



LAND USE SERVICES DEPARTMENT PLANNING DIVISION PLANNING COMMISSION STAFF REPORT

HEARING DATE: December 18, 2014

AGENDA ITEM #4

Project Description

Vicinity Map

APN: 0537-161-22-0000
 Applicant: ALEX RINGLE
 Community: YERMO/1ST SUPERVISORIAL DISTRICT
 Location: SOUTHEAST CORNER OF CALICO ROAD & CALICO BOULEVARD.
 Project No: P201300531/CUP
 Staff: NINA SHABAZZ
 Proposal: CONDITIONAL USE PERMIT TO ESTABLISH A 25,060 SQUARE FOOT GAS STATION WITH 32 FUEL DISPENSING PUMPS/CONVENIENCE STORE & FOOD ESTABLISHMENT ON 5 ACRES.



20 Hearing Notices Sent On: December 8, 2014
 P.C. Field Inspection Date: December 11, 2014

Report Prepared By: Nina Shabazz
 Field Inspected By: Commissioner Coleman

SITE INFORMATION:

Parcel Size: 5 acres
Terrain: Generally flat
Vegetation: Native desert vegetation

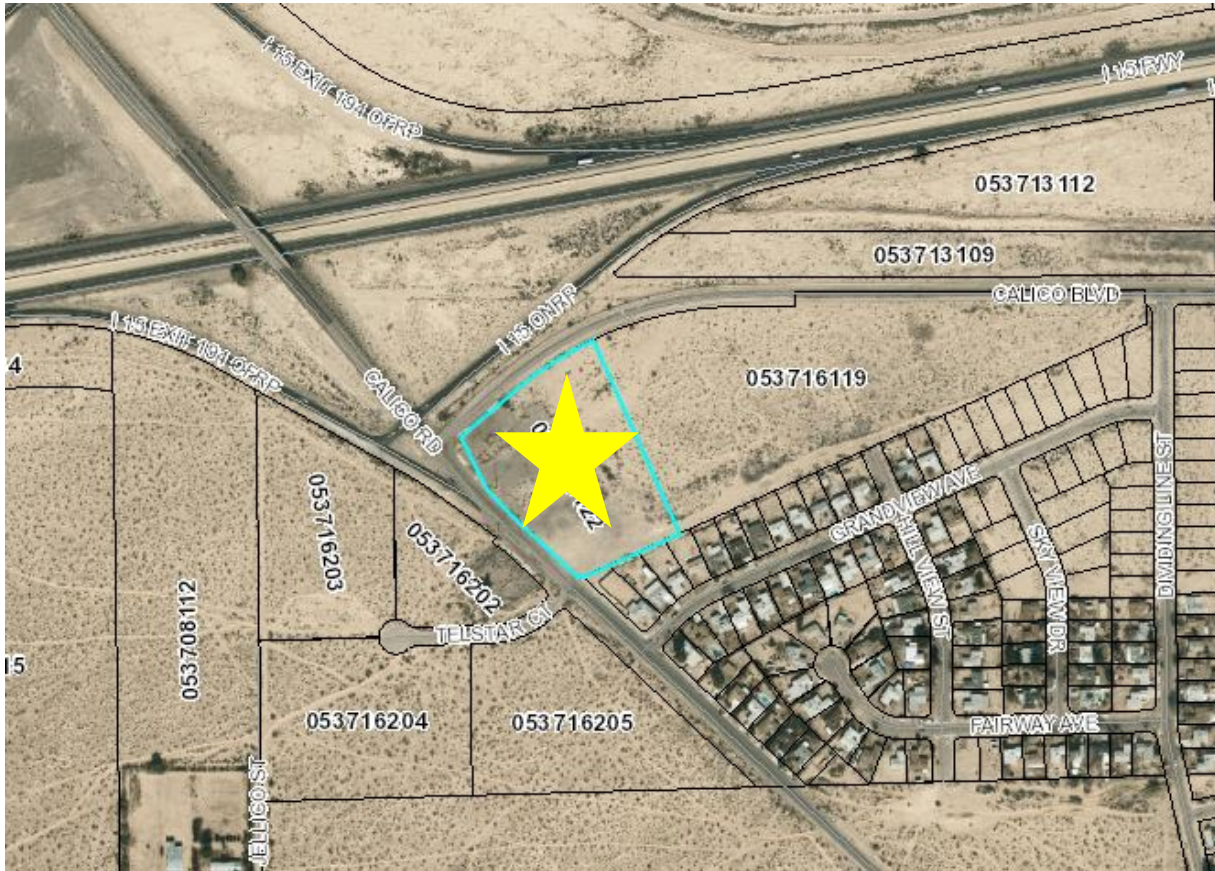
SURROUNDING LAND DESCRIPTION:

AREA	EXISTING LAND USE	OFFICIAL LAND USE DISTRICT
Site	Vacant	Highway Commercial (CH)
North	Vacant	Rural Living-5 (RL-5)
South	Single Family Residences	Single Family Residential-10M (RS-10M)
East	Vacant	Rural Living (RL)
West	Vacant	Highway Commercial (CH)

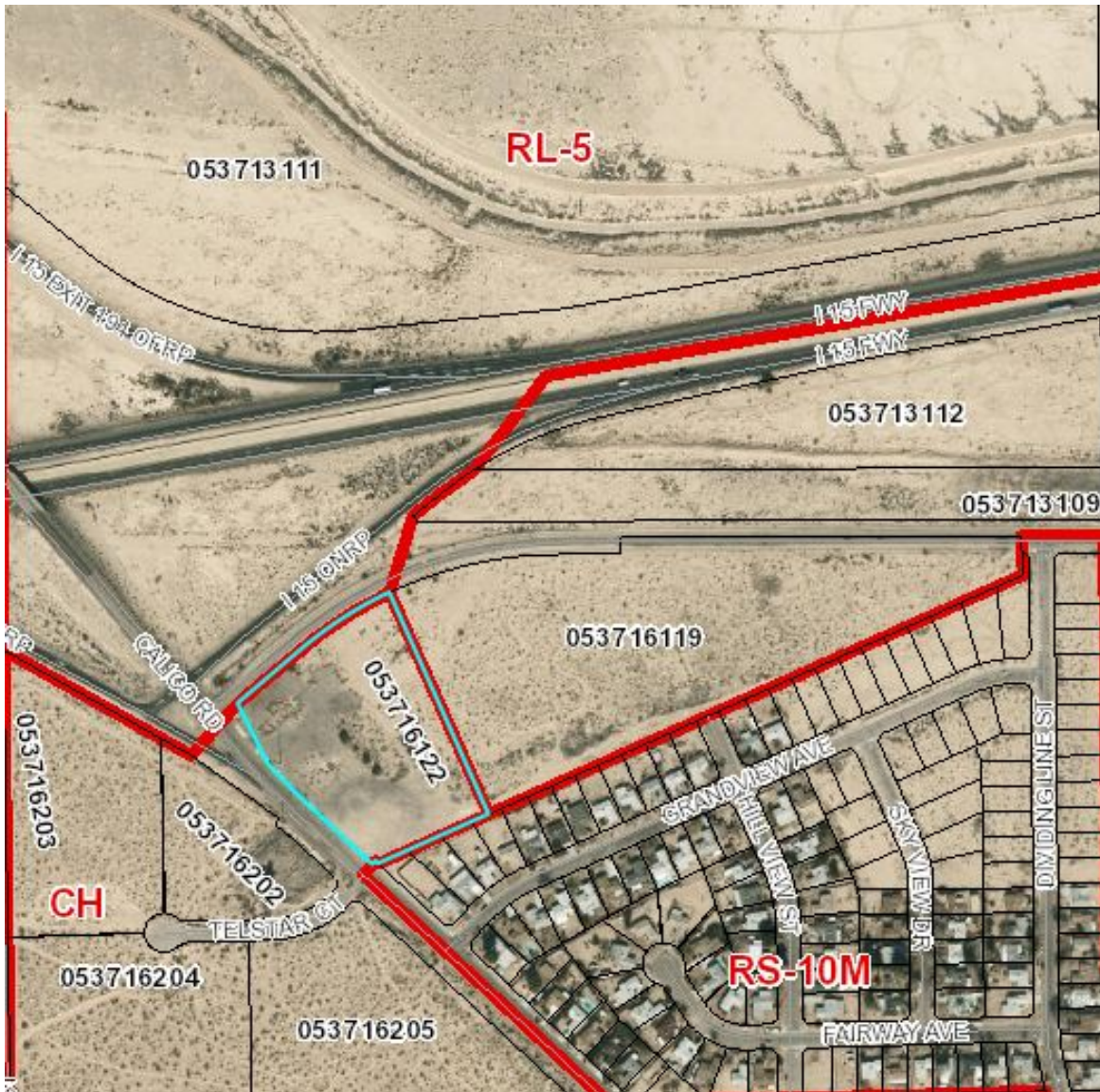
	<u>AGENCY</u>	<u>COMMENT</u>
City Sphere of Influence:	N/A	N/A
Water Service:	Yermo CSD	Already Served
Sewer Service:	Yermo CSD	N/A

STAFF RECOMMENDATION: That the Planning Commission **APPROVE** the Conditional Use Permit to construct a 25,060 square foot gas station, retail, restaurant & travel plaza.

VICINITY MAP



LAND USE ZONING DISTRICT MAP



ELEVATIONS



EAST ELEVATION (AS SEEN FROM CALICO BLVD.)



WEST ELEVATION (AS SEEN FROM HOUSE TRACK TO THE WEST)



SOUTH ELEVATION (AS SEEN FROM CALICO ROAD)

PROJECT DESCRIPTION AND BACKGROUND:

The Applicant is seeking approval of a Conditional Use Permit for construction of a 25,060 square-foot gas station with 32 fuel dispensing pumps, restaurant, and retail building to be used as a regional travel plaza (Project) on 5 acres. The Project site lies within the unincorporated portion of the County of San Bernardino, in the community of Yermo. It is located on the southeast corner of Calico Road and Calico Boulevard. Access to the Project site comes directly from Calico Boulevard and Calico Road.

The proposed Project site was previously developed as a gas station and a restaurant. The San Bernardino County Hazardous Materials Division of the County Fire Department coordinated removing the previous underground storage tanks. A Phase I Assessment has been conducted, and confirmed that the site was properly cleaned up and that soil contamination has been ruled out.

ANALYSIS:

The Project site is zoned Highway Commercial (CH). The proposed gas station, restaurant & retail establishment Project is allowed within the zoning district and the Project is consistent with the existing surrounding land uses to the north, east and west. The Project site abuts an existing single family residential community and will be conditioned to provide a screen wall per requirements of the Development Code.

The proposed Project will include landscaping around the entire perimeter of the site. The Project will also incorporate design guidelines including screening of loading and storage areas at the rear of the site. The provision of walls and fencing with landscaping as screening of loading and storage areas will further enhance the overall aesthetic quality of the development. The drought resistant trees and shrubs which are proposed in the conceptual desert landscape plan will blend well with the existing visual character of the area.

TRAFFIC:

The County Traffic Division has reviewed the Focused Traffic Analysis for the Project, which was prepared by LSA Associates on August 19, 2014. This study concluded that additional traffic generated by the Project for the opening year will not have a significant impact on traffic congestion. The study area intersections are projected to operate at an acceptable LOS during peak traffic times, with the construction of the proposed street improvements. The traffic analysis concludes that construction of this Project as planned will not have a significant negative effect with respect to traffic movement.

AIR QUALITY:

The Project air quality analysis shows that both short-term and long-term emissions from the Project will not exceed the South Coast Air Quality Management District (MDAQMD) established significance thresholds and that any potential impact should be less than significant. Project-specific mitigation measures have been incorporated in the Project approval to further minimize any potential impacts. Painting activities associated with Project construction will be restricted to further reduce any potential negative impacts to air quality.

GREENHOUSE GASES:

The County's Greenhouse Gas Emissions Reduction Plan (GHG Plan) was adopted on December 6, 2011, and became effective on January 6, 2012. The GHG Plan establishes a GHG emissions reduction target for the year 2020 that is 15 percent below 2007 emissions. The GHG Plan is consistent with AB 32 (Global Warming Solutions Act of 2006) and sets the County on a path to achieve more substantial long-term reductions in the post-2020 period. Achieving this level of emissions will ensure that the contribution to greenhouse gas emissions from activities covered by the GHG Plan will not be cumulatively considerable.

Implementation of the County's GHG Plan is achieved through the Development Review Process by applying appropriate reduction requirements to reduce GHG emissions. All new development is required to quantify the Project's GHG emissions and adopt feasible mitigation to reduce Project emissions below a level of significance. A threshold of 3,000 metric tons of carbon dioxide equivalent (MTCO_{2e}) per year is used to identify projects requiring GHG analysis. For projects exceeding 3,000 MTCO_{2e} per year of GHG emissions, the developer may use the GHG Plan Screening Tables as a tool to assist with calculating GHG reduction measures and the determination of a significance finding.

The Project is considered to be consistent with the GHG Plan and is therefore determined to have a less than significant individual and cumulative impact for GHG emissions. The GHG reduction measures proposed by the developer through the Screening Tables Review Process have been included in the Project design or will be included as Conditions of Approval for the Project.

INITIAL STUDY:

In compliance with the California Environmental Quality Act (CEQA), an Initial Study has been completed for the proposed Project and it concludes that the Project will not have a significant adverse impact on the environment with the implementation of the Conditions of Approval and environmental mitigation measures. Therefore, adoption of a Mitigated Negative Declaration is recommended.

RECOMMENDATION:

That the Planning Commission:

- A. **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;
- B. **APPROVE** the Conditional Use Permit for the construction of a 25,060 square-foot gas station with 32 fuel dispensing pumps, restaurant, and retail building to be used as a regional travel plaza, based on the Findings contained in the Staff Report and subject to the Conditions of Approval and direct Staff to;
- C. **FILE** the Notice of Determination.

ATTACHMENTS:

- Exhibit A: Conditions of Approval
- Exhibit B: Findings
- Exhibit C: Initial Study

Exhibit A

Conditions of Approval

CONDITIONS OF APPROVAL

GENERAL REQUIREMENTS

Conditions of Operation and Procedure

[Not subject to Condition Compliance Release Form (CCRF) signatures]

LAND USE SERVICES – Planning Division (909) 387-8311

1. **Project Description:** The County conditionally approves the proposed Conditional Use Permit to construct and operate a 25,060-square foot retail store and restaurant, 32 gas pumps/islands (Project), on 5 acres in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the California Fire Code (CFC), the following Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations). The Project includes a circulation design to deter semi-trucks from accessing the property. The conditionally approved Project includes food, beverage, gasoline, and retail service facilities typically associated with a travel plaza/restaurant and gas station; it does not include showers, laundry facilities, game rooms, or overnight parking typically associated with travel centers.

The developer shall provide a copy of the approved conditions and the site plan to every current and future Project tenant, lessee, and property owner to facilitate compliance with these Conditions of Approval and continuous use requirements for the Project Site with APN: 0537-121-22 and Project Number: P201300531.
2. **Project Location:** The Project site is located on the southeast corner of Calico Road and Calico Boulevard in the unincorporated community of Yermo, approximately 730' south of the Interstate 15 freeway.
3. **Development Standards/CH.** The Project site is located in the Desert Region within the Highway Commercial (CH) land use zoning district. SBCC Section 82.05.060 lists the CH Development Standards.
4. **Revisions:** Any proposed change to the approved use/activity on the site; or any increase in the developed area of the site or any expansion or modification to the approved facilities, including changes to structures, building locations, elevations, signs, parking allocation, landscaping, lighting, allowable number of occupants (clients and/or employees); or a proposed change in the Conditions of Approval, including operational restrictions from those shown either on the approved site plan and/or in the Conditions of Approval shall require that an additional land use application (e.g. Revision to an Approved Action) be approved by the County. The developer shall prepare, submit with fees, and obtain approval of the application prior to implementing any such revision or modification. (SBCC §86.06.070)
5. **Continuous Effect/Revocation:** All Conditions of Approval applied to this Project shall be effective continuously throughout the operative life of the Project for the approved use. Failure of the property owner, tenant, applicant, developer, or any operator to comply with any or all of the conditions at any time may result in a public hearing and revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner or other party to correct the non-complying situation.
6. **Developer Defined:** The term “developer” as used in these Conditions of Approval for this Project and for any development of this Project site, includes all of the following: the applicant, the property owner, the subdivider 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.
7. **Indemnification:** In compliance with SBCC §81.01.070, the developer shall agree to defend, indemnify and hold harmless the County or its “indemnities” (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 the 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's 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 indemnitee's "passive" negligence but does not apply to the indemnitee's "sole" or "active" negligence" or "willful misconduct" within the meaning of Civil Code Section 2782.

8. Expiration: This Project permit approval shall expire and become void if it is not "exercised" within three years of the effective date of this approval, unless an extension of time is granted. 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:

- Building and Safety does not issue construction permits for all or part of the Project or the construction permits expire before the completion of the structure and the final inspection approval.
- The County determines the land use to be abandoned or non-conforming.
- The County determines that the land use is 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: County staff may grant extensions of time to the expiration date (listed above or as otherwise extended) in increments each not to exceed an additional three years beyond the current expiration date. The developer may file an application to request consideration of an extension of time with appropriate fees no less than 30 days before the expiration date. County staff may grant extensions of time based on a review of the Extension application, which must include 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. Development Impact Fees: Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
11. Project Account: The Job Costing System (JCS) account number is P201300531. This is an actual cost Project with a deposit account to which hourly charges are assessed. The developer shall maintain a positive account balance at all times. A minimum balance of \$1000 must be in the Project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use. There shall be sufficient funds remaining in the account to properly fund file closure and any other required post-occupancy review and inspection (e.g. landscape performance).

12. Condition Compliance: In order to obtain construction permits for grading, building, final inspection and/or tenant occupancy for each approved building, the developer shall process a Condition Compliance Release Form (CCRF) for each respective building and/or phase of the development through the Planning Division in accordance with the directions stated in the Approval letter. The Planning Division shall release their holds on each phase of development by providing to County Building and Safety the following:
- Grading Permits: a copy of the signed CCRF for grading/land disturbance and two “red” stamped and signed approved copies of the grading plans.
 - Building Permits: a copy of the signed CCRF for building permits and three “red” stamped and signed approved copies of the final approved site plan.
 - Final Occupancy: a copy of the signed CCRF for final inspection of each respective building or use of the land, after an on-site compliance inspection by the Planning Division.
13. Additional Permits. The property owner, developer, and land use operator are all responsible to ascertain and comply with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies as are applicable to the development and operation of the approved land use and Project site. These may include:
- a) FEDERAL: Fish & Wildlife Service, Army Corps of Engineers, Federal Aviation Administration
 - b) STATE: Department of Fish & Wildlife, Lahontan RWQCB, Mojave Desert AQMD,
 - c) COUNTY: Land Use Services – Planning, Building and Safety, Code Enforcement, Land Development; Public Health–Environmental Health Services; Public Works; County Fire; and Hazardous Materials
 - d) LOCAL: Daggett Community Services District
14. Continuous Maintenance: The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to:
- Annual maintenance and repair: The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety.
 - Graffiti and debris: The developer shall remove graffiti and debris immediately through weekly maintenance.
 - Landscaping: The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying.
 - Dust control: The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided.
 - Erosion control: The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability.
 - External Storage: The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls.
 - Metal Storage Containers: The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals.
 - Screening: The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view.
 - Signage: The developer shall maintain all on-site signs, including posted area signs (e.g. “No Trespassing”) in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan.
 - Lighting: The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules.
 - Parking and on-site circulation: The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires the Planning Division review and approval. The
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markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled space and access path of travel, directional designations and signs, stop signs, pedestrian crossing, speed humps and "No Parking", "Carpool", and "Fire Lane" designations.

- Fire Lanes: The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including "No Parking" designations and "Fire Lane" designations.
15. Performance Standards. The approved land uses shall operate in compliance with the general performance standards listed in 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.
 - Emissions: No emission of dirt, dust, fly ash and other forms of particulate matter.
 - Smoke: No smoke of a greater density than that described in No. 2 on the Ringelmann Chart, as published currently by the United States Bureau of Mines, shall be emitted from any Project source.
 - Radiation: No dangerous amount of radioactive emissions.
 - Toxic Gases: No emission of toxic, noxious or corrosive fumes of gases.
 - Glare: No intense glare that is not effectively screened from view at any point outside the Project boundary.
 16. Clear Sight Triangle: Signs and other structures located within the clear sight triangle, shall comply with the height and location requirements specified by the SBCC or as otherwise required by the County Traffic Division.
 17. Water Conservation: Structures shall incorporate interior and exterior water conservation measures (low-flow plumbing, water efficient landscaping, drip irrigation, minimization of turf areas, etc.) as required by the SBCC.
 18. Construction Hours: Construction will be limited to the hours between 7:00 AM and 7:00 PM, Monday through Saturday in accordance with the SBCC standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.
 19. Signs: This conditional approval does not include signs. The developer must apply for any free-standing or attached sign, which must be permitted in accordance with SBCC Chapter 7, Sign Regulations and in compliance with the Conditions of Approval.

LAND USE SERVICES – Code Enforcement Division (909) 387-8311

20. Enforcement: If any County enforcement activities are required to enforce compliance with the Conditions of Approval, the County will charge the property owner for such enforcement activities in accordance with the SBCC Schedule of Fees.
21. Weed Abatement: The applicant shall comply with San Bernardino County weed abatement regulations [SBCC§ 23.031-23.043] and periodically clear the site of all non-complying vegetation. This includes removal of all Russian thistle (tumbleweeds).

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

22. 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 that will not adversely affect adjacent or downstream properties at the time the site is developed.
23. Natural Drainage: The natural drainage courses traversing the site shall not be occupied or obstructed.
24. Additional Drainage Requirements: In addition to drainage requirements stated herein, other “on-site” and/or “off-site” improvements may be required that 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.

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

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

PUBLIC HEALTH – Environmental Health Services [DEHS] (800) 442-2283

26. Noise: Noise level shall be maintained at or below County Development Code Standards, Section 83.01.080. For information, contact DEHS at (800) 442-2283.
27. Septic Systems: The septic system shall be maintained so as not to create a public nuisance and shall be serviced by a DEHS permitted pumper. For information, contact DEHS/Wastewater Section at (800) 442-2283.
28. Refuse Storage/Removal: All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that visual or other impacts and environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least one time per week, or as often as necessary to minimize public health nuisances. Refuse containing garbage shall be removed from the premises at least two times per week, or as often as necessary to minimize public health nuisances, by a permitted hauler to an approved solid waste facility in conformance with SBCC Chapter 8, Section 33.0830 et. seq. For information, 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 four or more cubic yards of commercial solid waste a week must arrange for recycling services. The County is required to monitor business recycling and will require the business to provide recycling information. Requirement is to assist the County in compliance with the recycling requirements of AB 341.
31. Mandatory Commercial Trash Service: This Project falls within a Uniform Handling Service area. If uniform handling service is implemented for all or part of a particular franchise area, all owners or a dwelling or a commercial or industrial unit within the uniform handling area who are required to have uniform handling service shall, upon notice thereof, be required to accept uniform handling service from the grantee holding a franchise agreement and pay the rate of such services. This requirement is a stipulation of County Code Title 4, Division 6, Chapter 5, Section 46.0501.

PUBLIC WORKS – Surveyor (909) 387-8149

32. 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).
33. A Record of Survey/Corner Record shall be filed in the following instances:
- Legal descriptions or construction staking based upon a field survey of the boundary or building setbacks.
 - Monuments set to mark the property lines.
 - Pursuant to applicable sections of the Business and Professions Code.

PUBLIC WORKS-TRAFFIC (909) 387-8186

34. The northerly project driveway along Calico Road shall be right-in/right-out only. The left-turn movements will be restricted at this driveway.

COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190

35. Expiration: 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.
36. Fire 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 developer shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.
37. Additional Requirements: This review did not include analysis of any rack or high piled combustible storage to be present. If there is to be any high piled or rack storage present (including plastics storage greater than six feet), the developer must provide storage plans and a letter to identify the commodities to be present.

PRIOR TO ISSUANCE OF GRADING PERMITS OR LAND DISTURBING ACTIVITY
The Following Shall Be Completed

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

38. NPDES Permit: An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov
39. Regional Board Permit Letter: CONSTRUCTION projects involving one or more acres must be accompanied by a copy of the Regional Board permit letter with the WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.

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40. Erosion & Sediment Control Plan: An erosion and sediment control plan and permit shall be submitted to and approved by the Building Official prior to any land disturbance.
 41. Erosion Control Installation: Erosion control devices must be installed at all perimeter openings and slopes. No sediment is to leave the job site.
 42. Geotechnical Report: When earthwork quantities exceed 5,000 cubic yards, a geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits.
 43. Septic Systems: Prior to land disturbance or issuance of any permit, the developer shall provide the location of septic system for verification of setback to property lines and structures.
 44. Grading Plans: Grading plans shall be submitted to Building and Safety for review and approval prior to grading/land disturbance of more than 50 Cu Yards.

LAND USE SERVICES – Planning Division (909) 387-8311

45. Tree Removal Plan: A 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. This shall also be incorporated into the landscape plan, where removed trees shall be replanted on site when feasible
46. DCP: The developer shall submit a Dust Control Plan (DCP) to the Planning Division, which meets the requirements of the Mojave Desert Air Quality Management District (MDAQMD) and which the MDAQMD has approved.
47. MDAQMD: The developer shall submit verification to the Planning Division that project design and construction adhere with the requirements of the MDAQMD, including compliance with all MDAQMD regulations (i.e., Rules 201, 203, 401, 403.2, 404), proper maintenance of vehicles, implementation of the MDAQMD-approved DCP, and suspension of all construction during high wind or second stage smog events.

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

48. 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 that 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.
49. Topo Map: The developer shall provide a topographic map to facilitate the design and review of necessary drainage facilities.
50. Grading Plans: The developer shall submit grading plans to the Land Development Division, Drainage Section for review and obtain approval. The Land Development Division will collect a \$520 deposit for grading plan review at the time of submittal.

COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190

51. Fire Fees: Any required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division.
52. Water System Commercial: A water system designed to meet the required fire flow for this development is required. Approval and inspection of this water system by the Fire Department is required. The required fire flow shall be determined by using Appendix IIIA of the Uniform Fire Code.

PUBLIC WORKS – Surveyor (909) 387-8149

53. Record of Survey: A Record of Survey per Section 8762 of the Business and Professions Code is required to facilitate the construction based on the property lines that were adjusted by the Lot Line Adjustment recorded as Document Number 2011-0284982.

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

54. C&D Plan – Part 1: The developer shall prepare, submit, and obtain approval from Solid Waste Management Division (SWMD) of a “Construction Waste Management Plan (CWMP), Part I” for each phase of the Project. The CWMP 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 CWMP 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 ISSUANCE OF BUILDING PERMITS

The Following Shall Be Completed

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

55. Demolition Permit: Obtain a demolition permit for any building/s or structures to be demolished. Underground structures must be broken in, back-filled and inspected before covering.
56. Aviation Easement: An Aviation Easement shall be granted to the appropriate airport and recorded prior to the issuance of building permits for all construction in the AR overlay areas. Plans submitted in the AR overlays shall conform to the interior noise levels as per San Bernardino County standards.
57. Building Plans. Any building, sign, or structure to be constructed or located on site will require professionally prepared plans approved by the Building and Safety Division. Submit plans for review and approval, obtain permits, and call for proper inspections.

COUNTY FIRE DEPARTMENT– Hazardous Materials Division (909) 386-8401

58. 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.
59. 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.
60. Prior to installation, plans for underground storage tank systems shall be reviewed and approved by Office of the Fire Marshal, Hazardous Materials Division. For information contact (909) 386-8464.

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

61. Road Dedication and Improvements: Prior to issuance of building permits, 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 Development Division, located at 385 N. Arrowhead Ave, San Bernardino CA 92415-0187.
Phone: (909) 387-8311.

Calico Road (Major Highway – 104')

- Road Dedication: A grant of easement is required to provide a half-width right-of-way of 52'.
- Curb Return Dedication: A 35 foot radius return grant of easement is required at the intersection of Calico Road and Calico Blvd.
- Street Improvements: Design curb and gutter with match up paving 40 feet from centerline.
- Sidewalks: Design sidewalks per County Standard 109 type C.
- Sidewalk Ramp: Design sidewalk ramp per County Standard 110.
- Driveway Approach: Design driveway approach per San Bernardino County Standard 129B, and located per Standard 130.
- Curb Returns: Curb Returns shall be designed per County Standard 110.

Calico Boulevard (Collector – 66')

- Street Improvements: Design curb and gutter with match up paving 22 feet from centerline.
- Sidewalks: Design sidewalks per County Standard 109 type C.
- Driveway Approach: Design driveway approach per San Bernardino County Standard 129B, and located per Standard 130.

62. Road Design: Road sections within and/or bordering the Project site shall be designed and constructed to Desert 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.
63. Street Improvement Plans: The developer shall submit for review and obtain approval of street improvement plans prior to construction.
64. Utilities: Final plans and profiles shall indicate the location of any existing utility facility or utility pole that would affect construction, and any such utility shall be relocated as necessary without cost to the County.
65. Encroachment Permits: Prior to installation of road and drainage improvements, a permit is required from County Public Works, Transportation Operations Division-Permit Section. Telephone 909-387-8039. Permits shall be required from other agencies as well, prior to work within their jurisdictions.
66. Soils Testing: 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.
67. 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.
68. Open Roads/Cash Deposit: Existing County roads that 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.

69. Street Gradients: Road profile grades shall not be less than 0.5 percent unless the engineer, at the time of submittal of the improvement plans, provides justification to the satisfaction of the Department of Public Works confirming the adequacy of the grade.

PUBLIC WORKS-Traffic (909) 387-8186

70. Street Improvement Plan: At the request of Caltrans, per letter dated October 9, 2014, the applicant shall design as part of the street improvement plans a raised median along Calico Road to restrict left-turn movements at the projects northerly driveway.
71. Street Improvement Plan: At the request of Caltrans, per letter dated October 9, 2014, the applicant shall design as part of the street improvement plans a 100' southbound left-turn pocket on Calico Road at the southern project driveway. The left-turn pocket, bay taper and approach taper shall be designed in accordance with the Caltrans Highway Design Manual (latest edition) and the California MUTCD (latest edition).

PUBLIC HEALTH – Environmental Health Services [DEHS] (800) 442-2283

72. Water: Water purveyor shall be EHS approved water.
73. Water Letter: The 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. The letter shall reference Assessor's Parcel Number (APN): 0537-121-22. For projects with current active water connections, a copy of water bill with the project address may suffice. For information, contact the Water Section at (800) 442-2283.
74. Sewage Disposal: The method of sewage disposal shall be a DEHS approved onsite wastewater treatment system (OWTS).
75. Certification: The existing septic system can be used if the developer provides certification from a qualified professional [i.e., Professional Engineer (P.E.), Registered Environmental Health Specialist (REHS), C42 contractor, Certified Engineering Geologist (C.E.G.), etc.] that the system functions properly, meets code, and has the capacity required for the proposed Project. Applicant shall provide documentation outlining the methods used in determining function.
76. Acoustical Study: Submit preliminary acoustical information demonstrating that the proposed Project maintains noise levels at or below San Bernardino County Noise Standards, 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 with noise standards, a Project specific acoustical analysis shall be required. Submit information/analysis to the Division of Environmental Health Services (DEHS) for review and approval. For information and acoustical checklist, contact DEHS at (800) 442-2283.
77. Plans: Plans for food establishments shall be reviewed and approved by DEHS. For information, call DEHS/Plan Check at (800) 442-2283.
78. Wells: If wells are found onsite then evidence shall be provided that all wells are properly destroyed under permit from the County OR constructed to DEHW standards, properly sealed and certified to the County as inactivated. Evidence shall be submitted to DEHS/Water Section for approval. Contact DEHS/Water Section for information and approval at (800) 442-2283.

COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190

79. Building Plans: The applicant shall submit at least three complete sets of Building Plans to the Fire Department for review and approval.
80. 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 300 feet apart (as measured along vehicular travel-ways) and no more than 300 feet from any portion of a structure.
81. Fire Department Access: The development shall have a minimum of two points of vehicular access. These are for fire/emergency equipment access and for evacuation routes.
82. Primary and Secondary Paved Access: Prior to building permits being issued to any new structure, the primary and secondary access roads shall be paved or an all-weather surface and shall be installed using required minimum widths, vertical clearances, and turnouts, if required.
83. Single Story Road Access: All buildings or structures shall have access provided by approved roads, alleys and private drives with a minimum 26-foot unobstructed width and vertically to 14 feet 6 inches in height. Other recognized standards may be more restrictive by requiring wider access provisions.
84. Multi-Story Road Access: Buildings or structures three stories in height or more shall have a minimum access of 30 feet unobstructed width and vertically to 14 feet 6 inches in height.
85. Combustible Vegetation: Where the average slope of the site is less than 15 percent, combustible vegetation shall be removed a minimum distance of 30 feet from all structures or to the property line, whichever is less.
86. Combustible Protection: Prior to combustibles being placed on the Project site, an approved paved road with curb, gutter, and fire hydrants with an acceptable fire flow shall be installed.
87. Turnarounds: An approved turnaround shall be provided at the end of each roadway 150 feet or more in length. Cul-de-sac length shall not exceed 600 feet, all roadways shall not exceed a 12 percent grade, and all turns shall be a minimum 45 foot radius.
88. Access: Roadways exceeding 150 feet in length shall be approved by the Fire Department. These shall be extended to within 150 feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building.
89. Sprinkler Installation Letter: The applicant shall submit a letter to the Fire Department agreeing and committing to installation of a fire protection system prior to the building inspection for drywall and insulation.
90. Fire Sprinkler – NFPA #13: An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit three sets of detailed plans to the Fire Department for review and approval. The plans (minimum 1/8" scale) shall include hydraulic calculations and manufacturer's specification sheets. The contractor shall submit plans showing the type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal.
91. Roof Certification: A letter from a licensed structural (or truss) engineer shall be submitted with an original wet stamp at the time of fire sprinkler plan review. It shall verify that the roof is capable of accepting the point loads imposed on the building by the fire sprinkler system design.
92. Hood and Duct Suppression: An automatic food and duct fire extinguishing system is required. A Fire Department approved designed/installer shall submit three sets of detailed plans (minimum 1/8" scale) with manufacturer's specification sheets to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.

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93. Fire Alarm : A manual, automatic, or manual and automatic fire alarm system complying with the California Fire Code, NFPA, and all applicable codes is required. The developer shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit three sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.
94. Street Sign: This Project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the Project. Installation of the temporary sign shall be prior to any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed.
95. Building Plans – Hazardous Materials Approval: The developer shall contact the San Bernardino County Fire Department/Hazardous Materials Division, (909) 386-8401, for review and approval of building plans, where the planned use of such buildings will or may use hazardous materials or generate hazardous waste materials.

LAND USE SERVICES – Planning Division (909) 387-8311

96. Landscape & Irrigation Plans: The applicant shall submit to the Planning Division for review and obtain approval of three sets of a Landscape Documentation Package, prepared by a Certified Landscape Professional in compliance with SBCC Chapter 83.10, Landscape Standards, and in compliance with the State Model Water Efficient Landscape Ordinance. At a minimum, landscaping shall be in the required setbacks along the street frontages, adjacent to the structures, and within the parking areas. Planting plans shall utilize indigenous plant material, when possible, to minimize water consumption. The required planting plans and irrigation plans shall comply with Regional Landscaping Standards for the Desert Region.
97. MDAQMD: The developer shall provide verification of compliance with the MDAQMD Best Available Control Technology (BACT) to the Planning Division. These BACT must offset any new emissions so that there is no net gain in emissions within the air basin.

**PRIOR TO FINAL INSPECTION OR OCCUPANCY,
The Following Shall Be Completed**

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

98. Condition Compliance Release Sign-off. Prior to occupancy all Department/Division requirements and sign-offs shall be completed.

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

99. Drainage Improvements: All required drainage improvements shall be completed by the applicant and approved by the Land Development Division.

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

100. Road Improvements: All required on-site and off-site improvements shall be completed by the applicant, and inspected and approved by the County Public Works.
101. Structural Section Testing: A thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer shall be submitted to the County Public Works.
102. Parkway Planting: If any trees, irrigation systems, and landscaping are required to be installed on public right-of-way, they shall be approved by County Public Works and Planning Division of the Land Use Services Department. They shall be maintained by the adjacent property owner or other County-approved entity.
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COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190

103. Hydrant Marking: Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or where non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three feet from the hydrant and at least six feet high above the adjacent road.
104. Commercial Addressing: Commercial and industrial developments of 100,000 square feet or less shall have the street address installed on the building with numbers that are a minimum six inches in height and with a three-quarter 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 200 feet or more from the roadway, additional non-illuminated, contrasting six inch numbers shall be displayed at the property access entrances.
105. Key Box: An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. In commercial, industrial and multi-family complexes, all swing gates shall have a Fire Department approved Knox[®] Lock.
106. Material Identification Placards: The applicant shall install Fire Department approved material identification placards on the outside of all buildings and/or storage tanks that store or plan to store hazardous or flammable materials in all locations deemed appropriate by the Fire Department. Additional placards shall be required inside the buildings when chemicals are segregated into separate areas. Any business with an NFPA 704 rating of 2-3-3 or above shall be required to install an approved key box vault on the premises, which shall contact business access keys and a business plan.
107. Fire Extinguishers: Hand portable fire extinguishers are required. The Fire Department shall approve the location, type, and cabinet design.
108. Fire Lanes: The developer shall submit a fire lane plan to the Fire Department for review and approval. Fire lane curbs shall be painted red. The “No Parking, Fire Lane” signs shall be installed on public and/or private roads in accordance with the approved plan.
109. Permanent Street Sign: Prior to final inspection and occupancy of the first structure, a permanent street sign shall be installed.
110. Fire Final: Permission to occupy or use the building (Certification of Occupancy or Shell Release) will not be granted until the Fire Department inspects, approves, and signs off on the Building and Safety job card for “fire final”.

COUNTY FIRE DEPARTMENT– Hazardous Materials Division (909) 386-8401

111. Emergency/Contingency Plan: Prior to occupancy, the operator shall submit a Business Emergency/Contingency Plan for emergency release or threatened release of hazardous materials and wastes or a letter of exemption. For information, contact the Office of the Fire Marshal, Hazardous Materials Division at (909) 386-8401.
112. Underground Storage Tank Permits: Prior to operation, the owner/operator shall obtain permits for installing, upgrading, or removing existing underground storage tanks. For information, contact the Office of the Fire Marshal, Hazardous Materials Division at (909) 386-8401.

PUBLIC WORKS-Traffic (909) 387-8186

113. Street Improvement: All required improvements, including a raised median and a southbound left-turn pocket on Calico Road, shall be completed at 100% cost to the applicant as shown on the approved street improvement plans.
-

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

130. C&D Plan – Part 2: The developer shall complete SWMD's C&D Plan Part 2. This summary shall provide documentation of diversion of materials including but not limited to receipts or letters from diversion facilities or certification of 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 percent of total volume of all construction waste.

LAND USE SERVICES – Planning Division (909) 387-8311

131. Landscape Certificate of Completion: All landscaping, dust control measures, all walls/fences, pedestrian walkways, irrigation systems, etc. as delineated on the approved landscape plan and/or site plan shall be installed. The developer shall submit the Landscape Certificate of Completion verification as required in SBCC Section 83.10.100. Supplemental verification should include photographs of the site and installed landscaping.
132. On-site Improvements: Parking and on-site circulation requirements shall be installed per approved site plan.
133. Disabled Access: Disabled access parking spaces shall be clearly marked as disabled spaces and said markings shall be maintained in good condition at all times.
134. Shield Lights: Any lights used to illuminate the site shall be hooded and designed so as to reflect away from adjoining properties and public thoroughfares in compliance with SBCC Section 83.07.030 – Glare and Outdoor Lighting– Mountain and Desert Regions.
135. Screen Rooftop: All roof top mechanical equipment is to be screened from ground vistas.
136. Trash/Recyclables Receptacles: All trash and recyclables receptacles shall be in compliance with Public Works, Solid Waste Management standards. They shall be enclosed by six-foot high masonry walls with steel gates. A concrete apron equal to the width of the gate and outward from the enclosure a minimum of six feet shall be provided.
137. Fees Paid: Prior to final inspection by the Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, all fees required under actual cost job number P201300531 shall be paid in full.

END OF CONDITIONS

EXHIBIT B

Findings

FINDINGS FOR APPROVAL OF THE CONDITIONAL USE PERMIT

The proposed project is a Conditional Use Permit (CUP to establish a 25,060 square foot gas station with 32 fuel dispensing pumps/convenience store & retail and food establishments on 5 acres.

1. The site for the proposed use is adequate in terms of shape and size to accommodate the proposed uses and all landscaping, loading areas, open spaces, parking areas, setbacks, and other required features pertaining to the application. All aspects of the services are shown on the proposed site plan, which meets the required percentage of landscaping, provides the required number of parking spaces, shows all required setbacks and landscaping within those setbacks, provides adequate drive aisles, and shows all required loading zones.
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. Vehicular ingress/egress to the site comes from Calico Road and Calico Boulevard. Additional paving on Calico Road and Calico Boulevard will be required to match-up to existing paving. The site design of the property has been designed in such a way as to discourage access to the site by semi-tractor trailer trucks, which intends to minimize traffic/congestion problems and additional noises from idling trucks.
3. The proposed use will not have a substantial adverse effect on abutting residential property or the allowed use of the abutting property, which means that the use will not generate excessive noise, traffic, vibration, or other disturbance. All perimeter setbacks including street-side setbacks will be landscaped with an approved plant schedule. The proposed businesses constitute a gas station, a convenience store, restaurant, and retail store. Thus, noise generated by this Project should be minimal. Noise levels must be maintained at or below County Standards through measures determined by Environmental Health Services. A preliminary acoustical checklist is part of the Conditions of Approval. As mentioned previously, traffic will access the site from Calico Road and Calico Boulevard. Additional paving on Calico Road and Calico Boulevard will be required to match up to the existing edge of pavement. All lighting on-site shall adhere to the Glare and Outdoor Lighting Mountain and Desert Areas Performance Standards contained in the County's Development Code.
4. The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the General Plan. The proposed Project has taken into consideration and complied with the goals, policies, programs, and standards of development contained in the County's General Plan and Development Code.

5. There is supporting infrastructure consistent with the intensity of the development. Area roads are operating at or above LOS 'C', as required by County Code. Additional paving on Calico Road and Calico Boulevard will be required to match-up to the existing paving. This Project must also provide queuing mitigation. The site will be served by the Yermo CSD, who has indicated that they can provide the various commercial services water and sewer services. This Project will have an onsite wastewater treatment system. Yermo CSD, an established water and wastewater purveyor, is subject to independent regulation by local and state agencies that ensure compliance with both water quality and waste discharge requirements.
 6. The lawful conditions stated in the approval are deemed reasonable and necessary to protect the public health, safety, and general welfare for the proposed Project of a business center of this magnitude.
 7. The design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities. Drive aisle widths, landscaping buffers, building materials, and building orientations provide for natural heating and cooling opportunities.
 8. An Initial Study has been completed in compliance with the California Environmental Quality Act (CEQA). This study represents the independent judgment of San Bernardino County. This study has found no adverse significant impact as a result of this project once appropriate mitigation measures are applied. These Mitigation Measures are included in the Conditions of Approval.
-

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:

APPLICANT: ALEX RINGLE	USGS Quad: YERMO
APN: 0537-161-22-0000	T, R, Section: T9N R1W SEC. 1 NW ¼
PROPOSAL: CONDITIONAL USE PERMIT TO ESTABLISH A 25,060 SQUARE FOOT GAS STATION/CONVENIENCE STORE& FOOD ESTABLISHMENT ON 5 ACRES.	Planning Area: YERMO
COMMUNITY: YERMO/1 ST SUPERVISORIAL DISTRICT	LUZD: CH
LOCATION: SOUTHEAST CORNER OF CALICO ROAD AND CALICO BOULEVARD.	Overlays: BIOTIC RESOURCES OVERLAY
JCS/INDEX: P201300531	
REP: PAUL BERGER & ASSOCIATES, INC.	

PROJECT CONTACT INFORMATION:

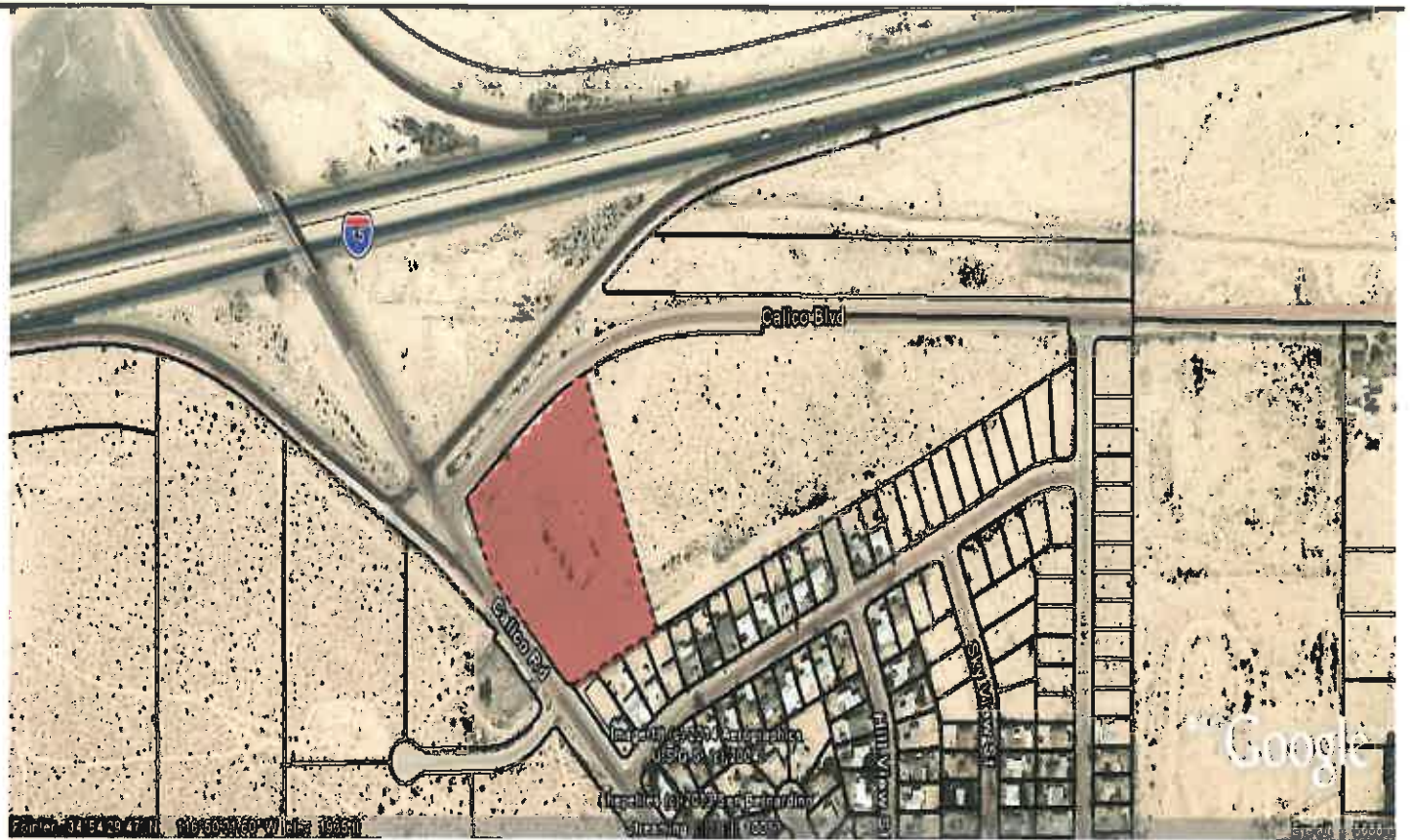
Lead agency: County of San Bernardino
Land Use Services Department - Current Planning
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 9

Contact person: Nina Shabazz, Associate Planner
Phone No: (760) 995-8153 **Fax No:** (760) 995-8170
E-mail: nina.shabazz@lus.sbcounty.gov

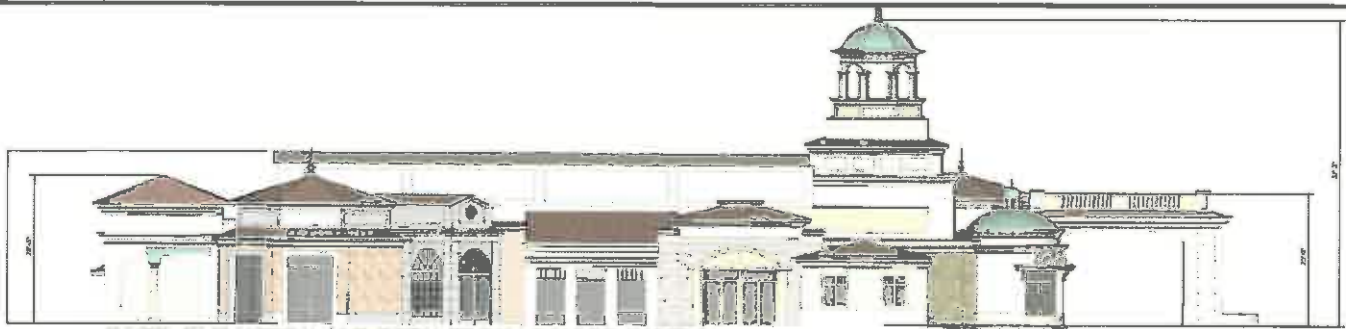
Project Sponsor: Alex Ringle
29354 Wagon Rd.
Agoura, CA 91301
Phone: (818) 521-3855

PROJECT DESCRIPTION:

The proposed project is a Conditional Use Permit (CUP) to construct and operate a 25,060 square foot gas station with 32 fuel dispensing pumps/convenience store/restaurant establishment on 5 acres. The project site lies within the unincorporated portion of the County of San Bernardino, in the community of Yermo, and is located on the southeast corner of Calico Road and Calico Boulevard. Access to the project site comes directly from Calico Boulevard and Calico Road.



Aerial Photo of Site



EAST ELEVATION (AS SEEN FROM CALICO BLVD.)



WEST ELEVATION (AS SEEN FROM HOUSE TRACK TO THE WEST)



SOUTH ELEVATION (AS SEEN FROM CALICO ROAD)

Elevations

ENVIRONMENTAL/EXISTING SITE CONDITIONS:

The project site is currently vacant. The County’s General Plan designates the project area as Highway Commercial (CH), as is the adjacent properties to the west of the project site. The property to the south is designated as Single Residential Living- minimum lot 10,000 (RS-10M). There was a previous gas station & restaurant on the project site, which was closed. The underground storage tanks were removed by San Bernardino County. An old, existing pole sign from the previous restaurant still remains erected on site. The parcels to the east, north and west are currently vacant. The topographic gradient of the property is generally flat. The site is regulated by the Biotic Resources Overlay. The project site has been previously graded. There are no protected species or protected plants and trees on the project site.

AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT	OVERLAYS
Site	Vacant	Highway Commercial (CH)	Bio
North	Vacant	Rural Living-Minimum 5 acres (RL-5)	Bio
South	Single Family Residences	Single Family Residential-Minimum 10 thousand square feet (RS-10M)	Bio
East	Vacant	Single Family Residential-Rural Living (RL)	Bio
West	Vacant	Highway Commercial (CH)	Bio

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

Federal: Fish and Wildlife.

State of California: Regional Water Quality Control Board – Lahontan; California Department of Fish and Game; California Department of Transportation; Mojave Desert Air Quality Management District.

County of San Bernardino: Land Use Services – Code Enforcement, Building and Safety; Public Health - Environmental Health Services; Land Development Division – Roads/Drainage, Traffic, Surveyor; County Fire.

Local: Yermo CSD.

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	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.

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 & Forestry 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:

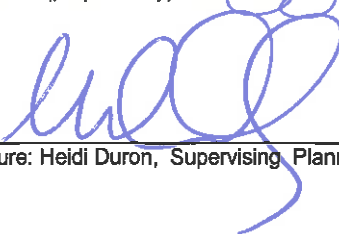
- The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been 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.
- 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) Nina Shabazz, Associate Planner



Date



Signature: Heidi Duron, Supervising Planner



Date

	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 type="checkbox"/>	<input checked="" 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.** The proposed project is not located within a designated Scenic Corridor and will not have a substantial adverse effect on a scenic vista, as there are none identified within the vicinity of the project site that would be affected by the proposed project. The project site lies within the unincorporated portion of the County of San Bernardino, in the Yermo community. The project is located on the southwest corner of Calico Road and Calico Boulevard. The project site is approximately 665 feet to the south of Interstate Highway 15. To ensure that the proposed development is an aesthetic enhancement to the area, the applicant shall submit exterior architectural elevations of the proposed development for review and approval by the Planning Division prior to issuance of building permits. Landscaping will also be required along Calico Road and Calico Boulevard.
- I b) **No Impact.** The proposed project will not substantially damage scenic resources, including, but not limited to rock outcroppings and historic buildings within a state scenic highway, because the site is not within a scenic corridor and there are no rock outcroppings or historic buildings on or adjacent to the project site. There is an existing single family residential development to the south of the project site. No protected plants or trees were identified on the project site when a biological survey was conducted.
- I c) **Less Than Significant.** The proposed project will not substantially degrade the existing visual character or quality of the site and its surroundings because the project will enhance the existing visual character of the area with the proposed development. To ensure that the proposed development is an aesthetic enhancement to the area, the applicant shall be required to submit enhanced exterior architectural elevations of the proposed development for review and approval by the Planning Division prior to issuance of building permits. To further enhance the site, landscaping will also be required along Calico Road and Calico Boulevard.

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- I d) **Less Than Significant.** The proposed project will not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. Any lighting proposed on site will be conditioned to be hooded and down shielded as required by County Code to protect surrounding properties from any resultant glare.

The Project is not expected to create a substantial new source of light or glare. Lighting fixtures will be hooded and directed downward to avoid spillage on adjacent properties. Additionally, the Project will comply with San Bernardino County Ordinance No. 84.29.040 which regulates glare, outdoor lighting, and night sky protection. All lighting associated with the proposed Project will be subject to County approval and compliance with San Bernardino County requirements. As such, the Project will have less than significant impacts in terms of lighting.

The Project is unlikely to create a substantial source of sustained glare, though it may cause glare at various times of the day and under certain lighting conditions and from distinct viewing positions. Because the Project is low in height, and largely blends with the existing vegetation and structural components of this landscape, the majority of viewers are not expected to experience increased glare as a result of the Project. Motorists traveling up Interstate 15 will have direct views of the Project from this roadway. As such, the Project will have no impact on these viewers. The Project will comply with San Bernardino County Ordinance Standards 84.29.040 and the proposed Project will have less than significant impacts in terms of light and glare. Resultantly, no cumulatively considerable impacts are expected.

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

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. There are no agricultural uses on the site currently.
- II b) **No Impact.** The subject property is designated as Highway Commercial (CH). The site is vacant and is not used for agricultural uses. The proposed use does not conflict with any agricultural land use or Williamson Act land conservation contract.
- II c) **No Impact** The subject property is designated as Highway Commercial (CH). The proposed use does not involve other changes in the existing environment that, due to their location or nature, could result in conversion of Prime Farmland, to a non-agricultural use. The proposed Project would 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)). The proposed Project area is currently vacant land, and is not designated as forest land or timberland. No rezoning of the project site would be required as the proposed Project is compatible with the current zoning designation, with a Conditional Use Permit (CUP).
- II d) **No Impact.** The proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. The proposed Project area is currently vacant land and has never been designated as forest land or timberland.
- II e) **No Impact.** The proposed Project will not involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to a non-agricultural use because the proposed site is not classified as Farmland and is not used for agricultural purposes.

Therefore, no 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
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:				
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

LSA Associates conducted an air quality analysis in July 2014 to provide a discussion and determination of what impacts the project would have on the air quality and environment. The report provided data on existing air quality, evaluated potential air quality impacts associated with the proposed project and identifies mitigation measures recommended for potentially significant impacts.

III a) **Less Than Significant.** An Air Quality Management Plan (AQMP) describes air pollution control strategies to be taken by a city, county, or region classified as a nonattainment area. The main purpose of an AQMP is to bring the area into compliance with federal and State air quality standards. CEQA requires that certain proposed projects be analyzed for consistency with the AQMP. For a project to be consistent with the AQMP adopted by the MDAQMD, the pollutants emitted from the project should not exceed the MDAQMD daily threshold or cause a significant impact on air quality, or the project must already have been included in the AQMP projection. However, if feasible mitigation measures are implemented and shown to reduce the impact level from significant to less than significant, a project may be deemed consistent with the AQMP. The AQMP uses the assumptions and projections of local planning agencies to determine control strategies for regional compliance status. Since the AQMP is based on the local General Plan, projects that are deemed consistent

with the General Plan are found to be consistent with the AQMP. The proposed project consists of the construction of a travel plaza to accommodate the travelers in the project vicinity on Interstate 15 and is not a growth-inducing project. Since designations are consistent with the current General Plan, implementation of the project will not require any amendments to the County's zoning designations for the project site. Therefore, the proposed project would be within the County's General Plan projection. The proposed project is consistent with the adopted MDAQMD AQMP.

- III b) **Less Than Significant with Mitigation Incorporated.** The project will not violate any air quality standard but will contribute to the existing nonattainment status. Therefore, the proposed project would exacerbate nonattainment of air quality standards within the Basin and contribute to adverse cumulative air quality impacts. Resultantly, Mitigation Measures will be proposed to keep air quality impacts to a less than significant level of impacts. The site will be paved and landscaped resulting in little or no wind-blown dust or particulate matter. Additional paving on Calico Boulevard and Calico Road will be required, and will thus reduce potential for wind-blown dust and particulate matter. Further, a dust control plan will be required as a mitigation measure to regulate construction activities that could create wind-blown dust. The Project will also comply with MDAQMD Rule 403 which requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. The "developer" shall submit for review and obtain approval to San Bernardino County Planning a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce impacts to GHG and submitting documentation of compliance. The applicant must also contact MDAQMD for required permitting. **See Mitigation Measure III a (1-2)**
- III c) **Less Than Significant.** The project would contribute criteria pollutants to the area during temporary project construction. A number of individual projects in the area may be under construction simultaneously with the proposed project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction could result in substantial short-term increases in air pollutants. This would be a contribution to short-term cumulative air quality impacts. Currently, the Basin is in nonattainment for PM10, PM2.5, and O3. Construction of the proposed project, in conjunction with other planned developments within the cumulative study area, would contribute to the existing nonattainment status the proposed project but will not result in any significant air quality impacts as defined by the SCAQMD and CEQA. The air quality study recognizes that the project will contribute to the basin's cumulative impacts; however, the proposed use(s) do not exceed thresholds of concern as established by the Air Quality Management District.
- III d) **Less Than Significant.** According to the Mojave Desert Air Quality Management District, residences, schools, daycare centers, playgrounds and medical facilities are considered sensitive receptors land uses. The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor must not expose sensitive receptors to substantial pollutant concentrations:
- Any industrial project within 1000 feet;
 - A distribution center (40 or more trucks per day) within 1000 feet;

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

The project will not expose sensitive receptors to **substantial** pollutant concentrations, because the project will not contribute to substantial pollutant concentrations. This site is located within **60 feet** of a use considered a sensitive receptor. The closest sensitive receptor is a residential development directly abutting south of the project site on Calico Road. Yermo Elementary School is 1/2 of a mile from the proposed project site. Residences in the project area may be exposed to short-term construction air quality impacts associated with construction exhaust emissions generated from construction equipment, vegetation clearing, construction workers' commute, and construction material hauling during the construction period. The proposed uses are not anticipated to substantially expose sensitive receptors to pollutant concentrations and therefore will have less than a significant impact.

- III e) **No Impact.** According to the CEQA Air Quality Handbook, land uses associated with odor complaints include agricultural operations, wastewater treatment plants, landfills and certain industrial operations (such as manufacturing uses that produce chemicals, paper, etc). Potential odor generation associated with the proposed. Project will be limited to construction sources such as diesel exhaust and dust but these will be temporary and not be substantial. The proposed use is a 25,060 square foot gas station, restaurant, candy & ice cream shop within an enclosed building. 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.

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

[Mitigation Measure III a 1-2]

III a-1

A. Dust Control Plan: The developer shall submit a MDAQMD approved Dust Control Plan (DCP) to County Planning consistent with MDAQMD guidelines. The DCP shall contain proposed actions to reduce on-site and off-site dust production. This measure shall be implemented to the satisfaction of County Planning. Such activities shall include, but are not limited to, the following:

- Throughout grading and construction activities, exposed soil shall be kept moist through a minimum of twice daily watering to reduce fugitive dust.
- Street sweeping shall be conducted when visible soil accumulations occur along site access roadways to remove dirt dropped by construction vehicles or dried mud carried off by trucks moving dirt or bringing construction materials. Site access driveways and adjacent streets will be washed if there are visible signs of any dirt track-out at the conclusion of any workday.
- All trucks hauling dirt away from the site shall be covered to prevent the generation of fugitive dust.

-
- During high wind conditions (i.e., wind speeds exceeding 25 mph) areas with disturbed soil will be watered hourly and activities on unpaved surfaces shall be terminated until wind speeds no longer exceed 25 mph.
 - 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 re-vegetated until placed in use.
 - Tires of vehicles will be washed before the vehicle leaves the project site and enters a paved road.
 - Dirt on paved surfaces shall be removed daily to minimize generation of fugitive dust.

B. The Construction Contractor should select the construction equipment used on site based on low emission factors and high energy efficiency. The Construction Contractor should ensure that construction grading plans include a statement that all construction equipment will be tuned and maintained in accordance with the manufacturer's specifications. In addition, all trucks should not idle continuously for more than 5 minutes at any one time.

C. The Construction Contractor should utilize electric or alternative fuel powered equipment in lieu of gasoline- or diesel-powered engines where feasible.

D. The Construction Contractor should ensure that construction grading plans include a statement that work crews will shut off equipment not in use. During smog season (May through October), the overall length of the construction period will be extended, thereby decreasing the size of the area prepared each day, to minimize vehicles and equipment operating at the same time.

E. The Construction Contractor should time the construction activities so as to not interfere with peak-hour traffic and minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flagperson should be retained to maintain safety adjacent to existing roadways.

F. The Construction Contractor should support and encourage ridesharing and transit incentives for the construction crew.

G. To the extent practicable use required coatings and solvents with a volatile organic compounds (VOC) content lower than required under Rule 1113, or no VOC paints and architectural coatings should be employed. A list of low/no VOC paints is provided at the following MDAQMD website: www.aqmd.gov/prdas/brochures/paintguide.html. All paints shall be applied using either high volume, low pressure (HVLP) spray equipment or by hand application. Correlating notations shall appear on the project construction plans and construction documents.

III a-2

MDAQMD-Permitting. Mojave Desert Air Quality Management District (MDAQMD will be contacted for the following:

The Mojave Desert Air Quality Management District (MDAQMD) requires the developer/applicant to obtain MDAQMD permits for any miscellaneous process equipment

that may not be exempt under MDAQMD Rule 219:

- **Equipment with a capacity of more than 793 gallons used exclusively for the storage and transfer of any oil that has been used for its intended purpose and subsequently designated for disposal or recycling.**
- **Equipment used exclusively for the storage and transfer of gasoline having a storage capacity of more than 250 gallons.**
- **Certain unheated, non-conveyorized, non-agitated solvent rinsing containers and unheated non-conveyorized coating dip tanks.**

The applicant/developer must submit the applicable permit application(s) and associated permit fee(s) to MDAQMD.

Implementation of the above mitigation measures shall reduce potential air quality impacts to below a level of significance.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
IV. BIOLOGICAL RESOURCES - Would the project:				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>

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

In February 2014, Randall C. Arnold, (RCA) Associates conducted a reconnaissance level survey on the property to evaluate the existing biological conditions and to determine if any sensitive species or sensitive and protected habitats were present on the site.

IV a) **Less Than Significant.** The project site is located within a biological overlay for Desert Tortoise & Burrowing Owl. The site is adjacent to two roads, Calico Road and Calico

Boulevard. There is commercial development to the north of the project site. The site has been previously graded, thus the site is completely disturbed and does not support suitable habitat for Desert Tortoise or Burrowing Owl or any other sensitive species.

The evaluation specifically sought to determine the presence of Desert Tortoises (*Gopherus agasizii*) and Burrowing Owls. Transects were walked throughout the site on February 19, 2014 from about 0630 to 1030 hours during which data was collected on the vegetation and wildlife present on the property. The property was previously developed which resulted in the removal of most native vegetation. During the field investigations, no burrowing owls were observed on the site or in adjacent areas. In addition no owl sign such as suitable burrows (i.e. "occupiable"), owl castings, or whitewash were noted. Given the absence of any suitable burrows, burrowing owls are not expected to occur on the site in the near future.

To support the conclusion for the presence of Desert Tortoises, a review of the California Natural Diversity Data Base (CNDDDB, 2014) was conducted and according to the CNDDDB site, desert tortoises have been observed within 5 miles of the site. Although the site does occur within the known distribution of the tortoises, the site does not support suitable habitat for the species due to past development activities. Therefore, based on the results of the field investigations, the site does not support any tortoises and no additional surveys or mitigation measures are recommended at this time.

- IV b) **No 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, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service. No riparian habitat or protected wetlands exist on or near the site.
- IV c) **No 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 within an identified protected wetland. No riparian habitat or protected wetlands exist on or near the site.
- IV d) **Less Than Significant.** 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 there are no such corridors or nursery sites within or near the project site.
- IV e) **Less Than Significant.** This project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance because the project site has been graded previously. Thus, there are no protected species or protected plants and trees on the project site.
- IV f) **No 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 adopted in the area of the project site.

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

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

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
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 18-1-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 <input type="checkbox"/> if project is located in the Geologic Hazards Overlay District):				

-
- VI a) **Less Than Significant.** 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 shall be reviewed and approved by County Building and Safety with appropriate seismic standards implemented in the construction of the project to insure that structures can endure a seismic event.
- VI b) **Less Than Significant.** The project will not result in substantial soil erosion or the loss of topsoil because the site will be paved and landscaped. Erosion control plans must be submitted, approved, and implemented.
- VI c) **Less Than Significant.** 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.
- VI d) **Less Than Significant.** The project site is not located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001) creating substantial risks to life or property.
- VI e) **Less Than Significant.** The method of sewage disposal shall be by a proposed onsite wastewater treatment facility. Approvals from County Environmental Health Services are required.

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

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

VII GREENHOUSE GAS EMISSIONS - Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

SUBSTANTIATION:

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

GHG emissions associated with the project would occur over the short term from construction activities and would consist primarily of emissions from equipment exhaust. There would also be long-term regional emissions associated with project-related new vehicular trips and stationary-source emissions, such as natural gas used for heating and electricity usage for lighting. Preliminary guidance from OPR and recent letters from the Attorney General critical of CEQA documents that have taken different approaches indicate that lead agencies should calculate, or estimate, emissions from vehicular traffic, energy consumption, water conveyance and treatment, waste generation, and construction activities. GHG emissions generated by the proposed project would predominantly consist of CO2. In comparison to criteria air pollutants such as O3 and PM10, CO2 emissions persist in the atmosphere for a substantially longer period of time. While emissions of other GHGs, such as CH4, are important with respect to GCC, emission levels of other GHGs are less dependent on the land use and circulation patterns associated with the proposed land use development project than are levels of CO2.

Construction activities produce combustion emissions from various sources, such as site grading, utility engines, on-site heavy-duty construction vehicles, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change.

Emissions during project construction would not exceed any criteria pollutant threshold established by the Mojave Desert Air Quality Management District (MDAQMD). Compliance with MDAQMD Rules and Regulations during construction will reduce construction-related air quality impacts from fugitive dust emissions and construction equipment emissions. Standard dust suppression measures have been identified for short-term construction to meet the MDAQMD emissions thresholds. The project construction emissions, with proposed mitigation measures would be less than significant.

The potential of the project to affect global climate change (GCC) is also included. Short-term construction and long-term operational emissions of the principal greenhouse gases (GHGs), including carbon dioxide (CO₂) and methane (CH₄), are quantified, and their significance relative to Assembly Bill (AB) 32 is discussed. The proposed project will not exceed any proposed GHG emissions thresholds or conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

Table 5.I: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
<p>Regional Transportation-Related Greenhouse Gas Targets. Develop regional GHG emissions reduction targets for passenger vehicles. Local governments will play a significant role in the regional planning process to reach passenger vehicle GHG emissions reduction targets. Local governments have the ability to directly influence both the siting and design of new residential and commercial developments in a way that reduces GHGs associated with vehicle travel.</p>	<p>Compliant. Specific regional emission targets for transportation emissions do not directly apply to this project; regional GHG reduction target development is outside the scope of this project. The project will comply with any plans developed by the County of San Bernardino.</p>
<p>Measures to Reduce High-GWP Gases. The ARB has identified Discrete Early Action measures to reduce GHG emissions from the refrigerants used in car air conditioners, semiconductor manufacturing, and consumer products. The ARB has also identified potential reduction opportunities for future commercial and industrial refrigeration, changing the refrigerants used in auto air conditioning systems, and ensuring that existing car air conditioning systems do not leak</p>	<p>Compliant. New products used or serviced on the project site (after implementation of the reduction of GHGs) would comply with ARB rules and regulations in place at the time of building permit issuance.</p>

Table 5.J: Long-Term Operational Greenhouse Gas Emissions

Source	Pollutant Emissions, MT/year					
	Bio- CO ₂	NBio- CO ₂	Total CO ₂	CH ₄	N ₂ O	CO ₂ e
Construction emissions amortized over 30 years	0	8.8	8.8	0.0017	0	8.8
Operational Emissions						
Area Sources	0	0.0032	0.0032	0.00001	0	0.0034
Energy Sources	0	260	260	0.0097	0.0031	260
Mobile Sources	0	1,200	1,200	0.06	0	1,200
Waste Sources	12	0	12	0.69	0	26
Water Usage	0.59	7.9	8.4	0.061	0.0015	10
Total Project Emissions	13	1,500	1,500	0.82	0.0046	1,500

As shown in Table 5.J, the project will produce 1,500 MT of CO₂e/yr, which is 0.0015 MMTCO₂e/yr. For comparison, the existing emissions from the entire SCAG region are estimated to be approximately 176.79 MMTCO₂e/yr, and the existing emissions for the entire State are estimated at approximately 496.95 MMTCO₂e/yr.

Mobile sources (vehicle trips and associated miles traveled) are the largest source of GHG emissions in California and represent approximately 38 percent of annual CO₂ emissions generated in the State. Like most land use development projects, VMT is the most direct indicator of CO₂ emissions from the proposed project, and associated CO₂ emissions function as the best indicator of total GHG emissions. Pollutant emissions from project operation would not exceed any of the MDAQMD thresholds for criteria pollutants. Therefore, project related, long term, regional, air quality impacts would be less than significant. The project will not generate additional VMT as it will serve the general traveling public already traveling via Interstate 15 and the surrounding residences. In addition, the 50-60 jobs that will be created will be able to pull from existing unemployed or underemployed residents in the surrounding community and will not generate additional traffic to the site from areas outside of the immediate community.

The proposed project is consistent with the County's General Plan and Zoning Designations, which are consistent with the Southern California Association of Governments (SCAG) Regional Comprehensive Plan (RCP) Guidelines and the MDAQMD Air Quality Management Plan (AQMP). However, mitigation measures have been identified to further reduce potential impacts.

b) **Less Than Significant.** The project proposes a travel stop that includes a gas station with 32 fueling positions and a 25,060 square foot (sf) building housing a convenience store and fast casual type restaurant and does not expect to exceed the thresholds established by Mohave Desert Air Quality Management District and therefore will not conflict with the *County of San Bernardino Greenhouse Gas Emissions Reduction Plan* (GHG Plan).

To further reduce the potential significant impacts to below levels of significance, the following construction and operational Mitigation Measures are recommended:

VII a.

GHG – Construction & Operation Mitigation Measures. To ensure reductions below the expected “Business As Usual” (BAU) scenario, the project will implement a variety of measures that will reduce its greenhouse gas (GHG) emissions. To the extent feasible, and to the satisfaction of the County of San Bernardino (County).

A. The following additional dust suppression measures in the Mojave Desert Air Quality Management District (MDAQMD) California Environmental Quality Act (CEQA) Air Quality Handbook are included to further reduce the project's emissions:

- Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more).
- Water active sites at least twice daily. (Locations where grading is to occur will be thoroughly watered prior to earthmoving.)
- Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 0.6 m (2 ft) of freeboard (vertical space between the top of the load and top of the trailer) in accordance with the requirements of California Vehicle Code (CVC) Section 23114.
- Reduce traffic speeds on all unpaved roads to 15 miles per hour (mph) or less.
- Pave construction access roads at least 30 m (100 ft) onto the site from the main road.
- Re-vegetate disturbed areas as quickly as possible.
- Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 miles per hour (mph).
- Sweep all streets once per day if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water).
- Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash trucks and any equipment leaving the site.
- Pave, water, or chemically stabilize all on-site roads as soon as feasible.

Operational Mitigation Measures:

A. Prohibit all diesel trucks from idling in excess of 5 minutes while on the project site.

B. Restrict overnight parking in and adjacent to project site.

C. Require all travel center facilities to operate the cleanest vehicles available.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a) Create a significant hazard to the public or the Environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the 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

- VIII a) **Less Than Significant.** 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 all such uses, including the fuel dispensing, that are proposed on-site 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.
- VIII b) **Less Than Significant.** 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.
- VIII c) **Less Than Significant.** The project will emit hazardous emissions and handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing residential area and existing school. The closest sensitive receptor is Yermo Elementary School located at 38280 Gleason Street, Yermo, CA 92398, a single family residential development abutting project site to the south & Yermo High School is eight-tenths of a mile from the proposed project site. The project has been reviewed by San Bernardino County Hazardous Materials Division and will be conditioned to follow all safety protocols and comply with Hazardous Materials regulations. Therefore, impacts are considered to be less than significant.
- VIII d) **Less Than Significant.** The project site is not included on the San Bernardino County list of hazardous materials sites compiled pursuant to Government Code 65962.5 and will not create a significant hazard to the public or environment. Furthermore, On September 9, 2014, Babcock Laboratories Inc. conducted an analysis of soils samples provided by Paul Berger of Paul Berger & Associates to determine if there was any contamination in the soil from the site's previous use as a gas station. Four samples were provided from various areas of the site and from the preliminary phase I assessment, no contaminants were detected at the proposed project site.
- VIII e) **Less Than Significant.** The project site is not within the vicinity or approach/departure flight path of a public airport. The closest public airport is the Barstow Daggett County Airport, located 39500 National Trails Hwy. Daggett, CA 92327 and is approximately 3.67 miles from the project site. This airport is used for general aviation (51%) and military (49%).
- VIII f) **Less Than Significant.** The closest private airstrip is Harvard Airport, located in Yermo, CA 92345 and is approximately 10 miles from the project site. The project site is not within the vicinity or approach/departure flight path of this airport.
- VIII g) **Less Than Significant.** 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 two or more directions.

VIII h) **Less Than Significant.** Prior to any construction occurring on any parcel, the applicant shall contact the County 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.

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
IX. HYDROLOGY AND WATER QUALITY - Would the project:				
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, which 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 type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structure, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

- j) Inundation by seiche, tsunami, or mudflow?

SUBSTANTIATION

- IX a) **Less Than Significant.** The project proposes an onsite wastewater treatment facility. The project will not violate any water quality standards or waste discharge requirements because the project is subject to independent regulation by local and state agencies that ensure compliance with both water quality and waste discharge requirements.
- IX b) **Less Than Significant.** 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. The proposed project will have sufficient water supplies available to serve the project from existing entitlements and resources, as Yermo CSD has given assurance that it has adequate water service capacity to serve the project demand, in addition to the provider's existing commitments.
- IX c) **Less Than Significant.** 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 substantial erosion or siltation on- or off-site. The project does not propose any alteration to a drainage pattern, stream or river and the project is required to submit and implement an erosion control plan.
- IX d) **Less Than Significant.** 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. The project does not propose any alteration to a drainage pattern, stream or river. County Land Use Services, Land Development Division has reviewed the proposed project drainage and all necessary drainage improvements both on and off site have been required as conditions of the project.
- IX e) **Less Than Significant.** 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 County Land Use Services, Land Development Division has reviewed the proposed project drainage and has determined that the proposed systems are adequate to handle anticipated flows. There will be adequate capacity in the local and regional drainage systems, so that downstream properties are not negatively impacted by any increases or changes in volume, velocity or direction of stormwater flows originating from or altered by the project.
- IX f) **Less Than Significant.** The project will not otherwise substantially degrade water quality, because appropriate measures relating to water quality protection, including erosion control measures are required.
- IX g) **No Impact.** The project will not place unprotected housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary, Flood Insurance Rate Map, or other flood hazard delineation map, because the project has been reviewed by County Land Development Division and the project does not propose any housing.

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- IX h) **No Impact.** The project will not place within a 100-year flood hazard area structures which would impede or redirect flood flows.
 - IX i) **No Impact.** The project site is not within any locally identified Flood Plain, so 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.
 - IX j) **No 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 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
X. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION

- X a) **No Impact.** The project will not physically divide an established community, because the project is a logical and orderly extension of the planned land uses and development that are established within the surrounding area. The proposed development conforms to the Highway Commercial (CH) Land Use Zoning District, which allows the various uses proposed as part of this project, including a convenience store, fuel dispensing, and food services. The resultant commercial parcel when finalized will be approximately 5 acres.
- X b) **No 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, the General Plan, and the Yermo community. The project complies with all hazard protection, resource preservation and land use modifying Overlay District regulations.
- X c) **No 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 purchase as mitigation for the proposed project.

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
XI. 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): Mineral Resource Zone 4 (MRZ-4)

XI a) **Less Than Significant.** 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. MRZ-4 is a mineral deposit not known to exist. There is no history of mineral occurrence on the site but does not rule out the possibility.

XI b) **Less Than Significant.** 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. MRZ-4 is a mineral deposit not known to exist. There is no history of mineral occurrence on the site but does not rule out the possibility.

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
XII. 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 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 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):

LSA Associates conducted a noise impact analysis in May 2014 to provide a discussion and determination the potential impacts the project would have on the surrounding environment. This report is intended to satisfy County requirements for a project-specific noise impact analysis by examining the short-term and long-term noise impacts on and adjacent to the project site, by evaluating the effectiveness of noise control measures incorporated as part of the project design, and by proposing additional mitigation to reduce noise impacts.

XII a) **Less Than Significant.** County Environmental Health Services has required a preliminary acoustical checklist be prepared to evaluate noise and verify compliance with established

standards. The project will not expose persons to or generate noise levels in excess of standards established in the San Bernardino County General Plan or noise ordinance because the project is required to comply with the noise standards of the County Development Code, section 83.01.080 and no noise exceeding these standards is anticipated to be generated by the proposed uses.

Overview of the Existing Ambient Noise Environment

Ambient or background noise levels are typically a composite of sounds from many sources located both near and far, without any particular sound being dominant. The primary existing noise sources in the project area are transportation facilities. Traffic on the I-15 Freeway, Calico Boulevard, Calico Road, Telstar Court, and Grand View Avenue contribute to the ambient noise levels in the project vicinity. Noise from motor vehicles is generated by engine vibrations, the interaction between the tires and the road, and the exhaust system. Wildlife such as birds also contributes a small portion of the ambient noise to the project area. The dominant noise sources for the residences located to the south of the project site are the vehicles on Calico Road. Therefore, impacts are considered less than significant.

- XII b) **Less Than Significant.** The project will not create exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels, because the project is required to comply with the vibration standards of the County Development Code, section 83.01.090 and no vibration exceeding these standards is anticipated to be generated by the proposed uses.
- XII c) **Less Than Significant.** The project will not generate a substantial permanent increase in ambient noise levels in the project vicinity above levels existing or allowed without the project, because the project is required to comply with the noise standards of the County Development Code and no noise exceeding these standards is anticipated to be generated by the project.

Sensitive receptors are usually the most affected by ambient noise levels. Sensitive receptors include residences, schools, hospitals, and similar uses sensitive to noise. The nearest residences to the south are adjacent to the proposed project's southern property line, approximately 60 feet from the proposed southernmost parking areas, and the residential structures are 120 feet from the nearest parking areas and 360 feet from the potential loading/unloading areas in front of the proposed onsite stores. The sensitive receptors to the south would be exposed to noise generated during construction and operation of the project but as stated in the previous paragraph, the noises will not exceed standards allowed by the County of San Bernardino Development code and therefore will be less than significant.

- XII d) **Less Than Significant.** During construction of the project, noise generated may increase the existing ambient noise levels periodically. Once completed, the project will not generate a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. Adherence with the noise standards of the County Development Code is a condition of approval. In addition, to keep the noise level below levels of significance to sensitive receptors, the project will be conditioned to provide a sound attenuation wall.
- XII e) **No Impact.** The project is not located within an airport land use plan area or within two

miles of a public/public use airport. The closest public airport is the Barstow Daggett County Airport, located 39500 National Trails Hwy. Daggett, CA 92327 and is approximately 3.67 miles from the project site. This airport is used general aviation (51%) and military (49%)

- XII f) **No Impact.** The closest private airstrip is Harvard Airport, located in Yermo, CA 92345 and is approximately 10 miles from the project site. The project site is not within the vicinity or approach/departure flight path of this airport.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
XIII. POPULATION AND HOUSING - Would the project:				
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 checked="" type="checkbox"/>	<input 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

- XIII a) **Less Than Significant.** The development project will not induce substantial population growth in the area either directly or indirectly. The project will serve the existing population in the area and the traveling public. Jobs created would most likely be absorbed by the employment needs of the existing residents of the Yermo community. The proposed convenience store, fuel dispensing, and restaurant will provide food, fuel, and convenience services to the surrounding community and traveling public.
- XIII b) **No Impact.** The proposed uses will not displace substantial numbers of existing housing units, necessitating the construction of replacement housing because no housing units are proposed to be demolished as a result of this proposal. The proposed convenience store, fuel dispensing, and restaurant will provide food, fuel, and convenience services to the surrounding community and travelers on the I-15 freeway.
- XIII c) **No Impact.** The proposed uses will not displace substantial numbers of people necessitating the construction of replacement housing elsewhere, because the project will not displace any existing housing or existing residents. The proposed convenience store, fuel dispensing, and restaurant will provide food, fuel, and convenience services to the surrounding community and the traveling public.

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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XIV. 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

XIV a) **Less Than Significant.** 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. A convenience store, fuel dispensing, and restaurant services will be provided by this project. Construction of the project will increase property tax revenues to provide a source of funding that is sufficient to offset any increases in the anticipated demands for public services generated by this project.

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. 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION

XV a) **No 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. The project will not generate any new residential units and the impacts generated by the employees of this project will be minimal. Its purpose is to serve the needs of the existing residents of the area and persons traveling through the Yermo community on Interstate 15.

XV b) **No Impact.** This project does not include on-site recreational facilities. It will not require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment, because the type of project proposed will not result in an increased demand for recreational facilities.

Therefore, no 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. TRANSPORTATION/TRAFFIC - Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and greenways, pedestrian and bicycle paths, and mass transit.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION

In August 2014, LSA Associates conducted a traffic study to assess the potential circulation impacts associated with the proposed project, located in the Yermo area of San Bernardino County. The traffic study looked at the project's impact on traffic conditions, circulation and level of service under existing conditions without the project, the opening year of the project and the impacts in 20 years at the year 2035.

XV a,b) **Less Than Significant Impact.** The project will not exceed, either individually or cumulatively, a level of service [LOS] standard established by the county congestion

management agency for designated roads or highways, because County Land Development Division – Traffic Division has reviewed the traffic generation of the proposed project and anticipates that traffic service will remain at LOS of “C” or better, as required by the County General Plan. Prior to issuance of building permits for the project, the applicant shall design as part of the street improvement plans, a raised median along Calico Road to restrict left-turn movements at the projects northerly driveway. In addition, the project will be conditioned to design as part of the street improvement plans a 100’ southbound left-turn pocket on Calico Road at the southern project driveway. The left-turn pocket, bay taper and approach taper shall be designed in accordance with the Caltrans Highway Design Manual (latest edition) and the California MUTCD (latest edition).

The Traffic Study broke the study areas into subsections such as Intersections, Freeway impacts, Site Access Analysis & Queuing Analysis:

Intersections.

Under existing, opening year, and year 2035 conditions, all study intersections operate or are projected to operate at satisfactory levels of service without and with the proposed project.

Freeways.

Consideration is given that there are current deficiencies with level of service and therefore it should be considered that the project would add to the existing deficiencies on I-15. These freeway segments are already operating at unsatisfactory levels of service in the no project condition; thus, the increase in delay would be considered a cumulative impact and not a direct result of the project. There are currently no improvements planned at these facilities. Additionally, no Caltrans funding programs are available for the project applicant to contribute fair-share funding toward freeway improvements although the County may collect a fair share contribution if needed.

Site Access Analysis.

Intersection stopping site distance was analyzed to determine the safety of driveway ingress and egress movements at the proposed driveways at Calico Road/Driveway 1, Calico Road/Driveway 2, and Driveway 3/Calico Boulevard. Based on the Caltrans Highway Design Manual Table 201.1, the minimum stopping distance is the distance required by the driver to bring the vehicle to a stop after an object on the road becomes visible. Calico Road has a design speed of 50 miles per hour with a minimum stopping distance of 430 feet and Calico Boulevard has a design speed of 25 miles per hour with a minimum stopping distance of 150 feet. All project driveways are at 90-degree angles to their adjacent streets with level ground (no rolling hills or signs). Based on the location of the driveways, there is sufficient stopping distance at all driveways.

Queuing Analysis.

A queuing analysis on Calico Road was conducted at Calico Road/I-15 Northbound Ramps (eastbound left-turn/through/right-turn), Calico Road/I-15 Northbound Off-Ramp (eastbound rightturn), and Calico Road/Driveway 2 (southbound left-turn) to determine the sufficiency of the storage lengths at each location. The study summarizes the queuing analysis and shows the maximum vehicle queue length at any location is one vehicle; and has determined that there is adequate storage length available for each location.

XVI c) **No 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 airports in the vicinity of the project and there is no anticipated notable impact on air traffic volumes by passengers or freight generated by the proposed uses and no new air traffic facilities are proposed.

- XVI d) **No Impact.** The project will not substantially increase hazards due to a design feature or incompatible uses, because the project site is adjacent to an established road that is accessed at points with good site distance and properly controlled intersections. There are no incompatible uses proposed by the project that will impact surrounding land uses.
- XVI e) **No Impact.** The project will not result in inadequate emergency access, because there are a minimum of two access points.
- XVI f) **No Impact.** The project will not result in inadequate parking capacity, because the project meets or exceeds the parking standards established by the County Development Code.
- XVI g) **No Impact.** The project will not conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks). The proposed project will not impact alternative methods of transportation in this community as none currently exist.

Implementation of the above conditions for this project shall reduce traffic impacts to below a level of significance,

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

- XVII a) **Less Than Significant Impact.** The proposed project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board, *Lahontan* Region, as determined by County Public Health – Environmental Health Services. Additionally, Lahontan Regional Water Quality Control Board was solicited for their input and had no concerns that the project would adversely impact or exceed wastewater treatment capacity.
- XVII 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. Yermo CSD, will provide water to project site, however the project proposes to provide onsite wastewater treatment facility. The proposed project was routed to Lahontan an established water and underground water quality regulation board. The waste water generated by the proposed project is subject to independent regulation by local and state agencies that ensure compliance with both water quality and waste discharge requirements.

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- XVII 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. County Land Development Division has determined that there is sufficient capacity in the existing storm water system to absorb any additional stormwater drainage caused by the project.
- XVII d) **Less Than Significant Impact.** The proposed project will have sufficient water supplies available to serve the project from existing entitlements and resources. The local water purveyor, Yermo CSD, has given assurance that it has adequate water service capacity to serve the projected demand for the project, in addition to the provider's existing commitments.
- XVII e) **Less Than Significant Impact.** The sewer services will be provided by an approved onsite wastewater facility. The project will be subject to compliance by local and state agencies that ensure compliance with both water quality and waste discharge requirements.
- XVII f) **Less Than Significant Impact.** The proposed project is served by the Barstow Sanitary Landfill, which has sufficient permitted capacity to accommodate the proposed project's future solid waste disposal needs.
- XVII g) **Less Than Significant Impact.** The proposed project is required to comply with federal, state, and local statutes and regulations related to solid waste.

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
XVIII. 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

- XVIII a) **Less Than Significant.** The project does not appear to 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 or 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. The project site is located within designated Desert Tortoise & Burrowing Owl habitat. The project site has been previously graded. Thus, the site is completely disturbed and does not support suitable habitat for Desert Tortoise, Burrowing Owls or protected plants or trees.
- XVIII b) **Less Than Significant with Mitigation Measures.** The project does have impacts that are individually limited, but cumulatively considerable. The sites of projects 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 either are occupied or are capable of absorbing such uses without generating any cumulatively significant impacts.

XVIII c) **Less Than Significant.** The project will not result in environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly. Construction of the proposed commercial development will not cause substantial environmental effects. Adherence with the following mitigation measures will reduce potential impacts to a level less than significant. At a minimum, the project will be required to meet the conditions of approval for the project to be implemented. It is anticipated that all such conditions of approval will further insure that no potential for adverse impacts will be introduced by construction activities, initial or future land uses authorized by the project approval.

XVIII. MITIGATION MEASURES

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

III a-1

A. Dust Control Plan: The developer shall submit a MDAQMD approved Dust Control Plan (DCP) to County Planning consistent with MDAQMD guidelines. The DCP shall contain proposed actions to reduce on-site and off-site dust production. This measure shall be implemented to the satisfaction of County Planning. Such activities shall include, but are not limited to, the following:

- Throughout grading and construction activities, exposed soil shall be kept moist through a minimum of twice daily watering to reduce fugitive dust.
- Street sweeping shall be conducted when visible soil accumulations occur along site access roadways to remove dirt dropped by construction vehicles or dried mud carried off by trucks moving dirt or bringing construction materials. Site access driveways and adjacent streets will be washed if there are visible signs of any dirt track-out at the conclusion of any workday.
- All trucks hauling dirt away from the site shall be covered to prevent the generation of fugitive dust.
- During high wind conditions (i.e., wind speeds exceeding 25 mph) areas with disturbed soil will be watered hourly and activities on unpaved surfaces shall be terminated until wind speeds no longer exceed 25 mph.
- 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 re-vegetated until placed in use.
- Tires of vehicles will be washed before the vehicle leaves the project site and enters a paved road.
- Dirt on paved surfaces shall be removed daily to minimize generation of fugitive dust.

B. The Construction Contractor should select the construction equipment used on site based on low emission factors and high energy efficiency. The Construction Contractor should ensure that construction grading plans include a statement that all construction equipment will be tuned and maintained in accordance with the manufacturer's specifications. In addition, all trucks should not idle continuously for more than 5 minutes at any one time.

C. The Construction Contractor should utilize electric or alternative fuel powered equipment in lieu of gasoline- or diesel-powered engines where feasible.

D. The Construction Contractor should ensure that construction grading plans include a statement that work crews will shut off equipment not in use. During smog season (May through October), the overall length of the construction period will be extended, thereby decreasing the size of the area prepared each day, to minimize vehicles and equipment operating at the same time.

E. The Construction Contractor should time the construction activities so as to not interfere with peak-hour traffic and minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flagperson should be retained to maintain safety adjacent to existing roadways.

F. The Construction Contractor should support and encourage ridesharing and transit incentives for the construction crew.

G. To the extent practicable use required coatings and solvents with a volatile organic compounds (VOC) content lower than required under Rule 1113, or no VOC paints and architectural coatings should be employed. A list of low/no VOC paints is provided at the following MDAQMD website: www.aqmd.gov/prdas/brochures/paintguide.html. All paints shall be applied using either high volume, low pressure (HVLP) spray equipment or by hand application. Correlating notations shall appear on the project construction plans and construction documents.

III a-2

MDAQMD-Permitting. Mojave Desert Air Quality Management District (MDAQMD) will be contacted for the following:

The Mojave Desert Air Quality Management District (MDAQMD) requires the developer/applicant to obtain MDAQMD permits for any miscellaneous process equipment that may not be exempt under MDAQMD Rule 219:

- Equipment with a capacity of more than 793 gallons used exclusively for the storage and transfer of any oil that has been used for its intended purpose and subsequently designated for disposal or recycling.
- Equipment used exclusively for the storage and transfer of gasoline having a storage capacity of more than 250 gallons.
- Certain unheated, non-conveyorized, non-agitated solvent rinsing containers and unheated non-conveyorized coating dip tanks.

VII a.

GHG – Construction & Operation Mitigation Measures. To ensure reductions below the expected “Business As Usual” (BAU) scenario, the project will implement a variety of measures that will reduce its greenhouse gas (GHG) emissions. To the extent feasible, and to the satisfaction of the County of San Bernardino (County).

A. The following additional dust suppression measures in the Mojave Desert Air Quality Management District (MDAQMD) California Environmental Quality Act (CEQA) Air Quality Handbook are included to further reduce the project's emissions:

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- **Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more).**
 - **Water active sites at least twice daily. (Locations where grading is to occur will be thoroughly watered prior to earthmoving.)**
 - **Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 0.6 m (2 ft) of freeboard (vertical space between the top of the load and top of the trailer) in accordance with the requirements of California Vehicle Code (CVC) Section 23114.**
 - **Reduce traffic speeds on all unpaved roads to 15 miles per hour (mph) or less.**
 - **Pave construction access roads at least 30 m (100 ft) onto the site from the main road.**
 - **Re-vegetate disturbed areas as quickly as possible.**
 - **Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 miles per hour (mph).**
 - **Sweep all streets once per day if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water).**
 - **Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash trucks and any equipment leaving the site.**
 - **Pave, water, or chemically stabilize all on-site roads as soon as feasible.**

Operational Mitigation Measures:

- A. Prohibit all diesel trucks from idling in excess of 5 minutes while on the project site.**
- B. Restrict overnight parking in and adjacent to project site.**
- C. Require all travel center facilities to operate the cleanest vehicles available.**

GENERAL REFERENCES

Alquist-Priolo Special Studies Zone Act Map Series (PRC 27500)

California Department of Water Resources Bulletin #118 (Critical Regional Aquifers), 1975, Update 2003

CEQA Guidelines, Appendix G

California Standard Specifications, July 1992

County Museum Archaeological Information Center

County of San Bernardino Development Code, 2007, revised 2008

County of San Bernardino General Plan, 2007, revised 2008

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, 2007

Federal Emergency Management Agency Flood Insurance Rate Map and Flood Boundary Map

Mojave Desert Air Quality Management District, Mojave Desert Planning Area – Federal Particulate Matter (PM₁₀) Attainment Plan, July 1995

Mojave Desert Air Quality Management District, 2004 Ozone Attainment Plan

Mojave Desert Air Quality Management District, California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, June 2008

Mojave Desert Air Quality Management District, 8-hour Ozone Attainment Plan (Western Mojave Desert Non-Attainment Area), June 2008

PROJECT SPECIFIC REFERENCES

Randall C Arnold Associates. Biological Assessment Survey. February 2014

LSA Associates, Inc. Traffic Study. August 19, 2014

LSA Associates, Inc. Noise Impact Analysis, May 2014

LSA Associates, Inc. Air Quality Analysis, July 2014.

ESB Babcock Laboratories. Soils Analysis Report. September 2014