

**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 California Environmental Quality Act (CEQA) Guidelines.

PROJECT LABEL:

APNs:	3066-221-01	USGS Quad:	Phelan 7.5-minute USGS Topographic Quadrangle
Applicant:	O'Reilly Auto Enterprises, LLC 233 South Patterson Avenue Springfield, MO 65802	T, R, Section:	T4N, R7W, Section 23
Location	3919 Phelan Road Phelan, CA 92371	Thomas Bros	Page 4473; Grid A6; San Bernardino County (2023)
Project No:	PROJ-2024-00035	Community Plan:	Phelan/Piñon Hills Community Action Plan
Rep	Phil Hopper O'Reilly Auto Enterprises, LLC (417) 862-2674 phopper@oreillyauto.com	LUZD:	Commercial Phelan/Piñon Hills General Commercial
Proposal:	Minor Use Permit to construct a 7,225-square foot Auto Parts Retail store on a 1.94-acre parcel in unincorporated Phelan/Piñon Hills within the Countywide Plan designation Commercial and General Commercial	Overlays:	Biotic - Desert Tortoise - Sparse Population Hazards – Fire Safety Area 2, Flood Plain Zone A

PROJECT CONTACT INFORMATION:

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

Contact person: Alexander Lee, Land Use Planner II
Phone No: (909) 361-7258 **Fax No:** (909) 387-3223
E-mail: Alexander.Lee@lus.sbcounty.gov

PROJECT DESCRIPTION:

Summary

The proposed Project is the development of a new O'Reilly Auto Center on a 1.94-acre vacant lot. The building would be a single-story block building 7,225 sq ft. The O'Reilly Auto Center will operate as a retail auto parts and equipment store. No vehicle maintenance or operations will occur onsite. The proposed facility will be staffed with 4-6 employees (2 shifts) with hours of operation from 7:00 am – 9:00 pm. The pavement area will include 20,577 sq ft. with 39 parking

spaces. Ingress and egress will be from Malpaso Road. Construction of the Project is planned from late March 2026 to late August 2026.

The Project Site is comprised of one (1) parcel, Accessor Parcel Number (APN) 3066-221-01 in the unincorporated Phelan Piñon Hills community in San Bernardino County (see Figure 1 – Regional Location). The Project Site is located at 3919 Phelan Road, Phelan California at the intersection of Phelan Road and Malpaso Road (see Figure 2 – Project Vicinity). The Proponent of the Project is O'Reilly Auto Enterprises, LLC., and the CEQA Lead Agency is the County of San Bernardino. The Project Site is within the San Bernardino Countywide Policy Plan and is currently designated with the zoning of Phelan/Piñon Hills/General Commercial (PH/CG).

The Project Site is populated with Western Joshua Trees (*Yucca brevifolia*) scattered throughout the parcel. Consequently, specific mitigation measures must be implemented to address the environmental impact on these protected trees. As part of the mitigation strategy, where feasible, Joshua Trees will be incorporated into the Project's landscaping plan as a protect in place measure. An Incidental Take Permit will be obtained through the California Department of Fish and Wildlife for trees that cannot be relocated onsite and was submitted May 20, 2024. For detailed information regarding these mitigation strategies, and coordination with California Department of Fish and Wildlife for the Incidental Take Permit, please refer to Section IV: Biological Resources.

Surrounding Land Uses and Setting

The Project Site is within the boundaries of the unincorporated Phelan Piñon Hills community, County of San Bernardino. As shown on the County of San Bernardino Land Use Map, the Project Site is within a Commercial Land Use Category. The following table lists the existing adjacent land uses and zoning.

Existing Land Use and Land Use Zoning Districts		
Location	Existing Land Use	Land Use Zoning District
Project Site	Vacant	Phelan/Piñon Hills/General Commercial
North	Shopping Center	Phelan/Piñon Hills/General Commercial
South	Vacant	Phelan/Piñon Hills/Rural Living
East	Shopping Center and Parking Lot	Phelan/Piñon Hills/General Commercial
West	Vacant	Phelan/Piñon Hills/General Commercial

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Federal: None

State of California: California Department of Fish and Wildlife

County of San Bernardino: Traffic Department, Land Development, and Geology Department

Regional: Mojave Desert Air Quality Management District

Local: None

Site Photographs



Photo 1: View of southern portion of the site facing north.



Photo 2: View of the western portion of the site facing east.



Photo 3: View of the northern portion of the site facing south.



Photo 4: View of the eastern portion of the site facing west.



Photo 5: View of the adjoining south, undeveloped land.



Photo 6: View of the adjoining east strip mall development and parking lot.

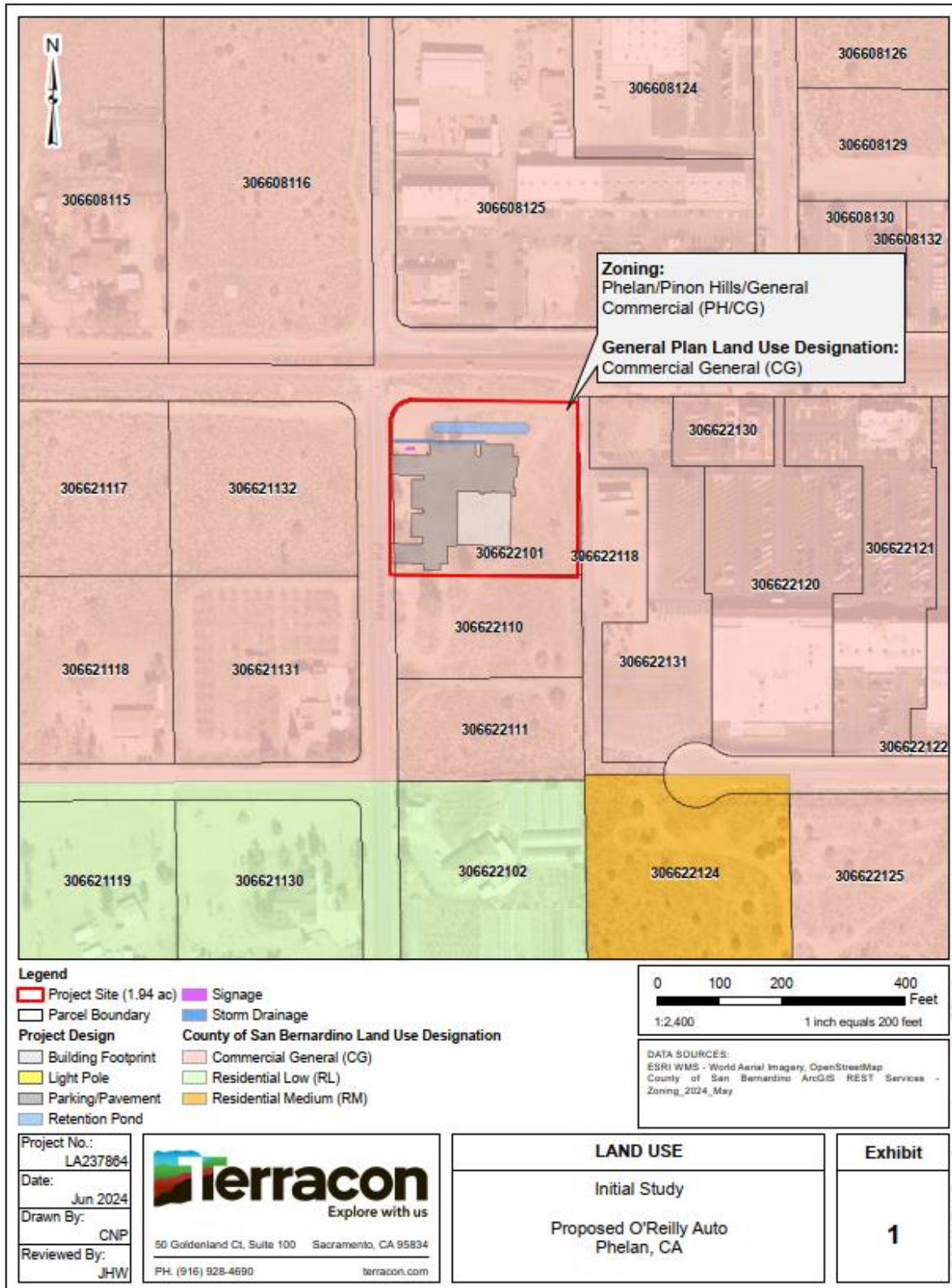


Figure 1 Land Use of the Property



Figure 2 Project Vicinity Map

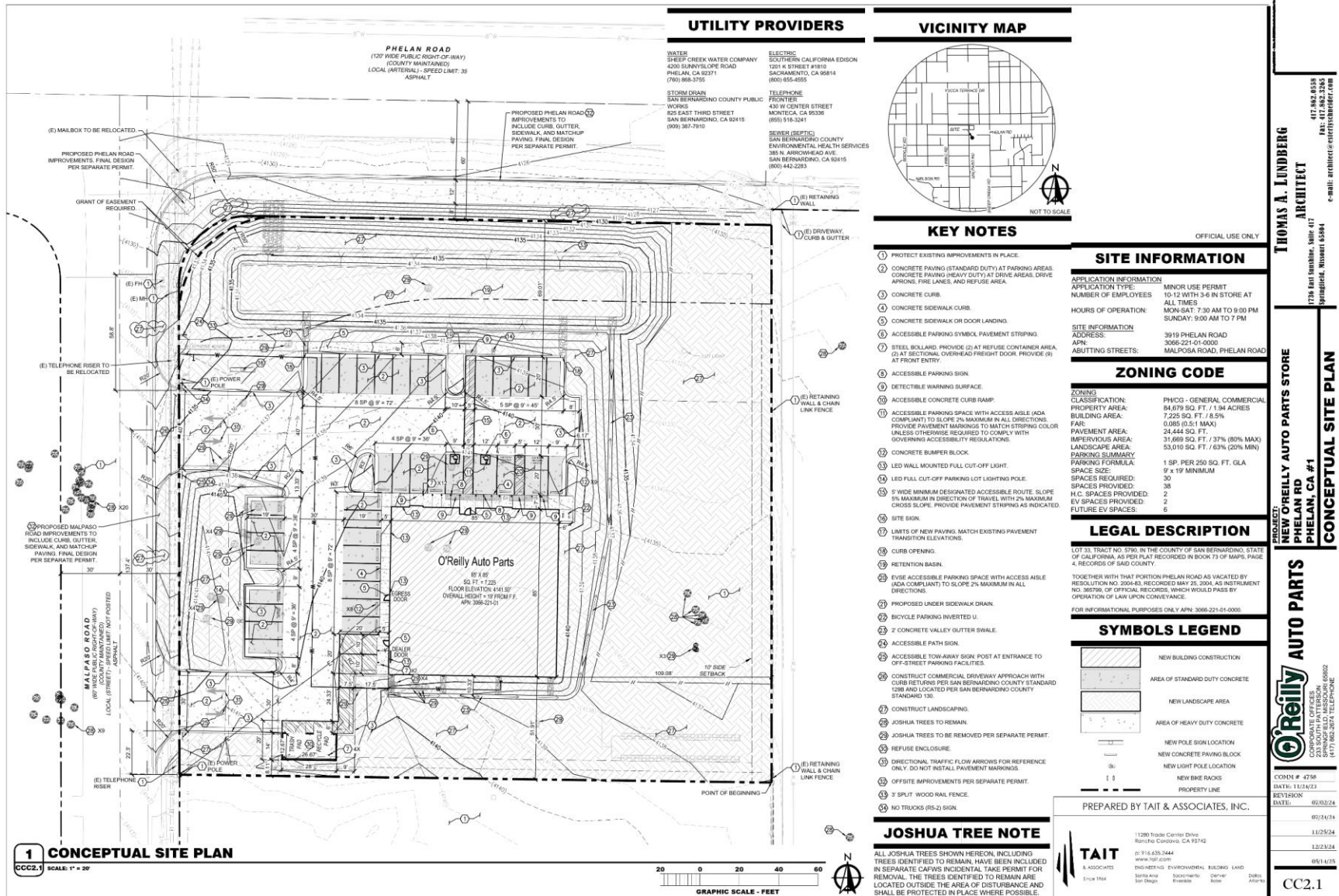
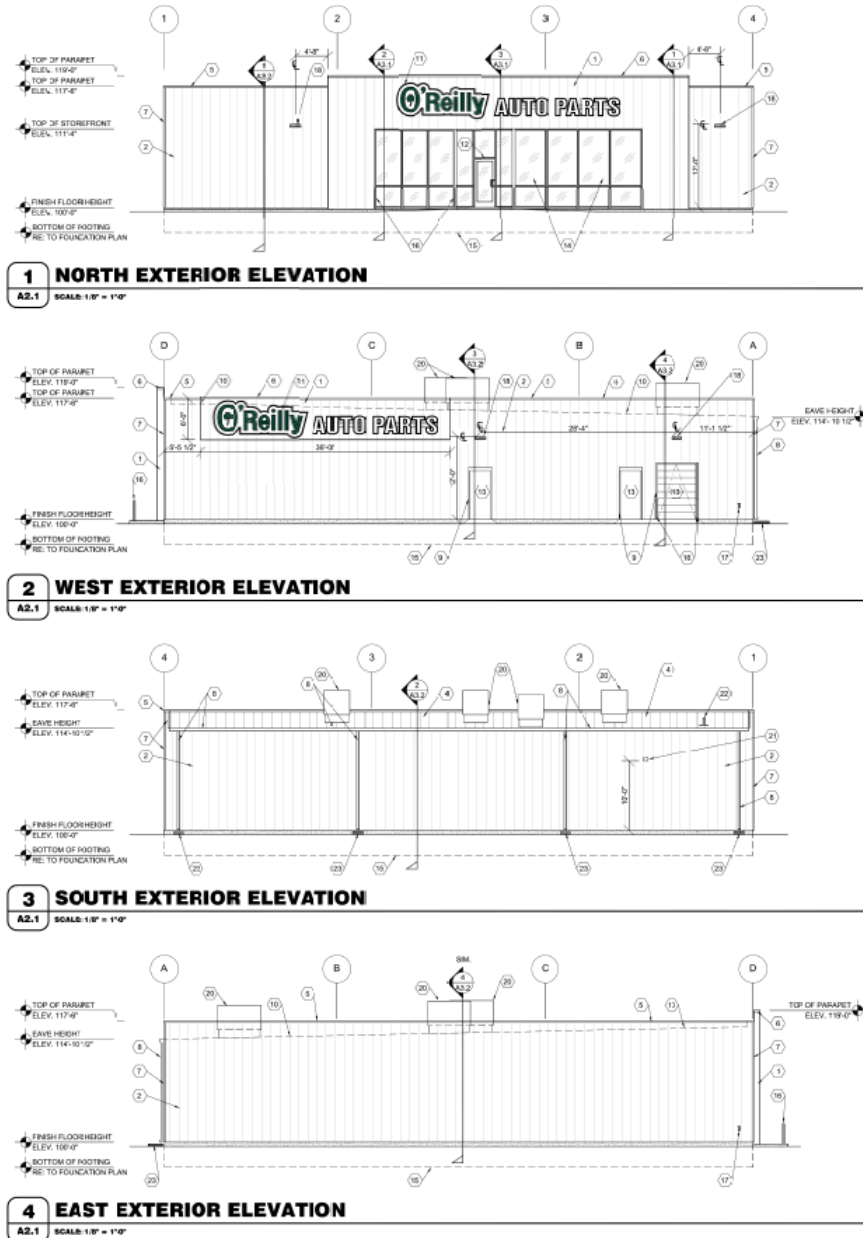


Figure 3 Site Development Plan



METAL PANEL SEEN/ADJUSTED TO BE FACED

EXTERIOR FINISH SCHEDULE

- PRE-ENGINEERED METAL BUILDING WALL PANEL SYSTEMS**
KEY NOTE NO. 1:
TYPE: EXT. SNOR WALL PANEL (TYPE 1)
MFG: (REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS)
SERIES: STRUCTURIC STICER PANEL BY CHIEF
FINISH: PREFINISHED
COLOR: EQUAL TO SHERWIN WILLIAMS "POSITIVE RED" SW6871 GLOSS
- KEY NOTE NO. 2:**
TYPE: EXT. SNOR WALL PANEL (TYPE 2)
MFG: (REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS)
SERIES: STRUCTURIC STICER PANEL BY CHIEF
FINISH: PREFINISHED
COLOR: EQUAL TO "SANDSTONE"
- FLASHING AND SHEET METAL**
KEY NOTE NO. 4:
TYPE: STANDING SEAM ROOFING 11.38MM
MFG: (REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS)
COLOR: GALVALUME
- KEY NOTE NO. 5:**
TYPE: GAP FLASHING AT WALL PANEL (TYPE 2)
MFG: (REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS)
FINISH: PREFINISHED
COLOR: EQUAL TO CHIEF "ARCHMENT"
- KEY NOTE NO. 6:**
TYPE: GAP FLASHING AT WALL PANEL (TYPE 1)
MFG: (REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS)
FINISH: PREFINISHED
COLOR: SHERWIN WILLIAMS "POSITIVE RED" SW6871 (SHERWIN WILLIAMS THREE COMPONENT (885118 / 1855118) (885118) CLEAR URETHANE
- KEY NOTE NO. 7:**
TYPE: WALL PANEL TRIM
MFG: (REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS)
FINISH: PREFINISHED
COLOR: EQUAL TO BUTLER BUILDING "COOL BIRCH WHITE"
- KEY NOTE NO. 8:**
TYPE: GUTTER AND DOWNSPOUTS
MFG: (REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS)
FINISH: PREFINISHED
COLOR: EQUAL TO BUTLER BUILDING "COOL BIRCH WHITE"
- KEY NOTE NO. 9:**
TYPE: DOOR TRIM
MFG: (REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS)
FINISH: PREFINISHED
COLOR: EQUAL TO BUTLER BUILDING "COOL BIRCH WHITE"
- DOORS AND WINDOWS**
KEY NOTE NO. 13:
TYPE: SECTIONAL OVERHEAD DOOR (DOOR NO. 3)
MFG: (REFER PROJECT MANUAL)
FINISH: FACTORY PRIME AND FIELD PAINTED
COLOR: SHERWIN WILLIAMS (MATCH ADJACENT PANEL COLOR) (SEM-GLOSS)
- KEY NOTE NO. 14:**
TYPE: WINDOW SCHEDULE
MFG: EPIC, KAWNEER, OR OLD CORBY (VISTA WALL) (NO SUBSTITUTES)
FINISH: PREFINISHED
COLOR: EPIC "IVY", KAWNEER "DARK IVY", VISTA WALL "INTERSTATE GREEN"
- PAINTING**
KEY NOTE NO. 16:
TYPE: STEEL BOLLARDS (REFER TO CIVIL DRAWINGS)
FINISH: BELL VITRELL AND PAINTE
COLOR: SHERWIN WILLIAMS "BLUE CLASP" SW6618 (SEM-GLOSS)

GENERAL NOTES

- (A) REFER TO PROJECT MANUAL FOR ADDITIONAL REQUIREMENTS
- (B) REFER TO CIVIL DRAWINGS FOR ADDITIONAL REQUIREMENTS
- (C) REFER TO PLUMBING, MECHANICAL, AND ELECTRICAL SCHEDULES FOR SYSTEM TYPES AND ADDITIONAL REQUIREMENTS
- (D) REFER TO EXTERIOR FINISH SCHEDULE FOR MATERIALS
- (E) REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS FOR ADDITIONAL REQUIREMENTS
- (F) REFER TO SCOPE OF WORK SCHEDULE FOR ADDITIONAL REQUIREMENTS

KEY NOTES

- (1) PRE-ENGINEERED METAL BUILDING EXTERIOR WALL PA (TYPE 1)
- (2) PRE-ENGINEERED METAL BUILDING EXTERIOR WALL PA (TYPE 2)
- (3) NOT USED
- (4) PRE-ENGINEERED METAL BUILDING SHEET METAL ROOF
- (5) PRE-ENGINEERED METAL BUILDING SHEET METAL FLASH VERTICAL FACE (AT TYPE 1 WALL PANELS)
- (6) PRE-ENGINEERED METAL BUILDING SHEET METAL FLASH VERTICAL FACE (AT TYPE 2 WALL PANELS)
- (7) PRE-ENGINEERED METAL BUILDING SHEET METAL RAIL
- (8) PRE-ENGINEERED METAL BUILDING SHEET METAL DUTY DOWNSPOUT SYSTEM
- (9) PRE-ENGINEERED METAL BUILDING SHEET METAL DOOR
- (10) LINE OF ROOF BEYOND WITH 1/4" 12" SLOPE MINIMUM
- (11) SURFACE MOUNTED BRON OWNER FURNISHED AND INST PROVIDE BAKING FOR MOUNTING AND ROUNDANEREL COORDINATE REQUIREMENTS WITH OWNER. REFER TO
- (12) BUILDING ADDRESS NUMBERS 814" HIGH HELIUMETRA W/ ADHERED TO EXTERIOR FACE OF GLAZING
- (13) EXTERIOR DOOR AND FRAME SYSTEM. REFER TO FLOOR PLAN AND DOOR SCHEDULE FOR TYPES
- (14) EXTERIOR WINDOW SYSTEM. REFER TO FLOOR PLAN AND WINDOW SCHEDULE FOR TYPES
- (15) APPROXIMATE LINE OF FOUNDATION. REFER TO STRUCTURAL DRAWINGS
- (16) STEEL BOLLARDS. REFER TO CIVIL AND STRUCTURAL SCHEDULES
- (17) HOSE BIB. REFER TO PLUMBING DRAWINGS
- (18) LIGHT FIXTURE. REFER TO ELECTRICAL DRAWINGS
- (19) ELECTRIC METER AND BOX. REFER TO ELECTRICAL SCHEDULE
- (20) MECHANICAL ROOF TOP UNIT. REFER TO MECHANICAL SCHEDULE
- (21) MECHANICAL WALL PENETRATIONS. REFER TO MECHANICAL DRAWINGS. PROVIDE FRAMING, FLASHING, AND SEALANT REQUIRED. INSTALL RESTROOM EXHAUST FANS 12" MIN INTERIOR CEILING FINISHING
- (22) PLUMBING ROOF VENT. REFER TO PLUMBING DRAWING 11/04.2
- (23) CONCRETE SPLASH BLOCK INSTALL AT EACH DOWNSPOUT

Figure 4 Exterior Elevations

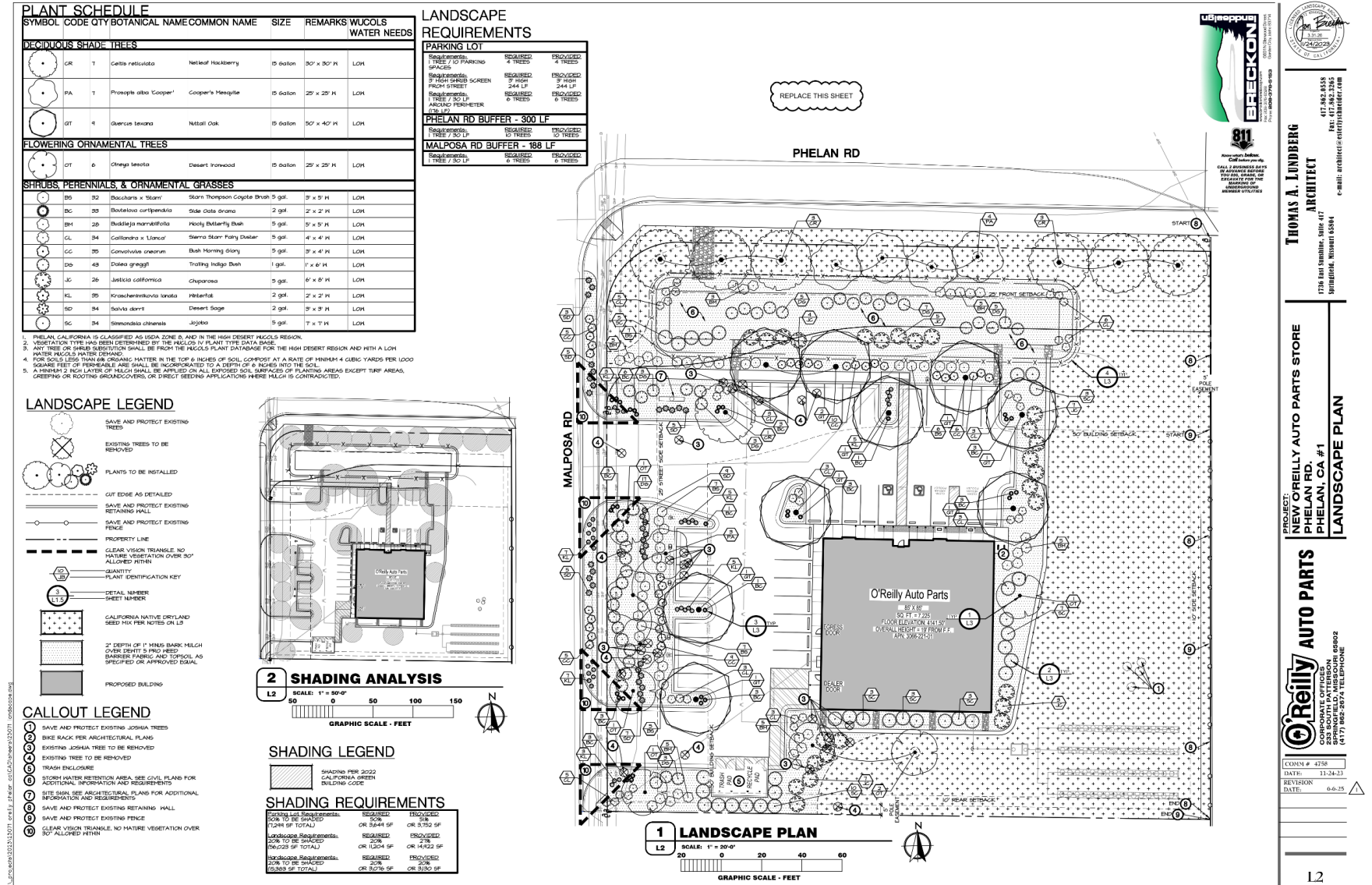


Figure 5 Landscape Plan

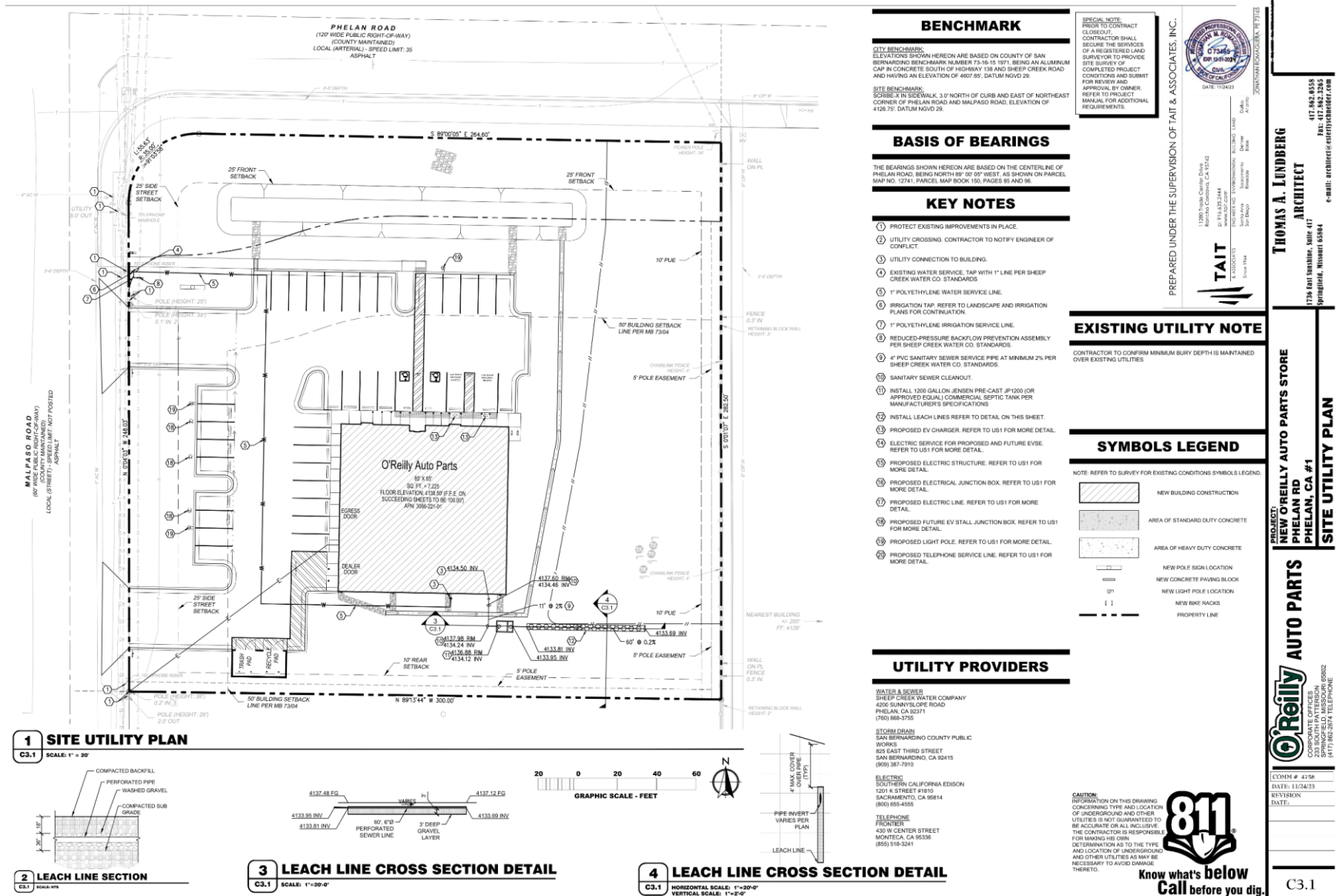


Figure 6 Site Utility Plan

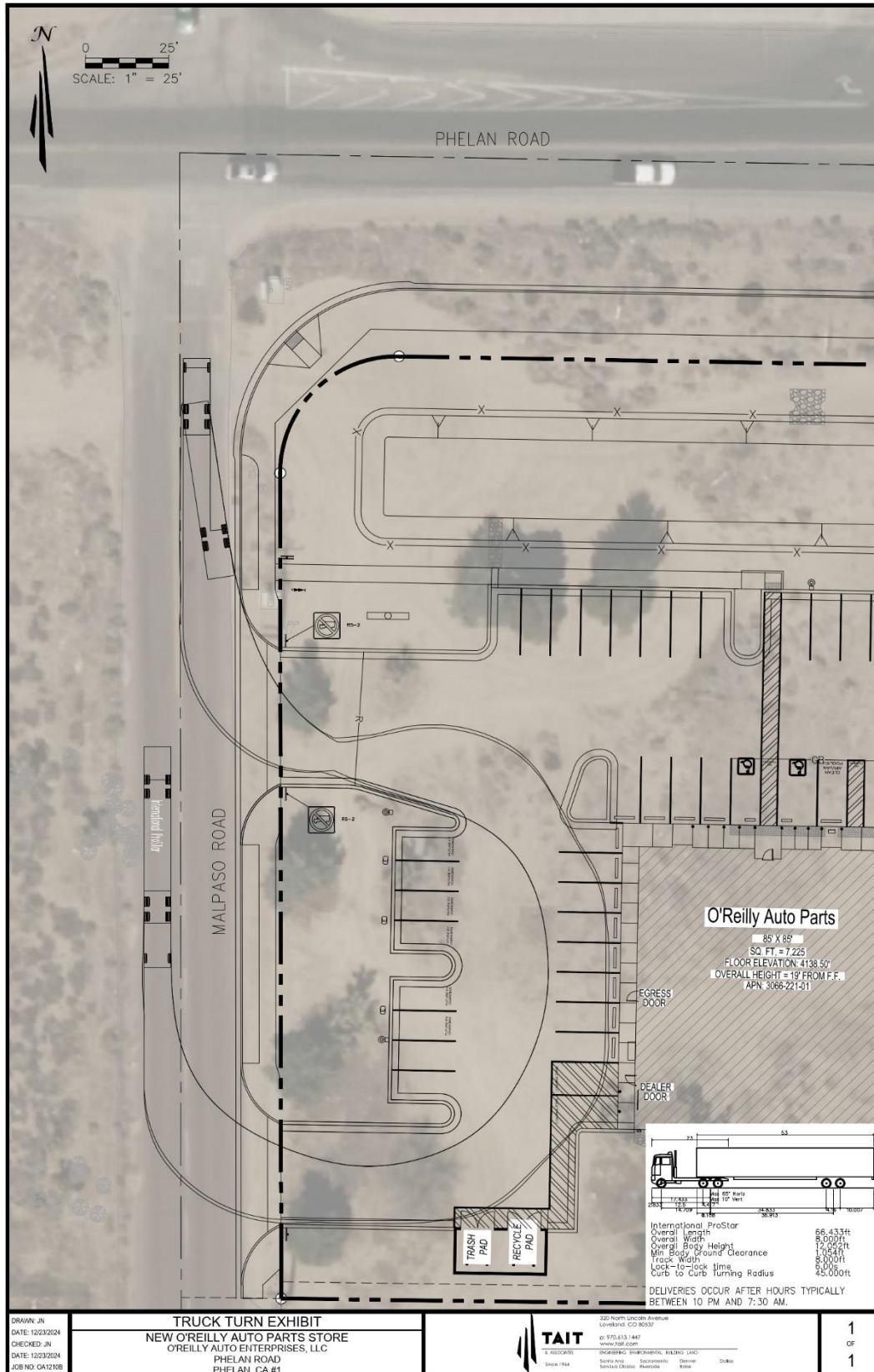


Figure 7 Truck Turn Exhibit

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, 2024, the County of San Bernardino sent AB 52 notification letters to the following Native American tribal representatives:

- Fort Mojave Indian Tribe
- Morongo Band of Mission Indians
- San Gabriel Band of Mission Indians
- San Manuel Band of Mission Indians (currently known as Yuhaaviatam of San Manuel Nation)

The 30-day AB 52 notification period ended on September 21, 2024, and Yuhaaviatam of San Manuel Nation provided mitigation measures included in the Cultural Resources, Geology and Soils, Tribal Cultural Resource sections of this report.

EVALUATION FORMAT

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

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

1. **No Impact:** No impacts are identified or anticipated and no mitigation measures are required.
2. **Less than Significant Impact:** No significant adverse impacts are identified or anticipated and no mitigation measures are required.
3. **Less than Significant Impact with Mitigation Incorporated:** Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of Project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List of mitigation measures)

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

At the conclusion of the analysis, the required mitigation measures are restated and categorized based on their monitoring requirements. Some measures are designed for implementation and oversight by the project proponent ("self-monitoring"), while others require compliance with a formal Mitigation Monitoring and Reporting Program, in accordance with CEQA Guidelines Section 15126.4 to ensure feasibility.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

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

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

Alex Lee (Alexander Lee)
Signature: (prepared by Name , Planner)

08/06/2025
Date

Paul Toomey (Paul Toomey)
Signature:(Name , Supervising Planner)

08-06-2025
Date

Issues		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the Project:					
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Countywide Plan; Submitted Project Materials

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

No Impact. The proposed Project involves the development of an O'Reilly Auto Center on currently vacant land located within the Phelan Piñon Hills community, part of the unincorporated area of San Bernardino County. The site is situated approximately 9.5 miles north of Mount San Antonio and enjoys views of the expansive San Bernardino Mountains. The area immediately surrounding the site features commercial shopping centers with parking lots to the north and east, while vacant land lies to the south and west. The Countywide Plan does not identify scenic vistas or scenic highway corridors in this vicinity.

The construction of the auto center will comply with the height requirements as outlined in Section 82.05.060 of the County's Development Code for commercial development within the Desert Region. According to Figure 4, the building will stand at 19 feet tall, significantly below the 35-foot height limit. This ensures that the new structure will not obstruct views of the mountain range, preserving local views by maintaining existing

sightlines. In addition, the auto center exterior color palette blends with the adjacent neighboring buildings. Although the construction of the Project would transform the existing native desert landscape to developed land, no substantial adverse impacts are identified or anticipated, and no mitigation measures are required

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

No Impact. The Project Site is not located within a County or State-designated scenic highway (SBC 2019h). The closest County Scenic Route and Eligible State Scenic Highway is approximately 2.5 miles south of the Project Site, along Highway 138. According to Chapter 83.08 of the San Bernardino County Development Code (Section 83.08.030), existing significant features such as rock formations and rock outcroppings would be protected and incorporated to the extent feasible. However, the Project Site itself does not contain notable features of this kind.

Furthermore, a Cultural Resources Assessment conducted by BCR Consulting on November 28, 2023, found no historic resources or buildings within the Project Site. Consequently, the proposed Project will not impact scenic resources along a state scenic highway, including trees, rock outcroppings, or historic buildings 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 a publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?*

No Impact. The 2020 Census Urban Areas Map indicates that the Project Site is located within an urbanized area, surrounded by commercial developments to the north and east, and a mix of commercial and residential parcels to the south. This site is located within the Desert Region of San Bernardino County and holds a General Commercial Land Use Designation as outlined in the San Bernardino Countywide Plan, aligning with the Phelan/Piñon Hills Community Plan. The proposed development, an O'Reilly Auto Center, will conform to the designated development standards for General Commercial areas in the Desert Region. Adjacent properties to the north, east, and west share the same General Commercial designation under the Phelan/Piñon Hills plan, while the parcel to the south is zoned for Rural Living. The development of the auto center is consistent with the Countywide Plan and adheres to existing zoning and other regulatory provisions governing scenic quality.

Given the relatively flat topography of the site and its surroundings, views of the urban landscape and distant mountains will remain unobstructed. The implementation of this Project is not expected to detract from the visual character or quality of public views associated with the site and its vicinity. The design of the Project will comply with the County's Development Code, featuring appropriate landscaping and energy-efficient construction.

Currently, the Project Site is home to 39 Joshua Trees. The proposed development plans to preserve approximately 9 Joshua Trees, which will be protected *in situ* as detailed in the Landscape Plan (Figure 5). The Project's landscaping plan was designed to support native vegetation and improve local biodiversity. Plant species are selected based on ecological compatibility and their contribution to habitat restoration efforts, in alignment with regional environmental guidelines. Consequently, no significant adverse impacts are anticipated, and no mitigation measures are required.

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

Less than Significant Impact. The proposed Project would develop the currently vacant 1.94-acre site into an O'Reilly Auto Center. This development will introduce a new source of lighting into the area, particularly noticeable during evening hours. The lighting scheme for the Auto Center will consist of security lighting installed both around the building perimeter and throughout the parking lot, enhancing visibility and safety during operational hours from 7 am to 9 pm.

In accordance with the San Bernardino County Development Code, Section 83.07.040(a) regarding Glare and Outdoor Lighting for Mountain and Desert Regions, all new construction lighting, unless specifically exempt, must be shielded to prevent light pollution or light trespass into nearby residential zones, parcels, or public rights-of-way. This shielding complies with the specifications set forth in Table 83-7 of the Development Code. The code stipulates that pole lighting should not exceed 12 feet in height to minimize its visual impact. The Lighting Plan is included within the construction plans and will be submitted to the County for review prior to issuance of a Building permit. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

	<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
II.	AGRICULTURE AND FORESTRY RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the Project:				

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) ☐ ☐ ☐ ☒

as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

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

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

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

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

No Impact. The Project Site is not located within a Farmland Mapping and Monitoring Program, nor has the site been used for agricultural purposes historically (DOC 2025). The Project Site is designated as Other Land within the California Important Farmland Finder. Therefore, the proposed Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. No impacts are identified 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 or adjacent to lands under a Williamson Contract (DOC n.d.). The Project Site has a current zoning of Phelan/Piñon Hills/General Commercial. The proposed Project would not conflict with existing zoning for agricultural

uses or a Williamson Contract. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- 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 unoccupied and features natural desert habitat. As noted earlier, this site and the adjacent parcels are designated for commercial use under the Phelan/Piñon Hills General Commercial zoning classification. The implementation of the proposed Project will not interfere with the existing zoning regulations, nor will it necessitate the rezoning of forest land, timberland, or areas zoned specifically for Timberland Production. Given that there are no forests or timberland present either on the site or in its immediate vicinity, the Project is not expected to have negative impacts on such environments. 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. The Project Site is located in the desert region within San Bernardino County and does not support or contain forest land habitat. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

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

No Impact. Implementation of the proposed Project would not involve other changes in the existing environment that could result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest, as neither the Project Site nor adjacent properties contain farmland or forestland. The Project Site is currently undeveloped with sparse vegetation primarily consisting of Joshua Tree Woodland species. Surrounding properties include residential and commercial developments, as well as undeveloped desert landscape. No impacts are identified or are anticipated, and no mitigation measures are required.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management district or air pollution control district might be relied upon to make the following determinations. Would the Project:				

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

Countywide Plan; Submitted Project Materials, Air Quality Study

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

Less than Significant Impact. The Project Site is within the Mojave Desert Air Basin and under the jurisdiction of the Mojave Desert Air Quality Management District. The Mojave Desert Air Basin encompasses the desert portion of San Bernardino County. The Mojave Desert Air Quality Management District has jurisdiction over air quality issues and regulations within the Mojave Desert Air Basin. To assist local agencies in determining if a Project's emissions could pose a significant threat to air quality, the Mojave Desert Air Quality Management District has adopted the California Environmental Quality Act (CEQA) and Federal Conformity Guideline (February 2020) which is a policy document intended to assist preparers of environmental analysis or review of documents for Projects within the jurisdiction of the Mojave Desert Air Quality Management District by providing background information and guidance on the preferred analysis approach. Additionally, the County of San Bernardino is responsible for the implementation of transportation control measures as outlined in the Mojave Desert Air Quality Management District Attainment Plans. The air and dust emissions from the construction and operational use of the Proposed Project were evaluated and compared to the Mojave Desert Air Quality Management District air quality thresholds to determine significance.

Emissions from the Proposed Project are subject to federal, State, and local rules and regulations implemented through provisions of the federal Clean Air Act, California Clean Air Act, and the rules and regulations of the California Air Resources Board and Mojave Desert Air Quality Management District. The federal Clean Air Act and California Clean Air Act were established in an effort to assure that acceptable levels of air quality are maintained. These levels are based upon health-related exposure limits and are referred to as National Ambient Air Quality Standards, provided in Appendix A, and the California

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

An evaluation of potential air quality impacts related to a potential development type under the current commercial zoning and the proposed zoning (proposed Project) was prepared and is detailed in the Air Quality Study (Appendix A). Construction and operational emissions for the proposed Project were estimated using the California Emissions Estimator Model (CalEEMod) version 2022.1.1.24. The Mojave Desert Air Quality Management District Air Quality Significance Thresholds are shown in Table 1, below.

Table 1: Mojave Desert Air Quality Management District Air Quality Significance Thresholds

Pollutant	Annual Thresholds (tons/year)	Daily Thresholds (pounds/day)
NO_x	25	137
VOC	25	137
PM₁₀	15	82
PM_{2.5}	12	65
SO_x	25	137
CO	100	548
Lead	0.6	3
Greenhouse Gases (CO₂e)	100,000	548,000

Air Quality Study (Appendix A)

The proposed Project will be in compliance with the Mojave Desert Air Quality Management District Attainment Plans. Compliance is demonstrated by the Projects consistency with San Bernardino County's General Plan. Project construction and operation emissions will remain below the Mojave Desert Air Quality Management District air quality significance thresholds (see Table 2). Therefore, no significant adverse impacts are identified or anticipated regarding confliction or obstruction of the implementation of applicable air quality plan, and impacts will be less than significant.

In addition to maintaining emissions below the Mojave Desert Air Quality Management District's significance thresholds, the proposed Project must demonstrate consistency with the District's regional growth forecasts as outlined in the District's Attainment Plans and CEQA & Federal Conformity Guidelines (February 2020). These forecasts are informed by

regional planning data including land use, demographic trends, and transportation activity derived from the San Bernardino County General Plan and Southern California Association of Governments (SCAG). The proposed Project, designated for commercial development within a Commercial (C) zone, conforms to the land use assumptions embedded in these growth models. It does not exceed expected employment, population growth, or vehicle miles traveled (VMT) projections used in regional air quality modeling. As such, the Project supports implementation of the applicable air quality plan and does not introduce new sources of inconsistency. Impacts are therefore considered less than significant.

Table 2. Estimated Construction and Operational Emissions¹

Pollutant	Construction Emissions		Operational Emissions	
	Annual Total Emissions (tons/year)	Daily Total Emissions (pounds/day)	Annual Total Emissions (tons/year)	Daily Total Emissions (pounds/day)
VOC	0.05	4.15	0.09	0.55
NO _x	0.32	4.85	0.04	0.29
CO	0.44	7.11	0.30	2.72
SO ₂	0.00	0.01	0.00	0.01
PM ₁₀	0.03	0.45	0.05	0.45
PM _{2.5}	0.02	0.23	0.01	0.12

¹Source: CalEEMod Version 2022.1.1.24

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

Less Than Significant Impact. The Mojave Desert Air Basin has been designated by the EPA as a non-attainment area for ozone (O₃) and suspended particulates (PM₁₀), meaning ambient air quality standards are exceeded for these pollutants. The Mojave Desert Air Basin is currently in attainment with the ambient air quality standards for carbon monoxide (CO), lead, sulfur dioxide (SO₂), nitrogen dioxide (NO₂), and particulate matter (PM_{2.5}), meaning the standards are met for these pollutants.

The proposed Project's construction and operational emissions were estimated using CalEEMod. The criteria pollutants estimated are reactive organic gases (ROG), nitrogen oxides (NO_x), carbon monoxide (CO), sulfur dioxide (SO₂), and fugitive particulates (PM₁₀ and PM_{2.5}). Two of the analyzed pollutants, ROG and NO_x, are ozone precursors. Both summer and winter season and annual emission levels were estimated.

Construction Emissions

Construction emissions are considered short-term, temporary emissions and were modeled with the following construction parameters: Site preparation, grading (fine and mass grading), building construction, paving, and architectural coating. Construction was modeled to begin in March 2026 and is anticipated to be completed in September 2026. The resulting emissions generated by construction of the proposed Project are shown in Table 2 above and Appendix A, which include average daily emissions and annual maximum emissions.

As shown below in Table 3 and in the Air Quality Study (Appendix A), estimated annual emissions from construction are below the Mojave Desert Air Quality Management District thresholds. The proposed Project would not exceed applicable Mojave Desert Air Quality Management District regional thresholds during construction activities. Therefore, less than significant adverse impacts are identified or anticipated during construction activities, and no mitigation measures are required.

Table 3. Comparison of Estimated and Threshold Construction Emissions

Pollutant	Annual Emissions (tons/year)		Daily Emissions (pounds/day)	
	Estimated ¹	Threshold	Estimated ¹	Threshold
VOC	0.05	25	4.15	137
NO _x	0.32	25	4.85	137
CO	0.44	100	7.11	548
SO ₂	0.00	25	0.01	137
PM ₁₀	0.03	15	0.45	82
PM _{2.5}	0.02	12	0.23	65

¹Source: CalEEMod Version 2022.1.1.24

Operational Emissions

Operational activities are anticipated to begin in 2026. The resulting emissions generated by operational activities of the proposed Project are shown below in Table 4 and in the Air Quality Study (Appendix A), which include summer and winter operational emissions, average daily emissions, and annual maximum emissions. Operational emissions estimates are below Mojave Desert Air Quality Management District thresholds (see Table 4). The proposed Project would not exceed applicable Mojave Desert Air Quality Management District regional thresholds during operational activities. Therefore, less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Table 4. Comparison of Estimated and Threshold Operational Emissions

Pollutant	Annual Emissions (tons/year)		Daily Emissions (pounds/day)	
	Estimated ¹	Threshold	Estimated ¹	Threshold
VOC	0.09	25	0.55	137
NO _x	0.04	25	0.29	137
CO	0.30	100	2.72	548
SO ₂	0.00	25	0.01	137
PM ₁₀	0.05	15	0.45	82
PM _{2.5}	0.01	12	0.12	65

¹Source: CalEEMod Version 2022.1.1.24

The Project would not result in cumulatively considerable net increase of non-attainment pollutants during short-term construction or operation. Therefore, the impacts are considered to be less than significant.

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

Less than Significant Impact.

The Mojave Desert Air Quality Management District CEQA and Federal Conformity Guidelines (February 2020) describes sensitive receptors as being residences, schools, daycare centers, playgrounds and medical facilities. The following Project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor land use must be evaluated using Mojave Desert Air Quality Management District significance thresholds:

- 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 within 300 feet.

The nearest sensitive receptor to the Project Site is the residential land located 380 feet to the south and southwest. The proposed Project is development of a commercial building on a 1.94-acre vacant property. As such, the proposed Project does not meet the criteria for a Project type which is subject to sensitive receptor significance threshold evaluation. Furthermore, the modeling results shown previously indicate that development of the proposed Project is not anticipated to exceed Mojave Desert Air Quality Management District emissions thresholds during construction or operations. Therefore, sensitive

receptors would not be subject to significant air quality impacts during Project construction and operational activities. Thus, a less than significant impact to sensitive receptors is expected 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. Potential odor sources associated with the proposed Project may result from construction equipment exhaust, and the application of asphalt and architectural coatings during construction activities as well as the temporary storage of domestic solid waste associated with the proposed Project's long-term operational uses. Diesel exhaust and VOCs would be emitted during construction of the Project; however, emissions would disperse rapidly from the Project Site and therefore should not reach an objectionable level at the nearest sensitive receptors. Standard construction requirements would minimize odor impacts resulting from construction activity. It should be noted that construction odor emissions generated would be temporary, short-term, and intermittent in nature, and would cease upon completion of the respective phase of construction activity. Further, operational sources that may emit odors during the on-going operations of the proposed Project would include odor emissions from vehicular emissions and trash storage areas. Additionally, as the project is that of commercial use which would not generate significant heavy-duty truck trips and would comply with Mojave Desert Air Quality Management District Rule 402, no significant impact related to odors would occur during the on-going operations of the proposed Project. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
IV. BIOLOGICAL RESOURCES - Would the Project:				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- | | | | | | |
|----|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| c) | Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input 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"/> |

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

Countywide Plan; Submitted Project Materials; Biological Resources Assessment

Implementation of the proposed Project has the potential to impact various special-status species and other biological resources. Terracon Consultants (Terracon) conducted a Biological Assessment (provided as Appendix B) for the Project site and identified suitable habitat for three special status wildlife species (coast horned lizard, Swainson's hawk, and burrowing owl) as well as the presence of multiple western Joshua trees (Terracon 2024). All other special-status species within the vicinity of the Project area are discussed in the Biological Assessment but are not expected to occur.

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

Less than Significant Impact with Mitigation Incorporated. A General Biological Assessment, dated March 11, 2025, was prepared for the Project Site by Terracon Consultants, Inc. (Appendix B). The Project Site is referenced in the Biological Assessment as the "Study Area" and comprises a 1.94-acre tract of vacant graded land

with sparse vegetative cover in the unincorporated Phelan Piñon Hills community in San Bernardino County.

As part of the environmental process, the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) data sources were reviewed. Following the data review, surveys were performed on the site on November 28, 2023, during which the biological resources on the site and in the surrounding areas were documented by biologists from Terracon Consultants, Inc. As part of the surveys, the Study Area was evaluated for the presence of habitats which may support populations of sensitive wildlife species. In addition, Western Joshua tree census surveys were completed on November 28, 2023, July 9, 2024, and October 16, 2024, as well as protocol level desert tortoise and burrowing owl surveys on October 24, 2024.

The vegetation community on the Study Area is Joshua tree woodland (*Yucca brevifolia* Woodland Alliance, CNPS 2023), encompassing primarily native vegetation. Vegetation occurring on the Study Area includes Joshua trees (*Yucca brevifolia*), common stork's-bill (*Erodium cicutarium*), cholla (*Cylindropuntia* sp.), cheatgrass (*Bromus tectorum*), prickly Russian thistle (*Salsola tragus*), broadleaf filaree (*Erodium botrys*), rubber rabbitbrush (*Ericameria nauseosa*), smooth Arizona cypress (*Cupressus glabra*), jointfir (*Ephedra* sp.), California buckwheat (*Eriogonum fasciculatum*), buckwheat (*Eriogonum* sp.), California evening primrose (*Oenothera californica*), red brome (*Bromus rubens*), sapphire woollystar (*Eriastrum sapphirinum*), tall tumbled mustard (*Sisymbrium altissimum*), valley lessingia (*Lessingia glandulifera*), Bermuda grass (*Cynodon dactylon*), desert inkcap (*Montagnea arenaria*), Colorado pinyon pine (*Pinus edulis*), and Saharan mustard (*Brassica tournefortii*).

Federal and State Listed Species

There are seventeen listed species that were evaluated for their potential to occur within the Study Area which include: Mohave ground squirrel, Swainson's Hawk, Southwestern Willow Flycatcher, California Condor, Least Bell's Vireo, Desert tortoise, Santa Ana Sucker, Mohave tui chub, Arroyo toad, Southern Mountain Yellow-legged Frog, Quino Checkerspot Butterfly, Nelson's Antelope Squirrel, Crotch's bumble bee, Short-joint beavertail, Western Joshua tree, Monarch Butterfly, and burrowing owl.

Two species have been assessed as having a low potential to occur within the Study Area: Swainson's hawk and burrowing owl.

Swainson's Hawk:

Swainson's hawk inhabits open lowland areas such as valleys, plateaus, floodplains, and deserts, hunting in drylands, pastures, fallow fields, and grasslands. It nests in tall, solitary trees near riparian woodlands but may also use smaller trees, rock ledges, human-made structures, or Joshua tree woodlands in desert regions.

Listed as a State-threatened species, the nearest CNDDDB occurrence is 14 miles northeast of the Study Area (Occurrence No. 2544, 1939). While the Study Area, consisting mainly of Joshua tree woodland with sparse small trees, may offer limited

foraging and nesting habitat, the likelihood of occurrence is low due to poor habitat quality.

Burrowing owl:

The species inhabits arid, open regions with sparse vegetation in the western part of North America. Its preferred environments encompass grasslands, rangelands, and agricultural areas, but it can also be found in fallow fields or vacant lots within urbanized areas. The Study Area contains suitable habitat due to the abundance of mammal burrows scattered throughout. However, the likelihood of the Burrowing Owl being present is low. A desktop review of CNDDDB maps and eBird documented occurrences of Burrowing Owl at or near the survey site returned zero results of any historical burrowing owl use or occupancy on or within 150 meters of the site. Additionally, no evidence of the species (such as excrement, prey pellets, or feather marks at burrow entrances) was found during the November 28, 2023, biological assessment. Following the protocol outlined in Appendices C and D of the CDFW Staff Report on Burrowing Owl Mitigation (2012), full coverage of the project area was surveyed at 10 meter transects on October 24, 2024. Due to private property restrictions, the 150-meter buffer was scanned with binoculars. No evidence, including burrowing owls, pellets, prey remains, whitewash, or decoration, was observed and only two burrows that met the size minimum for diameter were detected. Neither of these burrows met the depth minimum of 150 cm. (Johnson et al. 2010). Following the protocol outline in the USFWS Desert Tortoise Mojave Population Field Manual (2009), full coverage of the Study Area was surveyed at 10 meter transects on October 24, 2024 for desert tortoise. No evidence, including live desert tortoise, scat, carcasses, eggshells, or burrows were observed. Three non-desert tortoise burrows were documented on site (Appendix B). One special status plant species (a California Endangered Species Act Candidate), western Joshua tree, was observed on the Study Area.

Twelve species have been assessed as not expected to occur within the Study Area: Southwestern willow flycatcher, California condor, Least Bell's Vireo, Santa Ana Sucker, Mohave tui chub, Arroyo toad, Quino checkerspot butterfly, Southern Mountain yellow-legged frog, Monarch butterfly, Short-joint beavertail, Mohave ground squirrel, and Nelson's antelope squirrel. These species are not expected to occur within the Study Area for the following reasons, the species were not observed during the biological assessment, no suitable habitat exists within the Study Area, and/or the Study Area is outside the known species range and elevation. Additional analysis for these species are included in Appendix B.

Mitigation Measures BIO-1 and BIO-2 shall be implemented to ensure that no impacts to individuals of Swainson's hawk or burrowing owl will occur.

Species of Special Concern

There are two wildlife species that are species of special concern in the Phelan quadrangle: Le Conte's thrasher and coast horned lizard. Coast horned lizard and Le Conte's thrasher have low potential to occur within the Study Area (Appendix B).

Le Conte's thrasher:

Le Conte's thrasher's is a local resident in southern California deserts from Mono County south to the Mexican border and in the western and southern San Joaquin Valley. The preferred habitat is open desert wash, desert scrub, alkali desert scrub, and desert succulent habitats. It can also occur in Joshua Tree habitat with scattered shrubs. Tends to prefer desert washes and flats with scattered shrubs and large areas of open, sandy, or alkaline terrain. The Study Area does not contain the typically preferred large shrubs and bare open ground. The areas between Joshua trees are too vegetated and dense for the preference of this species. However, the closest known occurrence was located approximately 0.6 miles west of the project site in 2022. (eBird n.d.). Therefore, there is low potential for Le Conte's thrasher to occur within the Study Area.

Coast horned lizard:

Coast horned lizards inhabit open areas of sandy soil and low vegetation in valleys, foothills and semiarid mountains. They are typically found in grasslands, coniferous forests, woodlands, and chaparral, with open areas and patches of loose soil. Often found in lowlands along sandy washes with scattered shrubs and along dirt roads. Although they can be present in Joshua tree woodland habitat, within this habitat they are typically found at higher elevations from 1230-1670 m. The Study Area does contain some aspects of the preferred habitat, however in Joshua tree woodland they are typically found at higher elevations. Based on these findings, the coast horned lizard has a low potential to occur within the Study Area.

Mitigation Measure BIO-2 shall be implemented to ensure that no impacts to individuals of Le Conte's thrasher or coast horned lizard will occur.

Protected Plants

Joshua trees were observed throughout the Study Area during the Biological Assessment conducted on November 28, 2023, and no other County protected desert plants were identified at the time of the survey. During the Joshua tree survey, a census was created to evaluate the number of Joshua trees located within the Study Area, including their size, condition, and other factors per the CDFW WJT Census Data Sheet and CDFW Census Instructions. Two additional rounds of census surveys were completed on July 9, 2024, and October 16, 2024, as the buffer area of the project was expanded to capture any potential offsite improvements on Malpaso Road or Phelan Roads. A 50 ft buffer around all potential work was used, which extended across the road onto the adjacent parcel to the west where no work is expected to occur. Initial field investigations resulted in the findings of 39 Joshua trees observed in the Project Area, with another 31 Joshua trees observed during the additional two site visits. With the expanded buffer, there are 70 total trees in the Project area. All trees in the buffered area and nine in the Project area will be avoided (see Table 5). The Project will avoid a total of 40 trees and remove 30 trees, seven of which are already dead. Therefore, 23 live trees are expected to be removed in the Project area. Thirty-nine trees will be protected in place and incorporated into the project landscape. . There are 13 mature (branched) trees. The average mean height of the mature (branched) trees is 4.3 meters with a range in heights from 1.3-6.7 meters.

Table 5. Impact to Joshua Trees in the Study Area

Tree Status	Tree Size Class	Project Area		Buffer Area	
		Avoid	Remove	Avoid	Remove
Live	A	6	6	19	0
	B	1	13	6	0
	C	2	4	2	0
Subtotal		9	23	27	0
Dead	A	0	0	1	0
	B	0	7	3	0
	C	0	0	0	0
Subtotal		0	7	4	0
Total		9	30	31	0

Size Class A: Under 1 meter

Size Class B: Greater than 1 meter, but less than 5 meters

Size Class C: 5 meters or greater

An application for an Incidental Take Permit has been submitted to the California Department of Fish and Wildlife. Under Fish & G. Code § 2081(b), as outlined in Cal. Code Regs., tit. 14, §§ 783.2-783.8, an Incidental Take Permit establishes a performance standard requiring that the impacts be “minimized and fully mitigated” with “measures that are roughly proportional in extent to the impact of the authorized taking on the species.” The Western Joshua Tree Conservation Act has established mitigation fees for the removal of western Joshua tree individuals. The Applicant will pay the fees as calculated according to Mitigation Measure BIO-3. Mitigation Measure BIO-3 shall be implemented to ensure no net impacts to western Joshua trees occur.

Birds

Nesting birds are protected under the Migratory Bird Treaty Act and California Fish and Game Codes 3503, 3503.5, 3513. Avian species observed during the field investigations included chirping sparrow (*Spizella passerine*), common raven (*Corvus corax*), house finch (*Haemorhous mexicanus*), European starling (*Sturnus vulgaris*), house sparrow (*Passer domesticus*), Northern mockingbird (*Mimus polyglottus*), rock pigeon (*Columbia livia*), and turkey vulture (*Cathartes aura*). Mitigation Measure BIO-1 shall be implemented to ensure no impacts to nesting birds occur.

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

Less than Significant Impact with Mitigation Incorporated. The Project Site is primarily characterized by the vegetation community Joshua Tree Woodland (*Yucca brevifolia* Woodland Alliance). This vegetation community is considered a sensitive natural community and has a state plant rarity ranking of S3.2 or threatened. As stated above, an application for an Incidental Take Permit has been submitted to the California

Department of Fish and Wildlife regarding western Joshua trees. This Incidental Take Permit will require impacts to individuals of this species be minimized and fully mitigated. Mitigation Measure BIO-3 shall be implemented to ensure no net impacts to western Joshua tree woodland occurs. Therefore, the Project's impacts to existing vegetation would be less than significant with mitigation incorporated.

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

No Impact. As described in the Biological Assessment (Terracon 2024), the National Wetlands Inventory does not contain wetland features within or nearby the Project Site. Additionally, the majority of the plant species present within the Project Site have an indicator Status of *Facultative Upland* or *Upland* and no hydrology indicators were observed within the Project Site. Therefore, the proposed Project would have no impact on state or federally protected wetlands.

- 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. As described in the Biological Assessment (Terracon 2024), the Project Site is not located in a California Essential Habitat Connectivity area. The nearest California Essential Habitat Connectivity area to the Project Site is approximately 1.6 miles to the south. Additionally, the Project Site is surrounded by commercial development, and therefore, the proposed Project would result in no impact to wildlife movement.

- 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. The proposed Project has been designed with consideration for the policies and ordinances of San Bernardino County, and the proposed Project is consistent with these policies and ordinances. However, these ordinances impose additional requirements on the proposed Project regarding impacts to western Joshua trees. Sections 88.01.050 and 88.01.060 of the San Bernardino County Development Code require that where removal of Joshua trees or cacti is proposed, all individuals to be removed shall be transplanted or stockpiled for future transplanting where possible. Mitigation Measure BIO-3 shall be implemented to ensure no net impacts to western Joshua trees occurs. Therefore, the proposed Project would have a less than significant impact with mitigation incorporated.

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

No Impact. The Project Site is not enrolled in a formal Habitat Conservation Plan or Natural Community Conservation Plan. The Project Site occurs on private land and is not located within other local, regional, or State conservation planning areas. Therefore, the proposed Project would not conflict with an adopted Habitat Conservation Plan,

Natural Community Conservation Plan, or other approved local, regional or State habitat conservation plans and the Project would result in no impact.

Mitigation Measures

Mitigation Measure BIO-1: Pre-construction Nesting Bird Surveys

Within 3 days prior to the commencement of vegetation clearing or ground disturbing activities during the nesting season (typically February through August, unless otherwise determined by a qualified biologist based on local observations), a qualified biologist will determine the presence of active nests belonging to species protected under the Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, and California Fish and Game Codes 3503, 3503.5, and 3513 with full project site coverage including visual surveys extending to surrounding lands (up to 300 ft for raptors). In cases where ground disturbance activities are delayed, additional pre-disturbance must be conducted to ensure that no more than seven days have passed between the survey and the onset of ground disturbance activities. If active nests are identified, disturbance activities within 100 feet of the nest (or lesser distance if approved by United States Fish and Wildlife Service) must be postponed or halted until the nest is vacated and the juveniles have successfully fledged, as determined by the biologist. To establish avoidance buffers in the field, highly visible construction fencing, or flagging must be used, and on-site personnel must be educated about the sensitivity of these nest areas. During periods when Project activities are scheduled to occur near active nests, a qualified biologist must be present as a biological monitor to ensure that inadvertent impacts on these nests are prevented.

Mitigation Measure BIO-2: Pre-construction Clearance Surveys

Burrowing Owl

Within 14 days preceding vegetation clearing or ground disturbing activities, a qualified biologist will conduct an initial take avoidance survey for signs of occupancy by the burrowing owl. This survey must encompass the entire area designated for disturbance and should involve the biologist walking along parallel transects. If no Burrowing Owls are detected during the initial take avoidance survey, the survey should be repeated within 24 hours prior to ground disturbance to determine if the Project site contains burrowing owl or sign thereof to avoid any potential impacts to the species. The surveys shall include 100 percent coverage of the Project site. If both surveys reveal no burrowing owls, active burrowing owl burrows or perch sites with active sign (molted feathers, cast pellets, prey remains, eggshell fragments, decoration, or excrement) thereof, no additional actions related to this measure are required and a report shall be prepared by the qualified biologist documenting the results of the survey including all requirement for survey reports (page 30 of the 2012 Staff Report). The report shall be submitted to CDFW for review prior to construction. Surveys will follow Appendices C and D of the CDFW Staff Report on Burrowing Owl Mitigation (2012). If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed.

If burrowing owl, active burrows or signs thereof are found the qualified biologist shall prepare and implement a plan for avoidance, minimization, and mitigation measures to be reviewed and approved by CDFW for review and approval at least 30 days prior to initiation

of ground disturbing activities. The Burrowing Owl Plan shall describe proposed avoidance, minimization, and monitoring actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. Project activities shall not occur within 1000 feet of an active burrow until CDFW approves the Burrowing Owl Plan. If the Project cannot ensure burrowing owls and their burrows are fully avoided, consultation with CDFW is warranted to discuss how to implement the Project and avoid take; or if avoidance is not feasible, to potentially acquire an ITP prior to any ground disturbing activities, pursuant Fish and Game Code section 2081 subdivision (b). Full mitigation often involves the permanent conservation of quality habitat benefiting the species through a conservation easement, along with habitat enhancement and ongoing management funded appropriately. Passive relocation, performed according to the Staff Report on Burrowing Owl Mitigation (CDFW 2012) may be authorized through the incidental take permit as a minimization measure.

Coast Horned Lizard

In order to avoid potential impacts to coast horned lizards within the Project area, a biologist shall conduct a pre-construction clearance survey on the day that construction activities, including vegetation clearing and ground disturbing activities, occur within the Project area where suitable habitat is present. Construction personnel shall conduct daily inspection of trenches and holes for entrapped wildlife each morning prior to the onset of Project construction, and inspection of pipes, culverts, and similar construction material for entrapped wildlife at the beginning and end of the day. If this species is observed during the pre-construction clearance survey, the project biologist shall require additional measures to reduce potential impacts such as creating appropriate buffers and on-site construction monitoring by a qualified biological monitor during demolition and grading.

Le Conte's Thrasher

Prior to any ground-disturbing activities, including vegetation clearing, grading, or construction, a qualified biologist shall conduct a pre-construction clearance survey for Le Conte's thrasher (*Toxostoma lecontei*) within suitable habitat areas on the Project Site.

If an active nest or breeding pair is detected during the survey, a no-disturbance buffer of at least 500 feet shall be established around the nest site or as otherwise recommended by the qualified biologist, in consultation with the California Department of Fish and Wildlife (CDFW). If the species is observed within the Project area, CDFW shall be contacted to formulate a strategy for avoidance.

Mitigation Measure BIO-3: Western Joshua Tree

The Project applicant shall comply with the requirements of the Western Joshua Tree Conservation Act and San Bernardino County Code Sections 88.01.050 and 88.01.060 regarding the removal, relocation, or transplantation of Western Joshua trees.

A mitigation fee shall be paid for Western Joshua trees requiring removal as a result of the Project according to the Western Joshua Tree Conservation Act. The applicant's contribution is expected to be on a per tree basis and will be determined through the Incidental Take Permit process with California Department of Fish and Wildlife. Per the

Western Joshua Tree Conservation Act Mitigation Fee Map, the project site is not within the reduced mitigation fee area. The fees are based on the "Standard" Western Joshua tree removal fees as determined by the Act as follows:

- Trees 5 meters (16.4 feet) or greater - \$2,544.75
- Trees 1 meter (3.28 feet) or greater but less than 5 meters - \$509
- Trees less than 1 meter - \$346

In addition to paying the required mitigation fees, the Project applicant shall comply with San Bernardino County Code Section 88.01.050, which requires the relocation or transplantation of Joshua trees where feasible, as determined by a qualified biologist or certified arborist. The applicant shall also comply with Section 88.01.060, which establishes replanting standards for transplanted Joshua trees to maximize survival rates.

To comply with County Code Section 88.01.050, Joshua trees shall be transplanted on-site where feasible, and if transplantation on-site is not possible, trees shall be relocated to a designated off-site location in accordance with the County's standards and under the direction of a qualified biologist or arborist. The Project applicant shall ensure that proper irrigation, monitoring, and maintenance is provided for any transplanted Joshua trees for a minimum period of two years to ensure successful establishment.

If any transplanted trees do not survive after two years of monitoring, the applicant shall either:

1. Replace the dead tree(s) with a Western Joshua tree of similar size or age; or
2. Pay the applicable in-lieu mitigation fee in accordance with the Western Joshua Tree Conservation Act and County Code.

Mitigation Measure BIO-4: Biological Monitor

In the event of an observation of burrowing owl, nesting birds, coast horned lizard, Le Conte's thrasher or recent signs of occupancy by these species within the Study Area, a qualified biologist will be designated as the biological monitor. This monitor will be required to be on-site at all times during activities involving vegetation clearance or ground disturbance. Their primary responsibility is to observe and educate construction teams so that potential impacts to biological resources are either avoided or minimized to the greatest extent possible. Once the Project approaches a phase where it is determined by the biological monitor that biological resources are no longer present, as determined by their expertise, they may request a reduction or discontinuation of biological monitoring in that specific area. The biological monitor is vested with the authority to halt specific Project activities if they suspect violations of avoidance or minimization measures or if there are concerns about compliance with local, state, or federal laws. This authority is essential for the protection of biological resources and adherence to regulatory requirements.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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V. CULTURAL RESOURCES - 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 outside of formal cemeteries? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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

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

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

Less than Significant Impact with Mitigation Incorporated. A Cultural Resources Assessment was conducted by BCR Consulting LLC, on February 24, 2025. The report is included in Appendix C of this Initial Study and is summarized below.

A records search was procured from the South Central Coastal Information Center to identify previously recorded archaeological and historic-era resources within the Project Site and to determine the types of resources that might occur. The records search provided by the South Central Coastal Information Center revealed that 10 Cultural Resource studies have been conducted within a half-mile radius of the Project Site (BCR 2024). The results of the Cultural Resource Studies determined that no cultural resources have been identified within the boundaries of the Project Site. Furthermore, the results of the field survey conducted by BCR archaeologists concluded that no cultural resources, including historic-period, prehistoric archeological sites, or historic-period architectural resources, were identified and no visible disturbances were found within the Project Site.

Although the current study has not indicated sensitivity for historical cultural resources within the Project boundaries, ground-disturbing activities have the potential to reveal buried deposits not observed on the surface during previous surveys. For this reason, Mitigation Measures CR-1 and CR-2 are applicable. With the implementation of Mitigation Measures CR-1 and CR-2, impacts to cultural resources would be less than significant.

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

Less than Significant Impact with Mitigation Incorporated. A Cultural Resources Records Search was conducted at the South Central Coastal Information Center at California State University, Fullerton that concluded that there have been 10 cultural resources studies completed resulting in no cultural resources within half a mile of the Project Site. Tasks completed within the scope of the records search included additional research, intensive-level pedestrian cultural resources survey, Sacred Lands File Search with the Native American Heritage Commission, and a paleontological resources overview, performed in partial fulfillment of CEQA requirements.

Mitigation measures would be required upon risk of disturbing unique archaeological resources. Non-unique archaeological resources that qualify as tribal cultural resources would additionally require further consideration into significant impacts. Impacts to tribal cultural resources are discussed in XVIII: Tribal Cultural Resources. Public Resources Code Section 21083.2(g) defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets one or more of the following criteria:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information;
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type; and/or
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Based on the results of the Cultural Resources Assessment, it is recommended that no additional cultural resources work or monitoring is necessary during proposed Project activities. No significant impact related to archaeological resources is anticipated and no further investigations are recommended for the proposed Project. Although the current study has not indicated sensitivity for archaeological cultural resources within the Project boundaries, ground-disturbing activities have the potential to reveal buried deposits not observed on the surface during previous surveys. For this reason, Mitigation Measure CR-1 is applicable to assess cultural resources that may be discovered during Project activities and prevent disturbance of archaeological resources. With implementation of Mitigation Measures CR-1 and CR-2, impacts to archaeological resources would be less than significant.

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

Less than Significant Impact with Mitigation Incorporated. The Cultural Resources Record Search and Cultural Resources Assessment did not indicate that the Project Site has been utilized in the past as a formal or informal cemetery and the search of the Native American Heritage Commission Sacred Lands File search were negative. However, this does not insinuate that there is no possibility of the discovery of human remains on the Project Site during demolition activities. In the unexpected event human

remains are encountered during Project implementation, pursuant to State Health and Safety Code Section 7050.5, Project activities shall cease and steps taken to ensure the integrity of the area so that no further disturbance would occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must determine if the remains are Native American and, in confirming so, would have to notify the Native American Heritage Commission within 24 hours so that the commission can determine and notify a Most Likely Descendant. Impacts to human remains would be less than significant with incorporation of mitigation measure CR-3.

Mitigation Measures

Mitigation Measure CR-1

In the event that cultural resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the Project outside of the buffered area may continue during this assessment period. Additionally, Yuhaaviatam of San Manuel Nation Cultural Resources Department 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.

Mitigation Measure CR-2

If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to the Yuhaaviatam of San Manuel Nation for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

Mitigation Measure CR-3

If human remains or funerary objects are encountered during activities associated with the Project, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be notified immediately. If the human remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant. The most likely descendant shall complete the inspection of the site and provide recommendations for treatment to the landowner within 48 hours of being granted access.

Because excavation activity associated with the development of the Project Site would impact the paleontologically sensitive Pleistocene alluvial units, it is the

recommendation of the Western Science Center that a paleontological resource mitigation program be put in place to monitor, salvage, and curate recovered fossils associated with the study area.

Implementation of Mitigation Measures CR-1, CR-2 and CR-3 would reduce potentially significant impacts of the Proposed Project associated with Cultural Resources to less than significant.

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

SUBSTANTIATION: Countywide Plan; Submitted Materials

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

Less Than Significant Impact. The Project will not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation. The use of energy resources for vehicles, grading, paving, and equipment would fluctuate during the phases of construction and would be temporary. Contractors would comply with Section 2449 of the California Code of Regulations, Title 13, Chapter 9, Article 4.8, which limits non-essential idling of construction equipment during construction activities to no more than five consecutive minutes. Compliance with Section 2449 would minimize wasteful and unnecessary consumption of fuel by reducing unproductive idling of construction equipment. The Project has also been designed in compliance with California's Energy Efficiency Standards and 2022 CALGreen Standards. Equipment employed in the construction of the Project has no need to be more energy intensive than that used for comparable activities and will conform to current emissions standards (and related fuel efficiencies) and therefore would not result in inefficient, wasteful, or unnecessary consumption of fuel. Additionally, the Project does not propose uses or operations that would result in excessive and wasteful vehicle trips or associated vehicle energy consumption. Therefore, project transportation energy consumption would not be wasteful, inefficient, or unnecessary.

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

Less Than Significant Impact. The proposed Project includes the construction of a 7,225 square-foot single-story building, which would be designed to comply with the current Building Energy Efficiency Standards. In addition, electricity is required for lighting and electric vehicle charging stations. As summarized above, the proposed Project's electricity demand would not be significant. The proposed Project is expected to consume approximately 43,939 kBTU (approximately 44 MMBTU) of natural gas annually. On average, commercial customers consume approximately 50 MMBTU per month, totaling 600 MMBTY annually (American Gas Association 2017) Therefore, the Project's estimated consumption is less than 10% of the average commercial use.

As part of the permitting process, the Project will undergo review by local jurisdictions and inspections as necessary to confirm compliance with applicable energy efficiency standards. By following these regulations, the Project aligns with state and local plans for renewable energy and energy efficiency. Therefore, the Project will not conflict with or obstruct any state or local plans for renewable energy or energy efficiency, and no significant adverse impacts are anticipated.

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

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

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) | Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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"/> |

SUBSTANTIATION: (Check ☐ if Project is located in the Geologic Hazards Overlay District): **Countywide Plan; Submitted Project Materials**

Countywide Plan; Submitted Project Materials; Geotechnical Engineering Investigation

A Geotechnical Engineering Investigation was prepared by Krazan & Associates, Inc. on June 15, 2023. The report is included in Appendix D of this Initial Study and is summarized within sections a - f.

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

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

Less than Significant Impact. The Project Site does not occur within an Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zone. As shown in the California Department of Conservation's "Earthquake Hazards Zone" web application, the nearest fault is approximately 6.0 miles south from the Project site. Although the potential for rupture on-site cannot be dismissed, it is considered low due to the absence of known faults within the immediate vicinity. Nonetheless, the proposed Project would be required to comply with the California Building Code requirements and the Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the

San Bernardino County Fire Department. Compliance with these codes and standards would address potential impacts resulting from an earthquake event. Furthermore, the proposed Project is subject to review by the County of San Bernardino and shall comply with all conditions of approval required by the County. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

ii) Strong seismic ground shaking?

Less than Significant Impact. Although the Project Site is situated in an area of high regional seismicity (Appendix D), no active faults pass through, or within the vicinity of the Project site (SBC 2019b). Additionally, the Project site has a low-medium ranking for earthquake shaking potential and will experience a lower level of shaking with low frequency (SBC 2019c). However, ground shaking resulting from earthquakes associated with nearby and more distant faults may occur at the Project site, as is the case for most areas within Southern California. The design of structures on-site would incorporate measures to accommodate Projected seismic ground shaking in accordance with the California Building Code and San Bernardino County Building Code. These State and County building codes are designed to preclude significant adverse effects associated with strong seismic ground shaking. Compliance can ensure that the proposed Project would minimize people's or structures' exposure to substantial adverse effects including loss, injury, or death, involving seismic ground shaking.

iii) Seismic-related ground failure, including liquefaction?

No Impact. The findings of the geotechnical investigation concluded that the soils beneath the site consist of medium dense to very dense poorly graded sands and groundwater was not encountered in the borings. In accordance with the County of San Bernardino Hazard Mitigation Planning Map, the site is not located within an area designated as a liquefaction hazard zone. In addition, the absence of shallow groundwater within the upper 50 feet below the surface indicates that the potential for liquefaction is low. The historic high groundwater is estimated at a depth in excess of 254 feet below ground surface. Krazan & Associates, Inc. performed lab testing on selected soil samples to evaluate physical characteristics from six (6) 8-inch diameter borings that reached up to 20 feet below the site grade. In-situ moisture-content, dry density, consolidation, direct shear, and sieve analysis tests were completed for the undisturbed samples representative of the subsurface material. Additionally, expansion index and R-Value tests were completed for select bag samples obtained from the auger cuttings. Results of these tests concluded that subsurface soils were dense to very dense and poorly graded, which provide less favorable conditions for liquefactions. Additionally, the laboratory tests indicate that these soils are moderately strong and slightly compressible. Penetration resistance ranged from 18 to 57 blows per foot to over 50 blows per six inches. These conditions are also unfavorable for liquefaction because strong and slightly compressible soil indicates high shear strength and low settlement potential under seismic loading, reducing the likelihood of structural deformation. Additionally, Standard Penetration Test (SPT) results ranged from 18 to 57 blows per foot to over 50 blows per six inches, suggesting the soil is medium dense to very dense, with high resistance to seismic forces. According to the California Geological Survey and National Research Council, soils with SPT blow counts exceeding 30 (for sands) or 50 blows per 6 inches (for gravels) are considered highly

resistant to liquefaction, further minimizing the potential for liquefaction at the site (California Geological Survey 2008). A complete breakdown of the sample results is provided in Appendix D of this Initial Study. Based on these conditions encountered and the results of our laboratory testing, the subsurface conditions encountered at the subject site are not considered to be subject to liquefaction.

iv) Landslides?

No Impact. Landslides result from downward movement of earth or rock materials that have been influenced by gravity. In general, landslides occur due to various factors including steep slope conditions, erosion, rainfall, groundwater, adverse geologic structure, and grading impacts. The Project Site is relatively flat, level with the surrounding area, and is not located within an area susceptible to landslides (SBC 2019d). Therefore, the proposed Project would not expose people or structures to substantial adverse effects, including loss, injury, or death, involving landslides.

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

No Impact. Implementation of the proposed Project would disturb more than one acre of soil, necessitating adherence to standard regulatory requirements. These include compliance with the County's National Pollutant Discharge Elimination System (NPDES) Construction General Permit, which mandates the adoption of an appropriate Storm Water Pollution Prevention Plan (SWPPP) and the implementation of Best Management Practices (BMPs) to reduce erosion from stormwater runoff. Construction activities for the Project would involve earth movement and soil exposure, temporarily increasing susceptibility to soil erosion. In the long term, the development of the Project site would increase impervious surface cover and add permanent landscaping, thereby reducing the potential for erosion and loss of topsoil currently occurring. The Project does not propose significant alterations to the existing topography. Consequently, potential impacts associated with erosion or changes in topography, including loss of topsoil, are considered less than significant.

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

Less than Significant Impact. The Project Site is not located within an area designated as a liquefaction hazard zone or within an area susceptible to landslides, as mentioned previously. Due to the low risk of liquefaction under the current groundwater conditions, lateral spreading is not considered a risk. The findings from the field and laboratory tests included in the Geotechnical Engineering Investigation (Appendix D) suggest that the soils are moderately strong and slightly compressible. Penetration resistance ranged from 18 to 57 blows per foot to over 50 blows per six inches. Dry densities measured on relatively undisturbed samples from within 10 feet of the existing ground surface ranged from approximately 103 to 121 pounds per cubic foot. Additionally, the Project would be required to comply with the California Building Code that would act to minimize unstable soils that may be encountered; therefore, impacts are considered less than significant.

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

No Impact. The onsite near surface soils that would underly the proposed facility were classified as primarily sandy type soils and were identified through laboratory testing as having a low expansion potential (Appendix D). Therefore, Project risks regarding expansive soils would not be impacted, and no mitigation is 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?*

No Impact. The proposed Project would be supported by a sewer system and would not involve the use of septic tanks or other alternative wastewater disposal systems.

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

Less than Significant Impact with Mitigation. Although no paleontological resources have been discovered or are known to exist on the site, the geologic units underlying the Project area are mapped as alluvial deposits of sand and silt from the Holocene and Pleistocene epoch (Appendix C). Holocene alluvial units are considered to be of high preservation value, but material found is unlikely to be fossil material due to the relatively modern associated dates of the deposits. However, if development requires substantial depth of disturbance, the likelihood of reaching Pleistocene alluvial sediments would increase. Pleistocene alluvial units are considered to be highly paleontologically sensitive. The Western Science Center does not have records of paleontological resources within the Project area or within a 1-mile radius; however, it does have known paleontological resources in similarly mapped units across Southern California.

The discovery of paleontological resources is unlikely; however, implementation of the Project will require some grading and installation of underground service facilities. Ultimately, the likelihood of directly or indirectly destroying a unique paleontological resource or site or unique geologic feature is extremely low, due to the lack of presence of paleontological resources; however, there is still a potential to uncover paleontological resources during excavation of the Project Site. By adhering to Mitigation Measures CR-2 and CR-3, the potential to destroy a unique paleontological resource or site or unique geologic feature will be minimized. Therefore, with mitigation incorporated, the Project would result in a less than significant impact.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
VIII. GREENHOUSE GAS EMISSIONS – Would the Project:				

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

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

SUBSTANTIATION:

Countywide Plan; Submitted Project Materials; GHG Study

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

Less Than Significant Impact. As shown in the table on the following page, Project-Related Greenhouse Gas Emissions from construction activities would generate 2.68 metric tons per year and the total Project-related Greenhouse Gas Emissions would generate 111.07 metric tons per year (Appendix A). According to the threshold of significance, a cumulative global climate change impact would occur if the greenhouse gas emissions created from the on-going operations of the proposed Project would exceed the Mojave Desert Air Quality Management District's threshold of 3,000 metric tons per year. Therefore, since the Project will not exceed the threshold of significance and a less than significant impact will occur.

Table 5. Opening Year Project-Related Greenhouse Gas Emissions

Category	Greenhouse Gas Emissions (Metric Tons/Year) ¹							(lbs/day)
	Bio-Co ₂	NonBio-Co ₂	CO ₂	CH ₄	N ₂ O	R	CO ₂ e	CO ₂ e
Area Sources ²	0.00	0.11	0.11	0.00	0.00	0.00	0.11	1.34
Energy Usage ³	0.00	24.20	24.20	0.00	0.00	0.00	24.30	147.00
Mobile Sources ⁴	0.00	55.60	55.60	0.00	0.00	0.09	56.60	552.00
Solid Waste ⁵	7.37	0.00	7.37	0.74	0.00	0.00	25.80	156.00
Water ⁶	0.18	0.81	0.99	0.02	0.00	0.00	1.57	9.46
Refrigerants	0.00	0.00	0.00	0.00	0.00	0.01	0.01	0.04
Total Emissions	7.55	80.72	88.27	0.76	0.00	0.10	108.39	865.84
Construction ⁷	0.00	2.66	2.66	0.00	0.00	0.00	2.68	3,277.00
Combined Emissions	7.55	83.38	90.93	0.76	0.00	0.10	111.07	-
MDAQMD GHG Thresholds							100,000	548,000

County of San Bernardino GHG Emissions Reduction Plan Threshold	3,000	-
Exceeds Threshold?	No	No
Notes: ¹ Source: CalEEMod Version 2022.1.1.24 ² Area sources consist of GHG emissions from consumer products, architectural coatings, and landscape equipment. ³ Energy usage consist of GHG emissions from electricity and natural gas usage. ⁴ Mobile sources consist of GHG emissions from vehicles. ⁵ Solid waste includes the CO2 and CH4 emissions created from the solid waste placed in landfills. ⁶ Water includes GHG emissions from electricity used for transport of water and processing of wastewater. ⁷ Construction GHG emissions based on a 30-year amortization rate.		

Source: Air Quality Study (Appendix A)

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

Less Than Significant Impact. San Bernardino County adopted the Greenhouse Gas Reduction Plan in 2021, which establishes measures to reduce greenhouse gas emissions (San Bernardino County 2021). Under this plan, Projects that are exempt from CEQA or that do not exceed 3,000 metric tons of CO2 equivalent (MTCO2e) annually are deemed consistent with the Plan and determined to have a less than significant individual and cumulative impact on greenhouse gas emissions.

The proposed Project's total net operational greenhouse gas emissions are below the County's screening threshold of 3,000 MTCO2e per year. Consequently, the Project does not need to accrue points using the screening tables and is consistent with the greenhouse gas Reduction Plan pursuant to Section 15183.5 of the State CEQA Guidelines. As such, the proposed Project would result in no impact related to conflicts with any applicable plan, policy, or regulation adopted for the purpose of reducing greenhouse gas emissions.

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

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <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 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

release of hazardous materials into the environment?

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

SUBSTANTIATION:

Countywide Plan; Submitted Project Materials; Phase I ESA

- 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. During the construction of the proposed project, small quantities of hazardous or potentially hazardous materials will be routinely handled on the project Site. These materials may include adhesives, solvents, paints, thinners, gasoline, diesel fuel, lubricants, and other petroleum-based products used to operate and maintain construction and operation-related equipment and vehicles. Compliance with Cal/OSHA regulations, which mandate proper labeling, storage, and handling of hazardous materials, will minimize potential harmful health effects from worker exposure. Improper handling of these substances could lead to accidental releases, exposing construction workers, degrading soils, or contaminating stormwater runoff, potentially causing adverse effects on the public or the environment. To mitigate these risks, a permitted and licensed service provider will be responsible for the removal of hazardous materials. All handling, transporting, use, and disposal of hazardous materials will adhere to applicable federal, state, and local regulations.

The project will comply with all relevant federal, state, and local laws regarding the accidental release of hazardous materials during construction, including Health and Safety Code Section 2550. Post-construction, the Project Site will operate as an auto parts store that will stock hazardous materials such as automotive oil, batteries, solvents, and other similar products commonly found in retail automotive supply businesses. These materials will be stored and managed in accordance with all applicable federal, state, and local regulations, including proper containment and disposal procedures to prevent leaks, spills, or environmental contamination. Given that the handling and sale of these materials will follow established industry standards and regulatory requirements, the routine transport, use, and disposal of such products will not pose a significant hazard to the public or the environment. Furthermore, these materials are widely available in commercial settings and are not considered exceptionally hazardous when managed properly. Therefore, no significant impacts are 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. Handling activities associated with hazardous or potentially hazardous materials would comply with all applicable federal, state, and local agencies and regulations. Both short-term construction and long-term operation of the proposed Project would comply with all applicable federal, state, and local agencies and regulations with the policies and programs established by agencies such as the EPA, Department of Transportation, Department of Toxic Substances Control, CalOSHA, Resource Conservation and Recovery Act, and the State Unified Hazardous Waste and Hazardous Materials Mandatory Regulatory Program. Adherence to these agencies' applicable policies and programs would ensure that interaction with hazardous materials would occur in the safest possible manner, reducing the opportunity for the accidental release of hazardous materials into the environment. Handling of hazardous materials would be limited in both quantities and concentrations. Therefore, a less than significant impact would occur.

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

Less than Significant Impact. The proposed Project is not located within one-quarter mile of a school; however, Phelan Elementary School is located just short of half a mile east of the Project Site. Emissions from the proposed Project would be temporary during the construction activities and would be minimal during the operations of the auto parts store following construction. Emissions would be from customer vehicles visiting and leaving the store.

The store will stock hazardous materials such as automotive oil, solvents, and batteries, but only in quantities typical for retail establishments, not in large-scale industrial amounts. These materials will be stored and managed in compliance with all applicable regulations to minimize risks. In the unlikely event of a spill or leak, proper containment measures would be in place, ensuring that potential impacts remain less than significant.

No other hazardous or acutely hazardous materials will be handled, transported, or disposed of onsite. Therefore, a less than significant impact would occur.

- 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. Review of the Department of Toxic Substances Control's (DTSC's) list of hazardous waste and substances (Cortese) sites compiled pursuant to Government Code Section 65962.5 via the EnviroStor database did not reveal listings at the Project Site. In addition, review of the EnviroStor database indicates no Federal Superfund, State Response, Voluntary Cleanup, School Cleanup, Tiered Permit, or Corrective Action cases are mapped at the Project Site. Review of the State Water Resources Control Board's GeoTracker database indicates no LUST Cleanup, Cleanup Program, Military Cleanup, Military UST, Permitted UST, or Land Disposal cases are mapped at the Project Site. Further, review of the 2020 Phase I Environmental Site Assessment (Exhibit E) prepared by Terracon, which included a review of standard regulatory agency databases, indicates that Recognized Environmental Conditions were not identified at the Project Site at the time of the assessment. Based on the aforementioned information, the Project Site was not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, no impacts are identified or are anticipated.

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

No Impact. The Project Site occurs 10.5 miles southwest of the Adelanto Airport, 11 miles southeast of the Gray Butte Airport, and 13.5 miles south of the El Mirage Field Adelanto Airport. As shown on the San Bernardino Countywide Policy Plan Map HZ-9 Airport Safety & Planning Map, the Project Site is not within an airport safety review area (SBC 2019e). The Project Site is also not located within the vicinity of a private or public airstrip, nor is it within an Airport Land Use Plan. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact. The nearest evacuation routes in relationship to the Project Site include State Highway 138 located approximately 2.4 miles west of the Project Site and State Highway 18 located approximately 5.6 miles north of the Project Site (SBC 2007). Access to the Project Site would be provided via Malpaso Road. Construction and operation of the Proposed Project is not anticipated to interfere with the use of routes during an evacuation. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. Furthermore, the Project Site does not contain emergency facilities. Project operations at the Site would not interfere with an adopted emergency response or evacuation plan. No impacts are identified or anticipated, and no mitigation measures are required.

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

Less than Significant Impact. The Project Site is within the County Fire Safety Overlay (FS1) as identified in the San Bernardino Countywide Policy Plan HZ-5 Fire Hazard Severity Zone and is located within a Fire Hazard Severity Zone designated as moderate (SBC 2019f). The Project Site is surrounded by commercially developed land to the north and east and vacant land to the south and west. As stated in the Policy Plan Policy PP-3.7 Fire Safety Design, new development shall comply with additional site design, building, and access standards to provide enhanced resistance to fire hazards and fire codes including but not limited to fire access, fire suppression, and weed abatement. Therefore, the Proposed Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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

- | | | | | | |
|-----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| | planned stormwater drainage systems
or provide substantial additional
sources of runoff; or | | | | |
| iv. | impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) | In flood hazard, tsunami, or seiche zones, risk
release of pollutants due to Project
inundation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) | Conflict with or obstruct implementation of a
water quality control plan or sustainable
groundwater management plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:

Countywide Plan; Submitted Project Materials

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

Less than Significant Impact. Construction of the Project would involve clearing, grading, paving, utility installation, building construction, and installation of landscaping, which would result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints, and other materials with the potential to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during construction activities in the absence of avoidance and minimization measures.

The proposed Project would disturb more than one-acre and would, therefore be subject to obtaining a National Pollutant Discharge Elimination System Construction General Permit. The permit is required before the start of construction for construction Projects within the County of San Bernardino. The Construction General Permit requires operators of construction sites to develop a Stormwater Pollution Prevention Plan (SWPPP) detailing erosion and sediment controls, as well as pollution prevention measures that will be implemented to meet the requirements of the Construction General Permit.

In addition to construction-related measures, the project will be required to implement a Water Quality Management Plan (WQMP) to address long-term operational water quality impacts. The WQMP will include best management practices (BMPs) to control pollutants in stormwater runoff, such as proper storage and handling of automotive-related hazardous materials (e.g., oil, solvents, and batteries), regular maintenance of stormwater drainage systems, and measures to prevent contamination from vehicle fluids. Compliance with the WQMP will ensure that the project does not result in long-term water quality degradation.

Following the measures contained within the SWPPP and WQMP, the Project is not anticipated to have a significant impact regarding violation of water quality standards or waste discharge requirements, or otherwise substantially degrade surface or groundwater quality. Therefore, the Project would result in a less than significant impact.

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

Less than Significant Impact. Water for the Project Site would be supplied by the Phelan Piñon Hills Community Services District via Sheep Creek Water Company. The district primarily sources its water supply from groundwater pumped through the Mojave Basin Area, also referred to as the State Water Project infrastructure. The Mojave Area Basin is adjudicated and managed by the Mojave Water Agency, which imports water from the State Water Project infrastructure from Northern California for groundwater basin recharge. The Phelan Piñon Hills Community Services District's water distribution system consists of 12 groundwater wells within the Mojave Basin Area and one within the Antelope Valley Adjudication Area (Phelan Piñon Hills CSD 2021). Groundwater constitutes 100 percent of the District's current and planned future water supply.

The Project Site is currently undeveloped and there are no groundwater recharge facilities in the vicinity. The proposed Project will pave 20,577 square-feet of the Site with paving and concrete and include drought-resistant landscaping. The project's BMPs, detailed in the SWPPP and the required WQMP, will ensure that stormwater discharge does not substantially alter the existing drainage pattern and water quality. The WQMP will include long-term site design measures such as permeable surfaces, infiltration areas, and other BMPs to manage stormwater runoff effectively and facilitate its gradual percolation into the groundwater system. By implementing these measures, the project will minimize impacts on groundwater recharge while ensuring compliance with water quality standards. Therefore, the proposed Project is not expected to significantly impact 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;*
 - ii. *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;*
 - iii. *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or*
 - iv. *Impede or redirect flood flows?*

Less than Significant Impact. The Project Site is located within the Federal Emergency Management Agency Flood Zone A, which designates areas that are within a 100-year floodplain and have a one percent annual chance of flooding (SBC 2022b). In addition, the Project Site is within the County overlay Flood Plain Zone A. The Project will not significantly alter the existing drainage pattern of the Site or area, nor will it alter

the course of streams or rivers in a way that would cause substantial erosion or siltation on- or off-site. There are no waterways, wetlands, lagoons, or ponds currently or previously present on the Project Site. The Project Site is relatively flat and potential erosion issues during construction activities would be controlled through measures incorporated as part of the adopted Stormwater Prevention Pollution Plan for the Project. Upon development, the Project would increase the percentage of impervious surfaces and landscaping on site which would minimize erosion potential but increase the potential surface runoff. Implementation of the Stormwater Prevention Pollution Plan would ensure that runoff water does not exceed the capacity of existing or planned stormwater drainage systems or result in significant pollution. Therefore, the Project would result in a less than significant impact.

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

Less than Significant Impact. Due to the inland distance from the Pacific Ocean (approximately 67 miles) and other significant body of water, tsunamis and seiches are not potential hazards in the vicinity of the Project Site. In addition, the Project Site is not in or near a dam and basin hazard (SBC 2022a). The Project Site is located within a Federal Emergency Management Agency 100-year floodplain and within the County overlay Flood Plain Zone A. The proposed Project is subject to the National Pollutant Discharge Elimination System permit which requires best management practices to control and abate pollutants. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact. The proposed Project is subject to the Construction General Permit. Requirements of the permit would include development and implementation of a Stormwater Pollution Prevention Plan, which is subject to Regional Water Quality Control Board review and approval. The Plan would include best management practices during construction activities to control and abate pollutants and treat runoff that can be used for groundwater recharge. Appropriate best management practices will be reviewed and approved by the County. The proposed Project would not otherwise substantially degrade water quality as appropriate measures relating to water quality protection will be in place.

The Project Site is located within the Upper Mojave River Valley Groundwater Basin. Groundwater management in this basin is performed by the Mojave Water Agency and is based primarily on the maintenance of groundwater levels. The Project would not conflict with or obstruct the implementation efforts of a water quality control plan or sustainable groundwater management plan. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

Countywide Plan; Submitted Project Materials

- a) *Physically divide an established community?*

No Impact. The physical division of an established community usually involves constructing a linear feature, like a major highway or railroad tracks, or removing an access route, such as a local road or bridge, which would hinder mobility within the community or between the community and surrounding areas. The proposed Project does not involve constructing linear features. Furthermore, the Project Site is currently vacant and undeveloped. Therefore, the proposed Project would not physically divide an established community. No impacts are identified or anticipated, and no mitigation measures are required.

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

No Impact. The proposed Project Site has a general plan designation of Phelan/Piñon Hills General Commercial. This designation aligns with the Countywide General Plan, which permits commercial development on the site. As such, the Project will not cause environmental impacts due to conflicts with land use plans, policies, or regulations. Furthermore, the Project does not require a change in zoning designation, ensuring consistency with existing zoning requirements. Consequently, there are no anticipated impacts related to land use conflicts or regulatory compliance. No significant adverse impacts are identified, and no mitigation measures are required.

Issues		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XII. MINERAL RESOURCES - Would the Project:					

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state? | <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 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

delineated on a local general plan, specific plan
or other land use plan?

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

Countywide Plan; Submitted Project Materials

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

No Impact. According to the County of San Bernardino Countywide Policy Map NR-4 Mineral Re-source Zones, the proposed Project Site is mapped within Mineral Resource Zone MRZ-3a: *Areas where the available geologic information indicates that mineral*

deposits are likely to exist, however, the significance of the deposit is undetermined. Specifically, in Open File Report 92-06 (SBC 2022d). The proposed Project Site is not currently, and has not historically, been used for mineral extraction. Further, the parcels associated with the proposed Project are zoned as Phelan/Piñon Hills/General Commercial; a zone in which mineral extraction is not a permitted use. The proposed Project would not have an effect on the availability of a known mineral resource (aggregate) that would be of value to the region and the residents of the state.

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

No Impact. The proposed Project Site is not in an area delineated on a local plan, specific plan, or other land use plan as a mineral resource recovery site. Implementation of the proposed Project would not result in the loss of availability of a locally important mineral resource recovery site.

Issues	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIII. NOISE - Would the Project result in:				

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise 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, | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?

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

Countywide Plan; Submitted Project Materials, Noise Study

- 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. A Noise Impact Study, dated March 7, 2025, was prepared for the proposed Project by MD Acoustics, LLC, attached as Appendix F. The Noise Impact Study evaluates the potential proposed Project traffic noise impacts, the potential Project-related long-term stationary-source noise impacts, and short-term construction noise and vibration impacts. Noise is measured in on a logarithmic scale of sound pressure level known as decibel (dB). A-weighted decibels (dBa) approximate the subjective response of the human ear to broad frequency noise sources by discriminating against very low and very high frequencies of the audible spectrum of sound. The equivalent sound level (Leq) represents a steady sound level containing the same total energy as a time varying signal over a given period of time. The Community Noise Equivalent Level (CNEL) is the weighted average of the intensity of a sound, with corrections for time of day, and averaged over a 24-hour day.

Off-site Traffic Noise Impacts

A full traffic impact analysis was not provided for the Noise Impact Study; however the following describes a description of potential traffic noise impact. Traffic noise along Phelan Road is the main source of noise impacting the Project Site and the surrounding areas. Phelan Road has an existing Average Daily Traffic of 15,175, according to the Noise Impact Study. The Project estimates 68 daily trips, according to CalEEMod. It takes a change of 3 dB or greater to hear an audible difference, which would occur with a doubling of traffic. The Project is anticipated to increase the existing noise level by less than 1 dB due to an increase in traffic, and therefore, the Project would result in a less than significant impact regarding off-site traffic noise, and no mitigation is required.

Sensitive Receptor Locations

Sensitive receptors are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. These include residential dwellings (single and multi-family, mobile home parks, dormitories, etc.), transient lodging (hotels, motels, etc.), hospitals, nursing homes, convalescent hospitals, and other facilities for long-term medical care, public or private educational facilities, libraries, churches, and places of public assembly. To describe the potential off-site Project noise levels, the nearest sensitive receptors to the Project Site include

residences approximately 60 feet to the southwest, 370 feet to the south, and 370 feet to the northwest.

Construction Impacts

Worst-case construction noise level estimates were calculated using methodology from the 2018 Federal Transit Administration Transit Noise and Vibration Impact Assessment Manual. Worst-case estimates assumed equipment operating at the edge of the Project site nearest to the sensitive receptor, the residence 60 feet to the southwest. Lmax levels represent maximum levels when construction occurs adjacent to the residential receptors and Leq levels represent the average construction noise level. As shown in the Noise Impact Study, Project construction noise is estimated to range between 55 to 65 dBA Leq and 76 to 83 dBA Lmax at the nearest sensitive receptor. The Project will adhere to the allowed times for construction outlined in the San Bernardino County Municipal Code in Section 83.01.080(g)(3). Therefore, the Project would result in a less than significant impact regarding construction noise impacts, and no mitigation is required.

Operational Noise Impacts

Worst-case operational noise level estimates were modeled using SoundPLAN (acoustical modeling software). Worst-case exterior operation noise levels were estimated to be 34 to 47 dBA at adjacent commercial receptors and will meet the City's 60 dBA daytime noise limit. Operational noise levels at the nearest residential receptor were estimated to be 40 dBA and meets the City's 50 dBA daytime noise limit.

Existing noise levels combined with Project operational noise levels were estimated to be 58 to 59 dBA at nearby commercial receptors and 58 dBA at the nearest residential receptor. The Project-generated operational noise is not expected to result in an increase in ambient noise levels at one or more of the nearby receptors. Therefore, the Project would result in a less than significant impact regarding operational noise levels, and no mitigation is required.

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

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

Less than Significant Impact. The peak particle velocity is defined as the maximum instantaneous peak of the vibration signal. Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to affected structures, and soil type. It is expected that ground-borne vibration from the proposed Project construction activities would cause only intermittent, localized vibrational intrusion. The nearest residential receptor building facade is 60 feet southwest of the Project Site. At this distance, worst-case vibrational impacts would yield 0.080 peak particle velocity (in/sec) which may be perceptible but will not result in architectural damage. Therefore, the proposed Project would result in a less than significant impact regarding vibration or ground-borne noise levels, and no mitigation is 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 not located within an airport safety review area or Airport Runway Protection Zone. The nearest airports to the Project Site include the Gray Butte Airport, approximately 10 miles to the northwest; El Mirage Airport, approximately 14 miles to the north; and Hesperia Airport, approximately 15 miles to the southeast. Therefore, the proposed Project would result in no impacts regarding being located in the vicinity of and airstrip, airport land use plan, or within two miles of an airport, and no mitigation is required.

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIV. POPULATION AND HOUSING - Would the Project:					
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and 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:					
Countywide Plan; Submitted Project Materials.					

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

No Impact. The proposed Project does not include new residential development and would not directly contribute to population growth within the surrounding areas. The Project proposes the construction of a new O'Reilly Auto Center. The store would be staffed with four to six employees (two shifts) with hours of operation from 7:00am to 9:00pm. The employment needs generated by the Project are expected to be met by the existing workforce within the Phelan/Piñon Hills community and neighboring areas, meaning significant population growth is not anticipated as an indirect result of the Project. Therefore, significant population growth is not anticipated to occur as an indirect result of Project implementation. Furthermore, the Project is proposed on a parcel of

land that is served by roadways, some utilities, and other infrastructure. Therefore, development proposed by the Project, and associated infrastructure improvements are unlikely to encourage unanticipated population growth. No impacts are anticipated and no mitigation is required.

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

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

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XV. PUBLIC SERVICES					
a)	Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

Countywide Plan; Submitted Project Materials

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

Fire Protection?

No Impact. The San Bernardino County Fire Department, Division 5 for the North Desert Service zone, provides fire protection, fire prevention, and emergency services to the Project Site. The County Fire Department serves a 19,278 square-mile territory, including 85 fire stations and facilities that cover more than 60 unincorporated

communities and areas within San Bernardino County (SBC Fire Protection District n.d.). The Project Site would be served by the San Bernardino County Fire Station #10 located at 9625 Beekley Road in Phelan, California approximately 0.9 miles west of the Project Site. The average travel time between Fire Station 228 and the Project Site is 2 minutes according to Google Maps data. Development of the Project Site would not combine with other developments in the County to result in a cumulatively considerable impact to fire and emergency services as the County continues to maintain sufficient services within its boundaries (SBC 2019g). The Project would therefore not result in the need to construct a new fire station or physically alter an existing station.

Furthermore, the County Department of Public Safety provides required fire standards during review of building plans and inspections. The proposed development would be required to comply with County fire suppression standards and adequate fire access. Therefore, impacts would be less than significant, and no mitigation measures are required.

Police Protection?

No Impact. The Project Site is served by the Phelan Substation Branch of the San Bernardino County Sheriff's Department, located at 4050 Phelan Road, Phelan, California, approximately 0.3 miles east of the Project Site. The Phelan station is staffed by 1 Sergeant, 1 detective, and 10 patrol deputies who provide law enforcement services to the Phelan and Piñon Hills communities within the San Bernardino County region (SBC Sheriff's Department n.d.). The average travel time from the Sheriff's Station to the Project Site is about 1 minute, according to Google Maps data.

The County ensures effective police protection and response times are maintained through active oversight of police staffing levels, both when new development projects are introduced and annually during the budgeting process conducted by the County's Board of Supervisors. This continuous monitoring guarantees that the proposed Project will not result in significant decrease in police response times (SBC 2024).

Based on this information and analysis, the proposed Project will not require new or physically altered police protection facilities, the construction of which could cause significant environmental effects. Therefore, impacts would be less than significant, and no mitigation is required.

Schools?

No Impact. Nearby schools include Phelan Elementary School, located approximately 0.4 miles east of the Project Site, and Mojave River Academy High School, located approximately 0.8 miles east of the Project Site. The proposed Project would not create a direct demand for public school services, as the Project would contain non-residential uses that would not generate school-aged children requiring public education. The proposed Project is not expected to draw new residents to the region and would not directly or indirectly generate school-aged students. Therefore, the Project would not cause or contribute to a need to construct new or physically altered public school

facilities. There would be no impact on public schools and no further analysis of this subject is required.

Parks?

No Impact. The proposed Project would not induce residential development nor significantly increase the use of existing neighborhood and regional parks or other recreational facilities. Therefore, the Project would not create a demand for public park facilities and would not result in the need to modify existing or construct new park facilities. No impact would occur.

Other Public Facilities?

No Impact. As discussed under sections (iii) and (iv) above, the proposed Project would not cause an increase in population and would therefore not increase the demand for public facilities/services, including libraries, community recreation centers, post offices, animal shelters, etc. As such, implementation of the proposed Project would not adversely affect other public facilities or require the construction of new or modified public facilities, and no impact would occur.

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

SUBSTANTIATION:

Countywide Plan; Submitted Project Materials

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

No Impact. The Project proposes to develop the Project Site with a commercial land use. The Project does not include residential uses or other land use that may generate

a population that would increase the utilization of existing neighborhood and regional parks, or other recreational facilities. Accordingly, implementation of the proposed Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park. Thus, no impacts on regional or neighborhood parks would occur, and no further analysis of this subject is 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 Project does not propose to construct new on- or off-site recreation facilities. Additionally, the Project would not expand existing off-site recreational facilities. Therefore, environmental effects related to the construction or expansion of recreational facilities would not occur with the implementation of the proposed Project. No impact would occur, and no further analysis of this subject is required.

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVII. TRANSPORTATION – Would the Project:					
a)	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<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 checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

Countywide Plan; Submitted Project Materials

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

Less than Significant Impact. The Project Site is situated south of the intersection of Phelan Road and Malpaso Road. Phelan Road is a two-lane major arterial highway that

extends from Pearblossom Highway (State Route-138) to US 395, passing through the communities of Phelan and Piñon Hills (SBC 2007). Phelan Road is designated as a Transit Route and is used by the Victor Valley Transit bus route (Victor Valley Transit Authority n.d.). The Project Site is not within the vicinity of bike routes and contains nominal pedestrian facilities. The proposed Project would add additional traffic along Phelan Road during the construction phase; however, this traffic will be minimal and temporary in nature.

While operational impacts are expected to be minimal, the Project may result in a slight increase in daily vehicle trips to and from the site, potentially contributing to localized congestion during peak hours. However, given the existing capacity of Phelan Road as a major arterial highway and the surrounding transportation network, these impacts are not anticipated to significantly affect overall circulation. Therefore, the proposed Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Thus, a less than significant impact would occur.

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

Less than Significant Impact. The County of San Bernardino City Council adopted analytical procedures, screening tools and impact thresholds for Vehicle Miles Traveled, which are documented in the San Bernardino County Transportation Impact Study Guidelines (July 2019) (County Guidelines). The County Guidelines provide details on appropriate criteria that can be used to identify when a proposed land use project is anticipated to result in a less than significant impact without conducting a more detailed analysis. Screening thresholds are broken into the following types:

- Project Type Screening
- Transit Priority Area (TPA) Screening
- Low VMT Area

The proposed project appears to meet the Project Type Screening for the following reasons:

The County Guidelines identify that local serving retail of less than 50,000 square feet (SF) or other local serving essential services (e.g., local parks, day care centers, public schools, medical/dental office buildings, etc.) are presumed to have a less than significant impact absent substantial evidence to the contrary. Additionally, the County Guidelines notes smaller projects that generate fewer than 110 trips per day are assumed to cause a less than significant Vehicle Miles Traveled impact. The proposed Project estimates a maximum of 68 trips per day (Appendix A), making the VMT impacts less than significant.

- 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 proposed project would occur entirely within the Project Site boundaries. Construction activities would not occur within the adjacent roadways to the Project Site. There are no uses that would be impacted by construction equipment or construction trips on the adjacent roadways. Large trucks delivering equipment, fill material, or removing small quantities of excavated dirt or debris can access the site without

significantly disrupting traffic flow on the surrounding roadways. Additionally, the project will comply with all applicable fire codes and ordinance requirements for construction and site access. Emergency response and evacuation procedures will be coordinated with the County, local police, and fire departments. Consequently, the proposed project is expected to have a less than significant potential for increasing hazards due to a geometric design feature or incompatible uses. No mitigation is required.

d) *Result in inadequate emergency access?*

Less than Significant Impact. The proposed Project Site is undeveloped and would be accessible from Malpaso Road off of Phelan Road by two driveways that lie north and south of one another. Malpaso Road and Phelan Road are not evacuation routes within the County and implementation of the project is anticipated to impede emergency response from accessing the site or surrounding area in the event of an emergency (SBC 2022c). 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. Because the project is located within a moderate fire hazard severity zone, impacts to emergency response and/or emergency evacuation plans are considered less than significant, especially given the low density of vegetation on and adjacent to the Project Site. Therefore, the project is not expected to have significant impacts on emergency access and local circulation during construction or operation, and no mitigation is required.

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

a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- | | | | | | |
|-----|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| i) | Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) | A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

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

- a) *Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

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

No Impact. As of July 2015, California AB 52 was enacted and expands CEQA by defining a new resource category, "Tribal Cultural Resources." AB 52 requires Lead Agencies to evaluate a Project's potential to impact tribal cultural resources. Such resources include "sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe and is 1) listed or eligible for listing in the California Register of Historical Resources or included in a local register of historical resources. AB 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource qualifies as a "tribal cultural resource." As discussed in Section V above, as part of the Cultural Resources Assessment prepared by BCR Consulting in January 2024, archaeologists did not record cultural resources within the subject property boundaries. Additionally, a cultural resources review was conducted to determine the eligibility of potential historical resources on the Project Site and determined that no cultural resources including historic-period or prehistoric archaeological resources, or historic-period architectural resources were identified (refer to Appendix C). Therefore, there would be no anticipated impacts to listed or eligible for listing historical resources, and no mitigation is required.

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

Less than Significant with Mitigation Incorporated. The Project Site has no record of listing it in a register of historical resources. Nonetheless, the presence of remains or unanticipated cultural resources under the ground surface of the Project Site is possible. Implementation of Mitigation Measures CR-1, CR-2, and CR-3 would ensure that impacts due to discovery of unanticipated cultural resources during excavation would be less than significant with mitigation incorporated. In addition, pursuant to AB52 tribal

consultation, Yuhaaviatam of San Manuel Nation Cultural Resources Department have requested mitigation measures TCR-1 and TCR-2 in order to mitigate potential significant impacts to tribal cultural resources.

Mitigation Measures

Mitigation Measure TCR-1

The Yuhaaviatam of San Manuel Nation Cultural Resources Management Department shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with the Yuhaaviatam of San Manuel Nation all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents the Yuhaaviatam of San Manuel Nation for the remainder of the project, should they elect to place a monitor on-site.

Mitigation Measure TCR-2

Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to the Yuhaaviatam of San Manuel Nation Cultural Resources Management Department. The Lead Agency and/or applicant shall, in good faith, consult with Yuhaaviatam of San Manuel Nation throughout the life of the project.

Implementation of Mitigation Measures TCR-1, TCR-2, and Mitigation Measure CR-3 (Section V) would reduce potentially significant impacts of the Proposed Project associated with Tribal Cultural Resources to less than significant.

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIX. UTILITIES AND SERVICE SYSTEMS - Would the Project:					
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

SUBSTANTIATION:

Countywide Plan; Submitted Project Materials

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

Less than Significant Impact. The proposed Project would construct a 7,225 square-foot single-story block building and approximately 39 parking spaces. Additional property improvements include signage, landscaping, lighting, site paving, and trash and recycling pads.

Water and Wastewater Treatment Effects:

The proposed Project will construct a line tap into the existing water line operated by Sheep Creek Water Company off of Malpaso Road and implement a new septic system in the southern portion of the Project Site as seen on Figure 6 Construction of the waterline tap and septic system will be installed in accordance with Sheep Creek Water Company standards and would not cause environmental effects, therefore no impacts would be less than significant and no mitigation is required.

Electric Power:

Southern California Edison will provide electricity to the Project Site and will utilize the existing power distribution system located adjacent to the Project Site. The system will be upgraded to a 3-phase transformer bank to be able to supply the site with sufficient

electricity through the installation of a new underground 120/180-volt electrical line drop to the O'Reilly Auto Center. Impacts are anticipated to be less than significant with the expansion of the existing electric power facilities.

Natural Gas:

Development of the proposed Project would not create a demand for natural gas and would not be connected to a natural gas distribution system. Therefore, the project would not result in a significant environmental effect related to the relocation or construction of new or expanded natural gas facilities. No impacts are anticipated.

Telecommunications:

Development of the proposed Project would require the installation of wireless internet service or phone service and shall tap into the existing overhead power line located adjacent to the Project Site. A service provider has not yet been established; however, the Project Site would be required to comply with all Federal, State, and local regulations for installation and wiring of telecommunications to the Project. With adherence to the existing San Bernardino County Electrical, Building, and Safety code requirements, the Project would have a less than significant impact.

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

Less than Significant Impact. The main water utilizing sources on site would be potable water for restrooms and irrigation. The project will install minimal on site landscaping that is required to abide by the County Code, Chapter 83.10, which pertains to water efficiency standards. Based on estimates from the Environmental Protection Agency (EPA), the proposed Project is anticipated to utilize approximately 80 gallons per day (GPD) or 0.08 acre-feet per year in total water usage. According to the EPA WaterSense Program, commercial restrooms typically use high-efficiency toilets with a flow rate of 1.28 gallons per flush and faucets rated between 0.5 and 2.5 gallons per minute (EPA 2023a; EPA 2023b). The American Water Works Association (AWWA) estimates that employees use restrooms 3-5 times per shift, contributing to an average daily water demand of 100-150 gallons per 20 employees (ASHRAE 2023). Since the O'Reilly Auto Center is estimated to have 5 to 7 employees scheduled per day and restrooms are for employee use only, the Project is expected to utilize approximately 70 GPD for restroom activities.

The landscaping will be minimal, with the majority of the Project Site dedicated to paved areas for parking and walkways, while the area around the Project Site will remain in its natural state. Irrigation is estimated to account for approximately 10 GPD. When combined, the total estimated water usage for the Project is 80 GPD. Sheep Creek Water Company serves the Project area and maintains seven storage reservoirs with a combines storage capacity of 6.1 million gallons (Sheep Creek Water Creek n.d.). Given these estimates, no mitigation is required as the projected water demand remains within acceptable limits.

- 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 Project will be served by a new onsite septic system and will not have an impact on a municipal wastewater system. No mitigation is required.

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

Less than Significant Impact. Other than the small amount of construction wastes (concrete, wood, etc.) and waste associated with the daily domestic uses include restroom trash accumulation, employee food waste, delivery boxes and office materials. Given the nature and scale of the project, the volume of waste generated is anticipated to be low and manageable within existing waste management systems. According to the San Bernardino Countywide General Plan EIR, after waste is collected, it is delivered to the Victorville Sanitary Landfill. The Victorville Sanitary Landfill underwent significant capacity expansions in the early 2000s. Specifically, its capacity increased from 7.7 million cubic yards to 83.2 million cubic yards, with an estimated closure year extended from 2005 to 2059 (CEQAnet 2005). This expansion ensures that the landfill can accommodate substantial waste volumes over an extended period. Additionally, the County of San Bernardino's municipal solid waste landfills collectively have capacity for well in excess of 15 years (SBC 2018).

This indicates that the regional waste management infrastructure is robust and capable of handling additional waste inputs. Given the project's minimal waste generation relative to the substantial remaining capacity of the Victorville Sanitary Landfill, it is concluded that the proposed development will not adversely affect the existing solid waste disposal system. Therefore, the impact is considered less than significant.

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

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

SUBSTANTIATION:

Countywide Plan; Submitted Project Materials

- a-d) *Substantially impair an adopted emergency response plan or emergency evacuation plan? Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire? Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? 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 Proposed Project Site is not located within a High or Very High Fire Hazard Severity Zone (SBC 2019f). The Project Site is located within a Fire Safety Overlay (FS1). Therefore, the Project would need to comply with Chapter 7A "Materials and Construction Methods for Exterior Wildfire Exposure" of the California Building Code. The proposed Project shall comply with all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. As mentioned in section XIX, the Project Site will include adequate on-site access for emergency vehicles and will be verified by the County during the plan check process. The project is located in a relatively flat area that is not susceptible to landslides and therefore, the proposed Project would not be subject to post-fire slope instability. The proposed Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. No significant impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XXI. MANDATORY FINDINGS OF SIGNIFICANCE:				

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Does the Project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Does the Project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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 Incorporated. The proposed Project is the development of an auto parts store on vacant, undeveloped land in the desert region of San Bernardino County. Habitat at the Project Site consists of Joshua Tree Woodland special status species such as Le Conte's thrasher, coast horned lizard, Swainson's hawk and burrowing owl have a low potential to occur on the site. Mitigation Measures BIO-1, BIO-2, and BIO-4 will address potential impacts to the species through pre-construction nesting bird surveys, pre-construction clearance surveys, and biological monitoring during ground disturbing activities. The Project site also provides habitat for Western Joshua Trees. The proposed Project would result in the "Take" of Joshua trees either through relocation activities or when discarded. This "Take" will directly impact all 39 western Joshua trees on the property. There are Joshua trees in adjacent areas which may be indirectly impacted by construction activities. Although 39 western Joshua trees and their associated seedbanks will be directly affected by the proposed Project, the overall impacts of the project are expected to be minimal when compared to the local, regional, and State population levels of the western Joshua tree. Mitigation Measure BIO-3 is included to address impacts to the Western Joshua Trees through relocation efforts

a)

and paying into the mitigation bank for a take of a tree. Therefore, the proposed Project is not expected to jeopardize the continued existence of the western Joshua tree.

The Cultural Resources Assessment conducted for the project determined that no known historical or archaeological resources exist within the project site. Records searches and field surveys found no evidence of prehistoric or historic-era resources, and no visible disturbances indicating past human activity. However, because ground-disturbing activities have the potential to uncover buried cultural resources or human remains, mitigation measures (CR-1, CR-2, and CR-3) have been incorporated to ensure proper assessment and treatment if any discoveries are made during construction. These measures include stopping work in the affected area, consulting with a qualified archaeologist, and notifying the appropriate tribal and governmental agencies. With these mitigation measures in place, the project's impact on cultural resources would be less than significant.

The project is not anticipated to cause a substantial adverse change to tribal cultural resources. No tribal cultural resources listed or eligible for listing in the California Register of Historical Resources or a local register were identified within the project site. Therefore, no impact is expected in this regard. However, there is potential for previously unknown tribal cultural resources to be encountered during ground-disturbing activities. To address this possibility, the project includes mitigation measures (TCR-1 and TCR-2) developed in consultation with the Yuhaaviatam of San Manuel Nation. These measures require notifying the Tribe if any cultural resources are discovered, allowing for their input on significance and treatment, and ensuring all cultural resource documentation is shared with the Tribe. Additionally, mitigation measure CR-3 provides further protection in the event of unexpected discoveries. With these mitigation measures in place, any potential impacts to tribal cultural resources would be reduced to a less than significant level.

- 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)?*

No Impact. Construction of the Project in conjunction with other approved or pending projects in the region would not result in cumulatively considerable impacts to the physical environment. As concluded throughout the analysis above, the proposed Project would include both operation- and construction-related Project components whose adherence to applicable regulations would ensure that the proposed Project's incremental contribution would be less than cumulatively considerable.

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

No Impact. All potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable in terms of adverse effects upon the region, the local community or its inhabitants. At a minimum, the Project will be required to meet the conditions of approval for the Project to be implemented. It is anticipated that all such conditions of approval will further ensure that no potential for

adverse impacts will be introduced by construction activities, initial or future land uses authorized by the Project approval.

XXII. MITIGATION MEASURES

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

SELF MONITORING MITIGATION MEASURES: (Compliance monitoring will be verified by existing procedures for condition compliance)

Biological Resources

Mitigation Measure BIO-1: Pre-construction Nesting Bird Surveys

Within 3 days prior to the commencement of vegetation clearing or ground disturbing activities during the nesting season (typically February through August, unless otherwise determined by a qualified biologist based on local observations), a qualified biologist will determine the presence of active nests belonging to species protected under the Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, and California Fish and Game Codes 3503, 3503.5, and 3513 with full project site coverage including visual surveys extending to surrounding lands (up to 300 ft for raptors). In cases where ground disturbance activities are delayed, additional pre-disturbance must be conducted to ensure that no more than seven days have passed between the survey and the onset of ground disturbance activities. If active nests are identified, disturbance activities within 100 feet of the nest (or lesser distance if approved by United States Fish and Wildlife Service) must be postponed or halted until the nest is vacated and the juveniles have successfully fledged, as determined by the biologist. To establish avoidance buffers in the field, highly visible construction fencing, or flagging must be used, and on-site personnel must be educated about the sensitivity of these nest areas. During periods when Project activities are scheduled to occur near active nests, a qualified biologist must be present as a biological monitor to ensure that inadvertent impacts on these nests are prevented.

Mitigation Measure BIO-2: Pre-construction Clearance Surveys

Burrowing Owl

Within 14 days preceding vegetation clearing or ground disturbing activities, a qualified biologist will conduct an initial take avoidance survey for signs of occupancy by the burrowing owl. This survey must encompass the entire area designated for disturbance and should involve the biologist walking along parallel transects. If no Burrowing Owls are detected during the initial take avoidance survey, the survey should be repeated within 24 hours prior to ground disturbance to determine if the Project site contains burrowing owl or sign thereof to avoid any potential impacts to the species. The surveys shall include 100 percent coverage of the Project site. If both surveys reveal no burrowing owls, active burrowing owl burrows or perch sites with active sign (molted feathers, cast

pellets, prey remains, eggshell fragments, decoration, or excrement) thereof, no additional actions related to this measure are required and a report shall be prepared by the qualified biologist documenting the results of the survey including all requirement for survey reports (page 30 of the 2012 Staff Report). The report shall be submitted to CDFW for review prior to construction. Surveys will follow Appendices C and D of the CDFW Staff Report on Burrowing Owl Mitigation (2012). If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed.

If burrowing owl, active burrows or signs thereof are found the qualified biologist shall prepare and implement a plan for avoidance, minimization, and mitigation measures to be reviewed and approved by CDFW for review and approval at least 30 days prior to initiation of ground disturbing activities. The Burrowing Owl Plan shall describe proposed avoidance, minimization, and monitoring actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. Project activities shall not occur within 1000 feet of an active burrow until CDFW approves the Burrowing Owl Plan. If the Project cannot ensure burrowing owls and their burrows are fully avoided, consultation with CDFW is warranted to discuss how to implement the Project and avoid take; or if avoidance is not feasible, to potentially acquire an ITP prior to any ground disturbing activities, pursuant Fish and Game Code section 2081 subdivision (b). Full mitigation often involves the permanent conservation of quality habitat benefiting the species through a conservation easement, along with habitat enhancement and ongoing management funded appropriately. Passive relocation, performed according to the Staff Report on Burrowing Owl Mitigation (CDFW 2012) may be authorized through the incidental take permit as a minimization measure.

Coast Horned Lizard

In order to avoid potential impacts to coast horned lizards within the Project area, a biologist shall conduct a pre-construction clearance survey on the day that construction activities, including vegetation clearing and ground disturbing activities, occur within the Project area where suitable habitat is present. Construction personnel shall conduct daily inspection of trenches and holes for entrapped wildlife each morning prior to the onset of Project construction, and inspection of pipes, culverts, and similar construction material for entrapped wildlife at the beginning and end of the day. If this species is observed during the pre-construction clearance survey, the project biologist shall require additional measures to reduce potential impacts such as creating appropriate buffers and on-site construction monitoring by a qualified biological monitor during demolition and grading.

Le Conte's Thrasher

Prior to any ground-disturbing activities, including vegetation clearing, grading, or construction, a qualified biologist shall conduct a pre-construction clearance survey for Le Conte's thrasher (*Toxostoma lecontei*) within suitable habitat areas on the Project Site.

If an active nest or breeding pair is detected during the survey, a no-disturbance buffer of at least 500 feet shall be established around the nest site or as otherwise recommended by the qualified biologist, in consultation with the California Department

of Fish and Wildlife (CDFW). If the species is observed within the Project area, CDFW shall be contacted to formulate a strategy for avoidance.

Mitigation Measure BIO-3: Western Joshua Tree

The Project applicant shall comply with the requirements of the Western Joshua Tree Conservation Act and San Bernardino County Code Sections 88.01.050 and 88.01.060 regarding the removal, relocation, or transplantation of Western Joshua trees.

A mitigation fee shall be paid for Western Joshua trees requiring removal as a result of the Project according to the Western Joshua Tree Conservation Act. The fees are based on the "Standard" Western Joshua tree removal fees as determined by the Act as follows:

- Trees 5 meters (16.4 feet) or greater - \$2,544.75
- Trees 1 meter (3.28 feet) or greater but less than 5 meters - \$509
- Trees less than 1 meter - \$346

In addition to paying the required mitigation fees, the Project applicant shall comply with San Bernardino County Code Section 88.01.050, which requires the relocation or transplantation of Joshua trees where feasible, as determined by a qualified biologist or certified arborist. The applicant shall also comply with Section 88.01.060, which establishes replanting standards for transplanted Joshua trees to maximize survival rates.

To comply with County Code Section 88.01.050, Joshua trees shall be transplanted on-site where feasible, and if transplantation on-site is not possible, trees shall be relocated to a designated off-site location in accordance with the County's standards and under the direction of a qualified biologist or arborist. The Project applicant shall ensure that proper irrigation, monitoring, and maintenance is provided for any transplanted Joshua trees for a minimum period of two years to ensure successful establishment.

If any transplanted trees do not survive after two years of monitoring, the applicant shall either:

- Replace the dead tree(s) with a Western Joshua tree of similar size or age; or
- Pay applicable in-lieu mitigation fee in accordance with the Western Joshua Tree Conservation Act and County Code.

Cultural Resources

Mitigation Measure CR-1

In the event that cultural resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the Project outside of the buffered area may continue during this assessment period. Additionally, Yuhaaviatam of San Manuel Nation Cultural

Resources Department 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.

Mitigation Measure CR-2

If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to the Yuhaaviatam of San Manuel Nation for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

Mitigation Measure CR-3

If human remains or funerary objects are encountered during activities associated with the Project, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be notified immediately. If the human remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant. The most likely descendant shall complete the inspection of the site and provide recommendations for treatment to the landowner within 48 hours of being granted access.

Because excavation activity associated with the development of the Project Site would impact the paleontologically sensitive Pleistocene alluvial units, and it is the recommendation of the Western Science Center that a paleontological resource mitigation program be put in place to monitor, salvage, and curate recovered fossils associated with the study area.

Tribal Cultural Resources

Mitigation Measure TCR-1

The Yuhaaviatam of San Manuel Nation Cultural Resources Management Department shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with the Yuhaaviatam of San Manuel Nation all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents the Yuhaaviatam of San Manuel Nation for the remainder of the project, should they elect to place a monitor on-site.

Mitigation Measure TCR-2

Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to the Yuhaaviatam of San Manuel Nation Cultural Resources Management Department. The Lead Agency and/or applicant shall, in good faith, consult with Yuhaaviatam of San Manuel Nation throughout the life of the project.

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Appendices

Appendix A – Air Quality Study

Appendix B – Biological Assessment

Appendix C – Cultural Resources Assessment

Appendix D – Geotechnical Study

Appendix E – Phase I Environmental Site Assessment

Appendix F – Noise Study