



LAND USE SERVICES DEPARTMENT PLANNING DIVISION PLANNING COMMISSION STAFF REPORT



HEARING DATE: April 17, 2014

AGENDA ITEM NO: 4

PROJECT DESCRIPTION

APN: 0315-231-17
APPLICANT: MUNEM MAIDA
PROPOSAL: A CONDITIONAL USE PERMIT TO ESTABLISH A 6,793 SQUARE FOOT CONVENIENCE STORE, GAS STATION, AND A CARE-TAKER RESIDENCE ON 0.90 ACRE
COMMUNITY: ERWIN LAKE/THIRD SUPERVISORIAL DISTRICT
LOCATION: EAST/SOUTHEAST CORNER OF STATE HIGHWAY 38 AND STATE LANE
PROJECT NO.: P201300086/CUP
REP(S): STEENO DESIGN STUDIO
STAFF: OXSO SHAHRIARI, PLANNER

VICINITY MAP N ↑



827 Hearing Notices Sent On: April 1, 2014
P.C. Field Inspection Date: April 7, 2014

Report Prepared By: Oxso Shahriari
Field Inspected By: Commissioner Smith

SITE INFORMATION:

Parcel Size: 0.90 Acre
Terrain: Nearly flat
Vegetation: Moderately dense forest community with sporadic indigenous vegetation

SURROUNDING LAND DESCRIPTION:

AREA	EXISTING LAND USE	LAND USE ZONING/OVERLAY DISTRICTS
Site	Vacant	General Commercial (CG) Biological Resources & Fire Safety Overlay (FS-1) Overlays
North	Vacant	General Commercial (CG) Biological Resources & Fire Safety Overlay (FS-1) Overlays
South	Single Family Residence (South & Southeast)	Single Residential (RS) Biological Resources & Fire Safety Overlay (FS-1) Overlays
East	Vacant and Single Family Residences	Single Residential (RS) Biological Resources & Fire Safety Overlay (FS-1) Overlays
West	Vacant	General Commercial (CG) Biological Resources & Fire Safety Overlay (FS-1) Overlays

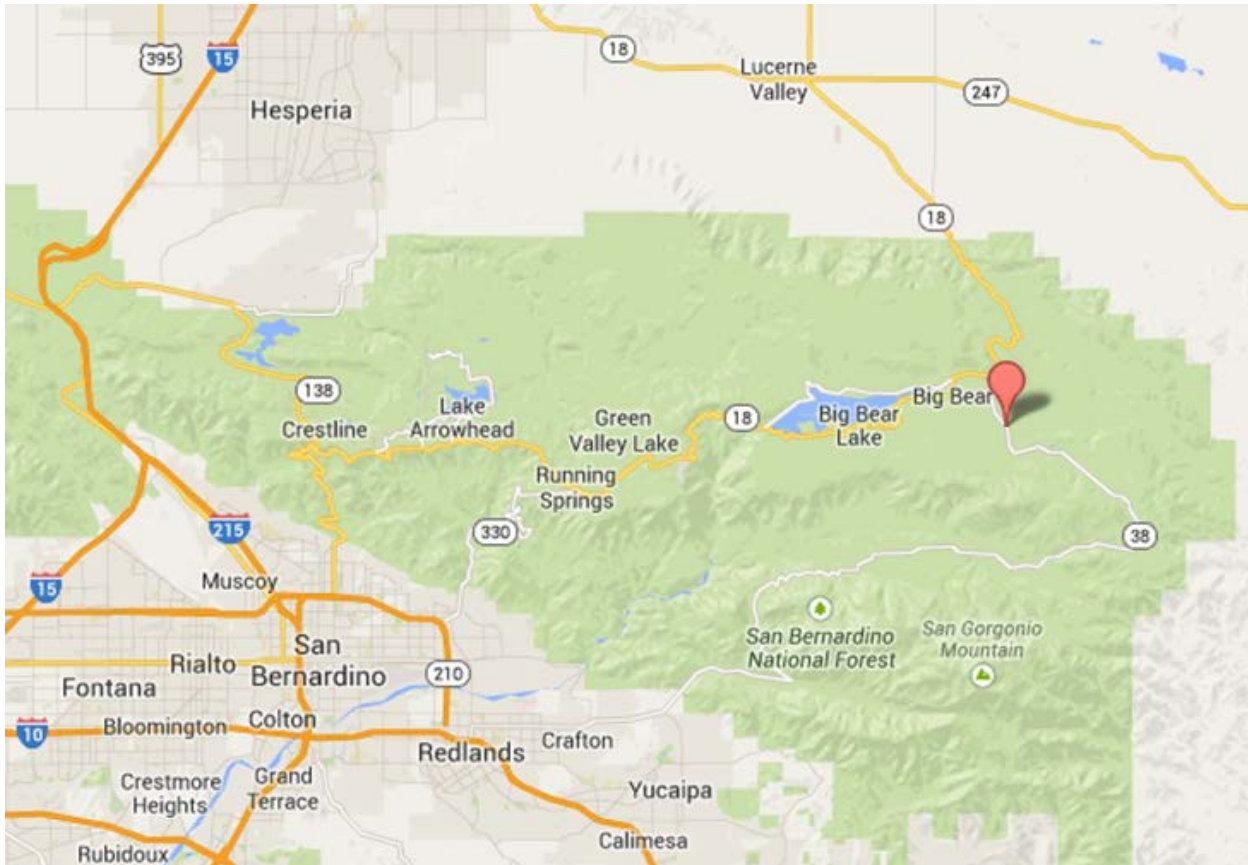
	AGENCY	COMMENT
City Sphere of Influence:	N/A	None
Water Service:	Big Bear City Community Services District	EHS approval required
Septic/Sewer Service:	Big Bear City Community Services District	EHS approval required

STAFF RECOMMENDATION: That the Planning Commission **APPROVE** a Conditional Use Permit to establish a 6,793 square-foot convenience store, gas station, and a care-taker's residence on 0.90 acre.

In accordance with Section 86.08.010 of the Development Code, this action may be appealed to the Board of Supervisors.

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Vicinity Map (Regional)



Aerial Map

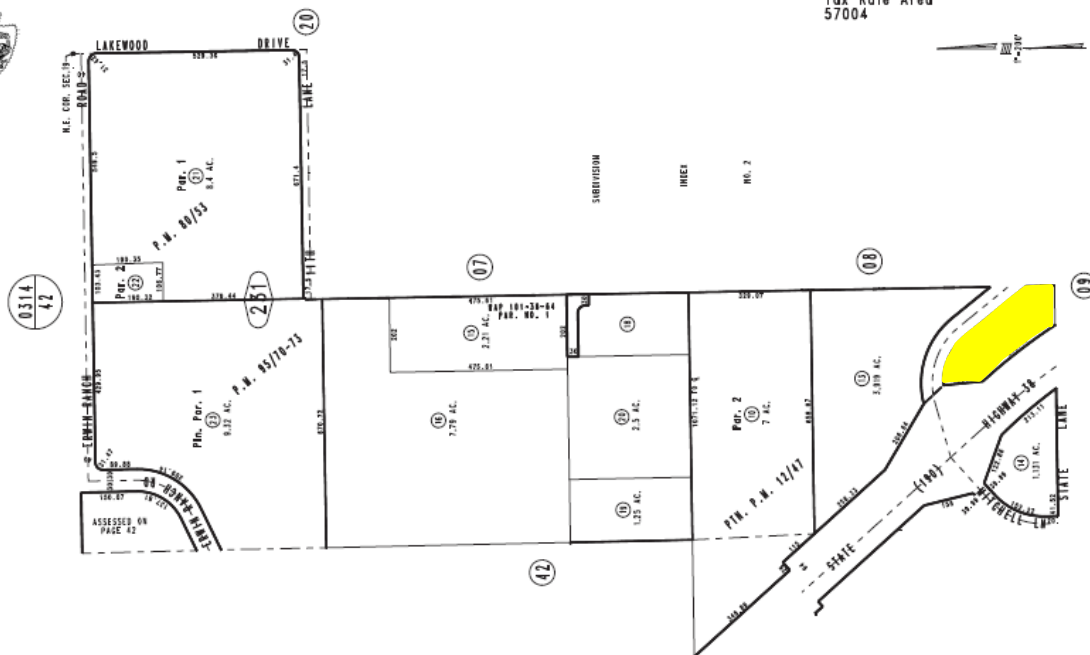
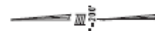


Assessor Parcel Map

THIS MAP IS FOR THE PURPOSE OF AD VALOREM TAXATION ONLY.

E.1/2, N.E.1/4, Sec.19, T.2N.,R.2E., S.B.B.&M.

Bear Valley Unified Sch. Dist.
Tax Rate Area 57004



November 2004

Ptn. Parcel Map No. 7382, P.M. 85/70-73
Parcel Map No. 7772, P.M. 80/53
Ptn. Parcel Map No. 1491, P.M. 12/47

Assessor's Map
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San Bernardino County

REVISED
05/23/06 KP

Site Photos



Looking east from within the project site with State HWY 38 in the background.

Site Photos



Looking north from within the project site

Site Photos



Looking west from within the project site with State Highway 38 to the left

Site Photos



Looking west from northbound Highway 38; the project site is located 130 feet to the right

BACKGROUND:

The proposed project (Project) is a Conditional Use Permit (CUP) to establish a 6,793 square-foot convenience store, gas station, and a care-taker's residence on 0.90 acre. The project will contain a 5,641 square-foot convenience store, a 1,152 square-foot care-taker residence on the upper level and four gas dispensing stations under a 2,400 square-foot canopy. The balance of the nearly one-acre site is set aside for landscaping and parking requirements.

The Project site is zoned General Commercial (CG); and is located in the unincorporated area of the County's Mountain Region, approximately 2 miles south of Erwin Lake. The Project site is located at the southeast corner of State Highway 38 and State Lane—which will provide legal and physical access to the site. The project is within Fire Safety Overlay District (FS-1). This Project proposal is consistent with the permitted uses in General Commercial zoning districts, subject to the filing of a Conditional Use Permit application.

ANALYSIS:

DEVELOPMENT STANDARDS. The Project proposal meets the development standards for designated CG zoning, as set forth by Chapter 82.05 of the Development Code, including building height and setback requirements, parking and landscaping. The Project zoning requires 20% landscaping; the Project provides 24.3%. The Project meets its parking requirements by providing 27 parking spaces, including one disabled parking space and one loading space. The Project has been reviewed by various County departments including Traffic, Land Development, Waste Management and Fire. The proposal and the site plan comply with applicable Development Standards.

PUBLIC INPUT. The Project notice has been sent to 45 surrounding property owners within 300 feet of the Project site, as required by Development Code Section 84.27.070, for project sites of 20 acres or less. Other interested parties, both in support of and opposed to the Project, have contacted the Planning Division; and have been provided Project information and related reports. Comments in support of and against the Project have been received in various forms: mail, email, signed petition, electronic petition, and fax. The County has received 79 comments in support and 703 (including 683 electronic signatures) in opposition to the Project. Staff has responded to the inquiries to provide additional Project information, and answered questions about the Project. A total of 827 Notices of Hearing were sent through various media to the surrounding property owners and those persons who expressed interest in attending the Public Hearing. The Project notice was also advertised in The San Bernardino County Sun and The Big Bear Grizzly.

VISUAL IMPACT. The Project is located on State Highway 38, which is a designated scenic corridor. However, the Project will not have a substantial adverse effect on a scenic vista because the site is separated from the highway and the traveling public by the Caltrans right-of-way. The right-of-way contains indigenous trees that buffer the site from view. No protected trees are identified on the site. However, as a Condition of Approval, the applicant must obtain an approved Tree or Plant Removal Permit from County Planning in compliance with Section 88.01.050 (Tree or Plant Removal Requirements), before the removal of any regulated trees and plants. The Project will retain over 20% of the site in a natural undeveloped vegetated or re-vegetated condition, sufficient to ensure vegetative coverage for a forest environment. An adequate number of trees (fifty-seven Jeffrey Pines and three cypress trees six inches in diameter or wider) shall be retained on site as regulated native trees. These trees, along with the newly planted landscaping, will minimize any potential visual impact to a level below significance. These trees along with those on the public land along the state highway and to the west/southwest of the site will buffer the development from the view of the public traveling along the State Highway.

The Project includes architectural features, as depicted on the conditionally approved site plan and elevations that complement the mountain character of the surrounding areas. The proposed development provides aesthetic qualities of a mountain lodge that blends well with the surrounding vistas. The Project is conditioned to use low intensity lamps, especially at the development boundaries. All lighting shall be hooded and designed with sharp-cutoff luminaries to reflect away from adjoining properties and public thoroughfares. A lighting plan is required, subject to review and approval by Planning, which requires that all Project light sources be placed and designed so as not to cause glare or excessive light spillage into neighboring sites, night sky, or public roadways. As consistent with County Development Code Chapter 83.07: Glare and Outdoor Lighting, this approval does not allow installation or use of any artificial light source that will be emitted into the night sky. The Project will not be a source of substantial light or glare, therefore, no potentially significant impact is anticipated in this area of concern and no mitigation measures are deemed necessary. The Project as proposed meets County's goals in conserving the scenic qualities of this route. Therefore, no potentially significant impact is anticipated and no mitigation measures are deemed necessary.

BIOLOGICAL RESOURCES. The Project site is a vacant parcel. A General Biological Resources Assessment was prepared by RCA Associate, LLC, which included a site survey and literature review, a search of U.S. Fish and Wildlife Service and California Department of Fish and Wildlife data bases, and a search of California Natural Diversity Database. While the site has been identified to be located within the distribution of California spotted owl, southern rubber boa and flying squirrel, the study found no sensitive wildlife species present during the survey. The study also recognized bald eagles and unarmored threespine stickleback fish, which have potential habitat two miles to the north in the vicinity of Baldwin Lake. Additionally, no sensitive habitats (i.e., streams, wetlands, etc.) or wildlife corridors exist on the Project site, nor were any such habitats noted in adjacent areas. The site supports a moderately dense ponderosa pine community with some pinyon pines and California junipers. No blue line streams were identified during the field investigation and no wildlife corridors bisect the property. The study finds that "no sensitive species are expected to occur on the site based on the results of the field investigation and the location of the 0.90-acre parcel in an area which has been disturbed due to past development activities". The General Biological Assessment finds that while some wildlife species will be displaced into adjacent areas, and that some small mammals will experience increased mortality rates, the cumulative impacts are not expected to be significant given the amount of similar vegetation present in adjacent areas and the relatively small size of the property.

An amendment report letter dated February 3, 2014, was received from RCA Associates to address concerns raised on potential impacts to the unarmored threespine stickleback fish as a result of a potential oil spillage or seepage associated with this Project. The amendment finds that although population of the stickleback fish may be present two miles north of the Project site, it is unlikely the species would be affected by any potential onsite leakage or seepage. Any seepage/spillage from the site would likely be contained before any gasoline or diesel fuel reaches the intermittent channels of Shay Creek. Any leakage or seepage from the underground tanks will be immediately reported and mitigation measures, if needed, will be implemented. Therefore, the assessment does not propose any mitigation measures for stickleback fish at this time as potential impacts are deemed less than significant on the property or in the surrounding region.

TRAFFIC AND CIRCULATION. The Project is located on the southeast corner of State Highway 38 and State Lane which provides sufficient vehicular access to the site. A Traffic Study was performed by Hall & Foreman, Inc. to address traffic impacts of the Project as a whole and the expected trip generation. The study encompasses the area streets and specifically the intersection of State Lane and Highway 38, which provides local and regional access to the study area.

In addition to addressing traffic impacts due specifically to development of this Project, this study considered impacts due to correlating development resulting from this Project and other straight line projected area growth to consider accumulative impact and traffic conditions up to the 2035 forecast year within the study area. The purpose of the future year analysis is to assure that traffic improvements for the intersection are not needed to accommodate the anticipated future traffic. Also considered were the existing and projected traffic volumes and turning movement counts at peak hours of 7 am to 9 am and 4 pm to 6 pm; as well as a 24-hour intersection volume count at the intersection of Highway 38 and State Lane. These counts were conducted in December of 2012. The volume at State Lane and First Lane (an unpaved road providing access to two properties east of the Project site) were also observed. Also considered was the existing level-of-service (LOS) based on the existing intersection geometrics.

A traffic signal warrant analysis was also conducted at the intersection of Highway 38 and State Lane to determine if the installation of a traffic control signal would improve the overall safety and/or operation of the intersection. Considerations were given to the geometrics of each approach, the number of lanes, and accident history rates for the intersection. It was determined that a traffic signal was not warranted based on eight hour volumes, four hour volumes or peak hour volumes. The study continues to state that the intersections and Project driveways are anticipated to continue to operate at LOS "C" or better during both the AM and PM peak hour, utilizing the existing intersection geometrics. It was determined that no traffic signal at the intersection of Highway 38 and State Lane is warranted as a result of this proposed Project.

The County Traffic Division and Caltrans have each reviewed the Project, related site plan, and the referenced Traffic Study and found the Project to be consistent with County Development Standards for providing sufficient access to serve the proposed use and related activities. Therefore, any impact in the area of Traffic is deemed less than significant.

AIR QUALITY. The Project site is located within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). An Air Quality Impact Analysis was prepared for this Project by Urban Crossroads to analyze emissions from short term construction activities and long term operational activities.

The study finds that short-term construction-source emissions would be temporary and intermittent in nature and would not result in persistent impacts that would affect substantial numbers of people. The study finds that Project construction-source emissions would not conflict with the applicable Air Quality Management Plan (AQMP). Air quality mitigation measures (III-1 to III-3 and XI-1) in the area of dust control, construction activities and equipment, coating restrictions, and noise have been required as part of Conditions of Approval. Application of these mitigation measures will address potential impacts related to construction equipment operations, construction material use, storage, and disposal. Therefore these potential impacts are considered less than significant.

Potential long-term operational impacts of the Project were also analyzed by the referenced Air Quality Study. The study finds that the proposed Project would not result in any significant "hotspot" as a result of Project related traffic during ongoing operations, nor would the Project result in a significant adverse health impact. Project operational-source emissions would not conflict with the AQMP. The study continues to find that for regional emissions, the Project would not exceed the numerical thresholds of significance established by the SCAQMD. Thus, a less than significant impact would occur for Project-related operational-source emissions without application of any mitigation measures. The Project would not result in a significant health risk impact due to toxic air contaminants associated with gasoline dispensing activities; therefore, a less than significant impact to sensitive receptors due to Project's operational activity is expected.

The study states that substantial odor-generating sources include land uses such as agricultural activities, feedlots, wastewater treatment facilities, landfills or various heavy industrial uses. The Project does not propose any such uses or activities that would result in potentially significant operational odors.

The Project design incorporates paving (and/or dust-proof surfacing) and landscaping, which will minimize wind-blown dust or particulate matter leaving the site during operations. The County Waste Management has reviewed and conditioned the Project to remedy potential sources odors generated which would include disposal of miscellaneous commercial refuse. The Project is required to ensure all Project generated refuse would be stored in covered containers and removed at regular intervals in compliance with solid waste regulations. Potential operational-source odor impacts are therefore considered less-than-significant. Based on presented information, any potential air quality impact will be less than significant.

INITIAL STUDY. An Initial Study has been prepared for the Project in compliance with the California Environmental Quality Act (CEQA). The Initial Study contains mitigation measures recommended to minimize potential impacts in the area of biological resources, air quality and noise. The Initial Study and the proposed Mitigated Negative Declaration were posted and made available for public review from January 7, 2014 to January 28, 2014. Two comment letters and three emails were received from concerned citizens and/or groups, specifically related to the Initial Study. These letters/emails raised concerns regarding potential impacts on biological resources, traffic and air quality. The staff determined the professional reports prepared for this Project have addressed all concerns. The findings of these studies as described in this staff report conclude that no significant impact is anticipated, and that any potential impact will be less than significant. The Initial Study reiterates these findings and concludes that the proposed Project would not have any significant adverse impacts with application of the proposed mitigation measures. Therefore, a Mitigated Negative Declaration is proposed for adoption by the Planning Commission. The Initial Study/Mitigated Negative Declaration reflects the independent judgment of the County of San Bernardino.

RECOMMENDATION:

That the Planning Commission:

1. **ADOPT** the Mitigated Negative Declaration, based on a finding that the Initial Study was completed in compliance with CEQA, that it has been reviewed and considered prior to approval of the Project, and that the Initial Study/Mitigated Negative Declaration reflects the independent judgment of the County of San Bernardino;
2. **ADOPT** the Findings as contained in the Staff Report;
3. **APPROVE** the Conditional Use Permit to establish a 6,793 square-foot convenience store, gas station, and a care-taker's residence on 0.90 acre, subject to the recommended Conditions of Approval; and
4. Direct staff to **FILE** a Notice of Determination.

Attachments: EXHIBIT A: Findings
EXHIBIT B: Conditions of Approval
EXHIBIT C: Initial Study
EXHIBIT D: Correspondences Part 1 & 2 (Provided on CD)

EXHIBIT A

Findings

FINDINGS: Conditional Use Permit – Convenience Store and Gas Station

1. **The site for the proposed use is adequate in terms of shape and size to accommodate the proposed use and all landscaping, loading areas, open spaces, parking areas, setbacks, walls and fences, yards, and other required features pertaining to the application.** The project site plan has fully addressed the landscaping, parking, and open space needs of the project. Additionally, the proposed facility is required, either by design or by application of Conditions of Approval, to comply with all requirements pertaining to a Conditional Use Permit application, including required setbacks. The proposed project is consistent with County development standards or the designated zoning of: General Commercial (CG).
2. **The site for the proposed use has adequate access, which means that the site design incorporates appropriate street and highway characteristics to serve the proposed use** because the proposed convenience store and gas station will have adequate legal and physical access by utilizing State Lane, along the east/southeast of the project site. The County Public Works Department and Caltrans has reviewed the site plan and its proposed driveway access, and has found that the site has adequate access to support the proposed use and related activities.
3. **The proposed use will not have a substantial adverse effect on abutting property or the allowed use of the abutting property, which means that the use will not generate excessive noise, traffic, vibration, or other disturbance** because the proposed use is permitted in General Commercial Zoning District, subject to approval of a Conditional Use Permit and meeting the requirements set forth by the Conditions of Approval. The proposed project has been reviewed for traffic, noise, air quality and waste management impacts. As determined by licensed professionals, this use will not generate excessive disturbances and any impact will be less than significant. In addition, the use will not substantially interfere with the present or future ability to use solar energy systems because the use and its proposed structure will not cast significantly large, sun-blocking shadows across a potential site for such solar energy system.
4. **The proposed use and manner of development are consistent with the goals, policies, standards and maps of the County General Plan** because the proposed facility will provide services typically considered beneficial to neighboring residences. The proposed development together with the provisions for its design and improvement are consistent with the goals and policies of the General Plan. Specifically, the proposed use is consistent with:

GOAL LU 1 which states that, “the County will have a compatible and harmonious arrangement of land uses by providing a type and mix of functionally well-integrated land uses that are fiscally viable and meet general social and economic needs of the residents.”

The proposed Gas Station and Convenience store is located with the General Commercial zoning district which is set aside and intended to provide opportunities for small to medium sized commercial development that could benefit the surrounding property owners. This project will serve the surrounding community by providing a neighborhood facility currently not available in the immediate vicinity.

5. **There is supporting infrastructure, existing or available, consistent with the intensity of development, to accommodate the proposed development without significantly lowering service levels** because the project site is sufficiently served by State Lane, which is connected to the State Highway 38, located only 150 feet west of the site. The intensity of the proposed use has been determined to minimally increase service demands. Neither the short-term construction activities nor the long-term operational activities will cause level of service for traffic to fall below the required standards, as depicted in the Traffic Study performed by Hall and Foreman, LLC. The project water and sewer needs will be served by Big Bear City Community Services District.
6. **The lawful conditions stated in the approval are deemed necessary to protect the public health, safety and general welfare** because the conditions of approval incorporate mitigation measures intended to reduce any potential impacts in the area of noise, biological resources and air quality associated with the project. The other conditions, when implemented, will protect the public health, safety and welfare by providing adequate site improvements.
7. **The design of the site has considered the use of solar energy systems and passive or natural heating and cooling opportunities**, in that adequate space is made available through the site design for future installation of such systems.
8. **The project is consistent with the California Environmental Quality Act (CEQA)** because an Initial Study has been prepared in compliance with CEQA, which represents the independent judgment of the County acting as the lead agency for the project. The Initial Study contains mitigation measures recommended to minimize potential impacts on biological resources, air quality, and noise levels. The Initial Study and the draft Mitigated Negative Declaration were posted and made available for public review as required by law. Based on the referenced Initial Study, the proposed Project would not have significant adverse impacts with application of the proposed mitigation measures. Therefore, a Mitigated Negative Declaration is proposed.

EXHIBIT B

Conditions of Approval

CONDITIONS OF APPROVAL
Conditional Use Permit
MUNEM MAIDA

GENERAL REQUIREMENTS
Conditions of Operation and Procedures

LAND USE SERVICES – Planning (909) 387-8311

1. Project Approval Description. This Conditional Use Permit is approved subject to these Conditions of Approval to establish a 6,793 square foot convenience store, gas station, and a care-taker residence on 0.90 acre at the east/southeast corner of State highway 38 and State Lane, within the community of Erwin lake in the Third Supervisorial District; Assessor Parcel Number: 0315-231-17; Project Number: P201300086.
2. Developer Defined. The term developer (Developer) as used in these conditions of approval for this project and for any development of this project site shall mean all of the following: the applicant, the property owner and any lessee, tenant or sub-tenant, operator and/or any other agent or other interested party of the subject project and/or project site and/or any heir or any other successor in interest in the project site or project land use by sale or by lease of all or of a portion of the project site or project land uses and/or any other right given to conduct any land use in any or all of the project structures or any area on the project site.
3. Development Standards. The Developer shall identify and meet all applicable development standards. This project is located in the General Commercial (CG) Zoning District and is subject to all development standards such as building setbacks, maximum building height, minimum required landscaping, and all other applicable requirements.
4. Revisions. Any alteration or expansion of these facilities, a proposed change of use, any change to proposed parking allocation, allowable number of employees or increase in the developed area of the site from that shown on the approved site plan shall require additional land use review and relevant application(s) at the time such revision is being considered.
5. Continuous Effect. All of the conditions of this Conditional Use Permit are continuously in effect throughout the operative life of the project for the use approved. Failure of the Developer to comply with any or all of the conditions at any time may result in a public hearing and revocation of the MUP, provided adequate notice, time and opportunity is provided to the property owner or other party to correct the non-complying situation.
6. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.

7. Indemnification. In compliance with SBCC §81.01.070, the Developer shall agree, to defend, indemnify, and hold harmless the County or its “indemnitees” (herein collectively the County’s elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the Developer may agree to relinquish such approval.

Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the Developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The Developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the Developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The Developer’s indemnification obligation applies to the indemnitees’ “passive” negligence but does not apply to the indemnitees’ “sole” or “active” negligence or “willful misconduct” within the meaning of Civil Code Section 2782.

8. Expiration. This Conditional Use Permit approval shall become null and void if it is not exercised within three years of the effective date of this approval, unless an extension of time is approved. The permit is deemed exercised when either:

- The permittee has commenced actual construction or alteration under a validly issued building permit or
- \The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a building permit (SBCC §86.06.060)

Occupancy of completed structures and operation of the approved exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs:

- Construction permits for all or part of the project are not issued or the construction permits expire before the structure is completed and the final inspection is approved.
- The land use is determined by the County to be abandoned or non-conforming.
- The land use is determined to be not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances, or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination.

PLEASE NOTE: This will be the ONLY notice given of the expiration date. The developer is responsible for initiation of any Extension of Time application.

9. Extension of Time/CUP. Extensions of time to the expiration date (listed above or as otherwise extended) may be granted in increments each not to exceed an additional three years beyond the current expiration date. An application to request consideration of an extension of time may be filed with the appropriate fees no less than 30 days before the expiration date. Extensions of time may be granted base on a review of the application, which includes a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications. (§SBCC 86.06.060)
10. Project Account. The actual-cost project number for this project is P201300086. The Developer shall maintain a positive account balance at all times during pre- and post-approval stages of this land use review application including, Condition Compliance activities, file closure and any other required follow-on work (e.g. landscape performance review). All fees required for processing shall be paid in full prior to final inspection and authorization of occupancy and operation.
11. Condition Compliance. In order to obtain grading, building and occupancy permits, the Developer shall process a Condition Compliance Review with all affected County agencies and coordinate with County Planning in accordance with the directions stated in the Approval letter. A minimum balance of \$1,000.00 must be in the project account P201300086 at the time the Condition Compliance Review is initiated. Sufficient funds shall be made available by the Developer during all stages of this land use review.
12. Enforcement. If any County enforcement activities are required to enforce compliance with the conditions of approval, the Developer shall be charged for such enforcement activities in accordance with the San Bernardino County Code Schedule of Fees.
13. Sign Lighting. All signs proposed by this project may only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign, by direct stationary neon lighting or by an alternating lighting system that changes no more than once per hour. The glare from the luminous source shall not exceed one-half (0.5) foot-candle.
14. Follow-on Permits. The applicant shall ascertain and comply with the requirements of all Federal, State, County and Local agencies as are applicable to the proposed use and the project area. These include, but are not limited to: a) FEDERAL: None; b) STATE: Regional Water Quality Control, and Southern Coast Air Quality Management District, c) COUNTY: Departments of Public Health; Environmental Health Services, Land Use Services (Planning, Building and Safety, Code Enforcement, etc.), Public Works; and 4) LOCAL: Big Bear City Fire Department.
15. Continuous Maintenance. The project Developer shall enforce architectural controls to ensure on-going compatibility of colors, materials and theme. The property will be maintained so that it is visually attractive and not dangerous to the health and welfare of its own occupants & the surrounding properties. The Owner shall ensure that all facets of the development are regularly maintained and inspected so that they are kept in continual good repair. The following shall be met:
 - a. All structures, fencing, walks, parking lots, driveways, signs, water features, outside furniture and fixtures shall be kept in good repair and condition.
 - b. All trash, storage and loading areas shall be kept neatly and in orderly manner.
 - c. All graffiti and debris shall be removed daily.
 - d. There shall be no metal storage containers allowed unless specifically approved by this or subsequent land use approvals, as detailed in Project Description herein.
 - e. Landscaping shall be kept in thriving condition. Drought-resistant, fire retardant vegetation shall be used where applicable for any replacement landscaping and erosion control to reduce water consumption and promote slope stability.
 - f. All landscaped areas shall be irrigated in a manner designed to conserve water.

- g. Annual maintenance shall be conducted for proper structural, electrical and mechanical safety, and properly operating irrigation system.
 - h. Annual maintenance shall include repainting faded or stained surfaces and re-glazing windows.
 - i. Mechanical equipment and roof top mechanical equipment shall be screened from public view. Such screens shall be maintained to be visually attractive and in good repair.
 - j. The Developer shall ensure that all traffic circulation surfaces and markings shall be clearly defined, regularly repainted and maintained in good operating conditions at all times. These markings include but are not limited to painted parking spaces, curb painting directional designations, "No Parking" designations and "Fire Lane" designations. In cases where non-asphaltic surfaces are allowed, free-standing signs (subject to Planning review and approval) to accomplish here-stated circulation markings and guidance shall be required.
16. Weed Abatement. The applicant shall comply with San Bernardino County weed abatement regulations and periodically clear the site of all non-complying vegetation. This includes removal of all Russian Thistle (tumbleweeds).
17. Performance Standards. The approved land uses shall operate in compliance with the general performance standards listed in the SBCC Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration, and the disposal of liquid waste. In addition to these, none of the following shall be perceptible without instruments at any point outside the project boundaries at adjoining property lines:
- Odors: No offensive or objectionable odor.
 - Smoke: No smoke of a greater density than that described in No. 2 on the Ringelman Chart, as published currently by the United State Bureau of Mines, shall be emitted from any project source.
 - Radiation: No dangerous amount of radioactive emissions.
 - Toxic Gasses: No emission of toxic, noxious or corrosive fumes or gases.
 - Glare: No intense glare that is not effectively screened from view at any point outside the project boundary.
18. The Developer shall ensure that the development operates in conformity with the following performance standards:
- a. No use shall involve vibration perceptible without instruments at project site's property lines.
 - b. Project noise levels shall not exceed County Noise Standards of 55 dB(A) where the project abuts single family residences from 7am-10pm, as measured at the project site's property lines.
 - c. Project noise levels after 10pm shall not exceed 45 dB(A) where the project site abuts single family residences, as measured at the project site's property lines. Compliance with San Bernardino County Noise Standard(s) and Development Code is mandatory and is subject to Department of Environmental Health Services review and approval (DEHS).
 - d. No use shall emit offensive or objectionable odor perceptible at project site's property lines.
 - e. No use shall create smoke from any source shall emit a greater density described in No. 2 on the Ringelmann Chart as published by the United States Bureau of Mines.
 - f. No use shall emit toxic, noxious or corrosive fumes of gases.
 - g. No use shall emit/cause dirt, dust, fly ash, and other forms of particulate matter.
 - h. No use shall involve dangerous amount of radioactive emissions.
 - i. Every operation producing intense glare or heat shall be conducted in a manner as to effectively screen the glare from view at any point on the lot line of the lot in which the use is located and to dissipate the heat so that it is not perceptible without instruments.
 - j. All uses shall conform to the provisions of the San Bernardino County Hazardous Waste Management Plan.

19. Air Quality – Operations. The Developer shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce vehicle and equipment emissions and other impacts to air quality by implementation of State Regulations such as AB1493 (Pavley I and II) that will reduce emissions from the employees' automobiles and light duty trucks, anticipated to come into effect prior to 2020, Executive Order S-1-07 (Low Carbon Fuel Standard) and submitting documentation of compliance. The Developer shall further state that the proposed project shall comply with all applicable regulations promulgated to meet the State's AB-32 goals and regulations adopted by the California Air Resources Board (i.e. the tire pressure program, low rolling resistance tire, low friction engine oils, goods movement efficiency measures, heavy duty vehicle aerodynamic efficiency, and medium and heavy duty vehicle hybridization). Operation of all off-road and on-road diesel vehicles/equipment shall comply with the County Diesel Exhaust Control Measures [SBCC §83.01.040 (c)] including but not limited to:
- a. Equipment/vehicles shall not be left idling in excess of five minutes.
 - b. Engines shall be maintained in good working order to reduce emission.
 - c. On-site electrical power connections shall be made available where feasible.
 - d. Ultra low-sulfur diesel fuel shall be utilized.
 - e. Electric and gasoline powered equipment shall be substituted for diesel powered equipment where feasible.
 - f. Signs shall be posted requiring all vehicle drivers and equipment operators to turn off engines when not in use.
 - g. All on-road diesel trucks shall not idle more than five minutes per truck trip or per day on the project site.
20. Air Quality – HRA Revisions. If there is any future change in land use that includes sensitive receptors as defined by SCAQMD, then a Health Risk Assessment (HRA) shall be prepared, submitted for review and approval obtained from County Planning to demonstrate that a significant health risk will not be posed at the time revisions are being considered.

LAND USE SERVICES – BUILDING AND SAFETY (909) 387-8311

21. Building Occupancy. Any building without specified tenants and uses may receive final inspection for construction purposes only. A Tenant Improvement or a Tenant Review that identifies the tenant and proposed uses shall be submitted and approved prior to occupancy being granted.
22. Provide disabled parking in each parking area to serve each accessible building or area.

COUNTY FIRE (760) 995-8190

23. Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein ("Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department.

24. Construction Permits. Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred within 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.

COUNTY FIRE – Hazardous Material (909) 386-8401

25. Business Emergency Plan. Prior to occupancy, operator shall submit disclosure information using the California Environmental Reporting System (CERS) for emergency release or threatened release of hazardous materials and wastes or apply for exemption from hazardous materials laws and regulations. Contact Office of the Fire Marshal, Hazardous Materials Division at (909) 386-8401.
26. Hazardous Material Permits. Prior to occupancy, applicant shall be required to apply for one or more of the following: a Hazardous Materials Handler Permit, a Hazardous Waste Generator Permit, an Aboveground Storage Tank Permit, and/or an Underground Storage Tank Permit. For information, Office of the Fire Marshal, Hazardous Materials Division at (909) 386-8463.

PUBLIC HEALTH – Environmental Health Services (909) 387-4666

27. Noise. Noise level shall be maintained at or below County Standards, Development Code Section 83.01.080. For information, please call DEHS at (800) 442-2283.
28. Refuse. All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least **1** time per week, or as often as necessary to minimize public health nuisances. Refuse containing garbage shall be removed from the premises at least **2** times per week, or as often if necessary to minimize public health nuisances, by a permitted hauler to an approved solid waste facility in conformance with San Bernardino County Code Chapter 8, Section 33.0830 et. seq. For information, please call DEHS/LEA at: (800) 442-2283.

PUBLIC WORKS – Solid Waste Management (909) 386-8701

29. Recycling Storage Capacity. The developer shall provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the County in compliance with the recycling requirements of AB 2176.
30. Mandatory Commercial Recycling. Beginning July 1, 2012 all businesses defined to include a commercial or public entity that generates 4 or more cubic yards of commercial solid waste a week or is a multi-family residential dwelling of 5 units or more to arrange for recycling services. The County is required to monitor business recycling and will require the business to provide recycling information. This requirement is to assist the County in compliance with the recycling requirements of AB 341.

PUBLIC WORKS – Traffic (909) 387-8186

31. Caltrans Review. Caltrans Review and approval of the project is required. The Traffic Study prepared and revised (on September 19, 2013) by Hall and Foreman, Inc. has been reviewed and approved by Caltrans to address project's traffic issues at the intersection of Highway 38 and State Lane.
32. Vehicle Back Out. The project vehicles shall not back out into the public roadway.
33. Right-turn In Only. The northwesterly project driveway along State Lane shall be restricted to right-turn in only.

LAND USE SERVICES- Land Development – Roads (909) 387-8311

34. Road Standards. All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans.

LAND USE SERVICES – Land Development - Drainage (909) 387-8311

35. FEMA Flood Zone. The project is located within Flood Zone D according to FEMA Panel Number 8035H dated 08/28/2008. Flood hazards are undetermined in this area, but possible.
36. Tributary Drainage. Adequate provisions should be made to intercept and conduct the tributary off site - on site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties at the time the site is developed.
37. Natural Drainage. The natural drainage courses traversing the site shall not be occupied or obstructed.
38. Additional Drainage Requirements. In addition to drainage requirements stated herein, other "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
39. Continuous BMP Maintenance. The property owner/Developer is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the County approved Water Quality Management Plan (WQMP) for the project. This includes but is not limited to, filter material replacement and sediment removal, as required to assure peak performance of all BMPs. Furthermore, such maintenance activity will require compliance with all Local, State, or Federal laws and regulations, including those pertaining to confined space and waste disposal methods in effect at the time such maintenance occurs.
40. BMP Enforcement. In the event the property owner or the Developer (including any successors or assigns) fails to accomplish the necessary BMP maintenance within five (5) days of being given written notice by County LAND USE SERVICES, then the County shall cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or the Developer, including administrative costs, attorney's fees and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.

**PRIOR TO ISSUANCE OF GRADING PERMITS
OR A LAND DISTURBING ACTIVITY
THE FOLLOWING SHALL BE COMPLETED**

LAND USE SERVICES – Planning (909) 387-8311

41. GHG – Construction Performance Standards. The Developer shall submit for County planning review and approval a signed letter agreeing to include as a requirement for all construction contracts/subcontracts to reduce potential GHG impacts. The Developer and contractors shall adhere to the following:
- a. Implement both the approved Dust Control and Coating Restriction Plans.
 - b. Selection of construction equipment will be based on low-emissions factors and high-energy efficiency. All diesel/gasoline-powered construction equipment shall be replaced, where possible, with equivalent electric or CNG equipment.
 - c. Use low-sulfur fuel for stationary equipment. (SCAQMD Rules 431.1 and 431.2)
 - d. Trucks/equipment shall not be left idling on site in excess of 5 minutes
 - e. Grading plans shall include the following statements verbatim:
 - “All construction equipment shall be tuned and maintained in accordance with the manufacturer’s specifications”.
 - “All construction equipment (including electric generators) shall be shut off by work crews when not in use and shall not idle for more than 5 minutes.”
 - f. Minimize vehicles and equipment operating at the same time.
 - g. Reduce daily equipment operation hours during smog season (May-October).
 - h. Schedule construction traffic ingress/egress to not interfere with peak-hour traffic and to minimize traffic obstructions. Queuing of trucks on and off site shall be prevented. A flag person shall be retained to maintain efficient traffic flow and safety adjacent to existing roadways.
 - i. Recycle and reuse construction and demolition waste (e.g. soil, vegetation, concrete, lumber, metal, and cardboard) per County Solid Waste procedures.
 - j. The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew and educate all construction workers about the required waste reduction and the availability of recycling services.
42. Tree and Plant Removal Plan. A Tree or Plant Removal Plan shall be presented to the County Planning for review and approval. A signed letter shall be submitted to Planning agreeing to the following:
- a. Any removal of regulated trees and/or plants shall be consistent with the County Development Code Section 88.01.050.
 - b. Adequate number of the existing trees six inches in diameter or wider shall remain on the project site. Fifty-seven Jeffrey Pines and three cypress trees are proposed and are hereby required to remain on the project site.
43. Air Quality – Dust Control Plan. *The developer shall submit to County Planning a Dust Control Plan (DCP) consistent with SCAQMD guidelines and a letter agreeing to include in any construction contracts and/or subcontracts a requirement that the contractors adhere to the requirements of the DCP. The DCP shall include these elements to reduce dust production:*
- a. *Exposed soil shall be kept continually moist through a minimum of twice daily waterings to reduce fugitive dust during all grading and construction activities.*
 - b. *Street sweeping shall be conducted when visible soil accumulations occur along site access roadways to remove dirt dropped by construction vehicles.*
 - c. *Site access driveways and adjacent streets shall be washed daily, if there are visible signs of any dirt track-out at the conclusion of any workday.*
 - d. *Tires of vehicles will be washed before the vehicles leave project site and enter a paved road.*
 - e. *Any truck hauling dirt away from the site shall be covered*

- f. During high wind conditions (i.e., wind speeds exceeding 25 mph), areas with disturbed soil shall be watered hourly and activities on unpaved surfaces shall be terminated until wind speeds no longer exceed 25 mph.
- g. Storage piles that are to be left in place for more than three working days shall either be sprayed with a non-toxic soil binder, or covered with plastic or revegetated.

[Mitigation Measure III-1]

44. Air Quality – Construction Plan. Developer shall submit written verification that all construction contracts and sub-contracts for the project contain provisions that require adherence to the following standards to reduce impacts to air quality. During construction, each contractor and subcontractor shall implement the following, whenever feasible:
- a. Suspend use of all construction equipment operations during second stage smog alerts. For daily forecast, call (800) 367-4710 (San Bernardino and Riverside counties).
 - b. Trucks/equipment shall not be left idling on site for periods in excess of 10 minutes.
 - c. Provide temporary traffic control during all phases of construction.
 - d. Substitute diesel-powered equipment with electric and gasoline-powered equipment.
 - e. Onsite electrical power hook-ups shall be provided for electric construction tools to eliminate the need for diesel-powered electronic generators.
 - f. Install storm water control systems to prevent mud deposition onto paved areas during construction.
 - g. Contractors shall use low sulfur fuel for stationary construction equipment as required by AQMD Rules 431.1 and 431.2 to reduce the release of undesirable emissions.

[Mitigation Measure III-2]

45. Air Quality – Coating Restriction Plan. The developer shall submit a letter agreeing to these Coating Restrictions and to include in any construction contracts and/or subcontracts a requirement that the contractors adhere to these requirements. These shall include, but are not be limited to:
- a. Architectural coating volume shall not exceed the significance threshold for ROG, which is 75 lbs./day and the combined daily ROC volume of architectural coatings and asphalt paving shall not exceed the significance threshold for ROC of 75 lbs. per day
 - b. Architectural coatings with Reactive Organic Compounds (ROC) shall not have a content greater than 100 g/l.
 - c. High-Volume, Low Pressure (HVLP) spray guns will be used to apply coatings.

[Mitigation Measure III-3]

46. Cultural Resources. The Developer shall prepare, submit for review and obtain approval of a letter agreeing to adhere to the following requirements and to include in all construction contracts/subcontracts a requirement that project contractors adhere to the following requirements:

If archaeological, paleontological and/or historical resources are uncovered during ground disturbing activities, all work in that area shall cease immediately until written clearance by County Planning is provided indicating that satisfactory mitigation has been implemented. A qualified expert (e.g. archaeologist or paleontologist), as determined by County Planning in consultation with the County Museum shall be hired to record the find and recommend any further mitigation. The Developer shall implement any such additional mitigation to the satisfaction of County Planning. If human remains are uncovered during ground disturbing activities, the San Bernardino County Coroner shall be contacted within 24 hours of the find. If the remains or cultural artifacts are determined to be of Native American origin, the local Native American representative shall also be notified.

[Mitigation Measure V1]

47. Construction Noise. *The “developer” shall submit for review and obtain approval of an agreement letter that stipulates that all construction contracts/subcontracts contain as a requirement that the following noise attenuation measures be implemented:*
- a. *Exterior construction activities shall be limited between 7 a.m. and 7 p.m. There shall be no exterior construction activities on Sundays or National Holidays.*
 - b. *Interior construction activities may occur on any day and any time provided they comply with the County noise standards. (SBCC 83.01.080).*
 - c. *Construction equipment shall be muffled per manufacturer’s specifications.*
 - d. *All stationary construction equipment shall be placed in a manner so that emitted noise is directed away from sensitive receptors nearest the project site.*
- [Mitigation Measure XI-1]*

LAND USE SERVICES – Building and Safety (909) 387-8311

48. A preconstruction inspection, tree removal plan and permit in compliance with the County's Plant Protection and Management Ordinance, shall be approved prior to any land disturbance and/or removal of any trees or plants.
49. An erosion and sediment control plan and permit shall be submitted to and approved by the Building Official prior to any land disturbance.
50. Prior to issuance of building permits, erosion control devices must be installed at all perimeter openings and slopes. No sediment is to leave the job site.
51. All runoff must be held to pre-development levels per Section 82.13.080 of the San Bernardino County Development Code.
52. If grading exceeds fifty (50) cubic yards, approved plans will be required. Grading plans shall be submitted to Building and Safety for review and approval prior to grading/land disturbance.

PUBLIC WORKS – Surveyor (909) 387-8149

53. A Site Plan shows bearings and distances which are not of record. A Record of Survey is required per Section 8762 of the Business & Professions Code.
54. If any activity on this project will disturb **any** land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying **prior** to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor (Section 8771(b) Business and Professions Code).

LAND USE SERVICES – Drainage (909) 387-8311

55. Drainage Facility Design. A Registered Civil Engineer shall investigate and design adequate drainage facilities to intercept and conduct the off-site and on-site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$520 deposit for drainage review will be collected upon submittal to the Land Development Division.

56. FEMA Flood Zone. The project is located within Flood Zone D according to FEMA Panel Number 8035H dated 08/28/2008. Flood hazards are undetermined in this area, but possible.
57. Topo Map. A topographic map shall be provided to facilitate the design and review of necessary drainage facilities.
58. Grading Plans. Grading plans shall be submitted for review and approval obtained. A \$520 deposit for grading plan review will be collected upon submittal to the Land Development Division.
59. Natural Drainage. The natural drainage courses traversing the site shall not be occupied or obstructed.
60. Permit. A permit, or authorized clearance, shall be obtained from the Land Development Division prior to issuance of a grading permit by County Building and Safety.
61. WQMP. A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained. A \$2,500 deposit for WQMP review will be collected upon submittal to the Land Development Division. Copies of the WQMP guidance and template can be found at: (<http://www.sbcounty.gov/dpw/land/npdes.asp>)
62. WQMP Inspection Fee. The Developer shall deposit an inspection fee for WQMP in the amount of \$3,600 to Land Development Division.

PUBLIC HEALTH – Environmental Health Services (909) 387-4666

63. Vectors. The project area has a high probability of containing vectors. DEHS Vector Control Section will determine the need for vector survey and any required control programs. A vector clearance letter shall be submitted to DEHS/Land Use. For information, contact Vector Control at (800) 442-2283.

COUNTY FIRE (760) 995-8190

64. Fire Fee. The required fire fees are due at time of submittal; and paid to the San Bernardino County Fire Department/Community Safety Division. This fee is in addition to fire fees that are paid to other City or County offices. [F40]
65. Water System Commercial. A water system approved and inspected by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. All fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than three hundred [300] feet from any portion of a structure. [F54]
66. Primary Access Paved. Prior to building permits being issued to any new structure, the primary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions (Fire # F-9), including width, vertical clearance and turnouts, if required. [F89]
67. Building Plans. Not less than three (3) complete sets of Building Plans shall be submitted to the Fire Department for review and approval. [F42]

**PRIOR TO ISSUANCE OF BUILDING PERMITS,
THE FOLLOWING SHALL BE COMPLETED**

LAND USE SERVICES – Planning (909) 387-8311

68. Lighting Plan. All lighting shall be consistent with the County Development Code Chapter 83.07: Glare and Outdoor Lighting. The Developer shall submit a Lighting Plan for review and obtain approval from County Planning prior to the issuance of a building permit. The following shall apply:
- a. Project's artificial light sources shall not emit light into the night sky.
 - b. Project's artificial light sources shall not cause glare or spill beyond project site's boundaries.
 - c. All outdoor lighting shall be hooded and designed with sharp-cutoff luminaires to reflect away from adjoining properties and public thoroughfares.
 - d. All light fixtures are to be concealed except for pedestrian-oriented safety and accent lights.
 - e. Security lighting shall be shielded and not project beyond property boundaries
 - f. Security lighting shall not be considered as replacement for other required lighting.
 - g. Lighting shall be required on all new development for the purpose of providing illumination to ensure public safety and security. Lighting fixtures shall be functional, coordinated and visually attractive. Lighting shall be required at the following locations:
 - Pedestrian walkways, building entries, driveway entries and parking.
 - Hazardous locations such as changes of grade and stairways shall be well-lit with lower-level supplemental lighting or additional overhead units.
 - h. Low intensity lamps shall be used especially at the development edge.
 - i. All parking lot and driveway lighting shall provide uniform illumination at a minimum level of 0.5 foot candle.
 - j. Exterior wall-mounted floodlights are expressly prohibited except for security lighting.
 - k. All illuminated signs are to be internally illuminated.
 - l. Lighting of building faces is permitted so long as such lighting will not cause glare or spillage.
 - m. Lighting fixtures and their structural support shall be compatible with onsite structures in design and construction.
 - n. Parking lot and pedestrian lighting fixtures shall be reviewed and approved by County Planning.
 - o. Lighting shall be used to ensure public safety. Shatter-proof coverings are recommended on low-level fixtures.
69. Landscape and Irrigation Plan. Landscape and Irrigation Plans shall be prepared in conformance with Chapter 83.10, Landscaping Standards, of the County Development Code. The Developer shall submit four copies of a landscape and irrigation plan to County Planning.
70. Signs & Lighting. When future signs are proposed, a signage program shall be provided to County planning for review and approval and shall include building elevations (and sign elevations and plan in case of a monument sign as an example), and a plan showing onsite improvements along with proposed sign's location(s), dimensions, lettering type(s), overall size in sq. ft., and color(s). The program shall depict the mechanism, sources, and placement of lighting. The signage shall be uniform and shall comply with the County Development Code's Chapter 83.13: Sign Regulations.

LAND USE SERVICES – Building and Safety (909) 387-8311

71. Any building, sign, trash enclosure or structure to be constructed or located on site will require professionally prepared plans, subject to approval by the Building and Safety Division.
72. Submit plans and obtain separate building permits for any required walls, retaining walls or trash enclosures.

73. Submit plans and obtain permits for all fences greater than six feet (6') in height and any walls required by Planning.
74. All new buildings shall be designed to include the "Green Building Measures" as outlined in the California Green Building Standards Code.
75. Occupancy separation between the fuel dispensing station and the "M" occupancy group(s) shall comply with the Building Code.
76. Provide van accessible parking for the disabled. One in every eight accessible spaces, but not less than one, shall be served by an access aisle 96 inches wide and shall be designated "Van Accessible". The words "NO PARKING" shall be painted on the ground within each eight-foot loading area as specified in the California Building Code.
77. Provide a path of travel from the disabled person accessible parking spaces to the primary entrances to the building.

LAND USE SERVICES – Code Enforcement (909) 387-4044

78. Sign Registration. Prior to installation of any freestanding, wall, roof, projecting or monument sign, an approved sign registration application is required subject to review and approval by County Code Enforcement.

COUNTY FIRE – Community Safety (760) 995-8190

79. Fire Flow Test. Your submittal did not include a flow test report to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to either produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied or you must install an approved fire sprinkler system. This requirement shall be completed prior to combination inspection by Building and Safety. [F05B]

PUBLIC HEALTH – Environmental Health Services (909) 387-4666

80. Water. Water purveyor shall be EHS approved.
81. Verification Letter – Water . Applicant shall procure a verification letter from the water agency with jurisdiction. This letter shall state whether or not water connection and service shall be made available to the project by the water agency. This letter shall reference the Assessor's Parcel Number. For projects with current active water connections, a copy of water bill with project address may suffice. For information, contact the Water Section at (800) 442-2283.
82. Sewage. Method of sewage disposal shall be EHS approved.
83. Verification Letter – Sewage. Applicant shall procure a verification letter from the sewerage agency with jurisdiction. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewerage agency. The letter shall reference the Assessor's Parcel Number.

84. Noise Level. Submit preliminary acoustical information demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standard(s), San Bernardino Development Code Section 83.01.080. The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance to noise standards, a project specific acoustical analysis shall be required. Submit information/analysis to the DEHS for review and approval. For information and acoustical checklist, contact DEHS at (800) 442-2283.
85. Food Plans. Plans for food establishments shall be reviewed and approved by DEHS. For information, call DEHS/Plan Check at: 1-800-442-2283.

SPECIAL DISTRICTS (909) 387-5940

86. Street Lighting Plans. This parcel lies within the boundaries of County Service Area SL-1, a street light district. Street lights are required. The Developer shall submit street lighting plans and plan check fees to County Special Districts Department for review and approval at 157 West 5th Street, 2nd Floor; San Bernardino, CA 92415-0450. For further information, contact Special Districts at: (909) 316-7307.

LAND USE SERVICES – Roads (909) 387-8311

87. Road Dedication/Improvement. The Developer shall submit for review and obtain approval from the Land Use Services Department the following dedications, plans and permits for the listed required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California. These shall be submitted to the Land Use Services Department, located at 385 N. Arrowhead Ave, San Bernardino CA 92415-0187. Phone: (909) 387-8311.

State Lane (Mountain Secondary Highway – 60')

- Street Improvements. Design A.C. dike with match up paving 22 feet from centerline.
 - Driveway Approach. Design driveway approach per San Bernardino County Standard 129B, and located per Standard 130.
88. Road Design. Road sections shall be designed and constructed to Mountain Road Standards of San Bernardino County, and to the policies and requirements of the County Department of Public Works and in accordance with the Master Plan of Highways.
89. Street Improvement Plans. The developer shall submit for review and obtain approval of street improvement plans prior to construction.
90. Utilities. Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction, and any such utility shall be relocated as necessary without cost to the County.
91. Encroachment Permits. Prior to installation of road and drainage improvements, a permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8039, as well as other agencies prior to work within their jurisdiction.

92. Soils Testing. Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to San Bernardino County and a written report shall be submitted to the Transportation Operations Division, Permits Section of County Public Works, prior to any placement of base materials and/or paving.
93. Open Roads/Cash Deposit. Existing County roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, during actual construction. A cash deposit shall be made to cover the cost of grading and paving prior to issuance of road encroachment permit. Upon completion of the road and drainage improvement to the satisfaction of the Department of Public Works, the cash deposit may be refunded.
94. Transitional Improvements. Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing, shall be required as necessary.
95. Street Gradients. Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of County Public Works confirming the adequacy of the grade.
96. Caltrans Approval. Obtain comments, approval and permits from Caltrans for access requirements and working within their right-of-way

PUBLIC WORKS – Traffic (909) 387-8186

97. Street Improvements (Replace Warning Signs). Based on the Traffic Study (revised) dated September 19, 2013 from Hall and Foreman, Inc., the applicant shall submit street improvement plans and obtain approval from the Department of Public Works for the replacement of the existing Reverse Turn (W1-3) signs on State Lane with a combination Horizontal Alignment/Intersection warning signs for eastbound and westbound traffic.
98. The C&D Plan – Part 1. The developer shall prepare, submit, and obtain approval from Solid Waste Management Division (SWMD) of a “Construction Waste Management Recycling Plan (C&D Plan), Part I” for each phase of the project. The C&D Plan shall list the types and volumes of solid waste materials expected to be generated from grading and construction. The Plan shall include options to divert from landfill disposal materials for reuse or recycling by a minimum of 50% of total volume. Forms can be found on our website at www.sbcounty.gov/dpw/solidwaste.

Upon completion of construction, the developer shall complete SWMD’s C&D Plan Part 2 and shall provide documentation of diversion of materials including but not limited to receipts or letters documenting material types and weights from diversion facilities or certification reuse of materials on site.

**PRIOR TO FINAL INSPECTION OR OCCUPANCY
THE FOLLOWING SHALL BE COMPLETED**

LAND USE SERVICES – Planning (909) 387-8311

99. Parking and On-site Circulation. Parking and on-site circulation requirements shall be installed as follows:
- a. All vehicular access drives shall be surfaced with all-weather paving with a minimum two (2) inches of asphalt and six (6) inches of base or greater.
 - b. All primary vehicular access drives shall be twenty-six feet (26') wide or greater.
 - c. All parking lot vehicular aisle width shall be twenty-four feet (24') wide or greater.
 - d. All paved parking stalls shall be clearly striped and permanently maintained.
 - e. All paved access drives shall have all circulation markings clearly painted and permanently maintained including arrows painted to indicate direction of traffic flow.
 - f. All crosswalks will be delineated with a minimum 3" white or yellow painted line.
 - g. All internal parking lot stops shall be installed with a painted limit line and shall have either a breakaway pole sign and/or painted "STOP" lettering on the paving.
 - h. Other markings for bike & motorcycles stands, etc. shall be painted and permanently maintained.
 - i. No parking shall be allowed along the project entry drives, except in designated spaces.
100. Disabled Access. Disabled access parking spaces shall be provided and permanently set aside for use by the disabled per Section 83.11.060 of the County Development Code and all ADA Standards. These parking spaces shall be clearly marked and said markings shall be maintained in good condition at all times.
101. Wheel Stops. All back-in truck trailer parking spaces shall have a wheel stop or other physical barrier twelve feet from any wall, fence or building to prevent damage. All other vehicle spaces shall have wheel stops installed when adjacent to public roadways, fences, walls or buildings; and when facing structures, these shall be three feet (3') away from such structures.
102. Screen Rooftop. All roof top mechanical equipment is to be screened from ground vistas.
103. Screen Dumpsters. All trash receptacles shall be screened from public view.
104. Landscaping Installed. All landscaping shown on the approved landscaping plan and all walls/fencing (as delineated on the approved landscape plan) shall be completed.
105. Landscaping Survival Surety. Surety in a form and manner determined acceptable to County Counsel and the Land Use Services Director shall be required for all landscape planting and irrigation systems to ensure that the landscaping remains in a healthy thriving condition for a minimum of three (3) full years and that the irrigation system continues to function properly for a minimum of three (3) full years. As a minimum this surety shall be in an amount equal to 120% of the cost estimate by a licensed landscape architect and must include material and labor for each landscaped area. Failure to accomplish the screening and other landscape objectives listed in the landscaping conditions for this proposed use shall require additional/replacement plantings or other corrective measures as determined necessary by the County Code Enforcement.

LAND USE SERVICES – Code Enforcement (909) 387-4044

106. Special Use Permit (SUP) – Landscaping. The Developer shall submit an SUP application with the appropriate fees and obtain approval for the confirmation inspections and administration of the surety to guarantee the installation, proper maintenance, and thriving condition of the required landscaping.

LAND USE SERVICES – Building and Safety (909) 387-8311

107. Any building without specified tenants and uses may receive final inspection for construction purposes only. A Tenant Improvement or an Tenant Review that identifies the tenant and proposed uses shall be submitted and approved prior to occupancy being granted
108. Provide van accessible parking spaces for the disabled. One in every eight accessible spaces, but not less than one, shall be served by an access aisle 96 inches wide and shall be designated Van Accessible. The words “NO PARKING” shall be painted on the ground within each eight-foot loading area as specified in the California Building Code.
109. Submit an outdoor lighting plan and obtain permits prior to installation of lighting standards.
110. Sign lighting shall comply with California Energy regulations.
111. Prior to occupancy all Planning Division requirements and sign offs shall be completed.

COUNTY FIRE (760) 386-8400

112. Commercial Addressing. Commercial and industrial developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum six (6) inches in height and with a three quarter (3/4) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances.
113. Additional Requirements. In addition to the Fire requirements stated herein, other on-site and off-site improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

COUNTY FIRE – Hazardous Material (909) 386-8401

114. Business Emergency Plan. Prior to occupancy, the operator shall submit either a Business Emergency/Contingency Plan for emergency release or threatened release of hazardous materials and wastes or a letter of exemption. Contact County Office of the Fire Marshall/Hazardous Materials Division/Emergency Response and Enforcement Section at: (909) 386-8401.
115. Hazardous Material Permits. Prior to occupancy, applicant shall be required to apply for one or more of the following: a Hazardous Materials Handler Permit, a Hazardous Waste Generator Permit, an Aboveground Storage Tank Permit and/or an Underground Storage Tank Permit.

LAND USE SERVICES – Road (909) 387-8311

116. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Land Use Services.
117. Structural Section Testing. A thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to County Public Works.
118. Parkway Planting. Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by County Land Use Services and Current Planning and shall be maintained by the adjacent property owner or other County-approved entity.

LAND USE SERVICES – Drainage (909) 387-8311

119. Drainage and WQMP Improvements. All required drainage and WQMP improvements shall be completed by the applicant, inspected and approved by County Land Use Services.
120. WQMP Final File. An electronic file of the final and approved WQMP shall be submitted to Land Development Division, Drainage Section.

PUBLIC WORKS – Traffic (909) 387-8186

121. Street Improvements Installed (Replace Warning Signs). The applicant shall replace the existing Reverse Turn (W1-3) signs on State Lane with a combination Horizontal Alignment/Intersection warning signs for eastbound and westbound traffic per the street improvement plans, which were submitted and approved prior to issuance of building permits.

PUBLIC WORKS – Solid Waste Management (909) 386-8701

122. The C&D Plan – Part 2. The developer shall complete SWMD's C&D Plan Part 2". This summary shall provide documentation of actual diversion of materials including but not limited to receipts or letters from diversion facilities or certification reuse of materials on site. The C&D Plan – Part 2 shall provide evidence to the satisfaction of County Solid Waste that demonstrates that the project has diverted from landfill disposal materials for reuse or recycling by a minimum of 50% of total volume of all construction waste.

END OF CONDITIONS

EXHIBIT C

Initial Study

**SAN BERNARDINO COUNTY
INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM**

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

PROJECT LABEL:

<p>APN: 0315-231-17 & 0315-085-28 APPLICANT: MUNEM MAIDA PROPOSAL: A. A CONDITIONAL USE PERMIT TO ESTABLISH A 6,793 SQUARE FOOT CONVENIENCE STORE, GAS STATION, AND A CARE-TAKER RESIDENCE ON .90 ACRE; AND B. MERGE TWO PARCELS COMMUNITY: ERWIN LAKE/3RD SUPERVISORIAL DISTRICT LOCATION: EAST/SOUTHEAST CORNER OF STATE HIGHWAY 38 AND STATE LANE PROJECT NO.: P201300086/CUP REP(S): STEENO DESIGN STUDIO STAFF: OXSO SHAHRIARI, PLANNER</p>
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USGS Quad: MOON RIDGE

T, R, Section: T 2n R 2E Sec.19 NE ¼

Thomas Bros.: 4812-H1
Community: ERWIN LAKE

LUD: General Commercial (CG)
Overlays: Biological and Fire Safety (FS-1) Overlays

PROJECT CONTACT INFORMATION:

Lead Agency: County of San Bernardino
 Land Use Services Department – Planning Division
 385 North Arrowhead Avenue; First Floor
 San Bernardino, CA 92415-0182

Contact Person: Oxso Shahriari, Planner

Phone No: (909) 387-8311

Fax No: (909) 387-3223

E-mail: oxso.shahriari@lus.sbcounty.gov

Project Sponsor: Steeno Design Studio for Munem Maida
 11774 Hesperia Road, Suite B1
 Hesperia, CA 92345
 (760) 244-5001

PROJECT DESCRIPTION:

The proposed project is a Conditional Use Permit to establish a 6,793 square foot convenience store, gas station, and a caretaker residence on .90 acre, with the balance of the site set aside for customer and employee parking, and required landscaping.

ENVIRONMENTAL/EXISTING SITE CONDITIONS:

The project is located on the east/southeast corner of State Highway 38 (Greenspot Blvd.) and State Lane; in the community of Erwin Lake, approximately 2 miles south of the Baldwin Lake. The site is zoned General Commercial (CG) and is surrounded by similarly zoned parcels to the north and west. To the east and south/southwest the zoning is residential. The project site supports a moderately dense community of evergreens, but no protect trees have been identified. The project site is in Fire Safety Overlay (FS-1) and Biological Resources overlays, for which the project is being reviewed and conditioned through this land use application.

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AREA	EXISTING LAND USE	LAND USE ZONING/OVERLAY DISTRICTS
Site	Vacant	General Commercial (CG) Biological Resources & Fire Safety Overlay (FS-1) Overlays
North	Vacant	General Commercial (CG) Biological Resources & Fire Safety Overlay (FS-1) Overlays
South	Single Family Residence (South & Southeast)	Single Residential (RS) Biological Resources & Fire Safety Overlay (FS-1) Overlays
East	Vacant and Single Family Residences	Single Residential (RS) Biological Resources & Fire Safety Overlay (FS-1) Overlays
West	Vacant	General Commercial (CG) Biological Resources & Fire Safety Overlay (FS-1) Overlays

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

Federal: None; State of California: Regional Water Quality Control Board, Fish and Game; County of San Bernardino: Land Use Services – Code Enforcement; Building and Safety, Public Health-Environmental Health Services, Special Districts, Public Works; Local: Big Bear Fire Department.

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EVALUATION FORMAT

This initial study is prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines. This format of the study is presented as follows. The project is evaluated based upon its effect on eighteen (18) major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study Checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

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

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

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

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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

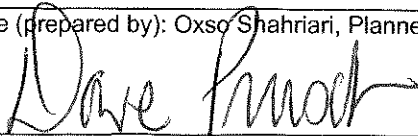
DETERMINATION: (To be completed by the Lead Agency)

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

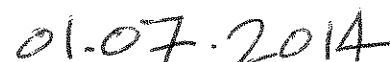
- The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been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



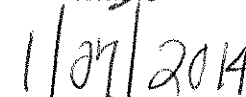
Signature (prepared by): Oxsor Shahriari, Planner



Signature: Dave Prusch, Supervising Planner



Date: 01/02/2013



Date: 01/02/2014

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
I. AESTHETICS - Would the project				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

- I a) **Less Than Significant Impact.** The project will not have a substantial adverse effect on a scenic vista because the site is separated from the State Highway 38 and the traveling public by the state owned land, containing indigenous trees that buffer the site from view. The project facilitates architectural features, as depicted on the conditionally approved site plan and elevations that complements the mountainous character of the surrounding areas. The proposed development provides aesthetic qualities of a mountain lodge that blends well with the surrounding vistas. As a condition of approval, all the agreed-upon design/architectural components and the required landscaping shall be installed and kept in optimum conditions during the life of the project. The project as proposed meets County's goals in conserving the scenic qualities of this route. Therefore, no potentially significant impact is anticipated and no mitigation measures are deemed necessary

- I b) **Less Than Significant Impact.** The project will not substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway because these resources will not be substantially compromised as a result of this project. No rock outcroppings or historic buildings have been identified on the site. No protected trees are identified on the site. However, as a Condition of Approval, a Tree or Plant Removal Permit shall be presented to the County Planning for review and approval, issued in compliance with Section 88.01.050 (Tree or Plant Removal Requirements), for the removal of regulated trees and plants. The project will retain 20% of the site in a natural undeveloped vegetated or re-vegetated condition sufficient to ensure vegetative coverage for a forest environment. Adequate number of trees (Fifty seven Jeffrey Pines, 3 cypress trees 6 inches in diameter or wider) shall be remained on site as regulated native trees. These along with the newly planted landscaping will minimize any potential visual impact to a level below significance. These trees along with those on the public land along state highway and to the west/southwest to the site will buffer the development from the traveling public's view traveling along the State Highway. Therefore, no potentially significant impact is anticipated in this area of concern and no mitigation measures are deemed necessary.

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- I c) **Less Than Significant Impact.** The proposed project does not have the potential to substantially degrade the existing visual character or quality of the site and its surroundings because the site is separated from the State Highway 38 and the traveling public by the state owned land, containing indigenous trees that buffer the site from view. The project is conditioned to provide adequate landscaping and screening to minimize any potential impact to its surroundings. The proposed development provides aesthetic qualities of a mountain lodge that blends well with the surrounding vistas. As a condition of approval, all the agreed-upon design/architectural components and the required landscaping shall be installed and kept in optimum conditions during the life of the project. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- I d) **Less Than Significant Impact.** The proposed project's onsite lighting will be designed in accordance with standards defined in the County Development Code to shield away all light sources from the street, night sky, and the surrounding residential properties. All signs proposed by this project may only be lit by steady, stationary and shielded light sources, and the glare from the luminous source shall not exceed one-half (0.5) foot-candle. A lighting plan is required, subject to review and approval by Planning which requires that all project light sources be placed and designed so as not to cause glare or excessive light spillage into neighboring sites, night sky, or public roadways. As Consistent with County Code Section 83, this approval does not allow installation or use of any artificial light source that will be emitted into the night sky. The project is conditioned to use low intensity lamps especially at the development boundaries. All lighting shall be hooded and designed with sharp-cutoff luminaries to reflect away from adjoining properties and public thoroughfares. The project will not be a source of substantial light or glare, therefore, no potentially significant impact is anticipated in this area of concern and no mitigation measures are deemed necessary.

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

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

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

- II a) **No Impact.** The subject property is not identified or designated as Prime Farmland, Unique Farmland, or Farmland of Statewide importance on the maps prepared, pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. Therefore, proposed development will not negate or hamper any agricultural uses on the site.
- II b) **No Impact.** The proposed project does not conflict with existing zoning for agricultural use or a Williamson Act contract because the subject property is not zoned for agricultural use.
- II c) **No Impact.** The project does not 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)) because the project is not identified as a timberland resources. Therefore, no potential for such rezoning or conversion of the resources exists due to this development.
- II d) **Less Than Significant Impact.** The proposed use does not result in the loss of forestland or conversion of forestland to non-forest use because the project is conditioned to retain 20% of the site in a natural undeveloped vegetated OR re-vegetated condition sufficient to ensure vegetative coverage for a forest environment, as outlined in 88.01.050 (f) (2) (II). As a Condition of Approval, a Tree or Plant Removal Permit shall be presented to the County Planning, issued in compliance with Section 88.01.050 (Tree or Plant Removal Requirements), for the removal of regulated trees and plants to ensure adequate number regulated native trees shall remain on the project site. Adequate number of trees—Fifty seven Jeffrey Pines, 3 cypress trees—6 inches in diameter or wider are kept on the grounds. Therefore, no potential impact is anticipated in this area of concern and no mitigation measures are deemed necessary.
- II e) **Less Than Significant Impact.** The proposed use does not involve other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland, to non-agricultural use or conversion of forestland to non-forest use because the project site does not meet the definitions of farmland. Forest land character of the site shall be sustained as described in II-d, above. Therefore, no potential impact is anticipated in this area of concern and no mitigation measures are deemed necessary.

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

III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorpor.	Less than Significant	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION (Discuss conformity with the South Coast Air Quality Management Plan, if applicable):

III a) **Less Than Significant Impact.** The project is within the South Coast Air Basin and under the jurisdiction of the South Coast Air Quality Management District. The South Coast Air Quality Management District is responsible for maintaining and ensuring compliance with its Air Quality Management Plans. A project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. The project will not conflict with or obstruct implementation of the South Coast Air Quality Management Plan, because the project is conditioned to follow all the District's rules and regulation as these measures are mandatory requirements. A project may also be non-conforming if it, as examples, increases the gross number of dwelling units, increases the number of trips, and/or increases the overall vehicle miles traveled in an affected area relative to applicable land use plans. The project is anticipated to lead to a net decrease in traffic because it will serve the residence locally, therefore reducing the miles traveled for similar products and services. While the project will minimally generate additional vehicle trips from servicing and delivery vehicles servicing the site, the existence of the gas station is expected to serve the local residence and reduce vehicle miles currently traveled to reach the same products and services not available on or near the project site, without the project. This 6,793 square foot convenience store, gas station, and a caretaker residence is consistent with the growth projections and associated emissions used in the adopted County of San Bernardino Greenhouse Gas Emission Reduction Plan because it is smaller in size than the sample Gas Station/Convenience store of 7,200 square feet used for the referenced study, therefore the project is expected to fall short of 3000 metric tons of Carbon Dioxide Equivalent (CO2e) per year for the proposed use. Therefore, no significant impact is anticipated and no mitigation measure is deemed necessary.

- III b) **Less Than Significant Impact.** The project is not expected to violate any air quality standard or contribute substantially to an existing or projected air quality violation, because the proposed use does not exceed thresholds of concern, as established by the District for this category of use. The project's construction and operational emissions are expected to fall short of 3000 metric tons of Carbon Dioxide Equivalent (CO₂e) per year for this use type. However, some impact is identified during project construction, therefore mitigation measures III-1, III-2 and III-3 are imposed to further limit or control potential fugitive dust and regulate construction activities. Upon completion, the site will be paved and landscaped which will mean little or no wind-blown dust or particulate matter will leave the site. Temporary potential significant impacts are anticipated during construction, therefore mitigation measures III-1, III-2 and III-3 are required as conditions of approval to reduce any potential impact to a level below significance.
- III c) **Less Than Significant Impact With Mitigation Incorporated.** The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors), because the proposed uses do not exceed established thresholds of concern for this use category. This 6,793 square foot convenience store, gas station, and a caretaker residence is consistent with the growth projections and associated emissions used in the County of San Bernardino Emission Reduction Plan because it is less in size than sample Gas Station/Convenience store of 7,200 square feet, and therefore it is expected to fall short of 3000 metric tons of Carbon Dioxide Equivalent (CO₂e) per year for this use type. Operation and the related equipment proposed for this use do not generate identifiable criteria pollutants is most likely not to approach the threshold of potentially significant Greenhouse Gas (GHG) emissions set forth for the proposed use. Therefore, no potentially significant impact is anticipated and no mitigation measures are deemed necessary.
- III d) **Less Than Significant Impact.** The project will not expose sensitive receptors to substantial pollutant concentrations, because the construction or operation of this facility does not involve identified concentrations of substantial pollutants. Temporary potential, significant impacts are anticipated during construction, therefore mitigation measures III-1, III-2 and III-3 are required to reduce any potential impact to a level below significance.
- III e) **Less Than Significant Impact.** The project will not create odors affecting a substantial number of people because there are no identified potential uses that will result in the production of objectionable odors. Therefore, no potentially significant impact is anticipated and no mitigation measures are deemed necessary.

Possible significance adverse impacts have been identified or anticipated and the following mitigation measures are required as conditions of project approval to reduce these impacts to a level below significant.

MM# Mitigation Measures

III-1 Air Quality – Dust Control Plan. The developer shall submit to County Planning a Dust Control Plan (DCP) consistent with SCAQMD guidelines and a letter agreeing to include in any construction contracts and/or subcontracts a requirement that the contractors adhere to the requirements of the DCP. The DCP shall include these elements to reduce dust production:

- a. Exposed soil shall be kept continually moist through a minimum of twice daily waterings to reduce fugitive dust during all grading and construction activities
- b. Street sweeping shall be conducted when visible soil accumulations occur along site access roadways to remove dirt dropped by construction vehicles.
- c. Site access driveways and adjacent streets shall be washed daily, if there are visible signs of any dirt track-out at the conclusion of any workday.
- d. Tires of vehicles will be washed before the vehicle leaves the project site and enters a paved road.
- e. Any truck hauling dirt away from the site shall be covered
- f. During high wind conditions (i.e., wind speeds exceeding 25 mph), areas with disturbed soil shall be watered hourly and activities on unpaved surfaces shall be terminated until wind speeds no longer exceed 25 mph.
- g. Storage piles that are to be left in place for more than three working days shall either be sprayed with a non-toxic soil binder, or covered with plastic or revegetated.

[Mitigation Measure III-1]

III-2 Air Quality – Construction Plan. Developer shall submit written verification that all construction contracts and sub-contracts for the project contain provisions that require adherence to the following standards to reduce impacts to air quality. During construction, each contractor and subcontractor shall implement the following, whenever feasible:

- a. Suspend use of all construction equipment operations during second stage smog alerts. For daily forecast, call (800) 367-4710 (San Bernardino and Riverside counties).
- b. Trucks/equipment shall not be left idling on site for periods in excess of 10 minutes.
- c. Provide temporary traffic control during all phases of construction.
- d. Substitute diesel-powered equipment with electric and gasoline-powered equipment.
- e. Onsite electrical power hook-ups shall be provided for electric construction tools to eliminate the need for diesel-powered electronic generators.
- f. Install storm water control systems to prevent mud deposition onto paved areas during construction.
- g. Contractors shall use low sulfur fuel for stationary construction equipment as required by AQMD Rules 431.1 and 431.2 to reduce the release of undesirable emissions.

[Mitigation Measure III-2]

III-3 Air Quality – Coating Restriction Plan. The developer shall submit a letter agreeing to these Coating Restrictions and to include in any construction contracts and/or subcontracts a requirement that the contractors adhere to these requirements. These shall include, but are not be limited to:

- a. Architectural coatings with Reactive Organic Compounds (ROC) shall not have a content greater than 100 g/l.
- b. Architectural coating volume shall not exceed the significance threshold for ROG, which is 75 lbs./day and the combined daily ROC volume of architectural coatings and asphalt paving shall not exceed the significance threshold for ROC of 75 lbs. per day
- c. High-Volume, Low Pressure (HVLV) spray guns will be used to apply coatings.

[Mitigation Measure III-3]

IV. BIOLOGICAL RESOURCES - Would the project:

Impact Mitigation
 Incorp.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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 Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc...) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 checked="" type="checkbox"/> | <input 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):

IV a) **Less Than Significant Impact.** This project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, because the site is not expected to support any sensitive species, sensitive habitats, or wildlife corridors based on the General Biological Assessment report prepared for this site by the RCA Associates, LLC. Therefore, potential significant impact to the biological resources is deemed minimal and no mitigation measures are deemed necessary.

- IV b) **Less Than Significant Impact.** This project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service because no riparian habitat or sensitive natural community are identified on the project site. The Assessment mentioned above finds no sensitive habitats, stream, wetlands or wildlife corridors on this site. Therefore, potential significant impact to the biological resources is deemed minimal and no mitigation measures are deemed necessary.
- IV c) **Less Than Significant Impact.** This project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means because the project is not located within an identified protected wetland. The Assessment mentioned above finds no sensitive habitats, stream, wetlands or wildlife corridors on this site. Therefore, potential significant impact to the biological resources is deemed minimal and no mitigation measures are deemed necessary.
- IV d) **Less Than Significant Impact.** This project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, because the site is not expected to support any sensitive species, sensitive habitats, wildlife nursery, or wildlife corridors, based on the General Biological Assessment report prepared for this site by the RCA Associates, LLC. Therefore, potential significant impact to the biological resources is deemed minimal and no mitigation measures are deemed necessary.
- IV e) **Less Than Significant Impact.** This project will not conflict with any local policies or ordinances protecting biological resources because such ordinances take effect when protected tree species are present on a given site. No protected species of trees has been identified on this parcel. The management and well-being of the native regulated tree falls under Chapter 88.01: Plant Protection and Management, discussed separately under Agriculture and Forest Resources, II-d. Therefore no potentially significant impact is anticipated in this area of concern and no mitigation measures are deemed necessary.
- IV f) **Less Than Significant Impact.** This project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan because no such plan has been identified on this project site, based on the General Biological Assessment report prepared by the RCA Associates, LLC. Therefore, potentially significant impact is anticipated in this area of concern and no mitigation measures are deemed necessary.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
V. CULTURAL RESOURCES - Would the project				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

- V a) **Less Than Significant Impact.** This project will not cause a substantial adverse change in the significance of a historical resource, because there are no such resources identified on or in the vicinity of the project. To further reduce the potential for impacts, a precautionary mitigation shall be added to the project conditions of approval that requires the developer to contact the County Museum for determination of appropriate excavation and recovery actions, if any finds are made during project grading and construction.
- V b) **Less Than Significant Impact.** This project will not cause a substantial adverse change to an archaeological resource, because there are no such resources identified in the vicinity of the project. To further reduce the potential for impacts, a precautionary mitigation shall be added to the project conditions of approval that requires the developer to contact the County Museum for determination of appropriate excavation and recovery actions, if any finds are made during project grading and construction.
- V c) **Less Than Significant Impact.** This project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, because there are no such resources identified in the vicinity of the project. To further reduce the potential for impacts, a precautionary mitigation shall be added to the project conditions of approval that requires the developer to contact the County Museum for determination of appropriate excavation and recovery actions, if any finds are made during project grading and construction.
- V d) **Less Than Significant Impact.** This project will not disturb any human remains, including those interred outside of formal cemeteries, because there are no such burial grounds that have been identified in the vicinity of the project. To further reduce the potential for impacts, if any human remains are discovered, during grading and construction of this project, the developer is required to contact the County Coroner and County Museum for determination of appropriate excavation and recovery actions; and a Native American representative, if the remains are determined to be of Native American origin.

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Therefore, no significant adverse impacts are identified or anticipated. As a precautionary measure to further reduce any potential for impacts, the following requirement will apply:

MM# Mitigation Measures

V-1 Cultural Resources. The "developer" shall prepare, submit for review and obtain approval of a letter agreeing to adhere to the following requirements and to include in any construction contracts/subcontracts a requirement that project contractors adhere to the following requirements:

If archaeological, paleontological and/or historical resources are uncovered during ground disturbing activities, all work in that area shall cease immediately until written clearance by County Planning is provided indicating that satisfactory resource excavation and recovery has been implemented. A qualified expert (e.g. archaeologist or paleontologist), as determined by County Planning in consultation with the County Museum shall be hired to record the find and recommend appropriate actions. The developer shall implement any such additional action to the satisfaction of County Planning and the County Museum. If human remains are uncovered during ground disturbing activities, the San Bernardino County Coroner shall be contacted within 24 hours of the find. If the remains or cultural artifacts are determined to be of Native American origin, the local Native American representative shall also be notified.

[Mitigation Measure V-1]

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Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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VI. GEOLOGY AND SOILS - Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 181-B of the California Building Code (2001) creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

VI a) **Less Than Significant Impact.** (i-iv) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving; i) rupture of a known earthquake fault, ii) strong seismic ground shaking, iii) Seismic-related ground failure, including liquefaction or iv) Landslides, because there are no such geologic hazards identified in the immediate vicinity of the project site. The project and its existing and/or proposed structures shall be reviewed and conditioned by County Building & Safety Division; and subsequently confirmed in compliance or constructed with appropriate seismic standards.

- VI b) **Less Than Significant Impact.** The project will not result in substantial soil erosion or the loss of topsoil because the scope of construction activities proposed will not require further substantial disturbance of the site. The project and related grading and construction activities shall be reviewed and conditioned by County Building & Safety Division; and subsequently confirmed in compliance or constructed with appropriate seismic standards. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- VI c) **Less Than Significant Impact.** The project is not identified as being located on a geologic unit or soil that has been identified as being unstable or having the potential to result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. The project and related grading and construction activities shall be reviewed and conditioned by County Building & Safety Division; and subsequently confirmed in compliance or constructed with appropriate seismic standards. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- VI d) **Less Than Significant Impact.** The project site is not located in an area that has been identified as having the potential for expansive soils; therefore it will not create substantial risks to life or property. The project and related grading and construction activities shall be reviewed and conditioned by County Building & Safety Division; and subsequently confirmed in compliance or constructed with appropriate seismic standards. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- VI e) **Less Than Significant Impact.** The proposed development will not have wastewater disposal needs; therefore no significant impact is anticipated. The project and related grading and construction activities shall be reviewed and conditioned by County Building & Safety Division; and subsequently confirmed in compliance or constructed with appropriate seismic standards. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.

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

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

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

VII a, b) **Less Than Significant Impact.** Operational emissions of the proposed project would not exceed criteria or GHG emissions thresholds because this 6,793 square foot convenience store, gas station, and a caretaker residence is consistent with the growth projections and associated emissions used in the adopted County of San Bernardino Greenhouse Gas Emission Reduction Plan because it is smaller in size than the sample Gas Station/Convenience store of 7,200 square feet used for the referenced study, therefore the project is expected to fall short of 3000 metric tons of Carbon Dioxide Equivalent (CO₂e) per year for the proposed use.

As discussed in Air Quality section of this document, the proposed project's primary contribution to air emissions is attributable to construction activities. Project construction shall result in greenhouse gas (GHG) emissions from the following construction related sources: (1) construction equipment emissions and (2) emissions from construction workers personal vehicles traveling to and from the construction site. Construction-related GHG emissions vary depending on the level of activity, length of the construction period, specific construction operations, types of equipment, and number of personnel. The Air Quality – Construction Mitigation condition will address the air quality and GHG emission concerns for construction activities including equipment and trucks visiting the site.

Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.

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

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VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
a) Create a significant hazard to the public or the Environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION

- VII a) **Less Than Significant Impact.** The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, because the use proposed is not anticipated to involve such activities. If such uses are proposed on-site in the future, they will be subject to permit and inspection by the Hazardous Materials Division of the County Fire Department, and in some instances, to additional land use review. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- VII b) **Less Than Significant Impact.** The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, because any proposed use or construction activity that might use hazardous materials is subject to permit and inspection by the Hazardous Materials Division of the County Fire Department. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- VII c) **Less Than Significant Impact.** The project uses will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, because the project does not propose the use of hazardous materials and all existing and proposed schools are more than one-quarter mile away from the project site. If such uses are proposed in the future on this site, they will be subject to permit and inspection by the Hazardous Materials Division of the County Fire Department and in some instances additional land use review. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- VII d) **Less Than Significant Impact.** The project site is not included on a list of hazardous materials sites.
- VII e) **Less Than Significant Impact.** The project site is not located within an airport land use plan; therefore, the project cannot result in a safety hazard for people residing or working in the project area.
- VII f) **Less Than Significant Impact.** The project site is not within the vicinity or approach/departure flight path of a private airstrip.
- VII g) **Less Than Significant Impact.** The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, because the project has adequate access from State Highway 38.
- VII h) **Less Than Significant Impact.** The project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires, because the proposed facility and its associated structures shall be reviewed by County Fire for approval. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.

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VIII. HYDROLOGY AND WATER QUALITY - Would the project:

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

SUBSTANTIATION

- VIII a) **Less Than Significant Impact.** The project will not violate any water quality standards or waste discharge requirements, because the proposed mechanisms that provide water and discharge systems shall be reviewed by County EHS to ensure compliance with both water quality and waste discharge requirements. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- VIII b) **Less Than Significant Impact.** The project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level, because the project proponent is required to provide EHS with documentations that substantiate water availability, of acceptable quality, to serve the development. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- VIII c) **Less Than Significant Impact.** The project will not substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site because only minimal grading is associated with project; and there are no rivers or streams on site. The project is conditioned not alter or occupy natural drainage courses. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- VII d) **Less Than Significant Impact.** The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site because no river or stream has been identified on the project site. A Water Quality Management Plan has been reviewed by County Land Use Services Drainage Section to ensure surface runoff will either be entirely handled on site, or that the overflow will not impede on surrounding properties and or road infrastructure. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- VIII e) **Less Than Significant Impact.** The project will not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff because a Water Quality Management Plan has been reviewed by County Land Use Services Drainage Section to ensure surface runoff will either be entirely handled on site, or that the overflow will not impede on surrounding properties or stormwater drainage infrastructure. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- VIII f) **Less Than Significant Impact.** The project will not otherwise substantially degrade water quality, because appropriate measures for water quality protection and erosion control have been required. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- VIII g) **Less Than Significant Impact.** The project will not place unprotected housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map because the project is not within an area with determined flood hazard and it does not involve residential housing development. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.

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- VIII h) **Less Than Significant Impact.** The project will not place within a 100-year flood hazard area structures that would impede or redirect flood flows because the project site is not identified by the County Land Use Services Drainage Section to be within a 100-year flood hazard area. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- VIII i) **Less Than Significant Impact.** The project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, because the project site is not within any identified path of a potential inundation flow that might result in the event of a dam or levee failure or that might occur from a river, stream, lake or sheet flow situation. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- VIII j) **Less Than Significant Impact.** The project will not be impacted by inundation by seiche, tsunami, or mudflow, because the project is not adjacent to any body of water that has the potential of seiche or tsunami nor is the project site in the path of any potential mudflow. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.

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

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

SUBSTANTIATION

- IX a) **Less Than Significant Impact.** The project will not physically divide an established community, because the project is a logical and orderly extension of the planned land uses. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- IX b) **Less Than Significant Impact.** The project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect, because the project is consistent with all applicable land use policies and regulations of the County Code and General Plan as the proposed use is consistent with its designated zoning. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- IX c) **Less Than Significant Impact.** The project will not conflict with any applicable habitat conservation plan or natural community conservation plan, because there is no habitat conservation plan or natural community conservation plan within the area surrounding the project site and no habitat conservation lands are required to be purchased as mitigation for the proposed project. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.

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

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

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

- X a) **Less Than Significant Impact.** The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state because there are no identified important mineral resources on the project site. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- X b) **Less Than Significant Impact.** The project will not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan, because there are no identified locally important mineral resources on the project site. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.

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

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XI. NOISE - Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

XI a-c) **Less Than Significant Impact.** The proposed project will not include uses that will exceed San Bernardino County Noise Standards and those of County Development Code. The “developer” as defined in the Conditions of Approval will be required to ensure that the noise generated by the ongoing operations, and the associate groundborne noise, shall not exceed County Noise Standards. Because the project abuts residential development, the project is conditioned to monitor its noise levels to ensure project noise will not exceed County Noise Standards of 55 dB(A) for residential areas from 7am-10pm, as measured at the project’s property boundaries. Noise levels after 10pm shall not exceed 45 dB(A) where the project site abuts single family residences. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.

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- XI d) **Less Than Significant Impact With Mitigation Incorporated.** The project may generate substantial temporary or periodic increase in ambient noise levels above levels existing without the project due to construction activities which may include excavations, grading, and building erection/modification on the project site. Mitigation measure XI-1 as stated below will reduce any potential noise impact of these temporary construction. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- XI e) **No Impact.** The project site is not located within an airport land use plan; therefore, the project cannot result in a safety hazard for people residing or working in the project area.
- XI f) **No Impact.** The project is not within the vicinity of a private airstrip; therefore, the project cannot result in a safety hazard for people residing or working in the project area.

Possible significance adverse impacts have been identified or anticipated and the following mitigation measures are required as conditions of project approval to reduce these impacts to a level below significant.

MM# Mitigation Measures

- XI-1 Noise Mitigation.** *The "developer" shall submit for review and obtain approval of an agreement letter that stipulates that all construction contracts/subcontracts contain as a requirement that the following noise attenuation measures be implemented:*
- a) *Exterior construction activities shall be limited between 7 a.m. and 7 p.m. There shall be no exterior construction activities on Sundays or National Holidays.*
 - b) *Interior construction activities may occur on any day and any time provided they comply with the County noise standards. (SBCC 83.01.080).*
 - c) *Construction equipment shall be muffled per manufacturer's specifications.*
 - d) *All stationary construction equipment shall be placed in a manner so that emitted noise is directed away from sensitive receptors nearest the project site.*
- [Mitigation Measure XI-1]*

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XII. POPULATION AND HOUSING - Would the project:

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION

- XII a) **No Impact.** The project will not induce population growth in the area either directly or indirectly because the project is not proposing any new residential development and will make use of the existing roads and infrastructure. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- XII b) **No Impact.** The proposed use will not displace substantial numbers of existing housing units, necessitating the construction of replacement housing because the project does not propose demolition of any existing housing to necessitate the construction of replacement housing. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- XII c) **No Impact.** The proposed use will not displace substantial numbers of people because the project uses does not proposes to displace any number of people. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.

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

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XIII. 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 checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION

XIII a) **Less Than Significant Impact.** The proposed project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services, including fire and police protection, schools, parks or other public facilities because the proposed development is expected to contribute to overall business tax revenues to provide a source of funding for such governmental facilities and public services which is deemed sufficient to offset any demand increases by this project. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.

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

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

SUBSTANTIATION

XIV a) **Less Than Significant Impact.** This project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated because of the project does not involve residential development and will not cause impacts associated with an increase in populations. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.

XIV b) **Less Than Significant Impact.** This project does not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment because the proposed development will not result in an increased demand for recreational facilities. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.

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

Potentially Significant Impact Less than Significant with Mitigation Incorp. Less than Significant No Impact

XV. TRANSPORTATION/TRAFFIC - Would the project:

- a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e) Result in inadequate emergency access?
- f) Result in inadequate parking capacity?
- g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

SUBSTANTIATION

XV a-b) **Less Than Significant Impact.** The proposed project will not cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system, i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections, because a Traffic Report prepared by Hall & Foreman, Inc. has concluded that the project traffic “will not cause any significant negative impact to the surrounding street system”. The study continues to state that the street system will be adequate to handle estimated project and future traffic with the existing intersection geometrics” and that Service Levels will remain at the level C until the forecast year of 2035. The referenced traffic has examined the traffic impacts specifically for the project as well as analysis of the overall growth within the area to ensure any cumulative impacts are addressed. The Traffic Report specifically studies the accessibility from State Highway 38 and State Lane and the corresponding intersection, background traffic which includes auxiliary traffic aside from the project specific traffic demands, and the traffic condition for the future Year 2035 forecast year and finds that traffic control systems are sufficient to adequately serve the project site; and that no traffic signal is warranted. The study finds that the existing traffic conditions and the two-way stop controls sign surrounding the project site are operating at sufficient levels during the morning and evening peak hours. The County Traffic Division and Caltrans have reviewed the project and they are in support to the project, subject to meeting conditions of approval. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.

- XV c) **Less Than Significant Impact.** The project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks, because there are no anticipated notable impacts on air traffic volumes by passengers or freight generated by the proposed use and no new air traffic facilities are proposed. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- XV d) **Less Than Significant Impact.** The project will not substantially increase hazards due to a design feature or incompatible uses, because the project site is adjacent to or near established roads, State Highway 38 and State Lane which provide adequate physical access with appropriate sight distance and properly controlled intersections. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- XV e) **Less Than Significant Impact.** The project will not result in inadequate emergency access, because the project will be conditioned to provide adequate access points, designed to accommodate emergency vehicles. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- XV f) **Less Than Significant Impact.** The project will not result in inadequate parking capacity, because the project parking needs for project visitors and employees has been analyzed and deemed satisfactory. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- XV g) **Less Than Significant Impact.** The project will not conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks), because the scope and nature of the proposed project is deemed not burden to the existing infrastructure. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.

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

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

SUBSTANTIATION

XVI a) **Less Than Significant Impact.** The proposed project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board as determined by County Public Health – Environmental Health Services (EHS); therefore any impact will be less than significant in this area. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.

XVI b) **Less Than Significant Impact.** The proposed project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities because the project water and sewage disposal need shall be subject to the County Environmental Health Services' (EHS) review and approval. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.

- XVI c) **Less Than Significant Impact.** The proposed project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities that cause significant environmental effects because the project will use the existing storm water and drainage infrastructure. The project's hydrology and drainage conditions have been review by County Drainage Section, based on the Preliminary Hydrology Study and a Preliminary Water Quality Management Plan prepared by Jerry L. Miles, P.E. The County Drainage Section is in support of the project subject to Conditions of Approval. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- XVI d) **Less Than Significant Impact.** The proposed project will have sufficient water supplies available to serve its operation from existing entitlements and resources because the project will either be served by an established water purveyor, or conditioned to have its onsite water source reviewed and approved by EHS. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- XVI e) **Less Than Significant Impact.** The proposed project's wastewater treatment system shall be reviewed for approval by County EHS. Therefore onsite handling of wastewater shall be continually monitored to ensure compliance. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- XVI f) **Less Than Significant Impact.** The proposed project's solid waste disposal needs shall be serviced by an approved solid waste facility in conformance with the San Bernardino County Code Chapter 8, Section 33.0830, subject to County EHS review and approval. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.
- XVI g) **Less Than Significant Impact.** The proposed project is required to comply with federal, state, and local statutes and regulations related to solid waste. The proposed project's solid waste disposal needs shall be serviced by an approved solid waste facility in conformance with the San Bernardino County Code Chapter 8, Section 33.0830, subject to County EHS review and approval. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.

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

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects, which will cause Substantial adverse effects on human beings, either directly Or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION

XVII a) **Less Than Significant Impact.** The project will not have the potential to significantly degrade the overall quality of the region’s environment or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory because the project’s potential impacts have been reviewed by RCA Associates, LLC through performance of a General Biological Resources Assessment which finds that the site is not expected to support any sensitive species, sensitive habitats, or wildlife corridors. The study finds that the proposed project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service because no riparian habitat or sensitive natural community are identified on the project site. This project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means because the project is not located within an identified protected wetland. The Assessment mentioned above finds no sensitive habitats, stream, wetlands or wildlife corridors on this site. No protected species of trees has been identified on this parcel. The management and well-being of the native regulated tree falls under Chapter 88.01: Plant Protection and Management—discussed separately under Agriculture and Forest Resources, II-d. The reference study by RCA Associates, LLC. also finds that the project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan because no such plan has been identified on this project site. No potentially significant impact to biological resources is anticipated and no mitigation measures are deemed necessary.

Operational emissions of the proposed project would not exceed criteria or GHG emissions thresholds because this 6,793 square foot convenience store, gas station, and a caretaker residence is consistent with the growth projections and associated emissions used in the adopted County of San Bernardino Greenhouse Gas Emission Reduction Plan because it is smaller in size than the sample Gas Station/Convenience store of 7,200 square feet used for the referenced study, therefore the project is expected to fall short of 3000 metric tons of Carbon Dioxide Equivalent (CO₂e) per year for the proposed use.

As discussed in Air Quality section of this document, the proposed project's primary contribution to air emissions is attributable to construction activities. Project construction shall result in greenhouse gas (GHG) emissions from the following construction related sources: (1) construction equipment emissions and (2) emissions from construction workers personal vehicles traveling to and from the construction site. Construction-related GHG emissions vary depending on the level of activity, length of the construction period, specific construction operations, types of equipment, and number of personnel. The Air Quality – Construction Mitigation condition will address the air quality and GHG emission concerns for construction activities including equipment and trucks visiting the site.

As discussed in Air Quality section of this document, the proposed project's primary contribution to air emissions is attributable to construction activities. Project construction shall result in greenhouse gas (GHG) emissions from the following construction related sources: (1) construction equipment emissions and (2) emissions from construction workers personal vehicles traveling to and from the construction site. Construction-related GHG emissions vary depending on the level of activity, length of the construction period, specific construction operations, types of equipment, and number of personnel. The Air Quality – Construction Mitigation condition will address the air quality and GHG emission concerns for construction activities including equipment and trucks visiting the site. Additionally, there are no identified historic or prehistoric resources identified on this site. If any archaeological or paleontological resources are identified during land disturbance and/or project construction, the project is conditioned to stop and identify appropriate authorities, which will properly record and/or remove for classification any such finds. Operational emissions of the proposed project would not exceed criteria or GHG emissions thresholds because this 6,793 square foot convenience store, gas station, and a caretaker residence is consistent with the growth projections and associated emissions used in the adopted County of San Bernardino Greenhouse Gas Emission Reduction Plan because it is smaller in size than the sample Gas Station/Convenience store of 7,200 square feet used for the referenced study, therefore the project is expected to fall short of 3000 metric tons of Carbon Dioxide Equivalent (CO₂e) per year for the proposed use. Therefore, no potentially significant impact is anticipated in this area and no mitigation measures are deemed necessary.

- XVII b) **Less Than Significant Impact.** The project does not have impacts that are individually limited, but cumulatively considerable. The other project sites in the area to which this project would add cumulative impacts have either existing or planned infrastructure that is sufficient for all planned uses. These sites are capable of absorbing such uses without generating any cumulatively significant impacts.
- XVII c) **Less Than Significant Impact.** The project will not have other environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly, as there are no such impacts identified by the studies conducted for this project or identified by review of the design of the proposed project. The project will be conditioned to ensure that all necessary mitigation measures are followed prior to occupancy.

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

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XVIII. MITIGATION MEASURES

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

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

MM# Mitigation Measures

III-1 Air Quality – Dust Control Plan. The developer shall submit to County Planning a Dust Control Plan (DCP) consistent with SCAQMD guidelines and a letter agreeing to include in any construction contracts and/or subcontracts a requirement that the contractors adhere to the requirements of the DCP. The DCP shall include these elements to reduce dust production:

- a. Exposed soil shall be kept continually moist through a minimum of twice daily waterings to reduce fugitive dust during all grading and construction activities.
- b. Street sweeping shall be conducted when visible soil accumulations occur along site access roadways to remove dirt dropped by construction vehicles.
- c. Site access driveways and adjacent streets shall be washed daily, if there are visible signs of any dirt track-out at the conclusion of any workday.
- d. Tires of vehicles will be washed before the vehicles leave the project site and enters a paved road.
- e. Any truck hauling dirt away from the site shall be covered
- f. During high wind conditions (i.e., wind speeds exceeding 25 mph), areas with disturbed soil shall be watered hourly and activities on unpaved surfaces shall be terminated until wind speeds no longer exceed 25 mph.
- g. Storage piles that are to be left in place for more than three working days shall either be sprayed with a non-toxic soil binder, or covered with plastic or revegetated.

[Mitigation Measure III-1]

III-2 Air Quality – Construction Plan. Developer shall submit written verification that all construction contracts and sub-contracts for the project contain provisions that require adherence to the following standards to reduce impacts to air quality. During construction, each contractor and subcontractor shall implement the following, whenever feasible:

- a. Suspend use of all construction equipment operations during second stage smog alerts. For daily forecast, call (800) 367-4710 (San Bernardino and Riverside counties).
- b. Trucks/equipment shall not be left idling on site for periods in excess of 10 minutes.
- c. Provide temporary traffic control during all phases of construction.
- d. Substitute diesel-powered equipment with electric and gasoline-powered equipment.
- e. Onsite electrical power hook-ups shall be provided for electric construction tools to eliminate the need for diesel-powered electronic generators.
- f. Install storm water control systems to prevent mud deposition onto paved areas during construction.
- g. Contractors shall use low sulfur fuel for stationary construction equipment as required by AQMD Rules 431.1 and 431.2 to reduce the release of undesirable emissions.

[Mitigation Measure III-2]

- III-3** Air Quality – Coating Restriction Plan. The developer shall submit a letter agreeing to these Coating Restrictions and to include in any construction contracts and/or subcontracts a requirement that the contractors adhere to these requirements. These shall include, but are not be limited to:
- Architectural coating volume shall not exceed the significance threshold for ROG, which is 75 lbs./day and the combined daily ROC volume of architectural coatings and asphalt paving shall not exceed the significance threshold for ROC of 75 lbs. per day
 - Architectural coatings with Reactive Organic Compounds (ROC) shall not have a content greater than 100 g/l.
 - High-Volume, Low Pressure (HVLP) spray guns will be used to apply coatings.
- [Mitigation Measure III-3]
- V-1** Cultural Resources. The “developer” shall prepare, submit for review and obtain approval of a letter agreeing to adhere to the following requirements and to include in any construction contracts/subcontracts a requirement that project contractors adhere to the following requirements:
- If archaeological, paleontological and/or historical resources are uncovered during ground disturbing activities, all work in that area shall cease immediately until written clearance by County Planning is provided indicating that satisfactory resource excavation and recovery has been implemented. A qualified expert (e.g. archaeologist or paleontologist), as determined by County Planning in consultation with the County Museum shall be hired to record the find and recommend appropriate action. The developer shall implement any such additional action to the satisfaction of County Planning and the County Museum. If human remains are uncovered during ground disturbing activities, the San Bernardino County Coroner shall be contacted within 24 hours of the find. If the remains or cultural artifacts are determined to be of Native American origin, the local Native American representative shall also be notified.
- [Mitigation Measure V1]
- XI-1** Noise Mitigation. The “developer” shall submit for review and obtain approval of an agreement letter that stipulates that all construction contracts/subcontracts contain as a requirement that the following noise attenuation measures be implemented:
- Exterior construction activities shall be limited between 7 a.m. and 7 p.m. There shall be no exterior construction activities on Sundays or National Holidays.
 - Interior construction activities may occur on any day and any time provided they comply with the County noise standards. (SBCC 83.01.080).
 - Construction equipment shall be muffled per manufacturer’s specifications.
 - All stationary construction equipment shall be placed in a manner so that emitted noise is directed away from sensitive receptors nearest the project site.
- [Mitigation Measure XI-1]

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GENERAL REFERENCES

- Alquist-Priolo Special Studies Zone Act Map Series (PRC 27500)
- California Department of Water Resources Bulletin #118 (Critical Regional Aquifers), 1975
- CEQA Guidelines, Appendix G
- California Standard Specifications, July 1992
- County Museum Archaeological Information Center
- County of San Bernardino Development Code, 1998
- County of San Bernardino General Plan, adopted 1989, revised 1998
- County of San Bernardino Hazard Overlay Map FH 27
- County of San Bernardino Identified Hazardous Materials Waste Sites List, April 1998
- County of San Bernardino, Countywide Integrated Waste Management Plan, March 1995
- County of San Bernardino, June 2004, *San Bernardino County Stormwater Program, Model Water Quality Management Plan Guidance*.
- County of San Bernardino Road Planning and Design Standards
- Environmental Impact Report, San Bernardino County General Plan, 1989
- Federal Emergency Management Agency Flood Insurance Rate Map and Flood Boundary Map
- South Coast Air Quality Management District, CEQA Air Quality Handbook, November 1993

PROJECT SPECIFIC STUDIES:

General Biological Resources Assessment; RCA Associate, LLC.; January 2013;

Traffic Report; Hall & Foreman, Inc.; September 2013;

Preliminary Water Quality Management Plan; Jerry L. Miles, P.E.; February 2013; and

Preliminary Hydrology Study; Jerry L. Miles, P.E.; February 2013

EXHIBIT D

**Correspondence Part 1&2
(Provided on CD)**