurant, parking and improved access from the north (Desideria Drive) and south (New Dixie Mine Road). The eastern 5-acre parcel (APN 0629-282-06) which is currently vacant would be used for the majority of the expansion with 20 additional rooms in 10 separate free-standing structures with 2 rooms each, one 338 square foot single story prefabricated "Futuro" home, miniature golf facility, a 1,000 square

foot restaurant with covered outdoor space, and 1,200 square foot storage/shared restroom building and covered guest parking (see Figure 1 – Site Plan).

The Proposal also includes designated employee/visitor parking spaces including eight handicapped accessible spaces to serve the motel. It is anticipated that there would be up to 8 employees onsite at any given time. Hours of operation are anticipated to be 24/7. The Project proposal includes the use of a 2,540 square foot existing residence to be used as a caretaker unit.

Proposed improvements would also include landscaping to include art installations, communal fire pits, walkways, fire road access, fencing and walls, a pool, spa, with changing rooms, 4 separate hot tubs, storage buildings, and an upgraded septic system.

Zone District Change: A Zone District Change is required for Parcel 0629-282-06 (vacant) from Homestead Valley/Rural Living (HV/RL) to Homestead Valley/Special Development-Commercial (HV/SD-COM), the same designation as the abutting subject Parcel 0629-282-03. The Rural Living (RL) Land Use designation supports the proposed Homestead Valley/Special Development-Commercial (HV/SD-COM) Zoning District.

Conditional Use Permit (CUP): A Conditional Use Permit (CUP) is required for the expansion of an existing motel to include the addition of two restaurants, 32 prefabricated lodging units in 16 separate free-standing structures with 2 units each, 1 prefabricated “future home”, and a pool/spa facilities.

Operational related emissions are expected from the following primary sources: area source emissions, energy source emissions, and mobile source emissions. The Project related operational air quality impacts derive primarily from vehicle trips generated by the Project. Trip characteristics available from the Lonely Dove Motel Vehicles Miles Traveled (VMT) Evaluation were utilized in this analysis. The estimated operation-source emissions from the Project are summarized in Table 2 (Total Project Regional Operational Emissions).

Construction shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the San Bernardino County Development Code standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays. The Proposed Project would be conditioned to comply with Greenhouse Gas (GHG) operational standards during temporary construction. Based on the output from CalEEMod, the Proposed Project construction activities would consume a one-time estimate of 18,030.03 gallons of gasoline for operation of heavy-duty equipment. Adherence to GHG operational standards would ensure that there would not be a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation. Less than significant impacts are anticipated, and no mitigation measures are required.

PROJECT SITE:

The Project Site is located east of Old Woman Springs Road (SR 247) and approximately 650 feet north of New Dixie Mine Road in the community of Landers in the Homestead Valley Community Planning Area (see Figure 2 - Regional Location). The Project Site is located in Township 2 North, Range 05 East, Section 10, on the U.S. Geological Survey (USGS) Landers, 7.5-minute topographic quadrangle. The site address is 1473 Wamego Trail and is located at approximately 34° 16' 32.8" N Latitude and 116° 26' 51.1" W Longitude (see Figure 3 - Project Vicinity - Aerial View, Figure 4 Zoomed Aerial, and Figure 5 Project Vicinity - USGS View). The Project Site slopes southwest to northeast at an average slope of approximately 4.0%. Elevations range from approximately 3,438 feet to 3,398 feet.

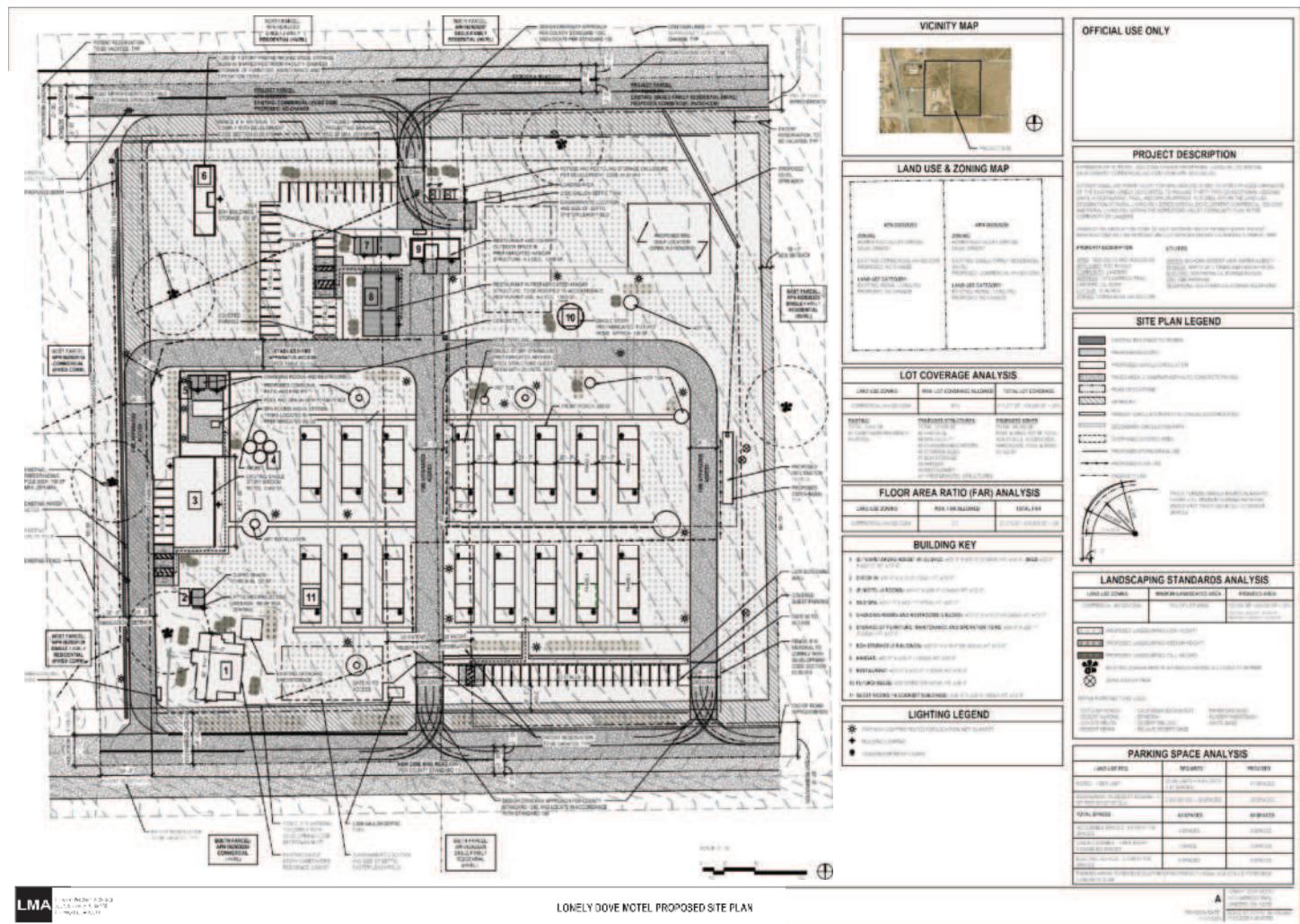
1. APN 0629-282-03: includes the existing motel and currently designated Homestead Valley/Rural Living (HV/RL) Land Use District, with a zoning of Homestead Valley/Special Development-Commercial (HV/SD-COM) (see Figure 6).
2. APN 0629-282-06: (vacant land) has a current land use and zoning district designations of Homestead Valley/Rural Living (HV/RL) (see Figure 7). Proposed zoning is shown in Figure 8.

Surrounding Land Uses and Setting:

The Project vicinity is within the Homestead Valley Community Plan area in a rural area of unincorporated San Bernardino County surrounded by scattered family residences and limited commercial facilities. Adjacent to the north of the Project Site there is one single family residence and vacant land with a land use category and zoning of Homestead Valley/Rural Living. To the south there are two single family residences with a land use category and zoning of Homestead Valley/Rural Living. To the east is vacant land with a land use category and zoning of Homestead Valley/Rural Living. There are two parcels to the west; the northern parcel has a mobile home, and the southern parcel has a Commercial Storage lot. Both westerly parcels have a land use category of Homestead Valley/Rural Living and a zoning of Homestead Valley/Special Development-Commercial (HV/SD-COM).

According to the San Bernardino County Countywide Plan/Policy Plan Land Use Element, the Project Site is within a Homestead Valley/Rural Living (HV/RL) land use category, and zoning district designations of Homestead Valley/Special Development-Commercial (HV/SD-COM), Homestead Valley/Rural Living (HV/RL). The following table lists the existing adjacent land uses and zoning.

| AREA | Existing Land Use | Land Use Category | Zoning |
|-------|---|-------------------|--|
| Site | Existing Motel/Vacant Land | Rural Living (RL) | Homestead Valley/Special Development-Commercial (HV/SD-COM), Homestead Valley/Rural Living (HV/RL) |
| North | Vacant Land/One Single Family Residence | Rural Living (RL) | Homestead Valley /Rural Living (HV/RL) |
| South | Two Single Family Residences | Rural Living (RL) | Homestead Valley /Rural Living (HV/RL) |
| East | Vacant Land | Rural Living (RL) | Homestead Valley /Rural Living (HV/RL) |
| West | Mobile Home and Commercial Storage lot | Rural Living (RL) | Homestead Valley/Special Development-Commercial/(HV/SD-COM) |

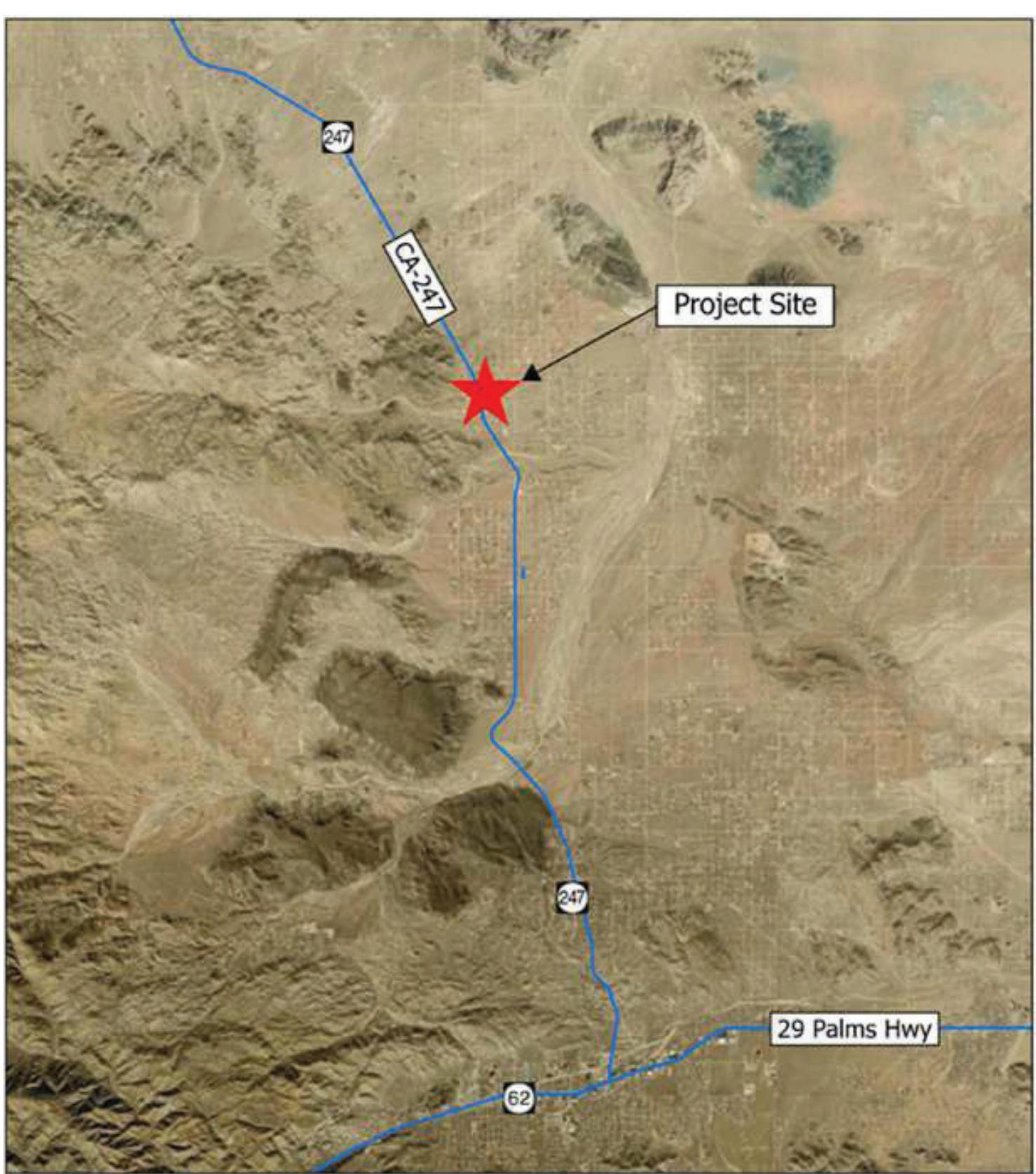


SITE PLAN

Lonely Dove Motel Expansion Landers, California

LILBURN CORPORATION

FIGURE 1



Scale: 1:150,000



Proj-2022-00200

— Highway

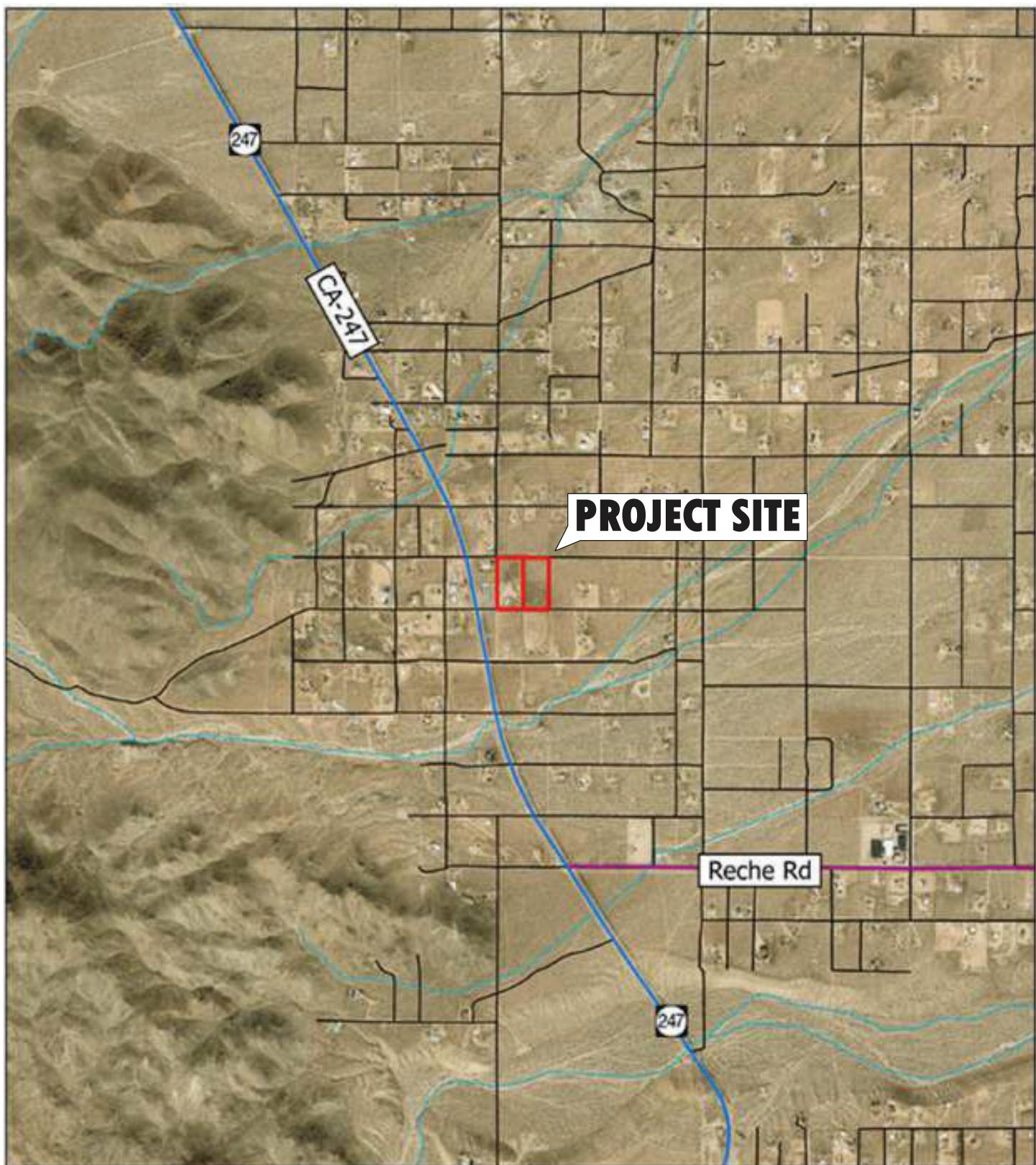


REGIONAL LOCATION

Lonely Dove Motel Expansion
Landers, California

LILBURN
CORPORATION

FIGURE 2



Proj-2022-00200



— Highway

— Major Arterial

— Local

····· Ephemeral/Intermittent

PROJECT VICINITY - AERIAL VIEW

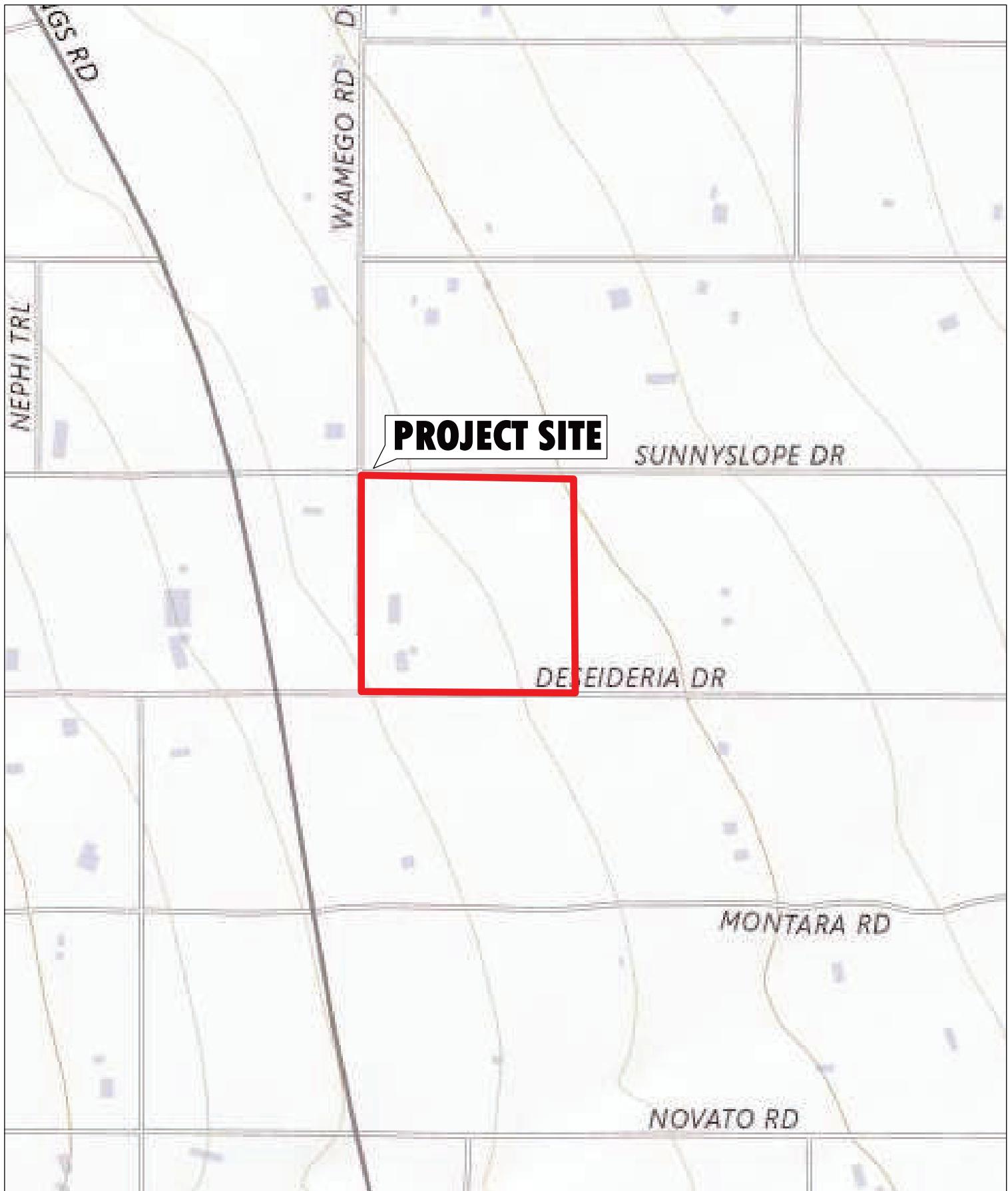
Lonely Dove Motel Expansion
Landers, California



LILBURN
CORPORATION

PROJECT VICINITY -ZOOMED VIEW

Lonely Dove Motel Expansion
Landers, California

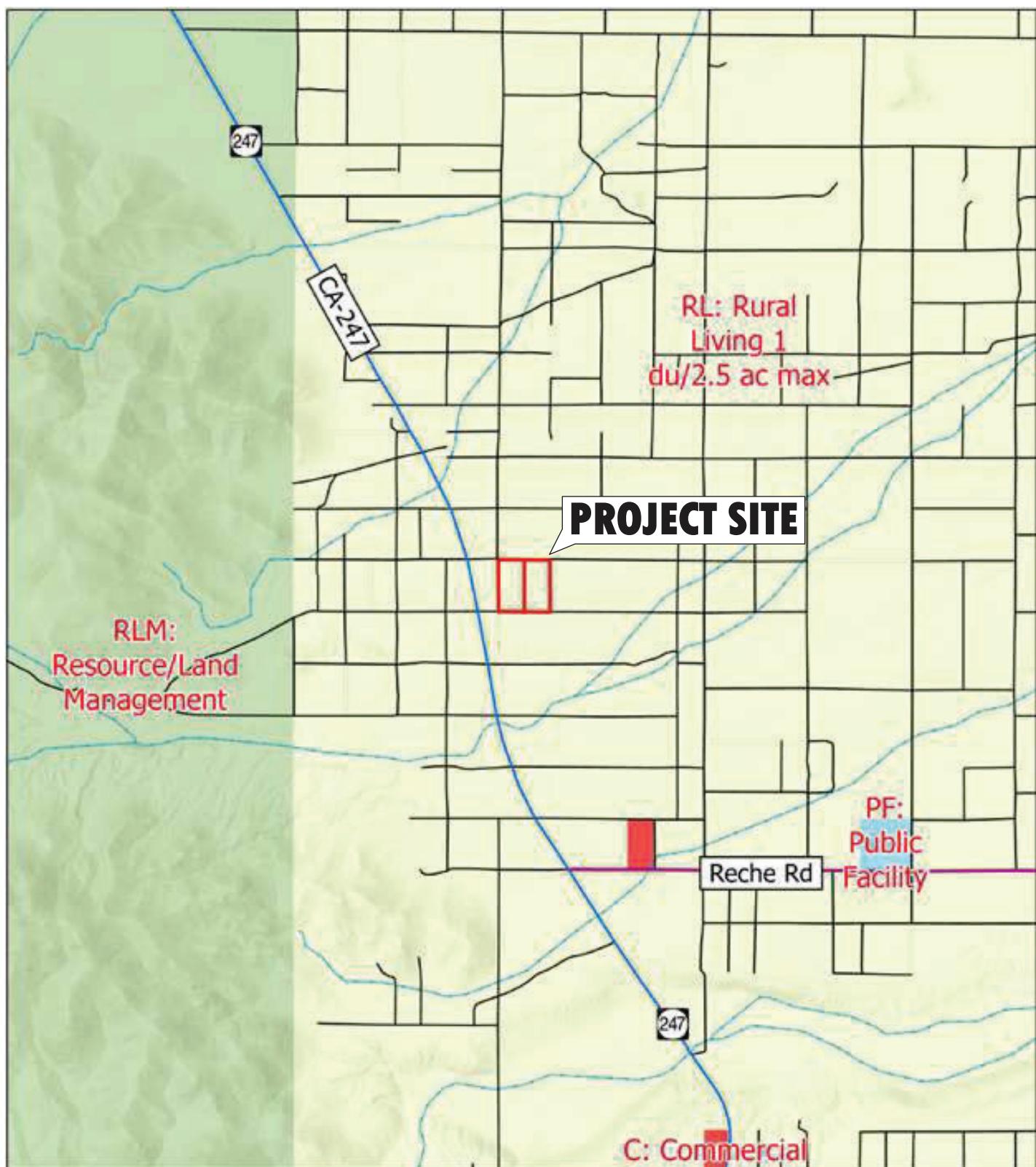


USGS MAP

Lonely Dove Motel Expansion
Landers, California

LILBURN
CORPORATION

FIGURE 5

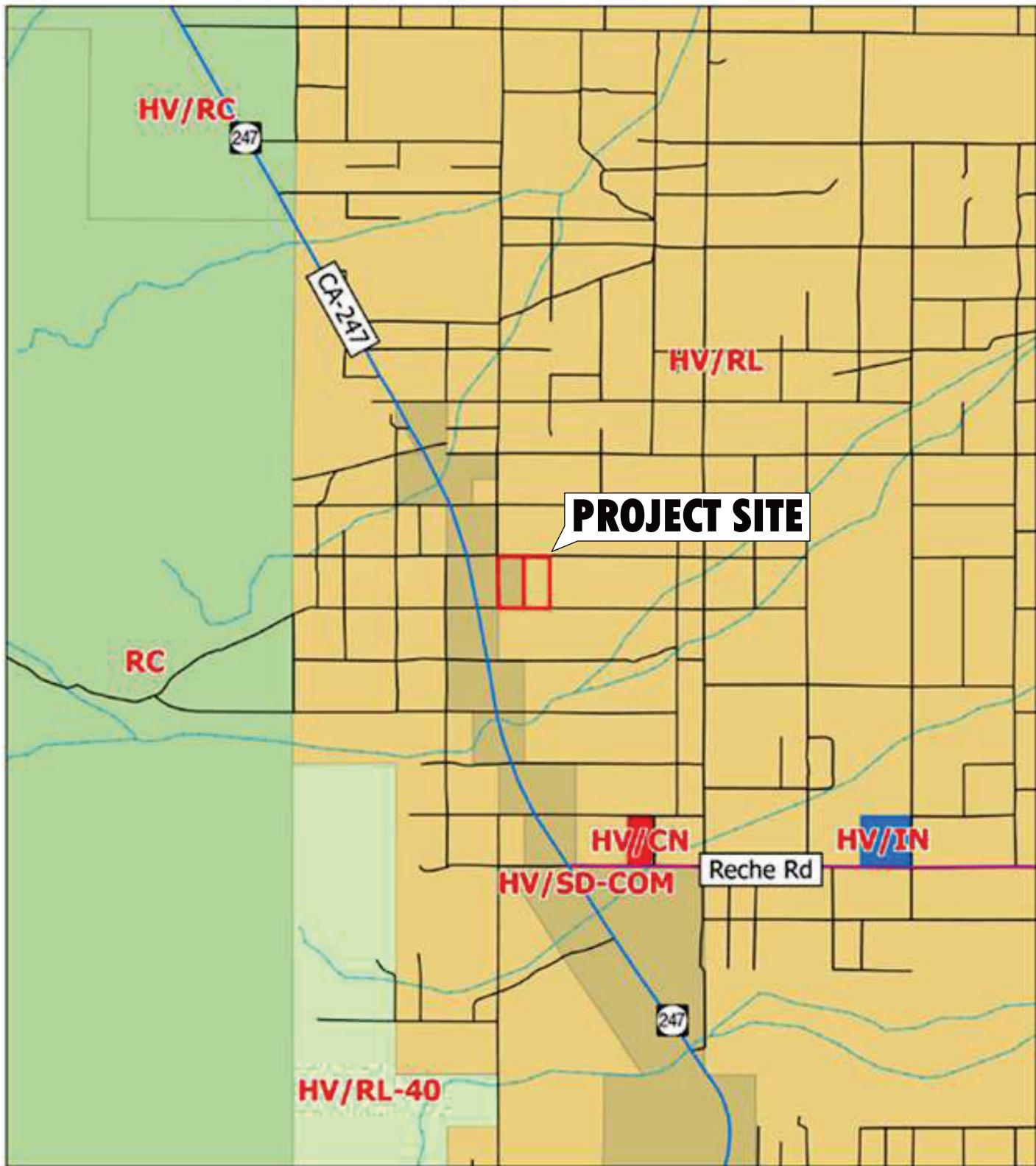


N

- Proj-2022-00200
- Highway
- Major Arterial
- Local
- Ephemeral/Intermittent
- C: Commercial
- PF: Public Facility
- RL: Rural Living 1 du/2.5 ac max
- RLM: Resource/Land Management

COUNTYWIDE PLAN LAND USE DESIGNATION

Lonely Dove Motel Expansion
Landers, California

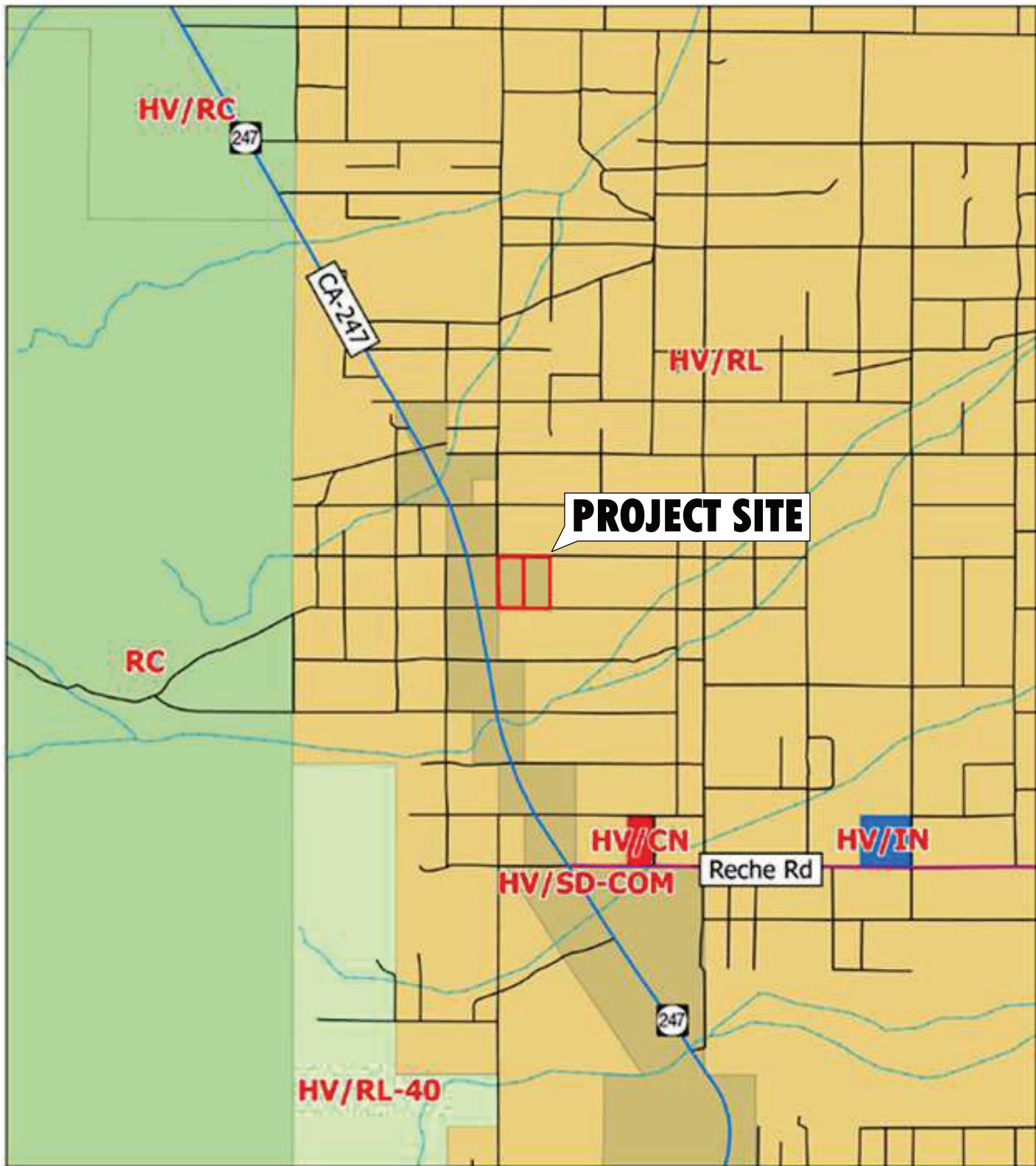


CURRENT ZONING DESIGNATION

Lonely Dove Motel Expansion
Landers, California

LILBURN
CORPORATION

FIGURE 7



Proj-2022-00200

Highway

Major Arterial

Local

Ephemeral/Intermittent

HV/CN: Homestead Valley/Neighborhood Commercial

HV/IN:Homestead Valley/Institutional

HV/RC:Homestead Valley/Resource Conservation

HV/RL:Homestead Valley/Rural Living

HV/RL-40: Homestead Valley/Rural Living-40 ac/min

HV/SD-Com:Homestead Valley/Special Development Commercial

RC:Resource Conservation

Scale: 1:24,000



PROPOSED ZONING DESIGNATION

Lonely Dove Motel Expansion
Landers, California

LILBURN
CORPORATION

FIGURE 8

ADDITIONAL APPROVAL REQUIRED BY OTHER AGENCIES

Federal: None

State of California: None

San Bernardino County: Land Use Services – Planning, Building and Safety, Land Development, County Fire, Environmental Health Services, Public Works – Traffic/Solid Waste Management/Flood Control, and Special Districts.

Regional: Mojave Desert Air Quality Management District

Local: None

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 August 22, 2023, the San Bernardino County mailed notification pursuant to AB52 to the following tribes: Gabrieleño Band of Mission Indians, Colorado River Indian Tribes, Fort Mohave Indian Tribe, Morongo Band of Mission Indians, San Manuel Band of Mission Indians and Soboba Band of Luiseno Indians. Requests for consultations were made to the County by San Manuel Band of Mission Indians. The table below shows a summary of comments and responses.

AB-52 Consultation

| Tribe | Comment Letter Received | Summary of Response | Conclusion |
|------------------------------------|-------------------------|---------------------|--|
| Gabrieleño Band of Mission Indians | No response | - | - |
| Colorado River Indian Tribes | No response | - | - |
| Fort Mohave Indian Tribe | No response | - | - |
| Morongo Band of Mission Indians | October 11, 2023 | - | Letter included recommended mitigations. |
| San Manuel Band of Mission Indians | August 31, 2023 | - | Letter included recommended mitigations. |
| Soboba Band of Luiseno Indians | No response | - | - |

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

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

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

No Impact: No 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.

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)

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 in the required Mitigation Monitoring and Reporting Program.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact requiring mitigation to be reduced to a level that is less than significant as indicated in the checklist on the following pages.

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

LEAD AGENCY DETERMINATION

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

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

Signature: Luis Rodriguez (Planner)

1-29-2026
Date

Signature: Paul Toomey (Supervising Planner)

1/29/2026
Date

I. AESTHETICS

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| Except as provided in Public Resources Code Section 21099, would the project: | | | | |
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially degrade an existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) 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 would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

Substantiation

San Bernardino Countywide Policy Plan, approved October 27, 2020, adopted November 27; Draft Environmental Impact Report for San Bernardino Countywide Plan; San Bernardino County Development Code

Impact Analysis

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

Less than Significant Impact. The Project Site is located in East Desert Region of the San Bernardino County, within the Community of Homestead Valley. The San Bernardino County Countywide Plan/Policy Plan (adopted November 27, 2020) identifies numerous scenic vistas, including views across desert landscapes, toward mountains and ridgelines, and toward rock formations and outcroppings within the East Desert Region.¹ The Project Site consists of two parcels; one parcel is currently developed with a motel building, a caretaker's residence, and a detached shed/storage. The other parcel that makes up the Project Site is vacant with scattered vegetation. The Proposed Project is the expansion of the motel on both parcels. The Project Site is surrounded by single-family residences, vacant land, and commercial facilities. Given the property's current conditions and surrounding uses, the proposed expansion would not have an effect on scenic vistas. Proposed structures would have a maximum height of 35 feet, as is required within the Special Development zoning district, and would therefore not obstruct views of the mountains. Given the current conditions, height restrictions, and surrounding uses, the Proposed Project would not have

¹ Placeworks. Draft Environmental Impact Report for San Bernardino Countywide Plan. June 2019.

an effect on a scenic vista. No significant adverse impacts are identified or anticipated, and no mitigation measures are required. Impacts would be less than significant.

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

Less than Significant Impact. The Project Site is located approximately 200 feet east of Old Woman Springs Road (SR 247), which is a County Scenic Route and Eligible State Scenic Highway.² There are existing commercial facilities between Old Woman Springs Road and the Project Site, thereby limiting the view of the Project Site from the scenic route. As stated previously, the proposed structures would have a maximum height of 35 feet. Any proposed structures that are viewable from Old Woman Springs Road would be compatible with the existing, surrounding uses. According to the Biological Resources Assessment by ECORP Consulting, Inc dated May 5, 2022 (Appendix B) identified eight Joshua trees were identified on the Project Site. Four alive Joshua trees were mapped immediately to the east of the Project area, and four were identified as dead at the time of the survey. An Incidental Take Permit (ITP) would need to be acquired from California Fish and Wildlife (CDFW). The Phase I Cultural Resources report prepared by McKenna et al dated April 28, 2022, (Appendix C) concluded that the standing structures are not significant sources of historical significance. Therefore, the Proposed Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

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 publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

Less than Significant Impact. The Project Site is located in a non-urbanized area within the East Desert Region of San Bernardino County. It consists of two parcels; one parcel is currently developed with a motel building, a caretaker's residence, and a detached shed/storage. The undeveloped portion of the Project Site is vacant with scattered vegetation. The Proposed Project is the expansion of the motel on both parcels. The Project Site is surrounded by single-family residences, vacant land, and commercial facilities. Given the property's current conditions and surrounding uses, the Proposed Project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

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

Less than Significant Impact. A portion of the Project Site is developed with a motel and accessory structures. The Project Site is immediately adjacent to a commercial facility to the west. Regionally, the Project Site is located in an area with scattered residential and commercial uses. The Proposed Project would increase the number of motel rooms and amenities on-site, consequently adding new sources of light in the area. 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. The purpose of this section of the Development Code is to preclude light pollution or light trespass on abutting residential land use zoning district, a residential parcel, or public right-of-way. The Proposed Project would be designed to adhere to these lighting

² San Bernardino County. Countywide Plan maps – NR-3 “Scenic Routes & Highways.” Accessed June 17, 2024.

standards, and a demonstration of compliance will be required prior to issuance of a building permit. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

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

II. AGRICULTURE AND FORESTRY RESOURCES

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

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

Substantiation

San Bernardino County Countywide Plan/Policy Plan 2020

Impact Analysis

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

No Impact. The Project Site is located within the East Desert Region of the County. There is no mapped important farmland in the East Desert Region.³ 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 impacts are identified or are anticipated, and no mitigation measures are required.

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

No Impact. The Project Site is not under a Williamson Act Contract.⁴ The Project Site is currently zoned HV/SD-COM and (HV/RL). The Proposed Project would not conflict with existing zoning for agricultural uses or a Williamson Act Contract. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact. The Project Site is currently zoned HV/SD-COM and (HV/RL). The Proposed Project would not conflict with existing zoning for, or cause rezoning of, forestland, timberland, or timberland zoned for Timberland Production. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact. Forestland is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. There are only 8 native trees on the 10-acre property. Therefore, the Project Site is not considered forestland. No impacts are identified or are anticipated, and no mitigation measures are required.

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

No Impact. The Project Site consists of two parcels; one parcel is currently developed with a motel building, a caretaker's residence, and a detached shed/storage. The undeveloped portion of the Project Site is vacant with scattered vegetation. The Proposed Project would not involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to non-agricultural use. The Project would not be involved in the conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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

³ Placeworks. Draft Environmental Impact Report for San Bernardino Countywide Plan. June 2019.

⁴ San Bernardino County Assessor. Parcels Under Open Space Contract Report 6/30/2023. Accessed June 17, 2024.

III. AIR QUALITY

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project: | | | | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) 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

Lonely Dove Motel Air Quality Assessment, Urban Crossroads, January 22, 2024 (Appendix A)

Impact Analysis

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

Less than Significant Impact. An Air Quality Assessment report, dated January 22, 2024, was prepared for the Proposed Project by Urban Crossroads (see Appendix A). The Project Site is located in the portion of the San Bernardino County, California, that is part of the Mojave Desert Air Basin (MDAB) and is under the jurisdiction of the MDAQMD. The Federal Particulate Matter Attainment Plan and Ozone Attainment Plan for the Mojave Desert set forth a comprehensive set of programs that would lead the MDAB into compliance with federal and state air quality standards. The control measures and related emission reduction estimates within the Federal Particulate Matter Attainment Plan and Ozone Attainment Plan are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with these attainment plans for development projects is determined by demonstrating compliance the indicators discussed below:

The Proposed Project's regional emissions are well below the thresholds established by the MDAQMD and on the basis of the preceding discussion, the Project is determined to be consistent with the second criterion. A less than significant impact is expected.

The Project would be required to comply with all applicable MDAQMD Rules and Regulations, including, but not limited to Rules 401 (Visible Emissions), 402 (Nuisance), and 403 (Fugitive Dust). A less than significant impact is expected.

Consistency Criterion No. 3 refers to violations of the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if regional significance thresholds were exceeded. As evaluated in Table 1, (Overall Regional Construction Emissions Summary), and Table 2, (Total Project Regional Operational Emissions Summary), the source emissions would not exceed the applicable MDAQMD regional

thresholds for emissions of any criteria pollutant and no mitigation is required. The Project's regional construction and operational emissions would not exceed applicable regional significance thresholds.

The Project is therefore considered to be consistent with the AQMP. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

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

Less than Significant Impact.

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 January 2025 and would last through December 2029. The resulting emissions generated by construction of the Proposed Project are shown in Table 1.

Table 1
Overall Regional Construction Emissions Summary

| Source | Emissions (lbs/day) | | | | | |
|--------------------------------|---------------------|-----------------|--------------|-----------------|------------------|-------------------|
| | VOC | NO _x | CO | SO _x | PM ₁₀ | PM _{2.5} |
| Summer | | | | | | |
| 2025 | 3.68 | 32.72 | 31.11 | 0.06 | 4.46 | 2.44 |
| 2026 | 1.26 | 10.98 | 15.75 | 0.03 | 0.74 | 0.46 |
| 2027 | 1.21 | 10.47 | 15.60 | 0.03 | 0.70 | 0.42 |
| 2028 | 1.17 | 9.94 | 15.49 | 0.03 | 0.66 | 0.38 |
| 2029 | 6.69 | 17.13 | 27.94 | 0.04 | 1.14 | 0.65 |
| Winter | | | | | | |
| 2025 | 4.13 | 37.56 | 33.41 | 0.06 | 7.82 | 4.52 |
| 2026 | 1.25 | 11.00 | 15.22 | 0.03 | 0.74 | 0.46 |
| 2027 | 1.20 | 10.49 | 15.12 | 0.03 | 0.70 | 0.42 |
| 2028 | 1.16 | 9.96 | 15.04 | 0.03 | 0.66 | 0.38 |
| 2029 | 6.65 | 17.15 | 27.13 | 0.04 | 1.14 | 0.65 |
| Maximum Daily Emissions | 6.69 | 37.56 | 33.41 | 0.06 | 7.82 | 4.52 |
| MDAQMD Regional Threshold | 137 | 137 | 548 | 137 | 82 | 65 |
| Threshold Exceeded? | NO | NO | NO | NO | NO | NO |

PM₁₀ and PM_{2.5} source emissions reflect 3x daily watering per MDAQMD Rule 403 fugitive dust.

Under the assumed scenarios, emissions resulting from Project construction would not exceed thresholds established by the MDAQMD for emissions of any pollutant criteria and no mitigation is required.

Operational Emissions

Operational related emissions are expected from the following primary sources: area source emissions, energy source emissions, and mobile source emissions. The Project related operational air quality impacts derive primarily from vehicle trips generated by the Project. Trip characteristics available from the Lonely Dove Motel Vehicles Miles Traveled (VMT) Evaluation were utilized in this analysis. The estimated operation-source emissions from the Project are summarized in Table 2.

Table 2
Total Project Regional Operational Emissions

| Source | Emissions (lbs/day) | | | | | |
|--------------------------------------|---------------------|-----------------|--------------|-----------------|------------------|-------------------|
| | VOC | NO _x | CO | SO _x | PM ₁₀ | PM _{2.5} |
| Summer | | | | | | |
| Mobile Source | 1.41 | 1.78 | 17.94 | 0.05 | 4.43 | 1.15 |
| Area Source | 1.53 | 0.02 | 2.14 | 0.00 | 0.00 | 0.00 |
| Energy Source | 0.03 | 0.46 | 0.39 | 0.00 | 0.03 | 0.03 |
| Total Maximum Daily Emissions | 2.96 | 2.26 | 20.46 | 0.05 | 4.46 | 1.18 |
| MDAQMD Regional Threshold | 137 | 137 | 548 | 137 | 82 | 65 |
| Threshold Exceeded? | NO | NO | NO | NO | NO | NO |
| Winter | | | | | | |
| Mobile Source | 1.27 | 1.93 | 13.39 | 0.04 | 4.43 | 1.15 |
| Area Source | 1.18 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Energy Source | 0.03 | 0.46 | 0.39 | 0.00 | 0.03 | 0.03 |
| Total Maximum Daily Emissions | 2.48 | 2.39 | 13.77 | 0.05 | 4.46 | 1.18 |
| MDAQMD Regional Threshold | 137 | 137 | 548 | 137 | 82 | 65 |
| Threshold Exceeded? | NO | NO | NO | NO | NO | NO |

As shown in Table 2, operational source emissions would not exceed the applicable MDAQMD regional thresholds for emissions of any criteria pollutant and no mitigation is required. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

Less than Significant Impact. Sensitive receptors can include uses such as long-term health care facilities, rehabilitation centers, and retirement homes. Residences, schools, playgrounds, childcare centers, and athletic facilities can also be considered as sensitive receptors. The nearest sensitive receptor is the existing residence approximately 100 feet east of the Project Site.

As per the MDAQMD Guidelines, the following project types located within a specified distance to an existing or planned sensitive receptor land use must be evaluated to determine exposure of substantial pollutant concentrations to sensitive receptors:

- Any industrial project within 1,000 feet.
- A distribution center (40 or more trucks per day) within 1,000 feet.
- A major transportation project (50,000 or more vehicles per day) within 1,000 feet.
- A dry cleaner using perchloroethylene within 500 feet.
- A gasoline dispensing facility is within 300 feet.

The Proposed Project consists of an 80-room hotel operating 24 hours a day with food and beverage services. As such, no analysis for sensitive receptors is required. Additionally. results of the regional analysis indicate that the Project would not exceed the MDAQMD significance thresholds during construction or operations. Therefore, sensitive receptors would not be subject to a significant air quality impact during Project construction and operational activities.

CO "HOT SPOT" ANALYSIS

It should be noted that MDAQMD has not established its own guidelines for CO hotspots analysis. Since the MDAQMD guidelines are based on SCAQMD methodology, it is appropriate to apply the SCAQMD criteria when analyzing CO hotspots within the MDAQMD. As discussed below, the Project would not result in potentially adverse CO concentrations or "hot spots." An adverse CO

concentration, known as a “hot spot”, would occur if an exceedance of the state one-hour standard of 20 ppm or the eight-hour standard of 9 ppm were to occur.

It has long been recognized that CO hotspots are caused by vehicular emissions, primarily when idling at congested intersections. In response, vehicle emissions standards have become increasingly stringent in the last twenty years. Currently, the allowable CO emissions standard in California is a maximum of 3.4 grams/mile for passenger cars (there are requirements for certain vehicles that are more stringent). With the turnover of older vehicles, the introduction of cleaner fuels, and implementation of increasingly sophisticated and efficient emissions control technologies, CO concentration in the MDAB is now designated as attainment.

To establish a more accurate record of baseline CO concentrations affecting the MDAB, a CO “hot spot” analysis was conducted in 2003 for four busy intersections in Los Angeles at the peak morning and afternoon time periods². This “hot spot” analysis did not predict any exceedance of the 1-hour (20.0 ppm) or 8-hour (9.0 ppm) CO standards, as shown on Table 3.

Table 3
CO Model Results

| Intersection Location | Morning 1-hour | Afternoon 1-hour | 8-hour |
|--|----------------|------------------|--------|
| Wilshire Boulevard/Veteran Avenue | 4.6 | 3.5 | 3.7 |
| Sunset Boulevard/Highland Avenue | 4 | 4.5 | 3.5 |
| La Cienega Boulevard/Century Boulevard | 3.7 | 3.1 | 5.2 |
| Long Beach Boulevard/Imperial Highway | 3 | 3.1 | 8.4 |

Notes: Federal 1-hour standard is 35 ppm and the deferral 8-hour standard is 9.0 ppm.

As identified within SCAQMD's 2003 AQMP and the 1992 Federal Attainment Plan for Carbon Monoxide, peak CO concentrations in the MDAB were a result of unusual meteorological and topographical conditions and not a result of traffic volumes and congestion at a particular intersection. As evidence of this, for example, 9.3 ppm 8-hour CO concentration measured at the Long Beach Boulevard and Imperial Highway intersection (highest CO generating intersection within the “hot spot” analysis), only 0.7 ppm was attributable to the traffic volumes and congestion at this intersection; the remaining 8.6 ppm were due to the ambient air measurements at the time the 2003 AQMP was prepared.

Similar considerations are also employed by other Air Districts when evaluating potential CO concentration impacts. More specifically, the Bay Area Air Quality Management District (BAAQMD) concludes that under existing and future vehicle emission rates, a given project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour (vph)—or 24,000 vph where vertical and/or horizontal air does not mix—in order to generate a significant CO impact. The busiest intersection evaluated was that at Wilshire Boulevard and Veteran Avenue, which had AM/PM traffic volumes of 8,062 vph and 7,719 vph respectively.

The Proposed Project considered herein would generate 107 trips and would not produce the volume of traffic required to generate a CO “hot spot” either in the context of the 2003 Los Angeles hot spot study or based on representative BAAQMD CO threshold considerations. Therefore, CO “hot spots” are not an environmental impact of concern for the Proposed Project. Localized air quality impacts related to mobile-source emissions would therefore be less than significant.

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

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

Less than Significant Impact. The potential for the Project to generate objectionable odors has also been considered. Land uses generally associated with odor complaints include:

- Agricultural uses (livestock and farming)
- Wastewater treatment plants
- Food processing plants
- Chemical plants
- Composting operations
- Refineries
- Landfills
- Dairies
- Fiberglass molding facilities

The Project does not contain land uses typically associated with emitting objectionable odors. Potential odor sources associated with the Proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the Proposed Project's (long-term operational) uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the solid waste regulations. The Proposed Project would also be required to comply with MDAQMD Rule 402 to prevent occurrences of public nuisances. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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

IV. BIOLOGICAL RESOURCES

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

Check if project is located in the Biological Resources Overlay or Contains habitat for any species listed in the California Natural Diversity Database

Substantiation

Focused Survey for Agassiz's Desert Tortoise, Habitat Assessments for Burrowing Owl, General Biological Resource Assessment, and Western Joshua Tree Census, November 2025, Circle Mountain Biological Consultants, Inc. (Appendix B).

Impact Analysis

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

Less than Significant Impact with Mitigation Incorporated. A Biological Resources Assessment, which included a Focused Survey for Agassiz's Desert Tortoise, Habitat Assessments for Burrowing Owl, General Biological Resource Assessment, and Western Joshua Tree Census dated November

2025, was prepared for the Proposed Project by Circle Mountain Biological Consultants (CMBC) and is summarized herein (see Appendix B). CMBC conducted a search of the California Natural Diversity Data Base (CNDDDB) and the California Native Plant Society (CNPS) online inventory, reviewed aerial photographs, and conducted a pedestrian survey of the Project Site.

CNBC conducted a biological reconnaissance survey on September 29, 2025. Sarah Teed and John Myers of CMBC surveyed the site and adjacent areas. This entailed a survey of twenty-three transects onsite, spaced at 10-meter (30-foot) intervals and oriented along a north-south axis throughout the 10-acre parcel. Peripheral transects were surveyed for detection of burrowing owls at 30-meter (100-foot) intervals along five transects to the south and three transects to the east and north.

Designated Critical Habitat and San Bernardino County Biotic Resources Overlay

The Project Site is not located within or adjacent to any USFWS-designated Critical Habitat. The Project Site is located within a Countywide Plan mapped area of the “Biological Resource Overlay” and the site boundary is identified for Desert Tortoise (sparse), and the Burrowing Owl (SE) on the San Bernardino County Biotic Resources Overlay.

Special-Status Plants

At the County level, the San Bernardino County Development Code was revised and adopted on 12 April 2007. Chapter 88.01 Plant Protection and Management, Section 88.01.020 states, the provisions of this Chapter apply to the removal and relocation of regulated trees or plants and to any encroachment (for example, grading) within the protected zone of a regulated tree or plant on all private land within the unincorporated areas of the County and on public lands owned by the County, unless otherwise specified.

- **Joshua tree** (*Yucca brevifolia*): Western Joshua tree is a Candidate for listing under the California Endangered Species Act (ESA). The Joshua tree is a tree-like monocot that is endemic to the Mojave Desert and is found in chaparral, Joshua tree woodland, Mojavean desert scrub, pinon and juniper woodland, and Sonoran Desert scrub habitats with fast draining, coarse grained alluvial soil. Seven Joshua trees were identified within the Project Area during the biological survey⁵. Of these, two trees were dead and down and five onsite trees were alive. All seven of the WJTs are located in the area that may be directly or indirectly impacted by the project. CMBC recommends that a certified arborist or western Joshua tree specialist be enlisted to help the proponent avoid all impacts, or alternatively, secure an incidental take permit from the CDFW if impacts cannot be avoided. For these reasons, it is recommended that mitigation measure **BIO-3** be adopted in the final MND to avoid and minimize impacts to WJTs and protected plants.

Special-Status Wildlife

U.S. Fish and Wildlife Service (USFWS 2008), CDFW [CDFW 2025a for California Natural Diversity Data Base (CNDDDB); 2025b for Special Plant Species list; 2025c for Special Animal Species list; and California Native Plant Society (CNPS 2025)] maintain lists of animals and/or plants considered rare, Threatened, or Endangered, which are collectively referred to as “special status species.” No State or federal regulatory agency-designated special status species were identified during the current survey.

- **Desert tortoise** (*Gopherus agassizii*): Desert tortoise is a federally and state-listed (threatened) species (CDFW 2022b). The Project Site is located within a biotic overlay for Desert Tortoise – Sparse Population. No tortoise sign was found either onsite or in adjacent areas during this focused protocol survey for the species (USFWS 2019). Based on the absence of tortoise sign

⁵ See Appendix E of the Biological Resources Assessment prepared by CMBC, September 2025

on the subject property, in adjacent areas, and in urbanizing areas within the region, CMBC concludes that Agassiz's desert tortoise is absent from the subject property. One quarter of the survey area, found to the northeast is marginally suitable habitat, less impacted, with intact vegetation present. Given the isolation of the site from adjacent habitats capable of supporting wild tortoise, there is very little likelihood that wild tortoises could enter the site from adjacent areas, either to pass through the site or establish residency. State Route 247 is located less than 0.10 mile to the west, and the site is bordered by roads on multiple sides.

Based on the absence of tortoise sign onsite and in adjacent areas, and available information reviewed for this habitat assessment, CMBC concludes that tortoises are absent from the subject property. As such, no impacts are anticipated, and no mitigation measures are recommended.

- **Burrowing owl (*Athene cunicularia*):** The burrowing owl is a CDFW Candidate Endangered Species under the California Endangered Species Act (CESA). The burrowing owl is found in open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Burrowing owls make use of mammal burrows and can also be found nesting in burrows made under concrete or other anthropogenic features and are often found near human activity. The species primarily feeds on large insects and small mammals but would also eat birds, amphibians, and reptiles. The Project Site is located within a biotic overlay for burrowing owl (San Bernardino County 2012). The Project Site contains suitable habitat with friable soils suitable for burrowing. Suitable forage is present within the Project Site consisting of insects, birds, and reptiles. The burrowing owl is considered to be absent from the subject property and adjacent areas that were surveyed, as a Candidate Species for Listing it is prudent to provide more information. The subject property is comprised of somewhat suitable habitat for burrowing owl with friable soils suitable for burrowing. Forage for burrowing owls is present within the subject property consisting of insects, birds, and reptiles. The subject property has an intermittent to open shrub cover with mostly low-growing vegetation and flat topography suitable for high visibility for predation avoidance. One burrow of appropriate size for burrowing owl usage was observed within the subject property during the survey; however, no burrowing owl sign was observed. For these reasons, CMBC considers burrowing owl to be "absent."

Although not observed, the following species have a low to moderate likelihood of occurrence on site according to the BRA Table 2, prepared by CMBC.⁶

- **Cooper's hawk** is a year-round resident, raptor species that is designated as a Watch List species by CDFW (2025c). Two were observed on the square mile site located 7.9 miles south (CMBC 2006b). Cooper's hawks are relatively tolerant or even benefitted by human development as they may nest in landscaped trees, so there are foraging habitats throughout the property and an abundance of small and medium-sized birds on which they may prey. For these reasons, their likelihood of occurrence is given as "moderate."
- **Prairie falcon** is designated as a Watch List species by CDFW (2025c) and a Bird of Conservation Concern by the USFWS (2008). Although not observed during the survey, several prairie falcons were observed along an unspecified location on the 11-mile pipeline surveyed by CMBC (2008). There are no suitable nesting substrates (cliff faces and other inaccessible areas) onsite and foraging habitat is negligible due to the location of the subject property in a residential neighborhood.
- **LeConte's thrasher** is designated as a California Species of Special Concern by CDFW (2025c) and as a Bird of Conservation Concern by the USFWS (2008). Although none was observed

⁶ See Table 2 "Special Status Species Likelihood of Occurrence, of the Biological Resources Assessment prepared by CMBC, September 2025

during the survey, CMBC (2006b) observed them in 9 of the 12 surveys conducted within approximately eight miles of the subject property. There are marginally suitable nesting and foraging habitats on the northeastern quarter of the site, but given the degradation of the site, their likelihood of occurrence is given as "low." LeConte's thrashers may nest in several cactus species, particularly silver cholla, and in larger shrubs, and could forage on the subject property.

- **Loggerhead shrike** is designated as a California Species of Special Concern by CDFW (2025c) and a Bird of Conservation Concern by the USFWS (2008). Shrikes were observed on the square-mile site to the south (CMBC 2006a, 2006b), 2.1 miles to the north (CMBC 2008), and 5.4 miles to the southeast (CMBC 2005a). Having been observed 47 times in the Morongo Basin by CMBC personnel between 1989 and 2025, this has been the most frequently encountered rare bird species in the region. There are suitable nesting substrates in WJT, Mojave yuccas, and landscaped trees and foraging habitats for loggerhead shrikes occur throughout the subject property.
- **Bendire's thrasher (*Toxostoma bendirei*)**: Bendire's thrasher is designated as a California Species of Special Concern by CDFW (2025c), designated as a Bird of Conservation Concern by the USFWS (2008), and is considered Sensitive by the BLM (CDFW 2025c). The spring-summer resident and breeder in California deserts arrives in March, nests, and leaves the region by July (BLM 2005). They nest in cholla, yucca, palo verde, thorny shrub, and/or small trees, usually 0.3 to 7 meters aboveground. There have been two reports to the CNDDDB (CDFW 2025a). Given the degradation of the site, their likelihood of occurrence is given as "low."
- **Crotch's bumble bee (*Bombus crotchii*)**, is one of four species that in October 2018, the Xerces Society for Invertebrate Conservation, Defenders of Wildlife, and the Center for Food Safety submitted a petition to the California Fish and Game Commission to list the species as Endangered under the California Endangered Species Act (CESA). Little is known about its occurrence in the area. In fact, the species is not reported to the CNDDDB (CDFW 2025a). The Project is within the range of Crotch's bumble bee, a CESA candidate species. Additionally, the Project site contains buckwheat (*Eriogonum fasciculatum*), Notch-leaf phacelia (*Phacelia crenulata*), and other flowering plants that provide foraging habitat for Crotch's bumble bee. Crotch's bumble bee is considered imperiled and is extremely rare. For these reasons, CDFW recommends mitigation measure **BIO-1** below for adoption in the final MND to avoid and minimize impacts to Crotch's bumble bee.
- **Raptors and Migratory Birds**: Potential nesting habitat for migratory birds and raptors, protected by the Migratory Bird Treaty Act (MBTA; USFWS 1918) and California Fish and Game Code, is present in the Project Site within the Joshua trees, yuccas, shrubs, utility poles, and buildings. Habitat for ground-nesting bird species is present throughout the entire Project Site except for the developed area. Other areas that could provide nesting habitat for migratory birds and raptors include the vegetation and residences adjacent to the Project Site. Raptors typically breed between February and August, while passerines generally nest between March and August. For these reasons, it is recommended that mitigation measure **BIO-2** be adopted in the final MND to avoid and minimize impacts to migratory and/or nesting birds.

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

No Impact. According to the BRA, no riparian vegetation (e.g., cottonwoods, willows, etc.) exist on the site or in adjacent habitats. CMBC determined that no further surveys for 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 are required.

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

No Impact. Stream courses provide relatively important resources to animals and plants. In dry years, and particularly during prolonged drought, annual plants may only germinate in the vicinity of washes where the water table is relatively near the surface. Perennial shrubs adjacent to washes are often the only plants that produce flowers and fruit, which in turn are important to insects and the avian predators that feed on them. Shrubs also tend to be somewhat taller and denser alongside washes, which provides cover for medium and larger sized animals that may use them as travel corridors. Biodiversity is generally enhanced by washes, and there are often both annual and perennial plants that are either restricted to or mostly associated with wash margins. There are both anecdotal accounts and published literature on washes being important to tortoises, which use them as travel corridors and access to nearby annual forage. No stream courses were observed on the subject property. Therefore, there will be no impact.

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

No Impact. During the biological resources survey, the Project Site was assessed for its ability to facilitate wildlife movement and for the presence of wildlife corridors. A wildlife corridor is defined as a linear landscape element which serves as a linkage between historically connected habitats/natural areas and is meant to facilitate movement between these natural areas. Wildlife movement corridors are critical for the survivorship of ecological systems for several reasons. Corridors can connect water, food, and cover sources, spatially linking these three resources with wildlife in different areas. In addition, wildlife movement between habitat areas provides for the potential of genetic exchange between wildlife species populations, thereby maintaining genetic variability and adaptability to maximize the success of wildlife responses to changing environmental conditions. This is especially critical for small populations subject to loss of variability from genetic drift and effects of inbreeding.

The Project Site provides minimal wildlife movement opportunities. Although the majority of the Project Site is undeveloped, it is surrounded by dirt roads, rural residential development, and also is isolated from large, contiguous blocks of native habitat. SR 247 is located less than 0.1 mile west of the Project Site and provides a barrier to wildlife movement. In addition, fencing is present surrounding the nearby residences which provides a barrier to wildlife movement. The Project Site is not situated along any major drainages or washes that would be considered movement corridors for wildlife. Additionally, the disturbances from the unofficial dirt road and off-road use on the Project Site as well as the lack of vegetative cover would likely deter wildlife from moving through the area. Therefore, the Project Site is not considered a linkage or corridor between natural habitat areas. No significant impacts are identified or anticipated, and no mitigation measures are required.

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

Less than Significant Impact with Mitigation Incorporated. In October 2020, the California Fish and Game Commission accepted as complete a petition to list western Joshua tree (WJT) as a California Endangered Species. To date, no decision has been made on the listing of the species. However, the Western Joshua Tree Conservation Act (WJTCA) was enacted in July 2023. "The WJTCA prohibits the importation, export, take, possession, purchase, or sale of any western Joshua

tree in California unless authorized by CDFW. The act authorizes CDFW to issue permits for the incidental take of one or more western Joshua trees if the permittee meets certain conditions. Permittees may pay specified fees in lieu of conducting mitigation activities. The act also authorizes CDFW to issue permits for the removal of dead western Joshua trees and the trimming of live WJTs under certain circumstances”

On September 29, 2025, Sarah Teed and John Myers of CMBC carried out a WJT census on the 10-acre site and in a 50-foot buffer immediately bordering the subject property. The WJT census found seven WJTs on the subject property and none within 50 feet, outside of the property line. Of these, two trees were dead and down and five onsite trees were alive. All seven of the WJTs are located in the area that may be directly or indirectly impacted by the project. CMBC recommends that a certified arborist or western Joshua tree specialist be enlisted to help the proponent avoid all impacts, or alternatively, secure an incidental take permit from the CDFW if impacts cannot be avoided.

If unavoidable Project related impacts would occur to the Joshua trees present within the Proposed Project impact area, then an ITP from CDFW under Section 2081 of the California ESA would be required as well as the protections required by the San Bernardino County Development Code Chapter 88.01 as referenced in mitigation measure **BIO-3**. Impacts would be less than significant with the implementation of mitigation measure **BIO-3** as described below.

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

No Impact. According to the BRA, the Project Site is not located within the planning area of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan as identified in the California Department of Fish and Wildlife’s California Natural Community Conservation Plans Map (April 2019).⁷ No impacts are identified or are anticipated, and no mitigation measures are required.

Mitigation Measures:

BIO-1: Preconstruction Crotch’s Bumble Bee Survey: Crotch’s bumble bee focused surveys shall be conducted within the Project site and within 100-feet of the Project site prior to the start of Project activities. Surveys shall be conducted using survey guidance in the 2023 Survey Considerations for Candidate Bumble Bee Species [CDFW 2023b]. If Crotch’s bumble bee is detected through surveys, Permittee shall fully avoid impacts to Crotch’s bumble bee or shall obtain a CESA ITP [incidental take permit].

BIO-2: Nesting Birds: Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests, including raptors and other migratory nongame birds (As listed under the Migratory Bird Treaty Act). Typically, CDFW requires that vegetation not be removed from a project site between March 15 and September 15 (these dates may fluctuate slightly by one to 2 weeks, due to seasonal variations) to avoid impacts to nesting birds. If it is necessary to commence project construction between March 15 and September 15, a qualified biologist shall survey all shrubs and structures within the project site for nesting birds, prior to project activities (including construction and/or site preparation). Whereas these dates represent typical times for nesting birds, ALL active bird nests (e.g., those with eggs and nestlings) are protected regardless of the usual nesting season and surveys shall be performed as follows.

⁷ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline>. Accessed June 26, 2024.

Surveys shall be conducted throughout the year and be conducted no more than three days prior to clearing. CDFW is typically notified in writing prior to the start of the surveys. Documentation of surveys and findings shall be submitted to CDFW within ten days of the last survey. If no nesting birds are observed, project activities may begin. If an active bird nest is located, it would be appropriate to seek guidance from CDFW, and the plant in which it occurs shall be left in place until the birds fledge. No construction is allowed near active bird nests of Threatened or Endangered species.

BIO-3: Western Joshua Tree (WJT) and Protected Plants Protocol: The WJT census found seven WJTs on the subject property and none within 50 feet, outside of the property line. Of these, two trees were dead and down and five onsite trees were alive. All seven of the WJTs are located in the area that may be directly or indirectly impacted by the project. CMBC recommends that a certified arborist or western Joshua tree specialist be enlisted to help the proponent avoid all impacts, or alternatively, secure an incidental take permit from the CDFW if impacts cannot be avoided.

The County may require a Desert Native Plant Assessment to identify the numbers and locations of all protected plants to be in compliance with the California Native Plant Protection Act and the San Bernardino County Development Code Chapter 88.01 Plant Protection and Management, Section 88.01.020. WJT, Mojave yucca, silver cholla, beavertail cactus, hedgehog cactus, and pencil cholla, are the six plant species that were observed on the subject property that may be subject to pertinent development codes at the County level.

V. CULTURAL RESOURCES

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|--------------------------|
| Would the project: | | | | |
| 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 interred outside of formal cemeteries? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

(Check if project is located in the Cultural overlays or cite results of cultural resource review)

Substantiation

Phase I Cultural Resource Investigation prepared by Mckenna et al. dated April 28, 2022. Rev. May 12, 2025 (Appendix C).

Impact Analysis

A Phase I Cultural Resources Investigation dated April 28, 2022, was prepared for the Proposed Project by McKenna et al. The purpose of the assessment was to identify and document any cultural resources that may potentially occur within the Project Site. The investigation was completed for compliance with the California Environmental Quality Act (CEQA), as amended and the San Bernardino County policies and guidelines for the completion of cultural resources investigations. McKenna et al. initiated the investigation in February of 2022 and completed the investigation in April 2022. The report is summarized herein and included as Appendix C.

a) *Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

Less than Significant Impact with Mitigation. Historic land use data was compiled by McKenna et al through institutional records search, archival research, an intensive cultural resource survey of the entire approximately 10-acre study area, and the preparation of a technical report.

McKenna et al. Principal Investigator and surveyor, Jeanette A. McKenna (M.A.), completed the survey of the Project Site over the course of two days: March 18, 2022, and April 6, 2002. On March 18, the property was visited and surveyed. Photographs were taken and identified resources were noted. Subsequently, McKenna et al. revisited the site (April 6, 2022) to supplement the photographic record and conduct additional research into the resources identified. This second site visit was deemed appropriate after compiling the background research data and determining that some additional photographs would complete the record. The intensive pedestrian field survey of the 10-acre Project Site was accomplished by walking transects paralleling north/south transects in the open areas and subjective visual inspection of areas with standing structures and/or other cultural components.

Mc Kenna et al. reviewed historic aerial photographs and showed that a foundation was not present in 1953 but established by 1970. In 1989 the foot paths appear in the aerial photograph – one from Sunnyslope Drive (north/south) and another from Parcel -03 (east/west). The structure appears to be gone by 1995 and the foot paths gone by 2010. Based on these aerials, the structure post-dates 1953 and pre-dates 1995. Since the property was not claimed until 1958, the period of construction/presence can be narrowed to 1958-1995. Its original construction can be attributed to Ralph and Annie Lundin Turnbull (1958-1969) and later by Granville and Ester Henry (1969-1978);

Michael B. and Roberts J. Hill (1978-2019); and Rod Rigole (2019). The structure likely burned while the property was owned by the Hill family.

A simple foundation of finished concrete and anchor bolts. There are no markings in the concrete to confirm the post-1958 date of construction. The foundation is cracked, but otherwise intact. There are no unique elements to the foundation nor is there any evidence of utilities (electric, gas, or plumbing). It would have been relatively rustic and likely for short-term use and/or storage.

A brief scan of adjacent properties showed similar foundations on lands to the east, indicating these foundations were common in the area and likely date to the first 20 years of ownership. Regardless, they are not unique features, are not associated with any specific event in history or persons of historic note. There are no associated landmarks or historic artifacts. McKenna et al. has recorded this feature as part of the larger property (Parcel -06) with the determination the property and the foundation are not historically significant.

Previous research confirmed the Project Site was not previously investigated for cultural resources and few studies have been completed in the general area (one mile radius). The Project Site is located approximately 260 feet east of Old Woman Springs Road (SR 247). Old Woman Springs Road (SR 247), a historic route. All recorded cultural resources, primarily road alignments) were outside the current Project Site with the nearest being the alignment of Old Woman Springs Road. None of the recorded historic resources would be impacted by the Proposed Project.

The Project Site is considered clear of any significant historically significant cultural resources and, therefore, the Proposed Project would not result in any adverse environmental impacts. There is always potential for previously unidentified resources, especially in a buried context. In this case, the potential for buried resources is very low. Nonetheless, should resources be identified, further research and assessments may be warranted.

However, there remains a possibility of historical resources to be uncovered during grading. With implementation of mitigation measure **CUL-1**, if cultural/historical/archaeological resources are encountered, all ground-disturbing activities in the immediate area and an archaeologist would have a meeting with the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service [NPS] 1983) shall be contacted immediately to evaluate the find(s).

The Proposed Project would not have a significant impact on historical resources.

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

Less than Significant Impact with Mitigation.

A standard archaeological records check was completed for this particular Project Site on March 24, 2022. Investigation is completed at the California State University, Fullerton, South Central Coastal Information Center (CSUF-SCCIC), Fullerton, California, and confirmed the Project Site was not previously surveyed or investigated for the presence of cultural resources. The research addressed a one-mile radius around the Project Site and identified only two studies for the research area: SB00635 (Hearn 1978) and SB-05474 (Lewis (2002).

The Hearn study of 1978 involved proposed improvements for the Desert View County Water District system and was limited to areas south of Reche Road. Lewis' study of 2002 involved a cell tower site approximately ½ mile north/northeast of the Project Site. This survey area was relatively small.

Despite the limited studies for the area, a minimum of six cultural resources have been reported within one mile of the Project Site.

In summarizing the previous research for the area, McKenna et al. confirmed only two studies have been completed, per the summary from the CSUF-SCCIC. Not included in the summary was the 2011 survey of State Highway 247 completed by Kremkau (2011) and the supplemental research completed by Caltrans.

These omissions are based on the core areas of their respective studies being outside the one-mile radius of research and/or the “pending” nature of the report completion.

Although the Project Site is near Old Woman Springs Road (SR 247), a historic route connecting numerous spring locations known to the Native American populations, there have been no Native American or prehistoric archaeological resources recorded in the area. Such resources are more likely to be found closer to the actual springs or in the outcroppings along the nearby hills. The recent survey of the Project Site yielded no evidence of prehistoric or protohistoric archaeological resources, and it is unlikely that such resources would be present in a buried context. At this time McKenna et al. considers the Project Site clear of prehistoric/protohistoric archaeological resources and no further investigations are warranted. In the future, however, should resources be identified in a buried context, additional investigations and assessments would be necessary to determine the significance of the resources and any adverse impacts resulting from project development.

The Project Site yielded no physical evidence of prehistoric archaeological resources, historic archaeological resources, built environments (standing structures), or ethnic resources. However, there remains a possibility of prehistoric archaeological resources to be uncovered during grading. With implementation of mitigation measures **CUL-1 through CUL-8**, the Proposed Project would not have a significant impact on cultural resources.

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

Less than Significant Impact with Mitigation. Construction activities, particularly placement of footings, could potentially disturb human remains interred outside of a formal cemetery. Thus, the potential exists that human remains may be unearthed during earthmoving activities associated with Project construction. If human remains are discovered during construction activities, the Project Proponent would be required to comply with the applicable provisions of California Health and Safety Code § 7050.5 as well as Public Resources Code § 5097, et. seq., which requires that if the coroner determines the remains to be of Native American origin, he or she would notify the Native American Heritage Commission, who would then identify the most likely descendants to be consulted regarding treatment and/or reburial of the remains. Mandatory compliance with these provisions of California state law would ensure that impacts to human remains, if unearthed during construction activities, would be appropriately treated. Therefore, no significant adverse impacts are identified or anticipated. However, if human remains are inadvertently discovered, mitigation measures **CUL-1 through CUL-8** would reduce impacts by stopping all earthmoving activities, and all work would stop immediately in the area in which the finding(s) are present (suggested 100-foot radius area around the remains and project personnel would be excluded from the area and the San Bernardino County Coroner would be notified to a less than significant level).

Mitigation Measures:

CUL-1: Tribal Monitoring Services Agreement Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Services Agreement with the Morongo Band of Mission Indians (MBMI) for the Project. The Tribal Monitor shall be on-site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal Monitor shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources. Additionally, the Yuhaaviatam of San Manuel Nation

Cultural Resources Department (YSMN) shall be contacted, as detailed within **TCR-1**, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

CUL-2: Retention of Archaeologist Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits, the Applicant shall retain a Qualified Archaeologist who meets the U.S. Secretary of the Interior Standards (SOI). The Archaeologist shall be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resources. The Archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event.

CUL-3: Cultural Resource Management Plan Prior to any ground-disturbing activities the project Archaeologist shall develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the project site. This Plan shall be written in consultation with the consulting Tribe[s] and shall include the following: approved Mitigation Measures (MM)/Conditions of Approval (COA), contact information for all pertinent parties, parties' responsibilities, procedures for each MM or COA, and an overview of the project schedule.

CUL-4: Pre-Grade Meeting The retained Qualified archeologist and Consulting Tribe[s] representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.

CUL-5: On-site Monitoring During all ground-disturbing activities the Qualified Archaeologist and the Tribal Monitor shall be on-site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Tribal Monitoring will be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The Qualified Archaeologist, in consultation with the Tribal Monitor, shall be responsible for determining the duration and frequency of monitoring.

CUL-6: Inadvertent Discovery of Cultural Resources In the event that previously unidentified cultural resources are unearthed during construction, the Qualified Archaeologist and the Tribal Monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbance operations in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. All work shall be diverted away from the vicinity of the find, so that the find can be evaluated by the Qualified Archaeologist and Tribal Monitor[s]. The Archaeologist shall notify the Lead Agency and consulting Tribe[s] of said discovery. The Qualified Archaeologist, in consultation with the Lead Agency, the consulting Tribe[s], and the Tribal Monitor, shall determine the significance of the discovered resource. A recommendation for the treatment and disposition of the Tribal Cultural Resource shall be made by the Qualified

Archaeologist in consultation with the Tribe[s] and the Tribal Monitor[s] and be submitted to the Lead Agency for review and approval. Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference:

- A. Full avoidance.
- B. If avoidance is not feasible, Preservation in place.
- C. If Preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or Deed Restriction.
- D. If all other options are proven to be infeasible, data recovery through excavation and then curation in a Curation Facility that meets the Federal Curation Standards (CFR 79.1)

CUL-7: Inadvertent Discovery of Human Remains: The Morongo Band of Mission Indians requests the following specific conditions to be imposed in order to protect Native American human remains and/or cremations. No photographs are to be taken except by the coroner, with written approval by the consulting Tribe[s].

- A. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98.
- B. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5.
- C. The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98
- D. If the Morongo Band of Mission Indians has been named the Most Likely Descendant (MLD), the Tribe may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[r]). Reburial location of human remains and/or cremations will be determined by the Tribe's Most Likely Descendant (MLD), the landowner, and the City Planning Department.

CUL-8: FINAL REPORT: The final report[s] created as a part of the project (AMTP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribe[s] for review and comment. After approval of all parties, the final reports are to be submitted to the Eastern Information Center, and the Consulting Tribe[s].

Possible significant adverse impacts have been identified or anticipated and therefore mitigation measures CUL-1 through CUL-8 are required as conditions of project approval to reduce these impacts to a less than significant level.

VI. ENERGY

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

Substantiation

San Bernardino County Countywide Plan/Policy Plan 2020; California Energy Commission, [Home Page - California Energy Commission](#), accessed 6/03/2024

Impact Analysis

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

Less Than Significant Impact.

Building Energy Conservation Standards

The California Energy Conservation and Development Commission (California Energy Commission) adopted Title 24, Part 6, of the California Code of Regulations; energy Conservation Standards for new residential and nonresidential buildings in June 1977 and standards are updated every three years. Title 24 ensures building designs conserve energy. The requirements allow for the opportunities to incorporate updates of new energy efficiency technologies and methods into new developments. The Project will be implemented pursuant to the current updated 2025 Building Energy Efficient Standards which took effect on January 1, 2026.⁸

Senate Bill 350

Senate Bill (SB) 350 was signed into law in October 2015. SB 350 establishes new clean energy, clean air and greenhouse gas reduction goals for 2030. SB 350 also establishes tiered increases to the Renewable Portfolio Standard: 40 percent by 2024, 45 percent by 2027, and 50 percent by 2030.⁹

Senate Bill 100

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

⁸ [Building Energy Efficiency Standards | California Energy Commission](#)

⁹ [Clean Energy and Pollution Reduction Act - SB 350 \(ca.gov\)](#)

increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.¹⁰

Electricity

The Project Site is currently provided electrical service by Southern California Edison. In 2022, the Commercial Building sector of the Southern California Edison planning area consumed 36069.383021 GWh of electricity¹¹. According to results of the CalEEMod model run, the estimated electricity demand for the Proposed Project is 0.880158 GWh per year. The Proposed Project's estimated annual electricity consumption compared to the 2022 annual electricity consumption would account for approximately 0.0024402 percent of total electricity consumption. The increase in electricity demand from implementation of the Proposed Project would be less than significant when compared to the existing demand.

Gas Service (Propane)

The Proposed Project and surrounding area are currently provided gas service by G&K Propane. A portion of the Project Site is currently developed as a motel. According to the California Energy Commission's Energy Report, the Commercial Building Sector was responsible for 894.453260 million Therms of gas service consumption in the G&K Propane Planning Area in 2022.¹² The Proposed Project's estimated gas service demand is 894.453260 million therms of gas service consumption in the G&K Propane Planning Area in 2022.¹³ The CalEEMod model estimated the Proposed Project's annual gas service demand would be 17,078.61 therms. The Proposed Project's estimated annual gas service consumption compared to the 2022 annual gas service consumption of the overall Commercial Building Sector in the Propane Planning Area would account for approximately 0.0019094% percent of total gas service consumption. 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, the existing G&K Propane facilities are expected to meet the increased demand for gas services.

The Proposed Project and surrounding area are currently provided with a gas service (propane) by G&K Propane. A portion of the Project Site is currently developed as a motel. The Project Site does not demand any natural gas service. According to the Project Applicant, energy requirements for all uses proposed on-site would be met by propane. The Proposed Project would not require any natural gas. Therefore, there would be no increase in natural gas demand from the Proposed Project. No significant adverse impacts are identified or anticipated, and no mitigation is recommended.

Construction shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the San Bernardino County Development Code standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays. The Proposed Project would be conditioned to comply with Greenhouse Gas (GHG) operational standards during temporary construction. Based on the output from CalEEMod, the Proposed Project construction activities would consume a one-time estimate of 18,030.03 gallons of gasoline for operation of heavy-duty equipment. Adherence to GHG operational standards would ensure that there would not be a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation. Less than significant impacts are anticipated, and no mitigation measures are required.

¹⁰ [SB 100 Joint Agency Report \(ca.gov\)](#)

¹¹ California Energy Commission. <https://ecdms.energy.ca.gov/Default.aspx>.

¹¹ <https://ecdms.energy.ca.gov/Default.aspx>

¹² [Energy Consumption Database \(ca.gov\)](#)

¹³ California Energy Commission. <https://ecdms.energy.ca.gov/Default.aspx>. Accessed August 8, 2024.

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

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

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

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

VII. GEOLOGY AND SOILS

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| Would the project: | | | | |
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, death involving? | | | | |
| i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii. Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii. Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 checked="" type="checkbox"/> | <input 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 onsite or offsite 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 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 type="checkbox"/> | <input checked="" 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"/> |

(Check if project is located in the Geologic Hazards or Paleontological Resources Overlay District):

Substantiation

San Bernardino County Countywide Plan/Policy Plan 2020; Policy Plan Hazards Element, Map *HZ-1 Earthquake Fault Zones, and Map HZ-2 Liquefaction and Landslides. Geotechnical Investigation*, Sladden Engineering, October 12, 2023 (Appendix D); *Percolation Report Sladden Engineering*, February 13, 2023 (Appendix D-1)

Impact Analysis

a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*

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

i) **Less than Significant Impact.** A Geotechnical Investigation by Sladden Engineering dated October 12, 2023, was prepared for the Proposed Project is summarized herein and included as Appendix D. Surface rupture is expected to occur along preexisting, known active fault traces. However, surface rupture could potentially splay or step from known active faults or rupture along unidentified traces. Based on our review of Dibble (1967), Jennings (1994), and CDOC (2023) known faults are not mapped on or projecting towards the site. In addition, no signs of active surface faulting were observed during our review of non-stereo digitized photographs of the site and site vicinity (Google Earth, 2023). Finally, no signs of active surface fault rupture or secondary seismic effects (lateral spreading, lurching etc.) were identified during our field investigation. Therefore, it is our opinion that risks associated with primary surface ground rupture should be considered "low". Therefore, less than significant adverse impacts can be anticipated, and no mitigation measures are required.

ii) **Less Than Significant Impact.** The Project Site has been subjected to past ground shaking by faults that traverse through the region. Strong seismic shaking from nearby active faults is expected to produce strong seismic shaking during the design life of the Proposed Project. The Project Site modified peak ground acceleration is estimated to be 0.895g (peak ground acceleration is used to estimate the seismic forces that a structure would experience during an earthquake). A PGA of 0.50g is considered very high; well-designed buildings can survive if the duration is short.¹⁴ Recommendations in the Geotechnical Investigation, which requires approval by the County Geologist prior to the issuance of building permits would be implemented to reduce the potential for damage and injury. Therefore, less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

iii) **No Impact.** Liquefaction is the process in which loose, saturated granular soil loses strength as a result of cyclic loading. The strength loss is a result of a decrease in granular sand volume and a positive increase in pore pressures. Generally, liquefaction can occur if all of the following conditions apply; liquefaction susceptible soil, groundwater within a depth of 50 feet or less, and a strong seismic shaking. Based on the depth to groundwater in the project vicinity, risks associated with liquefaction are considered "negligible". Therefore, no impact is identified or anticipated, and no mitigation measures are required.

iv) **No Impact.** No signs of slope instability in the form of landslides, rock falls, earthflows, or slumps were observed at or near the Project Site. The Project Site is located on a relatively level ground and not immediately adjacent to any hillsides. Based on the field observations of the Project Site vicinity, risks associated with slope instability should be considered "negligible" Therefore, no impact is identified or anticipated, and no mitigation measures are required.

¹⁴ https://everything.explained.today/Peak_ground_acceleration/#google_vignette

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

Less than Significant Impact with Mitigation Incorporated. Typically, a loss of topsoil may occur as a result of flooding or wind events. According to the Sladden Engineering Geotechnical Investigation prepared for the Project, no signs of flooding or erosion were observed during the field investigation. According to FEMA, the subject site is located in flood hazard zone "D", which is an area of possible but undetermined flood hazards. Soils on site are identified as "older alluvial" type soil. In general, older alluvial soils develop when they are no longer subject to periodic flooding events. Surfaces are more stable and thus able to support stable vegetation cover.¹⁵ Based on the results of the field investigation, it is the opinion of Sladden Engineering professionals that the Project should be feasible from a geotechnical perspective provided the recommendations provided in the Geotechnical Investigation are incorporated in to the design and carried out through construction. The main geotechnical concerns are the presence of the disturbed surface soil and loose and potentially compressible near surface soil throughout the subject site. mitigation measure **GEO-1** would help to reduce impacts to a less than significant level.

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 onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?*

Less than Significant Impact. Land subsidence can occur in valleys where aquifer systems have been subjected to extensive groundwater pumping, such that groundwater pumping exceeds groundwater recharge. Generally, pore water reduction can result in a rearrangement of skeletal grains and could result in elastic (recoverable) or inelastic (unrecoverable) deformation of an aquifer system. Locally, no fissures or other surficial evidence of subsidence were observed at or near the Project Site. Therefore, the potential for subsidence related settlement is considered "negligible". Seismically induced lateral spreading involves lateral movement of soils due to ground shaking. Due to the Project Site being relatively level, the potential for seismically induced lateral ground spreading is considered low. Therefore, less than significant adverse impacts can be anticipated, and no mitigation measures are required.

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

Less than Significant Impact. 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 rating. According to the Geotechnical Investigation Report (Appendix D), the surface soil consists of sand (SM/SW). Based on the results of our laboratory testing (EI=0), the materials underlying the Project Site are considered to have a "negligible" expansion potential. Therefore, less than significant impacts are identified or are anticipated, and no mitigation measures are required.

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?*

Less than Significant Impact. Based on the correspondence with San Bernardino Division of Environmental Health, the Proposed Project would have a maximum daily flow rate of 6,000 gallons to utilize a conventional on-site wastewater treatment system (OWTS). In accordance with Table H-201 of the California Plumbing Code, the septic tank requirement was determined by multiplying the daily flow by 0.75 and adding 1,125 gallons per day. The septic tank requirements for

¹⁵ [Alluvial Soil - an overview | ScienceDirect Topics](#)

the Proposed Project equals 4,456 gallons. It is recommended that two 2,500 septic tanks be utilized to service the proposed new structure.

Based on information from the Percolation Report prepared by Sladden Engineering, site geologic features are not expected to have a significant impact on sewage disposal system design, and that appears that there will be sufficient area for the on-site sewage disposal system and the required expansion area on the subject site based on the following site description and surroundings:

- a) The subject parcel is relatively level with no discernable surface gradients. The project site is located at an elevation of approximately 3,425 feet above mean sea level (MSL).
- b) No natural ponding of water or surface seeps were observed at or near the site during our investigation conducted on October 5, 2022. Site drainage appears to be controlled via sheet flow and surface infiltration. No "blue line" streams or significant drainage courses were identified on the project site. The closest "blue line" stream is located approximately 1,050 feet to the southeast of the subject site.
- c) It is assumed that the properties within the vicinity of the project site are utilizing individual on-site sewage disposal systems consisting of septic tanks and leach lines or seepage pits.
- d) At the time of our investigation no wells were identified on the property. The property is serviced by the "Bighorn Desert View Water Agency".
- e) No bedrock outcrops were observed on the subject property or in the immediate site vicinity.
- f) Bedrock was not encountered within the exploratory boreholes and test holes excavated to a maximum depth of approximately 15 feet bgs.
- g) Groundwater was not encountered within our exploratory boreholes or test holes that extended to a maximum explored depth of approximately 15 feet bgs. Information regarding the approximate depth to groundwater provided by the California Department of Water Resources online database suggests that the groundwater should be in excess of 100 feet below the existing ground surface in the vicinity of the site.

Therefore, a less than significant impact would occur.

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

Less than Significant Impact with Mitigation Incorporated. As part of the Phase I Cultural Resource Investigation report (Appendix C), a paleontological records search was performed for the project by the Natural History Museum of Los Angeles County.

A thorough search of the vertebrate paleontology records of the Natural History Museum of Los Angeles County was conducted by Samuel McLeod identified that the entire Project Site is composed of younger Quaternary alluvial deposits and only the older Quaternary deposits have the potential to yield fossil specimens. Such deposits are not likely to be impacted in the area or as the result of the Proposed Project. This overview identified the area as consisting of younger alluvium of unknown depth and concluded the area was not sensitive for the presence of paleontological specimens. The recent field survey confirmed that the Project Site was dominated by loose sand and gravel consistent with younger alluvial deposits and no evidence of paleontological specimens was found. Overall, McKenna et al. concurs with McLeod and considers the area clear of any paleontological resources. No further studies are warranted with respect to paleontology. However, there are possible significant adverse impacts that may occur and therefore, mitigation measure **GEO-2** is required as a condition of project approval to reduce the impacts to a level below significant.

Mitigation Measures

GEO-1: It is recommended that remedial grading within the proposed building areas include over-excavation and re-compaction of all artificial fill soil and any loose native soil encountered during grading.

1. Over-excavation and re-compaction within the building envelope and extending laterally 5 feet beyond the building limits and to a minimum depth of 3 feet below existing grade or 2 feet below the bottom of the footings, whichever is deeper.
2. Native/Import Engineered Fill. Place in thin lifts not exceeding 6 inches in a loose condition, compact to a minimum of 90 percent relative compaction within 2 percent of the optimum moisture content.

GEO-2: A qualified paleontologist shall be on-site at the pre-construction meeting to discuss monitoring protocols. A paleontological monitor shall be present full-time during ground disturbance below one foot including but not limited to grading, trenching, utilities, and off-site easements. If, after excavation begins, the qualified paleontologist determines that the sediments are not likely to produce fossil resources, monitoring efforts shall be reduced. The monitor shall be empowered to temporarily halt or redirect grading efforts if paleontological resources are discovered. In the event of a paleontological discovery the monitor shall flag the area and notify the construction crew immediately. No further disturbance in the flagged area shall occur until the qualified paleontologist has cleared the area. If the discovery is significant the qualified paleontologist shall notify the Client and County immediately. In consultation with the Client and County, the qualified paleontologist shall develop a plan of mitigation.

Therefore, with implementation of mitigation measure GEO-1 and GEO-2, potential impacts will be reduced to a less than significant level.

VIII. GREENHOUSE GAS EMISSIONS

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| Would the project: | | | | |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation 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

San Bernardino County Countywide Plan/Policy Plan 2020; Urban Crossroads CalEEMod Outputs January 22, 2024. (Appendix A)

Background

According to CEQA Guidelines section 15064.4, when making a determination of the significance of greenhouse gas emissions, the “lead agency shall have discretion to determine, in the context of a particular project, whether to (1) quantity greenhouse gas emissions resulting from a project and/or (2) rely on a qualitative analysis or performance-based standards. Moreover, CEQA Guidelines section 15064.7(c) provides that “a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts” on the condition that “the decision of the lead agency to adopt such thresholds is supported by substantial evidence.”

San Bernardino County GHG Reduction Plan

In September 2011, the County adopted a Greenhouse Gas Emissions (GHG) Reduction Plan (September 2011) (GHG Plan). The GHG Plan presents a comprehensive set of actions to reduce the County’s internal and external GHG emissions to 15% below current levels (2007 levels) by 2020, consistent with the AB 32 Scoping Plan. GHG emissions impacts are assessed through the GHG Development Review Process (DRP) by applying appropriate reduction requirements as part of the discretionary approval of new development projects. Through its development review process, the County would implement CEQA requiring new development projects to quantify project GHG emissions and adopt feasible mitigation to reduce project emissions below a level of significance. A review standard of 3,000 metric tons of CO₂ equivalent (MTCO₂e) per year is used to identify projects that require the use of Screening Tables or a project-specific technical analysis to quantify and mitigate project emissions.¹⁶ Note that the MDAQMD has an annual threshold of 100,000 tons of Carbon Dioxide equivalent (CO₂e) per year.

Impact Analysis

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

Less Than Significant Impact. In September 2011, the County adopted a Greenhouse Gas Emissions (GHG) Reduction Plan (September 2011) (GHG Plan). The GHG Plan presents a comprehensive set of actions to reduce the County’s internal and external GHG emissions to 15%

¹⁶ [GHG Reduction Plan Update-Greenhouse Gas Reduction Plan Update - Adopted 9-21-2021.pdf \(sbcounty.gov\)](#)

below current levels (2007 levels) by 2020, consistent with the AB 32 Scoping Plan. GHG emissions impacts are assessed through the GHG Development Review Process (DRP) by applying appropriate reduction requirements as part of the discretionary approval of new development projects. Through its development review process, the County would implement CEQA requiring new development projects to quantify project GHG emissions and adopt feasible mitigation to reduce project emissions below a level of significance. A review standard of 3,000 metric tons of CO₂ equivalent (MTCO₂e) per year is used to identify projects that require the use of Screening Tables or a project-specific technical analysis to quantify and mitigate project emissions. The purpose of the Screening Tables is to provide guidance in measuring the reduction of greenhouse gas emissions attributable to certain design and construction measures incorporated into development projects.

The County's Greenhouse Gas Emissions Reduction Plan (GHG Plan) was adopted on December 6, 2011, and became effective on January 6, 2012. The GHG Plan establishes a GHG emissions reduction target for the year 2020 that is 15 percent below 2007 emissions. The plan is consistent with AB 32 and sets the County on a path to achieving more substantial long-term reductions in the post-2020 period. Achieving this level of emissions would ensure that the contribution to greenhouse gas emissions from activities covered by the GHG Plan would not be cumulatively considerable.

Implementation of the County's GHG Plan is achieved through the Development Review Process by applying appropriate reduction requirements to projects, which reduce GHG emissions. All new developments are required to quantify the project's GHG emissions and adopt feasible mitigation to reduce project emissions below a level of significance. A review standard of 3,000 metric tons of carbon dioxide equivalent (MTCO₂e) per year is used to identify and mitigate project emissions.

GHG emissions were screened using CalEEMod version 2022. Construction of the Project is estimated to generate 619 MTCO₂e, which equates to 20.6 MTCO₂e per year when amortized over 30 years. Operation of the Project is estimated to generate approximately 654 MTCO₂e per year. There are no established thresholds for construction GHG emissions; construction emissions are amortized over a 30-year period and added to the operational emissions (see Table 5). Refer to Table 4 and 5 for GHG screening.

Table 4
Greenhouse Gas Construction Emissions
(Metric Tons per Year)

| Equipment | CO ₂ | CH ₄ | N ₂ O | R1 |
|--|-----------------|-----------------|------------------|-----|
| 2024 Annual Max | 619 | 0.0 | 0.0 | 0.0 |
| MTCO₂e per Year | | | 619 | |
| Construction Amortized 30 Years | | | 20.6 | |

Emission Sources: CalEEMod 2022

Table 5
Greenhouse Gas Operational Emissions
(Metric Tons per Year)

| Equipment | CO ₂ | CH ₄ [*] | N ₂ O | R1 |
|--|-----------------|------------------------------|------------------|-----|
| Mobile | 392 | 0.0 | 0.0 | 0.4 |
| Area | 0.7 | 0.0 | 0.0 | -- |
| Energy | 229 | 0.0 | 0.0 | -- |
| Water | 3.0 | 0.0 | 0.0 | -- |
| Waste | 4.5 | 0.4 | 0.0 | -- |
| Refrigeration | -- | -- | -- | 4.6 |
| Construction Amortized 30 Years | | 20.6 | | |
| MTCO₂e per Year | | | 674.6 | |
| County Screening Threshold | | | 3,000 | |
| Significant | | | No | |

Emission Sources: CalEEMod 2022

As shown in Table 4 and 5, the Proposed Project would generate approximately 674.6 MTCO₂e per year and would not exceed the County screening threshold of 3,000 MTCO₂e. Therefore, less than significant impact is anticipated.

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

Less Than Significant Impact. The Proposed Project would comply with applicable County GHG Plan strategies. Any project that does not exceed 3,000 MTCO₂e per year would be considered to be consistent with the MDAQMD's AQMP and determined to have a less than significant individual and cumulative impact for GHG emissions. Therefore, the Proposed Project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

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

IX. HAZARDS AND HAZARDOUS MATERIALS

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| Would the project: | | | | |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 loss, injury or death involving wildland fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Substantiation

San Bernardino County Countywide Plan/Policy Plan 2020; Policy Plan Hazards Element, Maps HZ-5 Fire Hazard Severity Zones, HZ-6 Fire Responsibility Area and HZ-9 Airport Safety & Planning

Impact Analysis

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

Less than Significant Impact. The Proposed Project includes the request approval of a CUP to allow for the expansion of the motel on both parcels, and the addition of site improvements. Hazardous or toxic materials transported in association with construction may include items such as oil, paints, and fuel. All materials required during construction would be kept in compliance with State and local regulations. With implementation of Best Management Practices (BMPs) and compliance with all applicable federal, state and local regulations including all Certified Unified Program Agency

(CUPA) regulations, potential impacts to the public or the environment from the routine transport, use, or disposal of hazardous materials during construction are less than significant.

The operational activities of the expansion of the motel on both parcels and the additional site improvements would not require routine transport or use of hazardous materials. Less than significant adverse impacts or anticipated and no mitigation measures are required.

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

Less than Significant Impact. In addition to the request approval of a CUP, the Project includes the construction of the expansion of an existing eight room, 2,442 square foot motel on two (2), five (5) acre parcels in the Homestead Valley area of the community of Landers. The Project would consist of the expansion of 32 new motel rooms with the addition of a 2,800 square foot restaurant to the existing motel. Stated in response (a) above, hazardous or toxic materials transported in association with construction of the Proposed Project may include items such as oils, paints, and fuels. All materials required during construction would be kept in compliance with State and local regulations. Operational activities would continue to include standard maintenance (i.e., landscape upkeep, exterior painting and similar activities) involving the use of commercially available products (e.g., pesticides, herbicides, gas, oil, paint, etc.) the use of which would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accidental release of hazardous materials into the environment. With implementation of Best Management Practices (BMPs) and compliance with all applicable regulations, potential impacts from the use of hazardous materials are considered less than significant and no mitigation measures are required.

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

No Impact. Landers Elementary School is the nearest school to the Project Site. It occurs approximately 1.1 miles southeast of the Project Site located at 56450 Reche Road. No hazardous materials would be emitted as a result of the construction and operation of the Proposed Project. Therefore, no impacts associated with emission of hazardous or acutely hazardous materials, substances, or waste within 0.25-mile of a school are anticipated. No impacts or anticipated and no mitigation measures are required.

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

No Impact. The Project Site was not found on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system.¹⁷ 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.

¹⁷California Department of Toxic Substances Control. EnviroStor. Accessed June 26, 2024.

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

Less than Significant Impact. The Project Site is not located within an Airport Runway Protection Zone, or Airport Noise Contours.¹⁸ According to San Bernardino County Hazards Element Overlay Maps the Project Site is located within the low altitude/high speed military airspace (Airport Safety Review Area [AR4]). An Avigation Easement shall be granted to the appropriate military agency and recorded before the issuance of a building permit for those uses established within an AR4.¹⁹ However, the Project is not within two miles of an active airport or private airstrip.²⁰ Less than significant impacts are anticipated, and no mitigation measures are required.

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

No Impact. The nearest evacuation route to the Project Site is Old Woman Springs Road (SR 247). The Project Site is approximately 260 feet from the evacuation route. Access to the Project Site would continue to be provided via driveways along New Dixie Mine Road. Therefore, operations and construction of the Proposed Project would not interfere with the use of these routes during an evacuation. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. Furthermore, the Project Site does not contain any emergency facilities. Project operations at the site would not interfere with an adopted emergency response or evacuation plan. No impacts are identified or anticipated, and no mitigation measures are required.

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

Less than Significant Impact. The Project Site is located within a Moderate Fire Hazard Severity Zone.²¹ All projects in fire hazard severity zones shall be designed, built, and operated in accordance with state regulations specifying building materials and structural designs for structures in such zones, including California Building Code Chapter 7A and California Fire Code (CFC) Chapter 49; and regulatory requirements for defensible space including California Public Resources Code Sections 4291 et seq. and San Bernardino County Code of Ordinances Sections 23.0301.²² The Proposed Project is subject to review and approval from the San Bernardino County Fire Marshal. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. The proposed community fire pit shall be used under controlled conditions, including those of the USFS. Therefore, less than significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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

¹⁸ San Bernardino Countywide Policy Plan HZ-9 “Airport Safety & Planning Areas.”

¹⁹ San Bernardino County. Development Standards. Chapter 82.09 “Airport Safety (AR) Overlay.” https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncnty_ca/ca/0-0-0-70651#JD_82.09.060

²⁰ San Bernardino County Policy Plan; Hazards Element, *Maps HZ-9 Airport Safety & Planning*

²¹ San Bernardino County. County Policy Plan web maps: HZ-5 “Fire Hazard Severity Zones.” Accessed June 27, 2024.

²² Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Hazards and Hazardous Materials.

X. HYDROLOGY AND WATER QUALITY

| Issues | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Incorporated | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| Would the project: | | | | |
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | <input type="checkbox"/> | <input 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 type="checkbox"/> | <input checked="" 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

Preliminary Drainage Study for Lonely Dove Motel Labib Funk + Associates dated October 27, 2023. (Appendix E); Water Will Serve Letter (Appendix G) by Bighorn-Desert View Water Agency; Hydrant Flow Test Results by Bighorn-Desert View Water Agency (Appendix H).

Impact Analysis

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

No Impact. A Preliminary Drainage Study dated October 27, 2023, was prepared by Labib Funk + Associates and is summarized herein and included as Appendix E. The Proposed Project would disturb approximately 10 acres 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. Examples of BMPs include sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, sweep roadway from track-out, and rumble strips. BMPs applicable to the Proposed Project would be subject to County approval and provided in contract bid documents. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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

Less than Significant Impact.

The Project Site occurs in the Bighorn-Desert View Water Agency (BDVWA). BDVWA is a retail water agency that relies on the groundwater basins that underlie its service area. The Proposed Project would obtain service from the BDVWA. BDVWA's service area lies within the boundaries of the Mojave Water Agency (MWA), a regional wholesaler and Watermaster for the region. MWA characterizes the natural supplies available for the Mojave Basin Area and the Morongo Basin Area as 57,349 acre-feet per year. This supply is derived from a reasonable assessment of natural supply available and the groundwater basin's conditions as provided through the applicable groundwater management entities²³. It is important to note that all of MWA's State Water Project (SWP) imported supplies are used to replenish groundwater recharge facilities. These groundwater augmentation efforts insulate regional purveyors against an outage of the SWP system. MWA has over 200,000 acre-feet of stored water available for extraction and use in the MWA service area. Combining this stored water with other stored supplies by the local retail agencies as well as the existing groundwater supplies in the region, MWA and its wholesale member agencies may sustain water supplies in a catastrophic outage of the SWP delivery systems. Even an interruption in SWP supplies for several months would not provide any immediate threat to potable water deliveries from groundwater production wells. Implementation of Best Management Practices (BMPs) would ensure that stormwater discharge does not substantially alter the existing drainage pattern and water quality, thereby allowing runoff from the Project Site to be utilized as a resource that can eventually be used for groundwater recharge. The Proposed Project does not include groundwater pumping. The existing motel uses on site and non-operational and BHDWA reports that there has been no water consumption in the past year. The Applicant received a Water Will Serve Letter Bighorn-Desert View

²³ 2020 Mojave Water Agency Urban Water Management Plan, May 27, 2021.

Water Agency dated July 6, 2022²⁴. The Water Will Serve Letter states that the proposed improvements are described as: "renovation of 8-room motel plus addition of 24 Quonset hut units, restaurant and pool". This intended use differs from the current and immediate past usage at the property. This property is currently served by two (2) water meter connections. The water meter sizes are 1-inch and ¾-inch in size. One of the connections will require the installation of a backflow device prior to activation. Due to the vague description of the property improvements, the Agency was not able to guarantee that the existing service (e.g. meter connections) would be sufficient to supply the intended water usage. The Applicant may therefore be required to install upsized meters to provide sufficient flow and pressure.

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.

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 becomes dirty due to fine mineral particles in the water. Soil erosion could occur due to a storm event. Thus, the Proposed Project is subject to the requirements of the State Water Resources Control Board General Permit for Discharges of Storm Water Associated with Construction Activity. The Construction General Permit requires the development and implementation of a Storm Water Pollution and Prevention Plan (SWPPP) for construction activities. The SWPPP must list BMPs to avoid and minimize soil erosion. Examples of BMPs include sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, sweep roadway from track-out, and rumble strips. BMPs applicable to the Proposed Project will be subject to County approval and provided in contract bid documents. Adherence to BMPs by the contractor would prevent substantial soil erosion or the loss of topsoil. Any disturbed areas will be re-vegetated where possible. Therefore, less than significant adverse impacts are identified or anticipated and no mitigation measures are required.

II. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site;

Development of the Proposed Project would disturb approximately 10 acres and therefore is subject to the requirements of the State Water Resources Control Board General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-2009-DWQ). Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling or excavation. The Construction General Permit requires the development and implementation of a SWPPP.

An increase in peak flow and runoff volume is expected for the Proposed Project, due to the change in the overall flow path length and increase impervious area. Per the San Bernardino County Hydrology Manual, developed sites shall not increase existing condition flow rate. In order to meet mitigation

²⁴ July 6, 2022 Letter from Bighorn-Desert View Water Agency to Mr. Rigole (responding to request for "proof" that the parcel has water service)

requirements per “San Bernardino County Detention Basin Design Criteria” post-development peak flow rates generated by the site shall be less than or equal to 90 percent of the pre-development peak flow rate based on shifting rainfall values for the 10-year, 25-year and 100-year storms, providing at least 50 percent confidence level that the detention basin outflow would not adversely impact downstream properties. This would be achieved with the use of on-site retention and water quality basins designed to capture, treat for water quality objectives and meter storm water effluent at or below the existing storm water flow rates. Development of the Proposed Project would not have a negative impact on downstream properties or facilities with County detention basin criteria compliance. One drainage area is identified and modeled in the Hydrology section of this report. Drainage A

Runoff in this area of Landers is generally designed to sheet flow along existing contours, before entering a natural drainage swale. Runoff from the site generally sheet flow from southwest to northeast and into natural drainage swales and into Desideria Road. These roads would also be required to be replaced with “Graded Roads” and would help convey runoff around the site and eventually into Desideria Rd. and the adjacent existing natural drainage swales.

There is some run-on to the Project Site from the adjacent private property to the west, which sheet flows over Wamego Trail and onto the Project Site. This run-on would be collected in the swales along the edge of the new graded roads for Wamego Trail and the fire access road and diverted around and/or through the property to the same existing drainage swales that they are tributary to in the existing condition via bubble up spreader. The rest of the Project Site would consist of area drains and swales and diverted an infiltration trench, whose overflow would be connected to a bubble up spreader and directed into the existing natural drainage swales in the private property to the south of Desideria Road.

III. Create or contribute runoff water which would exceed the capacity of the existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff; or

The Proposed Project would increase the Project Site impervious surfaces, thereby increase the peak runoff flow rate and reducing the time of concentration. The total design capture volume (DCV) for the Proposed Project is 2,375 CF. The Proposed Project would convey the runoff away from the buildings into drainage swales. The Proposed Project would not result in impacts to the Project Site and adjacent residences. Therefore, less than significant adverse impacts are identified or are anticipated and no mitigation measures are required.

IV. Impede or redirect flood flows?

Less than Significant Impact. The Project Site is not within a 100-Year Federal Emergency Management Agency (FEMA) flood zone, 100-year Department of Water Resources Awareness Zone, or a 500-year FEMA flood Zone.²⁵ The Proposed 10' x 5' x 98' infiltration trench with 3' diameter perforated pipe was designed to store the retention volume and can store 2,375 cf of runoff which is more than the required retention volume. The combined Project Site drains by sheet flow from the southwest to northeast and into the adjacent lot and on Desideria Road. Therefore, less than significant adverse impacts are identified or are anticipated, and no mitigation measures are required.. This run-on would be collected in the swales along the edge of the new graded roads for Wamego Trail and the fire access road and diverted around and/or through the property to the same existing drainage swales that are tributary to in the existing condition via bubble up spreader. The rest of the site would consist of area drains and swales and diverted an infiltration trench, whose overflow would be connected to a bubble up

²⁵ Federal Emergency Management Agency (FEMA) Flood Map Service. <https://www.fema.gov/flood-maps>.

spreader and directed into the existing natural drainage swales in the private property to the south of Desideria Road. The calculations performed in the drainage report demonstrate how the Proposed Project would retain the additional runoff on-site due to the increase in impervious areas from the existing to proposed condition. The Proposed Project was found to generate a higher peak runoff flow rate due to the change in the overall flow path length and increased impervious area. The Geotechnical Report (Appendix D) concluded that infiltration is feasible with on-site soils and provided calculated infiltration design data. The most conservative rate was considered (25 in/hr.) along with a factor of safety of 3 in order to justify that the retained volume can be infiltrated in under 48 hours to adhere to the standards of San Bernardino County. Less than significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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

No Impact. 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. There are no bodies of water close to the Project Site. The Project Site is located within a FEMA Flood Zone D, which is described as "Area of Undetermined Flood Hazard." The Project Site is subject to flow from southwest to northeast and into natural drainage swales and into Desideria Road. No project-related construction would occur in the floodplain. Therefore, no significant impacts are identified and anticipated, and no mitigation measures are required.

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

Less than Significant Impact. The Proposed Project would disturb approximately 10 acres; therefore, it is subject to the NPDES permit. Requirements of the permit would include development and implementation of a SWPPP, which is subject to RWQCB review and approval. California's Sustainable Groundwater Management Act (SGMA) requires State-designated medium-and high-priority basins to develop groundwater sustainability agencies (GSAs), development groundwater sustainability plans (GSPs) and manage groundwater for long-term sustainability. The SGMA 2019 Basin Prioritization identified ninety-four basins and/or sub-basins as medium or high priority and are required to form GSAs and develop GSPs. These 94 basins, in combination with adjudicated areas which have existing governance and oversight in place, account for over 98 percent of the pumping (20 million acre-feet), 83 percent of the population (25 million Californians), and 88 percent of all irrigated acres (6.7 million acres) within the state's groundwater basins.²⁶ The Project Site overlies the Ames Valley Groundwater Basin which has a very low-priority groundwater basin partially due to the fact that it is adjudicated. In that regard, the Mojave Basin Area is actively managed by the Mojave Water Agency, which serves as the Mojave Basin Area Watermaster for the adjudication. Given this, the Proposed Project would not conflict with a sustainable groundwater management plan. Thus, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

²⁶ <https://water.ca.gov/Programs/Groundwater-Management/Basin-Prioritization>

XI. LAND USE AND PLANNING

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

Substantiation

San Bernardino County Countywide Plan/Policy Plan 2020;

Impact Analysis

a) *Physically divide an established community?*

No Impact. As noted in the Project description, the Project Site is occupied by an existing residential complex and 8-room motel, which would undergo improvements to the motel with 12 additional rooms in 6 separate free-standing structures with two rooms each, upgrades to an existing 2,540 square foot caretaker residence, 1,800 square foot restaurant, parking, and improved access from the north (Desideria Drive) and south (New Dixie Mine Road). The eastern 5-acre parcel (APN 0629-282-06) which is currently vacant would be used for the majority of the expansion with 20 additional rooms in 10 separate free-standing structures with 2 rooms each, one 338 square foot single story prefabricated “Futuro” home, miniature golf facility, a 1,000 square foot restaurant with covered outdoor space, and 1,200 square foot storage/shared restroom building and covered guest parking (see Figure 1 – Site Plan). The Project Site is surrounded by vacant land/one single family residence to the north, two single family residences to the south, vacant land to the east, and a mobile home and commercial storage lot to the west. The existing land use designations surrounding the Proposed Project are Homestead Valley/Rural Living. The existing zone districts surrounding the Proposed Project are Homestead Valley/Special District-Commercial (HV/SD-COM) and Homestead Valley Rural Living (HV/RL). The Proposed Project would not interfere with access to the residences surrounding the Project Site nor would it interfere with movement and access to adjacent properties. 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 to 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 would neither physically divide an established community nor cause a significant environmental impact due to conflict with any land use plans or policies. Therefore, a less than significant impact would occur, and no mitigation measures are required.

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

No Impact. The land use trend within the Homestead Valley Community Plan area has been primarily towards residential, commercial, industrial, agricultural, open space and recreation uses and similar compatible uses with a focus on commercial in the HV/SD-COM zone development along the nearby California State Route 247. The Project Site is currently developed as an existing motel with a single caretakers' residence. The proposed expansion of the existing motel is consistent with allowed land uses under the Special Development-Residential Zoning District within APN 0629-282-

03. The proposed zone change on APN 0629-282-06 is to achieve consistency with the primary parcel, which allows motel lodging of 20 units or more with a Conditional Use Permit. Under the Homestead Valley/Rural Living land use designation, the proposed project with the zone change and CUP would be consistent with the goals and policies of the Homestead Valley Community Plan. The Project Site is surrounded by single-family residences, vacant land, and commercial facilities. The parcels would be tied with a separate lot merger application. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

XII. MINERAL RESOURCES

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| Would the project: | | | | |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input 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

San Bernardino County Countywide Plan/Policy Plan 2020; Policy Plan; Natural Resources Element, Map NR-4 Mineral Resources Zones

Impact Analysis

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

No Impact. 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 any of these mineral resource zones.²⁷ Further, the Project Site and surrounding land are zoned for residential uses. The general area consists of scattered residences and commercial uses. Moreover, the Project Site and current surrounding uses are not compatible with mineral resource extraction. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact. The Project Site is not located within a State designated Mineral Resources Zone. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required

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

²⁷ San Bernardino Countywide Plan Policy Map: NR-4 “Mineral Resource Zones.” Accessed June 28, 2024.

XIII. NOISE

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| 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

San Bernardino County Countywide Plan/Policy Plan 2020; Policy Plan Hazards Element, Map HZ-9
Airport Safety & Planning Areas

Impact Analysis

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

Less than Significant Impact. San Bernardino County has noise standards that would apply at the property lines and are dependent on the zoning of the affected parcels (see below).

Noise Standards for Stationary Noise Sources

| Affected Land Uses (Receiving Noise) | 7:00 a.m. 10 p.m. Leq | 10:00 p.m. – 7:00 a.m. Leq |
|--|-----------------------|----------------------------|
| Residential | 55 dB(A) | 45 dB(A) |
| Professional Services | 55 dB(A) | 55 dB(A) |
| Other Commercial | 60 dB(A) | 60 dB(A) |
| Industrial | 70 dB(A) | 70 dB(A) |
| Leq = (Equivalent Energy Level). The sound level corresponding to a steady-state sound level containing the same total energy as a time-varying signal over a given sample period, typically one, eight or 24 hours. | | |
| dB(A) = (A-weighted Sound Pressure Level). The sound pressure level, in decibels, as measured on a sound level meter using a A-weighted filter network. The A-weighted filter de-emphasizes the very low and very high frequency components of the sound, placing greater emphasis on those frequencies within the sensitivity range of the human ear. | | |

The Project entitlements also include a Conditional Use Permit (CUP) for the expansion of the existing motel to include the addition of a restaurant, 32 prefabricated lodging units and a pool/spa complex.

The dominant noise source within the vicinity of the Project Site is from vehicles traveling on Old Woman Springs Road which is located approximately 313 feet of the Project Site. Construction activities would generate noise associated with the transport of workers and movement of construction materials to and from the area, from ground clearing/excavation, grading, and building activities. Construction activities would be short-term and would occur within the daytime hours permitted Provisions of Section 83.01.080 of the San Bernardino County Development Code.

Post-construction noise associated with the Proposed Project would be project-generated traffic. As depicted in the San Bernardino Countywide Plan, Table 5.12-3 shows the normal compatible community sound levels and shall not exceed a Leq of 60.²⁸ Provisions of Section 83.01.080 of the San Bernardino County Development Code states that normally acceptable noise ranges at 60 dBA during the hours of 7:00 a.m. to 10:00 p.m. and 10:00 p.m. and 7:00 a.m. of the Proposed Project. A substantial change in the noise levels at the Project site is not anticipated. A Conditional Use Permit for the expansion of an existing motel and addition of a restaurant and pool/spa complex is required. These uses are not anticipated to increase ambient noise levels at property lines in the area that would violate the San Bernardino Development Code, or General Plan Noise Element. Therefore, less than significant impacts would occur.

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

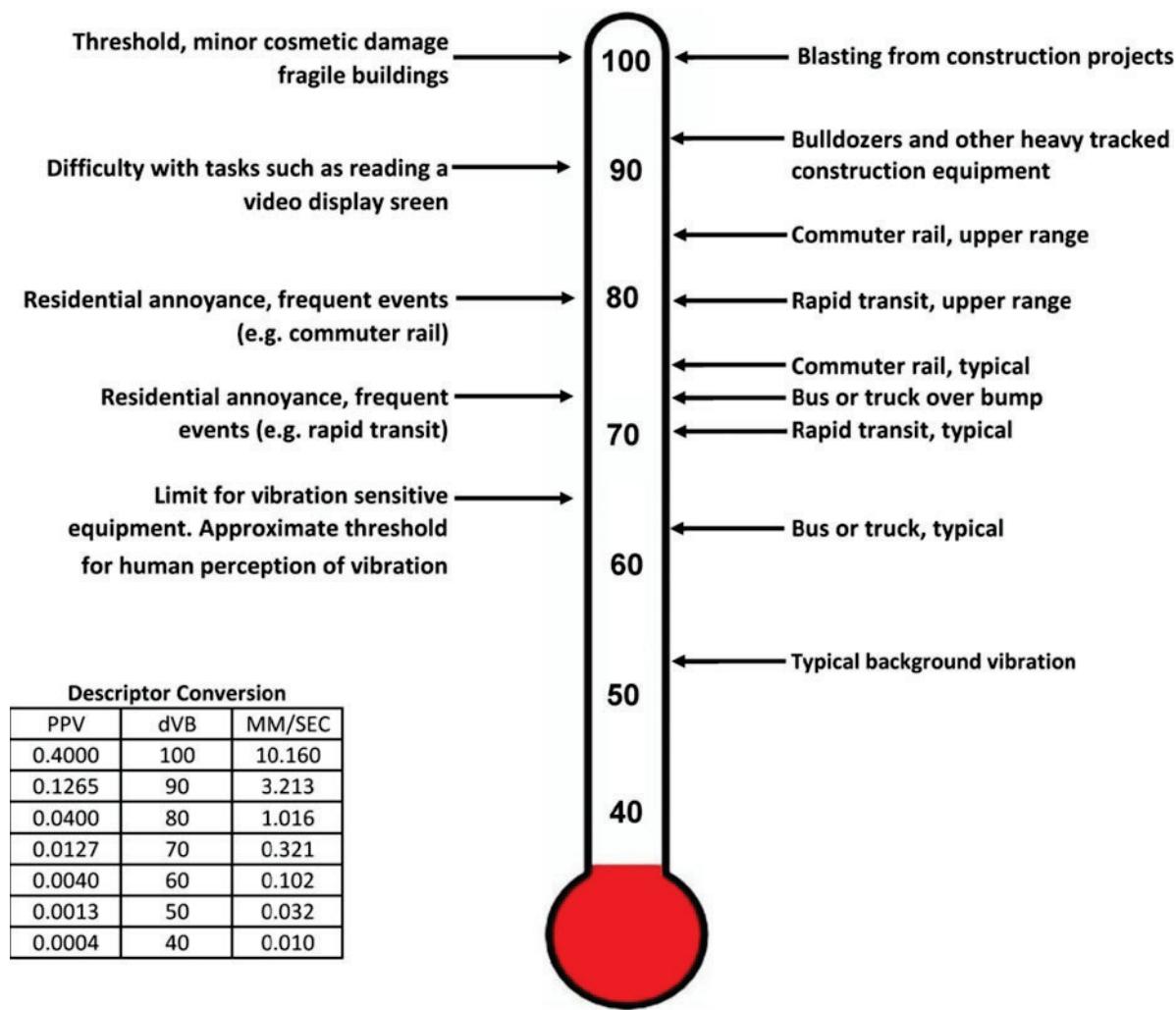
Less than Significant Impact. County Development Code Section 83.01.090, Vibration, establishes standards for acceptable vibration levels: temporary construction, maintenance, repair, or demolition activities between 7 a.m. and 7 p.m. are exempt from this vibration limit, except on Sundays and federal holidays, when construction is prohibited.

Vibration amplitudes are usually expressed as either peak particle velocity (PPV) or the root mean square (RMS) velocity. The PPV is defined as the maximum instantaneous peak of the vibration signal in inches per second. The RMS of a signal is the average of the squared amplitude of the signal in vibration decibels (VdB), ref one micro-inch per second. The Federal Railroad Administration uses the abbreviation "VdB" for vibration decibels to reduce the potential for confusion with sound decibel.

PPV is appropriate for evaluating the potential of building damage and VdB is commonly used to evaluate human response. Decibel notation acts to compress the range of numbers required in measuring vibration. Similar to the noise descriptors, Leq and Lmax can be used to describe the average vibration and the maximum vibration level observed during a single vibration measurement interval. Below is an illustration showing the common vibration sources and the human and structural responses to ground-borne vibration. As shown, the threshold of perception for human response is approximately 65 VdB; however, human response to vibration is not usually substantial unless the vibration exceeds 70 VdB. Vibration tolerance limits for sensitive instruments such as magnetic resonance imaging (MRI) or electron microscopes could be much lower than the human vibration perception threshold.²⁹

²⁸ San Bernardino Countywide Plan. HZ-7 & HZ-8 Existing & Future Noise Contours.

²⁹ Source: FRA, 2012. Federal Railroad Administration High-Speed Ground Transportation Noise and Vibration Impact Assessment. Office of Railroad Policy Development, Washington, D.C. DOT/FRA/ORD-12/15. September.



Potential impacts to the nearest residents which are two single family residents (SFRs) approximately 100 feet to the west and northwest of the westernmost Project parcel boundary due to vibration would be short-term and temporary during construction. Based on the site plan areas of development that would require the use of heavier equipment during construction would be further from the two SFRs (approximately 300 to 600 feet) from the west property line towards the center of the development area and on the currently vacant lot on the east side of the Project area. Motor vehicle use during project operation is also exempt from the County vibration standards of Section 83.01.080 of the Development Code. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact. The Project Site is located approximately 10.4 miles north of Yucca Valley Airport, respectively. As shown on the San Bernardino County General Plan Hazard Overlay Map FI13B, the Project Site is not within an airport safety review area.³⁰ The Project Site is not located within the

³⁰ <https://www.sbccounty.gov/Uploads/lus/HazMaps/FI13B.pdf>. Accessed August 7, 2024.

vicinity of a private or public airstrip. Therefore, no impacts are identified or anticipated related to excessive noise levels due to proximity to an airport or private airstrip, and no mitigation measures are required.

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

XIV. POPULATION AND HOUSING

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| Would the project: | | | | |
| 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Substantiation

San Bernardino County Countywide Plan/Policy Plan 2020

Impact Analysis

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)?*

No Impact. The Proposed Project is the continued operation of an existing motel and caretakers' residence and the development of a restaurant, 32 prefabricated lodging units, and a pool/spa complex. The Project does not involve construction of new homes, nor would it induce unplanned population growth by creating a large number of new jobs. The project anticipates the employment of no more than eight people. Employees would come from the local labor pool. According to the Employment Development Department Labor Market Info, as of February 2025, the unemployment rate for San Bernardino County was at approximately 5.1 percent.³¹ The Project spans two contiguous parcels, APNS 0629-282-03 and 0629-282-06, the parcels would be tied with a separate lot merger application. The Proposed Project does not involve construction of new homes, nor would it induce unplanned population growth. Construction activities would be temporary and would not attract new employees to the area. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact. The Project Site is currently occupied with an existing motel and caretakers' residence. The Proposed Project is the expansion of the existing motel to include the addition of a restaurant, 32 prefabricated lodging units and a pool/spa on two five (5) acre parcels. Implementation of the Proposed Project would not displace the existing motel and caretakers' residence or require construction of replacement housing. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

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

³¹ <https://labormarketinfo.edd.ca.gov/geography/sanbernardino-county.html>

XV. PUBLIC SERVICES

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| i. Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii. Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii. Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv. Recreation/Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| v. Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Substantiation

San Bernardino County Countywide Plan/Policy Plan 2020; Policy Plan Hazards Element, Maps HZ-5 *Fire Hazard Severity Zones* and HZ-6 *Fire Responsibility Area*

Impact Analysis

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

i. Fire Protection

Less than Significant Impact. The nearest police station to the Project Site is Homestead Valley Station 19, located at 55481 Jesse Road, approximately 0.5 miles northwest of the Project Site. New development within the unincorporated county would not combine with other development in the county to result in a cumulatively considerable impact to fire and emergency services.³² The County would maintain sufficient services within its boundaries as well as expand to serve other incorporated jurisdictions to improve service and coverage.³³

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 County would maintain sufficient services within its boundaries as well as expand to serve other incorporated jurisdictions

³² Placeworks. San Bernardino Countywide Policy Plan Draft EIR: Public Services. Page 5.14-17.

³³ Placeworks. San Bernardino Countywide Policy Plan Draft EIR: Public Services. Page 5.14-17.

to improve service and coverage.³⁴ 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 Proposed Project would be subject to the conditions required by the County Fire Department. The Proposed Project would be required to comply with County fire suppression standards. Increased property and sales tax associated with the direct and indirect improvement of the property would provide funding for necessary services increased associated with growth and development. The County would maintain sufficient services within its boundaries as well as expand to serve other incorporated jurisdictions to improve service and coverage.³⁵ Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

ii. Police Protection

Less than Significant Impact. Personnel organization, distance, grade and road conditions as well as other physical factors influence response times by law enforcement. The San Bernardino County Sheriff's Department (SBCSD) serves the unincorporated portions of the County. The nearest police station to the Project Site is Homestead Valley Station 19, located at 55481 Jesse Road, approximately 0.5 miles northwest of the Project Site. The SBCSD reviews staffing needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection. Increased property and sales tax associated with the direct and indirect improvement of the property would provide funding for necessary services increased associated with growth and development. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

iii. Schools

No Impact. The Project Site is served by Morongo Unified School District. Construction activities would be temporary and would not result in substantial population growth. Employees would be required for operations are expected to come from the local labor force. Therefore, the Proposed Project is not expected to draw any new residents to the region that would require expansion of existing schools or additional schools. With the collection of development impact fees, impacts related to school facilities are expected to be less than significant and no mitigation measures are required.

iv. Parks

No Impact. The Proposed Project would allow for the operation of the expansion of an existing motel, caretakers' residence, and the development of a restaurant, 32 prefabricated lodging units, and a pool/spa complex. The Proposed Project would not induce residential development nor significantly increase the use of existing neighboring 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 the Project would not result in direct population growth or significant indirect population growth resulting in the need for new or physically altered park facilities. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

v. Other Public Facilities

No Impact. The Proposed Project would not induce residential population or a significant increase in the work force. The Proposed Project is not expected to result in a demand for other public

³⁴ Placeworks. San Bernardino Countywide Policy Plan Draft EIR: Public Services. Page 5.14-17.

³⁵ Placeworks. San Bernardino Countywide Policy Plan Draft EIR: Public Services. Page 5.14-17.

facilities/services, such as libraries, community recreation centers, and/or animal shelters. Implementation of the Proposed Project would not adversely affect other public facilities or require the construction of new or modified facilities due to the lack of a significant contribution to local population growth. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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

XVI. RECREATION

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

Substantiation

San Bernardino County Countywide Plan/Policy Plan 2020

Impact Analysis

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

Less than Significant Impact. The Proposed Project includes the request for approval of a CUP to allow for the continued operation of an existing motel and caretakers' residence and the development of new lodging, a restaurant, and an outdoor pool/spa complex. The Proposed Project would require an estimated eight employees. Employees are expected to come from the local labor force. It does not include the development of residential housing or other uses that would lead to substantial population growth. Implementation of the Proposed Project would not induce residential development and would not significantly increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of any facilities would result. Therefore, the Proposed Project would not result in a significant increase in the use of existing neighborhood or regional parks, or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact. The Proposed Project includes the request approval for a for a CUP to allow for the continued operation and expansion of an existing motel and caretakers' residence and the development of new loading, a restaurant, and an outdoor pool/spa complex. The Proposed Project includes the following recreational amenities for the guests: art installations, communal fire pits, Quonset huts, campsites, changing rooms, and a miniature golf facility. The Project development, inclusive of the onsite recreational amenities, would not result in a significant impact. The number of employees is not anticipated to change with the implementation of the Proposed Project. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

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

XVII. TRANSPORTATION

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| Would the project: | | | | |
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Substantiation

San Bernardino County Countywide Plan/Policy Plan 2020; Vehicle Miles Traveled (VMT) Evaluation by Translutions dated October 23, 2023 (Appendix F).

Impact Analysis

a) *Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

Less than Significant Impact. A Vehicle Miles Traveled (VMT) Evaluation dated October 23, 2023, was prepared for the Proposed Project by Translutions (Appendix F).

Roadway System:

The Homestead Valley Community Plan area is located north of the Town of Yucca Valley and west of the US Marine Corp Air Ground Combat Training Center. Two State Highways, SR 247 and SR 62 provide access from the High Desert region to the northwest and Riverside County to the southwest. SR 247 and SR 62 provide access from the Lucerne Valley and the Morongo Valley, respectively. Most travel trips in the planned area are made by automobile, using the existing network of State Highways and major County roads. A small fraction of the trips is made utilizing other modes of transportation such as public transit, air, bicycling and walking. The existing roadway system in Homestead Valley is characterized by a combination of a state highways and local roadways³⁶.

State Route 247 (SR 247). This highway runs north-south starting in Barstow at the junction with I-15 at the northern edge and continuing south to Yucca Valley at the junction with SR 62. It is also known as Old Woman Springs Road and contains one lane in each direction³⁷.

Consistent: The Project Site is approximately 260 feet east of Old Woman Springs Road (SR 247).

³⁶ Homestead Valley Community Plan. Circulation and Infrastructure. chrome-extension://efaidnbmnnibpcajpcglclefindmkaj/https://www.sbccounty.gov/uploads/lus/communityplans/homesteadvalleycp.pdf. Accessed June 27, 2024.

³⁷ Placeworks. Countywide Plan Draft EIR. Transportation and Traffic.

The Homestead Valley Community Plan area is located north of the Town of Yucca Valley and west of the US Marine Corp Air Ground Combat Training Center. Two State Highways, SR 247 and SR 62 provide access from the High Desert region to the northwest and Riverside County to the southwest. SR 247 and SR 62 provide access from the Lucerne Valley and the Morongo Valley, respectively. The vast majority of travel trips in the plan area are made by automobile, using the existing network of State Highways and major County roads. A small fraction of the trips is made utilizing other modes of transportation such as public transit, air, bicycling and walking. The existing roadway system in Homestead Valley is characterized by a combination of a State highways and local roadways (see Figure 3-1, Circulation).

Consistent: Old Woman Springs Road (SR 247) is a two-lane State highway which originates as an interchange with SR 62 in the Town of Yucca Valley. This facility continues northwesterly into the community of Lucerne Valley, located in the Desert Region. From this point, SR 247 continues northward, terminating at its northern junction with I-15 in the community of Barstow.

Bus Routes: The Project Site and surrounding area is currently served by the Morongo Basin Transit Authority. There is bus service along Old Woman Springs Road via Route 21. The nearest bus stop to the Project Site is at the intersection of Old Woman Springs Road and Reche Road, which is approximately 0.6 miles south of the Project Site.³⁸ There are no proposed additional transit services for the area of the Project Site.³⁹

Consistent: The Morongo Basin Transit Authority Route 21(Landers Loop) provides service between Landers and Yucca Valley, including service in Homestead Valley and is able to provide service to the Project Site location, which is approximately 0.6 miles south of the Project Site along Old Woman Springs Road (SR 247)⁴⁰.

Level of Service: According to the Homestead Valley Plan, Old Woman Springs Road (SR 247) is able to forecast and operate within an acceptable Levels of Service (C or better) during the peak hours for all analysis scenarios. Therefore, the Proposed Project is forecast to result in no substantial transportation effects relating to Levels of Service for all analysis scenarios.

Consistent: The Proposed Project includes the existing motel and caretakers' residence and the development of a restaurant, 32 prefabricated lodging units, and a pool/spa complex. The Proposed Project is anticipated to generate less than 110 trips per day. The Circulation Element theme of the Homestead Valley Plan promotes an efficient and integrated circulation system by enhancing the vehicular, biking, walking, and transit networks.

Bicycle and Pedestrian Facilities: There are currently no bicycle or pedestrian facilities on or near the Project Site. The San Bernardino County Transportation Authority Bicycle Plan has no planned paths for the project vicinity.⁴¹ Therefore, no conflict with a program plan, ordinance, or policy addressing bicycle and pedestrian facilities are anticipated.

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.

³⁸ Morongo Basin Transit Authority. Routes:21 Landers-Yucca Valley, <https://basin-transit.com/routes/landers-yucca-valley/> Accessed June 27, 2024.

³⁹ San Bernardino County. Countywide Policy Plan: TM-2 "Transit Network" web map. Accessed June 27, 2024.

⁴⁰ San Bernardino Countywide Plan Draft EIR. 5.16 Transportation and Traffic.

⁴¹ San Bernardino County. Countywide Policy Plan: TM-2 "Transit Network" web map. Accessed June 27, 2024.

- 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 Proposed Project is the continued operation of an existing motel and caretakers' residence and the development of a restaurant, 32 prefabricated lodging units, and a pool/spa complex. The Proposed Project is anticipated to generate 11 AM peak hour trips and 12 PM peak hour trips; no daily trip estimates were provided, however for purposes of conservatively analyzing mobile source emissions, the PM peak hour rate of 12 vehicle trips was utilized to calculate an estimated 100 daily vehicle trips.

The following details how the Proposed Project would be consistent with the 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 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 Old Woman Springs Road/SR 247, which is an evacuation route within the County.⁴² Adequate on-site access for emergency vehicles would be verified during the County's plan review process. The Proposed Project is anticipated to generate a total of 30 AM peak hour trips and 41 PM peak hour trips. It was determined in the memo that the Proposed Project qualifies for an exemption from conducting a Traffic Impact Study (TIS) based on the traffic assessment and technical information. The project trips would result in some increases in traffic, but impacts are anticipated to be less than significant.

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-2.2: 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: The Proposed Project would include avoidance or relocation of the protected plants on-site. The Proposed Project does not include off-site improvements because the Project Site is located within a rural area.

⁴² Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Hazards and Hazardous Materials. Table 5.8-10 Page 62 of 84 "Evacuation Routes in San Bernardino County."

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

Consistent: Fair-share contributions, if any, would be paid prior to the issuance of building permits. As stated previously, the Proposed Project qualifies for an exemption from conducting a TIS based on the traffic assessment and technical information. The project trips would result in some increases in traffic, but impacts are anticipated to be less than significant.

The Proposed Project would be consistent with the goals and policies as set forth in the Transportation and Mobility Element of the Countywide Policy Plan. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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

Less Than Significant Impact.

Senate Bill 743 (SB 743) approved in 2013, endeavors to change the way transportation impacts would be determined according to CEQA. In December 2018, the Natural Resources Agency finalized updates to CEQA Guidelines to incorporate SB 743 (i.e., Vehicle Miles Traveled [VMT]). A VMT Assessment Memorandum, dated June 15, 2021, was prepared for the Proposed Project by IEG. The objective of the memo is to demonstrate that the proposed land use intensity qualifies the project to be exempt from preparing a full VMT analysis consistent with the guidelines set by the San Bernardino County Transportation Traffic Study Guidelines dated July 9, 2019.

The focus of the VMT analysis is to more thoroughly evaluate each of the applicable screening thresholds to determine if the Proposed Project would be expected to cause a less-than-significant impact to VMT without requiring a more detailed VMT analysis.

The San Bernardino County has adopted CEQA thresholds under Vehicle Miles Traveled (VMT) pursuant to Senate Bill – 375 (SB375) and are included in the San Bernardino County Transportation Impact Study Guidelines, July 9, 2019. As discussed in the guidelines, there are several screening thresholds which, if met, exempt a project from a detailed VMT analysis, and the project impacts are less than significant. The County Guidelines have the following screening thresholds for land use projects:

Small Projects: Small, local service projects have the potential to reduce VMT should not be required to complete a VMT assessment. This includes small retail, schools, parks, day-care centers, local serving banks, educational institutions such as K-12 schools and community colleges, etc. Other projects that qualify as small projects include projects which generate less than 110 daily trips. The proposed project generates less than 110 daily trips and qualifies for this exemption. Therefore, the project is screened out and anticipated to have a less than significant impact on VMT.

Projects within Transit Priority Areas: Projects located within a Transit Priority Area (TPA) as determined by the most recent SCAG RTP/SCS are exempt from a VMT analysis. The Proposed Project is not located in a TPA and does not qualify for this exemption.

Projects within Low VMT Areas: Projects located within a low VMT generating area as determined by the analyst (e.g. development in efficient areas of the County would reduce VMT per person/employee and is beneficial to the region). This analysis is conducted using the SBCTA screening tool and is based on the San Bernardino Transportation Analysis Model (SBTAM). The SBTAM provides VMT for each Traffic Analysis Zone (TAZ), which is used to identify low VMT areas. The Proposed Project is not located in a low VMT area and does not qualify for this exemption.

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

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

Less than Significant Impact. The Project Site consists of two roughly square parcels. The section of Desideria Drive adjacent to the Project Site is straight. The Proposed Project would be within a compatible use of the existing features and would be a continuation of the existing use and includes the request for approval of a CUP to allow for the continued operation of an existing motel, and the construction of a restaurant, 32 prefabricated lodging units, and a pool/spa complex on the undeveloped parcel. The Project Site does not include design features that would be hazardous or incompatible with the use of the property (refer to Site Plan Figure-1). The Site Plan has been reviewed by the Division of Land Development as well as the County Fire and Traffic division and does not include a geometric design feature or incompatible uses that would substantially increase hazards. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

d) *Result in inadequate emergency access?*

No Impact. The Project Site is adjacent to Old Woman Springs Road (SR 247), which is an evacuation route within the County.⁴³ Access to the Project Site would be provided by a proposed 26-foot main entrance on Old Woman Springs Road, near the center of the Project Site frontage. Additionally, there would be a secondary entrance south of the main entrance for fire access. 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 significant impacts are identified or anticipated, and no mitigation measures are required.

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

⁴³ Placeworks. San Bernardino Countywide Plan Policy Plan Draft EIR. Hazards and Hazardous Materials. Table 5.8-10 "Evacuation Routes in San Bernardino County."

XVIII. TRIBAL CULTURAL RESOURCES

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|--------------------------|
| Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: | | | | |
| a) Listed or eligible for listing in 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Substantiation

San Bernardino County Countywide Plan/Policy Plan 2020

Regulatory Setting

Effective July 1, 2015, Assembly Bill 52 (AB 52) amended CEQA to require that: 1) a lead agency provide notice to those California Native American tribes that requested notice of projects proposed by the lead agency; and 2) for any tribe that responded to the notice within 30 days of receipt with a request for consultation, the lead agency must consult with the tribe. Topics that may be addressed during consultation include Tribal Cultural Resources (TCRs), the potential significance of project impacts, the type of environmental document that should be prepared, and possible mitigation measures and project alternatives.

Pursuant to AB 52, Section 21073 of the Public Resources Code defines California Native American tribes as “a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of the Statutes of 2004.” This includes both federally and non-federally recognized tribes.

Section 21074(a) of the Public Resource Code defines TCRs for the purpose of CEQA as:

1. Sites, features, places, cultural landscapes (geographically defined in terms of the size and scope), sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - a. included or determined to be eligible for inclusion in the California Register of Historical Resources; and/or
 - b. included in a local register of historical resources as defined in subdivision (k) of Section 5020.1; and/or

- c. a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Because criteria a and b also meet the definition of a historical resource under CEQA, a TCR may also require additional consideration as a historical resource. TCRs may or may not exhibit archaeological, cultural, or physical indicators.

Recognizing that California tribes are experts in their tribal cultural resources and heritage, AB 52 requires that CEQA lead agencies provide tribes that requested notification an opportunity to consult at the commencement of the CEQA process to identify TCRs. Furthermore, because a significant effect on a TCR is considered a significant impact on the environment under CEQA, consultation is used to develop appropriate avoidance, impact minimization, and mitigation measures.

Summary of AB 52 Consultation

On October 22, 2018, the San Bernardino County initiated environmental review under CEQA for the Proposed Project. On October 22, 2018, the San Bernardino County Department of Public Works sent project notification letters to the following California Native American tribes, which had previously submitted general consultation request letters pursuant to 21080.3.1(d) of the Public Resources Code:

- Agua Caliente Band of Cahuilla Indians
- Quechan Tribe of the Fort Yuma Reservation

Each recipient was provided with a brief description of the Proposed Project and its location, the lead agency contacts information, and a notification that the tribe has 30 days to request consultation. The 30-day response period concluded on March 30, 2022.

Below is a summary of responses received by the San Bernardino County Department of Public Works and subsequent consultation actions and results:

- The Agua Caliente Band of Cahuilla Indians and the Quechan Tribe of the Fort Yuma Reservation both responded by noting that the project area was outside their respective tribal areas and had no comments on the project. Compliance for Native American consultation (SB-18 or AB-52) with other entities is the responsibility of the Lead Agency and McKenna et al. would forward any additional responses when/if received. Consultation closed.

San Manuel Band of Mission Indians requested incidental finds measures be added to the Proposed Project. Specific measure language was agreed upon on November 19, 2018 (Mitigation Measures TCR-1 through TCR-4 below) and consultation was closed.

Environmental Setting

The Project Site is located within the community of Landers in the rural area of unincorporated San Bernardino County. The Project Site is surrounded by scattered single family residences and limited commercial facilities. Adjacent to the north and south of the Project Site are two single-family residences. To the west there is a commercial facility and a single-family residence on a separate parcel. The Project Site is in the southwestern portion of Landers. The Project vicinity is part of the Homestead Valley Community Plan area in a rural area of unincorporated San Bernardino. Adjacent to the north of the Project Site there are two single family residences. To the west there is a commercial facility and a single-family residence on a separate parcel. To the south there are two single-family residences and to the east there is vacant land.

Vegetation within the Project Site consists mostly of creosote bush-white burr sage scrub, disturbed areas, sandy soils and suitable foraging habitat. The Project Site consists of flat terrain throughout the Project Site.

Sacred Lands File Record Search

McKenna et al. contacted the Native American Heritage Commission (NAHC) on February 15, 2022, and received a response on March 30, 2022. Upon receipt of the NAHC response, McKenna et al. sent letters to the identified entities requesting information on the Project Site. To date (April 27, 2022), McKenna et al has received only two responses. The Agua Caliente Band of Cahuilla Indians and the Quechan Tribe of the Fort Yuma Reservation both responded by noting the Project Site was outside their respective tribal areas and had no comments on the project. Compliance for Native American consultation (SB-18 or AB52) with other entities is the responsibility of the Lead Agency and McKenna et al. would forward any additional responses when/if received.

Impact Analysis

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

Less than Significant with Mitigation Incorporated. As concluded in Section 5(a), above, the Historical/Archaeological Resources Survey Report concluded that no “historical resources” are anticipated to be impacted by the Proposed Project. However, the possibility of discovering a significant unanticipated find remains and therefore mitigation measure **CUL-1** for Tribal Monitoring and mitigation measure **CUL-2** (retention of a qualified archaeologist), shall be implemented to ensure that less than significant impacts to potential historical resources occur. No additional mitigation measures are required.

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

Less than Significant with Mitigation Incorporated. No Tribal Cultural Resources (TCRs) were identified within the Project Site during AB 52 consultation. The Proposed Project would not result in significant impacts to known TCRs. However, as a result of AB 52 consultation the Tribes identified a potential for the discovery of unknown TCRs during construction, which may result in a significant impact if such resources are found and affected.

As stated in Cultural Resources Section V, the project location is low in sensitivity for archaeological remains of prehistoric or early historic origin in buried deposits. However, out of an abundance of caution and the possibility of inadvertent discoveries implementation of the following mitigation measures will reduce any potential impacts to a less than significant level.

Mitigation Measures

TCR-1: Appropriate consulting Tribe(s) shall be contacted, as detailed in mitigation measures **CUL-1 through CUL-8**, of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input within 48 hours with regards to significance and treatment. Should the finding be deemed significant, as defined by CEQA (as amended, 2018), a cultural resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with consulting Tribe(s), and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents consulting Tribe(s) for the remainder of the project, should Tribe(s) elect to place a monitor on-site at the Tribe's cost.

TCR-2 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 CR-2 and State Health and Safety Code §7050.5 and that code shall be enforced for the duration of the project.

TCR-3 Only the NAHC Designated MLD Tribal representative shall make all future decisions regarding the treatment of human remains of Native American origin within the response times outlined below. The MLD shall determine the disposition and treatment of Native American human remains and any associated grave goods following Native American Graves Protection and Repatriation Act (NAGPRA) protocols, and what constitutes "appropriate dignity" as that term is used in the applicable statutes and in the Tribe's customs and traditions.

The MLD or his/her designee shall complete an inspection and provide written recommendations to the DPW and the landowner (if different than the DPW) within forty-eight (48) hours of being granted access to the site. If the descendant does not make recommendations within 48 hours, the landowner shall re-inter the remains in a secure area of the property where there would be no further disturbance. Should the landowner not accept the descendant's recommendations, either the owner or the MLD may request mediation by NAHC. According to the California Health and Safety Code, six (6) or more human burials at one (1) location constitute a cemetery (Section 8100), and willful disturbance of human remains in a cemetery is a felony (Section 7052).

TCR-4 Any and all archaeological/cultural documents as related to documented tribal cultural resources created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be disseminated to appropriate consulting Tribe(s) in the form of an un-redacted report (containing DPR forms). The Lead Agency and/or applicant shall, in good faith, consult with the appropriate Tribe(s) until construction completion of the project and completion of any measures imposed to protect resources.

TCR-5 The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in **CUL-1**, of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resource 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.

With implementation of the above-listed measures, less than significant impacts would occur.

XIX. UTILITIES AND SERVICE SYSTEMS

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| Would the project: | | | | |
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" 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

San Bernardino County Countywide Plan/Policy Plan 2020; California Energy Commission Energy Report; Water Will Serve Letter by Bighorn-Desert View Water Agency dated July 6, 2022

Impact Analysis

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?*

No Impact. The Proposed Project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. It would continue to utilize an on-site septic system. Stormwater would be captured via an underground infiltration system chamber and overflow would be directed to the San Bernardino County Flood Control District right-of-way (ROW) along the western boundary of the Project Site. The Proposed Project would continue to receive domestic water from the Bighorn-Desert View Water Agency. There are currently existing adequate source, storage, and distribution line capacities to provide potable water to the Project Site to satisfy the domestic water service requirements of the Proposed Project.

The Project Site currently obtains service from Southern California Edison (SCE), which provides electrical service to the general area. The Proposed Project would receive electrical power by connecting to existing power lines along Wamego Trail.

The increase in electricity demand from implementation of the Proposed Project would not require relocation or construction of new SCE facilities.

The Project Site currently uses propane only which is delivered by G&K Propane. G&K Propane facilities are expected to meet the increased demand for propane service and there would be no need for expanded or new G&K Propane facilities.

The Proposed Project is the expansion of the existing motel to include the addition of a restaurant, 32 prefabricated lodging units and a pool/spa complex. The Proposed Project would continue to use telecommunication services that are available at the site. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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

Less than Significant Impact. Water supply to the Project Site would be provided by the Bighorn-Desert View Water Agency (BDVWA), which is a retail water agency within the service area of the Mojave Water Agency (MWA). The BDVWA provides water service to approximately 1,977 active residential customers, 507 infrequent inactive customers, and 102 bulk-hauling customers within its nearly fifty-two (52) square-mile service area, located in the eastern desert of San Bernardino County. The Agency encompasses the unincorporated communities in the county known as Flamingo Heights, Landers and Johnson Valley.

The MWA 2020 Urban Water Management Plan (UWMP), in compliance with the UMWP Act, compares the total projected water use with the projected water supply over the next forty years. According to the UWMP, MWA has adequate supplies to meet demands during average, single-dry, and multiple-dry years through 2065.⁴⁴

The eastern parcel is vacant and has a current zoning designation is Homestead Valley/Rural Living (HV/RL). The RL land use zoning district provides sites for rural residential uses, incidental agricultural uses, and similar and compatible uses. The Proposed Project is the expansion of the existing motel to include the addition of a restaurant, 32 prefabricated lodging units, and a pool/spa complex. Subject to a CUP, the Proposed Project is consistent with the Homestead Valley Special Development-Commercial zoning. Therefore, the expected water demand for the Proposed Project would be included in MWA's projected water demand. Water supplies would be sufficient to serve the Proposed Project and reasonably foreseeable future development. Therefore, less significant impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact. The Bighorn-Desert View Water Agency (BDVWA) is responsible for constructing and maintaining sewage collection facilities to serve the unincorporated portions of the Homestead Valley Community Plan. However, BDVWA currently has no wastewater facilities in the Specific Plan area.⁴⁵ The Proposed Project would continue to use an on-site septic system and leach field. Per the plans, two new 2,500-gallon septic tanks would be installed for the total combined daily flow rates were estimated to be approximately 4,442 gallons per day for the proposed restaurant, motel, caretakers' residence, Quonset huts, campsites, and swimming pool restrooms. Based on correspondence with San Bernardino Division of Environmental Health Services (EHS), a Proposed Project may have a maximum daily flow rate of 6,000 gallons to utilize a conventional on-site septic system. In accordance

⁴⁴ 2020 Urban Water Management Plan, Mojave Water Agency. Table 5-2 and Table 5-3.

⁴⁵ San Bernardino Countywide Plan. Draft EIR. Utilities and Service Systems. Table 5.18-1 Wastewater Treatment Providers and Facilities.

with Table H-201 of the California Plumbing Code, the septic tank requirement was determined by multiplying daily flow by 0.75 and adding 1,125 gallons per day. The septic tank requirement for the Proposed Project equals 4,456 gallons⁴⁶. The recommended design is for two (2) 2,500-gallon septic tanks which will require final approval by the Regional Water Quality Control Board and the County EHS. Since the Proposed Project would not connect to an existing wastewater treatment facility, no impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact. CalRecycle provides estimates for solid waste generation created by businesses over a certain amount of time. The Proposed Project includes the expansion of 32 prefabricated lodging units. According to CalRecycle's estimated solid waste generation rates for motels, the Proposed Project would generate at most, approximately 18.21 pounds of solid waste per day or approximately 0.009105 tons per day. The Project Site is in the East Desert Region of the County, which is served by the Landers Sanitary Landfill. Waste generated from the Proposed Project is not expected to significantly impact the Landers Sanitary Landfill which has a maximum daily disposal capacity of 1,200 tons/day.⁴⁷ Future construction and operation activities are accommodated through Project implementation and would result in 0.00075 percent of the Landers Sanitary Landfill maximum daily disposal capacity. A Construction Waste Management Plan would be submitted and reviewed by Public Works as a Condition of Approval further ensuring that no impact occurs.

Waste collection services are provided in the area by Burrtec. The proposed land use is consistent with the Countywide Plan and therefore considered in Burrtec's long-range planning to meet demands. Waste generated from the Proposed Project is not expected to significantly impact the solid waste collection system. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

Less than Significant Impact.

The purpose of California Assembly Bill 341 is to reduce greenhouse gas emissions by diverting commercial solid waste from landfills by recycling. It mandates businesses and public entities generating 4-cubic yards or more of trash to establish and maintain recycling services. San Bernardino County, 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 San Bernardino County 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 would be diverted and disposed of. 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

⁴⁶ Preliminary Drainage Study dated October 27, 2023, p. 77

⁴⁷ San Bernardino Countywide Policy Plan Draft EIR. Utilities and Service Systems. Table 5.18-9 "Landfill Capacity: Landfills Serving Unincorporated San Bernardino County".

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

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

XX. WILDFIRE

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| 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 a wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Substantiation

San Bernardino County Countywide Plan/Policy Plan 2020; Policy Plan Hazards Element, Maps *HZ-4 Flood Hazards, and HZ-5 Fire Hazard Severity Zones*

Impact Analysis

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

No Impact. The Project Site is located within a Moderate Fire Hazard Severity Zone⁴⁸. 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 Project Site is located within a Local Responsibility Area (LRA) and they are generally incorporated cities. Fire protection is typically provided by city fire departments, fire protection districts, counties, and by CALFIRE under contract to local government. The San Bernardino County Fire Protection District (County Fire) is one of the largest providers of fire protection services in these areas.⁴⁹ The Project Site does not contain any emergency facilities. The Project Site is approximately 260 feet to Old Woman Springs Road (SR 247), which is an evacuation route within the County.⁵⁰ Access to the Project Site would be provided by a proposed 26-foot main entrance on Wamego Trail. Fire lanes are proposed throughout the Project Site. The Proposed Project is subject to review and approval from the San Bernardino County Fire Marshal. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire

⁴⁸ San Bernardino County. County Policy Map web maps: HZ-5 “Fire Hazard Severity Zones. Accessed March 31, 2025.

⁴⁹ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-3 Fire Responsibility Areas.

⁵⁰ Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Hazards and Hazardous Materials. Table 5.8-10 “Evacuation Routes in San Bernardino County”

Department. Therefore, the proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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

No Impact. The Project Site is not located within a Very High Fire Hazard Severity Zone.⁵¹ The Project Site is located within a local responsibility area (LRA) and they are generally incorporated cities. Fire protection is typically provided by city fire departments, fire protection districts, counties, and by CALFIRE under contract to local government. The San Bernardino County Fire Protection District (County fire) is one of the largest providers of fire protection services in these areas⁵² It is located near a High Fire Hazard Severity Zone.⁵³ Fire lanes are proposed throughout the portion of the Project Site to be developed (see Figure 1-Site Plan). Moreover, the Proposed Project would require a Fire Control Plan as a condition of approval. San Bernardino County's emergency preparedness system, along with established regulations and policies, would reduce wildfire hazards to structure to less than significant level. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact. The Project Site includes the construction of the expansion of the motel building on both parcels. The Project would consist of the expansion of 32 new motel rooms with the addition of a 2,800 square foot restaurant to the existing motel. Approval of the CUP would allow the two parcels to be merged for continued operations as well as construction of the additional buildings and amenities. Based on the location of the project outside of a very high or high fire hazard severity zone, the Proposed Project does not include the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. Therefore, no impacts are identified, and no mitigation measures are required.

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

Less than Significant Impact. The Project Site is not within a 100-Year Federal Emergency Management Agency (FEMA) flood zone, 100-year Department of Water Resources Awareness Zone, or a 500-year FEMA flood zone.⁵⁴ The Project Site is not located within a Very High Fire Hazard Severity Zone.⁵⁵ According to Figure 5.8-3, Fire Responsibility Areas, the Proposed Project is located within a LRA and are generally within incorporated cities.⁵⁶ Moreover, there are no dams, reservoirs, or large bodies of water near the Project Site. Due to the relatively flat topography, the Proposed Project would not expose people or structures to significant risks, including downslope or downstream

⁵¹ Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-6 "Fire Severity and Growth Areas in the East Desert Regions."

⁵² San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-3 Fire Responsibility Areas.

⁵³ Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-6" Fire Severity and Growth Areas in the East Desert Regions."

⁵⁴ Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Hydrology and Water Quality. Figure 5.9-3 "Flood Hazard Zones."

⁵⁵ Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-6" Fire Severity and Growth Areas in the East Desert Regions."

⁵⁶ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-3 "Fire Responsibility Areas".

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.

Mitigation Measures:

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

SECTION 5 - MANDATORY FINDINGS OF SIGNIFICANCE

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

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

Less than Significant Impact with Mitigation. The results of the Initial Study show that there are potentially significant impacts to Biological Resources and Cultural Resources. These impacts will be reduced to less than significant levels after incorporation of Biological Resource mitigation measures. mitigation measure **BIO-1** is a preconstruction survey for yucca species on the Project Site that are protected under the San Bernardino County Development Code-Plant Protection and Management (Chapter 88.01). If impacts to western Joshua tree or Mojave yucca within the Proposed Project are expected to result from the Proposed Project, then a San Bernardino County Tree or Plant Removal Permit would be required prior to the start of the Project activities (Chapter 88.01 of the Plant Protection and Management section of the San Bernardino County Development Code [San Bernardino County 2009]). If impacts to western Joshua tree or Mojave yucca are not expected, then obtaining a tree or plant removal permit would not be required. mitigation measure **BIO-2**, Preconstruction Special-Status Wildlife Surveys which would determine the presence or absence of desert tortoises and burrowing owl immediately prior to the start of ground-disturbing activities. mitigation measure **BIO-3** would reduce the potential presence of sensitive biological resources, the Project Site would not be fenced prior to ground disturbing activities, so it is recommended that a biologist experienced with identification of the sensitive and common biological resources in the region be present during all monitor ground disturbing and vegetation clearing activities regardless of the time of the year such activities are scheduled to begin (biological monitor).

With implementation of mitigation measures **CUL-1** through **CUL-8** impacts to cultural resources would be reduced to a less than significant level. Therefore, the Proposed Project will not substantially degrade the quality of the environment and impact on habitat, wildlife populations, plant and animal communities, rare and endangered species or important examples of the major periods of California history or prehistory; no additional mitigation is warranted.

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

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

- (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.

The Proposed Project's construction and operational source emissions would not exceed the applicable MDAQMD regional thresholds for emissions of any criteria pollutant and no mitigation is required. Therefore, no significant adverse impacts are identified and no cumulative impacts would occur.

The Proposed Project also qualifies as a "small project" under County Transportation Guidelines which applies to those projects which generate less than 110 daily trips. The proposed project generates less than 110 daily trips and qualifies for an exemption from requiring a full Vehicle Miles Traveled (SMT) Assessment. Therefore, the project is screened out and anticipated to have a less than significant impact on VMT. No cumulative impacts would occur.

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

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

Less Than Significant Impact. Implementation of the existing rules and regulations, conditions from permit approvals and the mitigation measures identified in this Initial Study Checklist would result in a less than significant impact due to the Projects implementation. The incorporation of design measures, County policies, standards, and guidelines indicates there would be no substantial adverse effects on human beings, either directly or indirectly. No such impacts have been identified by the studies conducted for this Project or the completion of this Initial Study.

In addition, further environmental mitigation may yet occur as a result of obtaining a Conditional Use Permit from the San Bernardino County Land Use Services Department, a Streambed Alteration Agreement from the California Department of Fish and Game, and possible permitting from the Lahontan Regional Water Quality Control Board. There would be no substantial adverse effects on human beings, either directly or indirectly. No additional mitigation measures are required.

SECTION 6 - SUMMARY OF MITIGATION MEASURES

The following mitigation measures summarized below were identified to reduce potential impacts to less than significant:

BIOLOGICAL RESOURCES:

BIO-1: Preconstruction Crotch's Bumble Bee Survey: Crotch's bumble bee focused surveys shall be conducted within the Project site and within 100-feet of the Project site prior to the start of Project activities. Surveys shall be conducted using survey guidance in the 2023 Survey Considerations for Candidate Bumble Bee Species [CDFW 2023b]. If Crotch's bumble bee is detected through surveys, Permittee shall fully avoid impacts to Crotch's bumble bee or shall obtain a CESA ITP [incidental take permit].

BIO-2: Nesting Birds: Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests, including raptors and other migratory nongame birds (As listed under the Migratory Bird Treaty Act). Typically, CDFW requires that vegetation not be removed from a project site between March 15 and September 15 (these dates may fluctuate slightly by one to 2 weeks, due to seasonal variations) to avoid impacts to nesting birds. If it is necessary to commence project construction between March 15 and September 15, a qualified biologist shall survey all shrubs and structures within the project site for nesting birds, prior to project activities (including construction and/or site preparation). Whereas these dates represent typical times for nesting birds, ALL active bird nests (e.g., those with eggs and nestlings) are protected regardless of the usual nesting season and surveys shall be performed as follows.

Surveys shall be conducted throughout the year and be conducted no more than three days prior to clearing. CDFW is typically notified in writing prior to the start of the surveys. Documentation of surveys and findings shall be submitted to CDFW within ten days of the last survey. If no nesting birds are observed, project activities may begin. If an active bird nest is located, it would be appropriate to seek guidance from CDFW, and the plant in which it occurs shall be left in place until the birds fledge. No construction is allowed near active bird nests of Threatened or Endangered species.

BIO-3: Western Joshua Tree (WJT) and Protected Plants Protocol: The WJT census found seven WJTs on the subject property and none within 50 feet, outside of the property line. Of these, two trees were dead and down and five onsite trees were alive. All seven of the WJTs are located in the area that may be directly or indirectly impacted by the project. CMBC recommends that a certified arborist or western Joshua tree specialist be enlisted to help the proponent avoid all impacts, or alternatively, secure an incidental take permit from the CDFW if impacts cannot be avoided.

The County may require a Desert Native Plant Assessment to identify the numbers and locations of all protected plants to be in compliance with the California Native Plant Protection Act and the San Bernardino County Development Code Chapter 88.01 Plant Protection and Management, Section 88.01.020. WJT, Mojave yucca, silver cholla, beavertail cactus, hedgehog cactus, and pencil cholla, are the six plant species that were observed on the subject property that may be subject to pertinent development codes at the County level.

CULTURAL RESOURCES:

CUL-1: Tribal Monitoring Services Agreement. Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Services Agreement with the Morongo Band of Mission Indians (MBMI) for the Project. The Tribal Monitor shall be on-site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal Monitor shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

CUL-2 : Retention of Archaeologist. Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits, the Applicant shall retain a Qualified Archaeologist who meets the U.S. Secretary of the Interior Standards (SOI). The Archaeologist shall be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resources. The Archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event.

CUL-3: Cultural Resource Management Plan. Prior to any ground-disturbing activities the project Archaeologist shall develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the project site. This Plan shall be written in consultation with the consulting Tribe[s] and shall include the following: approved Mitigation Measures (MM)/Conditions of Approval (COA), contact information for all pertinent parties, parties' responsibilities, procedures for each MM or COA, and an overview of the project schedule.

CUL-4: Pre-Grade Meeting. The retained Qualified archeologist and Consulting Tribe[s] representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.

CUL-5: On-site Monitoring. During all ground-disturbing activities the Qualified Archaeologist and the Tribal Monitor shall be on-site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Tribal Monitoring will be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The Qualified Archaeologist, in consultation with the Tribal Monitor, shall be responsible for determining the duration and frequency of monitoring.

CUL-6: Inadvertent Discovery of Cultural Resources. In the event that previously unidentified cultural resources are unearthed during construction, the Qualified Archaeologist and the Tribal Monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbance operations in the area of discovery to allow for the evaluation of potentially significant cultural

resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. All work shall be diverted away from the vicinity of the find, so that the find can be evaluated by the Qualified Archaeologist and Tribal Monitor[s]. The Archaeologist shall notify the Lead Agency and consulting Tribe[s] of said discovery. The Qualified Archaeologist, in consultation with the Lead Agency, the consulting Tribe[s], and the Tribal Monitor, shall determine the significance of the discovered resource. A recommendation for the treatment and disposition of the Tribal Cultural Resource shall be made by the Qualified Archaeologist in consultation with the Tribe[s] and the Tribal Monitor[s] and be submitted to the Lead Agency for review and approval. Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference:

- A. Full avoidance.
- B. If avoidance is not feasible, Preservation in place.
- C. If Preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or Deed Restriction.
- D. If all other options are proven to be infeasible, data recovery through excavation and then curation in a Curation Facility that meets the Federal Curation Standards (CFR 79.1)

CUL-7: Inadvertent Discovery of Human Remains. The Morongo Band of Mission Indians requests the following specific conditions to be imposed in order to protect Native American human remains and/or cremations. **No photographs are to be taken except by the coroner, with written approval by the consulting Tribe[s].**

- A. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98.
- B. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5.
- C. The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98
- D. If the Morongo Band of Mission Indians has been named the Most Likely Descendant (MLD), the Tribe may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[r]). Reburial

location of human remains and/or cremations will be determined by the Tribe's Most Likely Descendant (MLD), the landowner, and the City Planning Department.

CUL-8: FINAL REPORT. The final report[s] created as a part of the project (AMTP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribe[s] for review and comment. After approval of all parties, the final reports are to be submitted to the Eastern Information Center, and the Consulting Tribe[s].

GEOLOGY AND SOILS:

GEO-1: It is recommended that remedial grading within the proposed building areas include over-excavation and re-compaction of all artificial fill soil and any loose native soil encountered during grading.

1. Over-excavation and re-compaction within the building envelope and extending laterally 5 feet beyond the building limits and to a minimum depth of 3 feet below existing grade or 2 feet below the bottom of the footings, whichever is deeper.
2. Native/Import Engineered Fill. Place in thin lifts not exceeding 6 inches in a loose condition, compact to a minimum of 90 percent relative compaction within 2 percent of the optimum moisture content.

GEO-2: A qualified paleontologist shall be on-site at the pre-construction meeting to discuss monitoring protocols. A paleontological monitor shall be present full-time during ground disturbance below one foot including but not limited to grading, trenching, utilities, and off-site easements. If, after excavation begins, the qualified paleontologist determines that the sediments are not likely to produce fossil resources, monitoring efforts shall be reduced. The monitor shall be empowered to temporarily halt or redirect grading efforts if paleontological resources are discovered. In the event of a paleontological discovery the monitor shall flag the area and notify the construction crew immediately. No further disturbance in the flagged area shall occur until the qualified paleontologist has cleared the area. If the discovery is significant the qualified paleontologist shall notify the Client and County immediately. In consultation with the Client and County, the qualified paleontologist shall develop a plan of mitigation.

TRIBAL CULTURAL RESOURCES:

TCR-1: Appropriate consulting Tribe(s) shall be contacted, as detailed in mitigation measures **CUL-1 through CUL-8**, of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input within 48 hours with regards to significance and treatment. Should the finding be deemed significant, as defined by CEQA (as amended, 2018), a cultural resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with consulting Tribe(s), and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents consulting Tribe(s) for the remainder of the project, should Tribe(s) elect to place a monitor on-site at the Tribe's cost.

TCR-2 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 CR-2 and State Health and Safety Code §7050.5 and that code shall be enforced for the duration of the project.

TCR-3 Only the NAHC Designated MLD Tribal representative shall make all future decisions regarding the treatment of human remains of Native American origin within the response times outlined below. The MLD shall determine the disposition and treatment of Native American human remains and any associated grave goods following Native American Graves Protection and Repatriation Act (NAGPRA) protocols, and what constitutes "appropriate dignity" as that term is used in the applicable statutes and in the Tribe's customs and traditions.

The MLD or his/her designee shall complete an inspection and provide written recommendations to the DPW and the landowner (if different than the DPW) within forty-eight (48) hours of being granted access to the site. If the descendant does not make recommendations within 48 hours, the landowner shall re-inter the remains in a secure area of the property where there would be no further disturbance. Should the landowner not accept the descendant's recommendations, either the owner or the MLD may request mediation by NAHC. According to the California Health and Safety Code, six (6) or more human burials at one (1) location constitute a cemetery (Section 8100), and willful disturbance of human remains in a cemetery is a felony (Section 7052).

TCR-4 Any and all archaeological/cultural documents as related to documented tribal cultural resources created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be disseminated to appropriate consulting Tribe(s) in the form of an un-redacted report (containing DPR forms). The Lead Agency and/or applicant shall, in good faith, consult with the appropriate Tribe(s) until construction completion of the project and completion of any measures imposed to protect resources.

TCR-5 The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in **CUL-1**, of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resource 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.

SECTION 7 – REFERENCES

California Air Resources Board. *California Greenhouse Gas Emission Inventory – 2018 Edition*. Accessed on 3/4/2024 from <https://www.arb.ca.gov/cc/inventory/data/data.htm>

California Department of Conservation. *California Important Farmland Finder*. Accessed on 3/1/2024 from [DLRP Important Farmland Finder \(ca.gov\)](#)

California Department of Conservation, Division of Land Resource Protection. *San Bernardino County Williamson Act FW 2015/2016 Sheet 2 of 2*. 2016. Accessed on 3/1/2024 from ftp://ftp.consrv.ca.gov/pub/dlrp/wa/SanBernardino_so_15_16_WA.pdf

California Department of Conservation, *SMARA Statutes and Regulations*. Accessed on 3/1/2024 from [SMARA Statutes and Regulations \(ca.gov\)](#)

California Department of Fish and Wildlife. April 2019. *California Natural Community Conservation Plans*. Accessed on 3/1/2024 from <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline>

California Department of Toxic Substances Control. *EnviroStor*. Accessed on 4/12/2024. [EnviroStor \(ca.gov\)](#)

California Department of Transportation. *California Scenic Highway Program - GIS layer representing California Eligible and Officially Designated scenic highway routes*. Accessed on 3/1/2024 from <https://www.arcgis.com/home/item.html?id=f0259b1ad0fe4093a5604c9b838a486a>

California Energy Commission. *2018 Renewables Portfolio Standard (RPS)*. Accessed on 3/1/2024 from <http://www.energy.ca.gov/portfolio/>

California Energy Commission Efficiency Division. *Title 24: 2022 Building Energy Efficiency Standards*. Accessed 4/26/2024 from [2022 Building Energy Efficiency Standards](#)

California Natural Diversity Database, Accessed 4/26/2024 from [California Natural Diversity Database](#)

California State Water Resources Control Board, Accessed on 3/1/2024 [Home Page | California State Water Resources Control Board](#)

IPCC, 2013. *Climate Change 2013: The Physical Science Basis*. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Stocker, T.F., D. Qin, G.-K. Plattner, M. Tignor, S.K. Allen, J. Boschung, A. Nauels, Y. Xia, V. Bex and P.M. Midgley (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA, 1535 pp. <https://www.ipcc.ch/report/ar5/wg1/>

San Bernardino County *Code of Ordinances*. Updated July 2019.

San Bernardino County *Countywide Plan/Policy Plan*. Adopted October 2020.

South Coast Air Quality Management District. *California Environmental Quality Act (CEQA) and Federal Conformity Guidelines*. February 2020.

South Coast Air Quality Management District. *Off-Road Mobile Source Emission Factors* (2023). Accessed on 3/1/2024 from <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/off-road-mobile-source-emission-factors>.

United States Department of Labor, Bureau of Labor Statistics. *Economy at a Glance: Riverside-San Bernardino- Ontario, CA*. Accessed on 3/4/2024 from https://www.bls.gov/eag/eag.ca_riverside_msa.htm

United States Department of Transportation, Federal Highway Administration. *Motor Fuel Use – 2017*. Accessed on 3/4/2024 from <https://www.fhwa.dot.gov/policyinformation/statistics/2016/mf21.cfm>

United States Energy Information Administration (EIA). *California - Profile Overview*. Last modified November 15, 2018. Accessed on 3/4/2024 from <https://www.eia.gov/state/?sid=CA>

U.S. Fish and Wildlife Service. 2009. Desert Tortoise (Mojave Population) Field Manual: (*Gopherus agassizii*). Region 8, Sacramento, California.

Homestead Valley Community Plan. [Microsoft Word - HomesteadValleyCP-Adopted.doc](#)

2020 Mojave Water Agency. Urban Water Management Plan. [Mojave Water Agency 2020 UWMP - Final](#)

Groundwater Management Basin Prioritization
<https://water.ca.gov/Programs/Groundwater-Management/Basin-Prioritization>

Employment Development Department. State of California.
<https://labormarketinfo.edd.ca.gov/geography/sanbernardino-county.html>

Project Specific References

Air Quality Assessment by Urban Crossroads, January 22, 2024. (Appendix A)

Geotechnical Investigation by Sladden Engineering, October 12, 2023. (Appendix E)

Focused Survey for Agassiz's Desert Tortoise, Habitat Assessments for Burrowing Owl, General Biological Resource Assessment, and Western Joshua Tree Census, November 2025, Circle Mountain Biological Consultants, Inc. (Appendix B)

Percolation Report Sladden Engineering, February 13, 2023 (Appendix D-1)

Phase I Cultural Resources Investigation, April 28, 2022, McKenna et al. (Appendix C)

Preliminary Drainage Study by Labib Funk + Associates, October 27, 2023. (Appendix D)

Vehicle Miles Traveled (VMT) Evaluation by Translutions, October 23, 2023. (Appendix F)

Water Will Serve Letter by Bighorn-Desert View Water Agency (Appendix G)

Hydrant Flow Test Results by Bighorn-Desert View Water Agency (Appendix H)