



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

HEARING DATE: August 20, 2020

AGENDA ITEM #3

Project Description

Vicinity Map -

APN: 0492-191-04

Applicant: Beyond Food Mart

Community: Kramer Junction

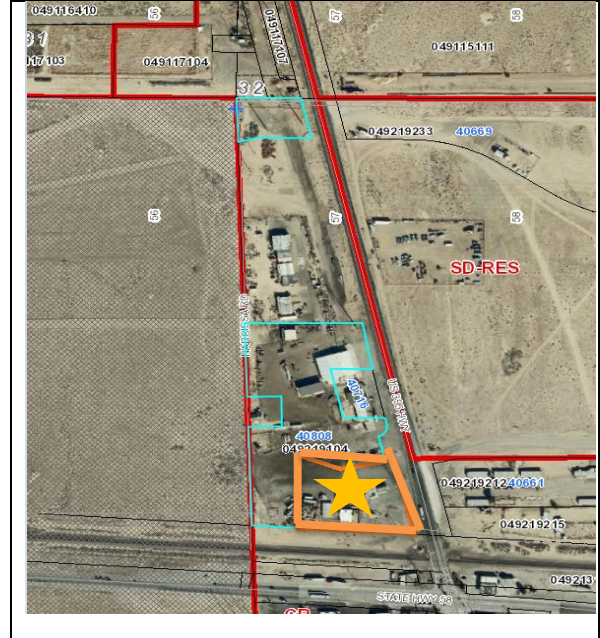
Location: 40808 Highway 395
Kramer Junction, 93516

Project No: PROJ-2019-00052/CUP

Staff: Magda Gonzalez

Rep: Michael Ramirez

Proposal: A Conditional Use Permit to construct and operate a service station with 14 fueling islands, a 7,250 square-foot building that includes a convenience store with alcohol sales, and a drive-thru restaurant on a portion of a 9.82-acre parcel.



20 Hearing Notices Sent on: August 7, 2020

Report Prepared By: Magda Gonzalez, Senior Planner

SITE INFORMATION:

Parcel Size: 2.75-acre portion of a 9.82-acre parcel
 Terrain: Currently developed with existing structures, some to be demolished
 Vegetation: Sparse shrubs

TABLE 1 – SITE AND SURROUNDING LAND USES AND ZONING:

AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT
SITE	Restaurant, small office, two single-family residences, and a water well and pump house	Rural Commercial (CR)
North	Kramer Junction Antiques/Vacant	Rural Commercial (CR)
South	Atchison Topeka and Satan Fe RR Co.	Rural Commercial (CR)
East	US-395, abandoned motel/dwelling	Special Development –Residential (SD-RES)
West	Vacant	Resource Conservation (RC) government land

	<u>Agency</u>	<u>Comment</u>
City Sphere of Influence:	None	N/A
Water Service:	EHS	Per Service Agreement
Sewer Service:	EHS	Per Service Agreement

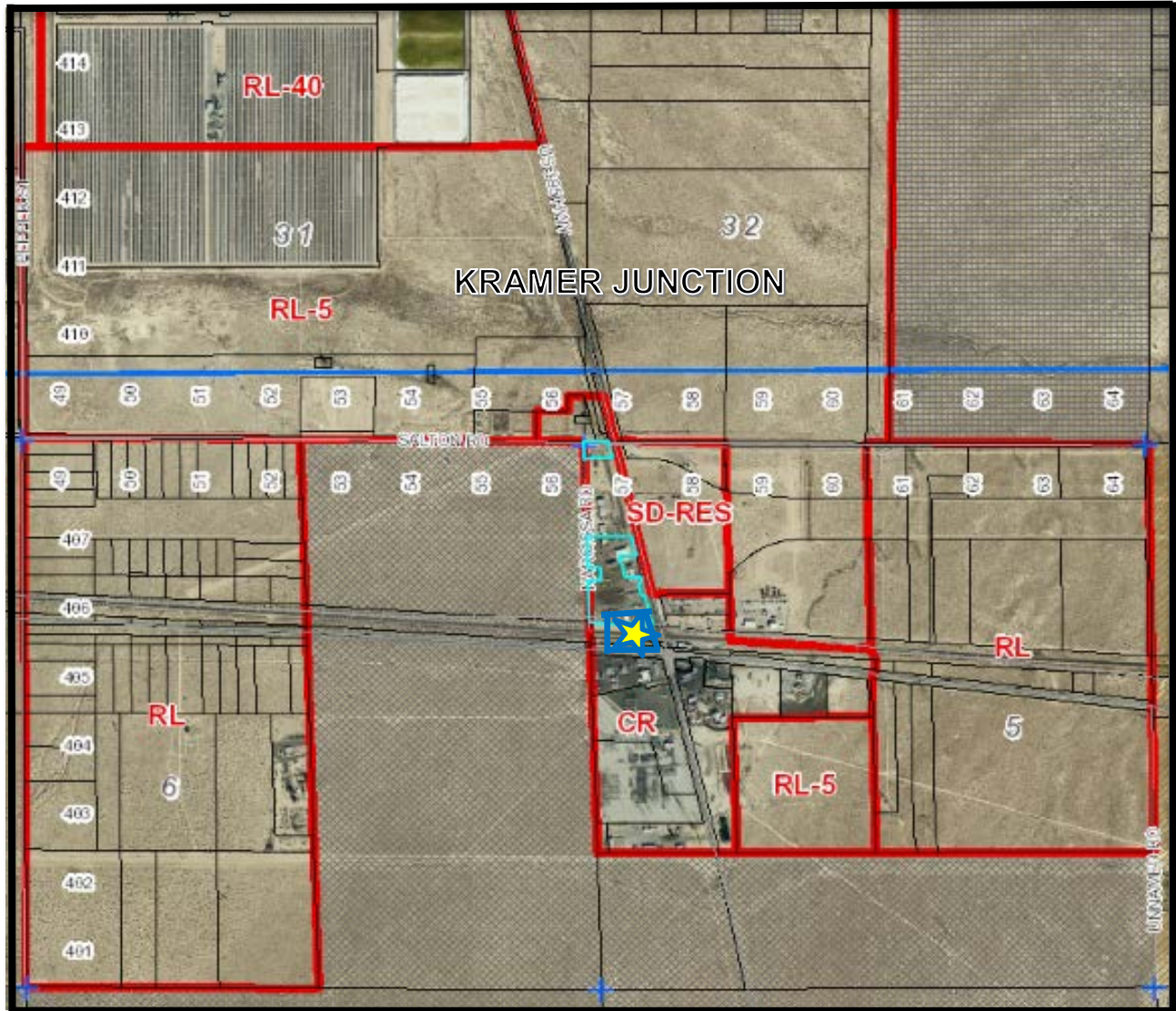
STAFF RECOMMENDATION: That the Planning Commission **ADOPT** the Mitigated Negative Declaration, **ADOPT** the Findings as contained in the Staff Report, **APPROVE** the Conditional Use Permit, subject to the Conditions of Approval, and **DIRECT** staff to file a Notice of Determination.¹

¹In accordance with Section 86.08.010 of the Development Code, the Planning Commission action may be appealed to the Board of Supervisors

VICINITY MAP:
Aerial view of the Project Site



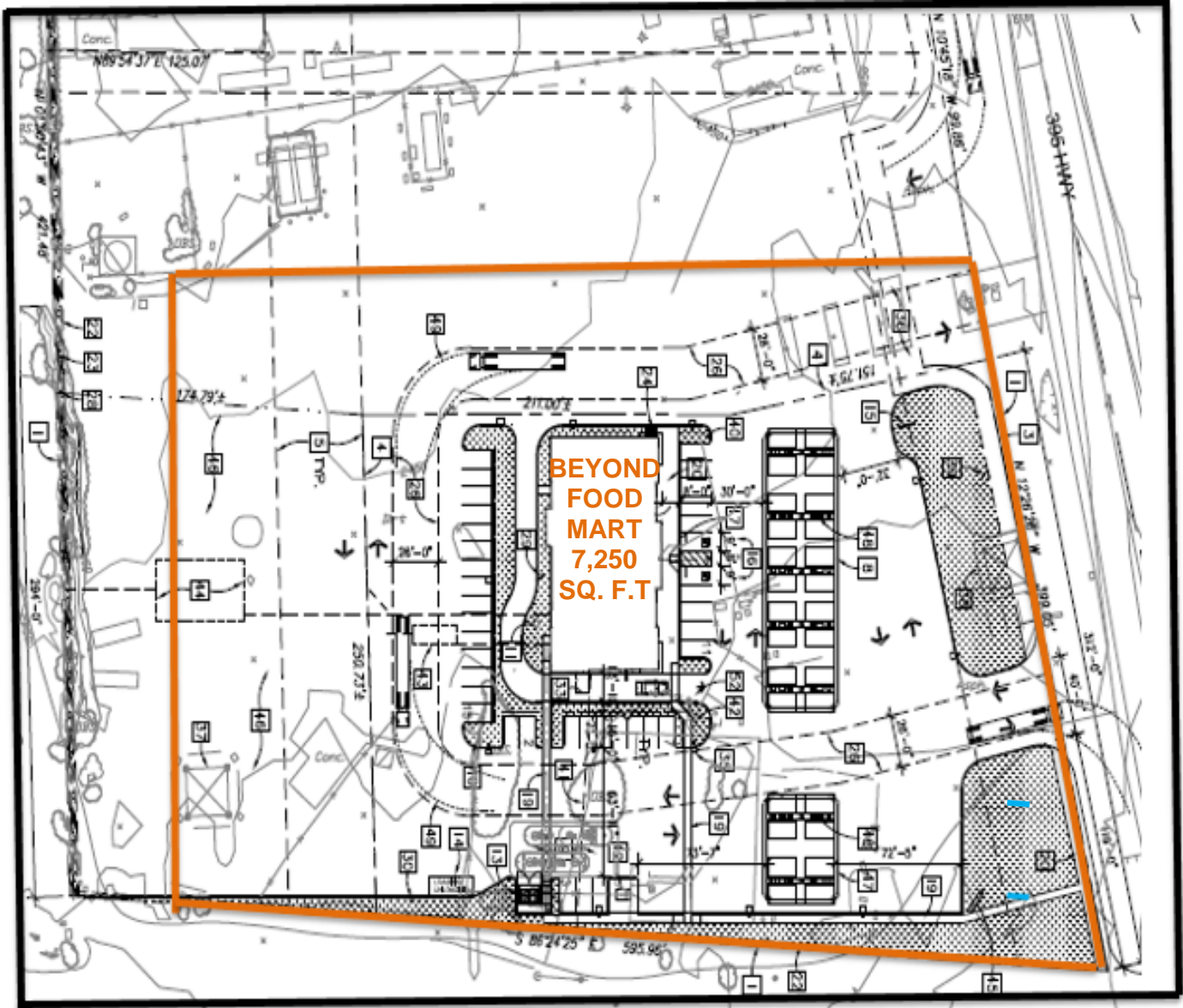
LAND USE DISTRICT MAP:



AERIAL PROJECT VIEW:



SITE PLAN:



BUILDING ELEVATIONS:

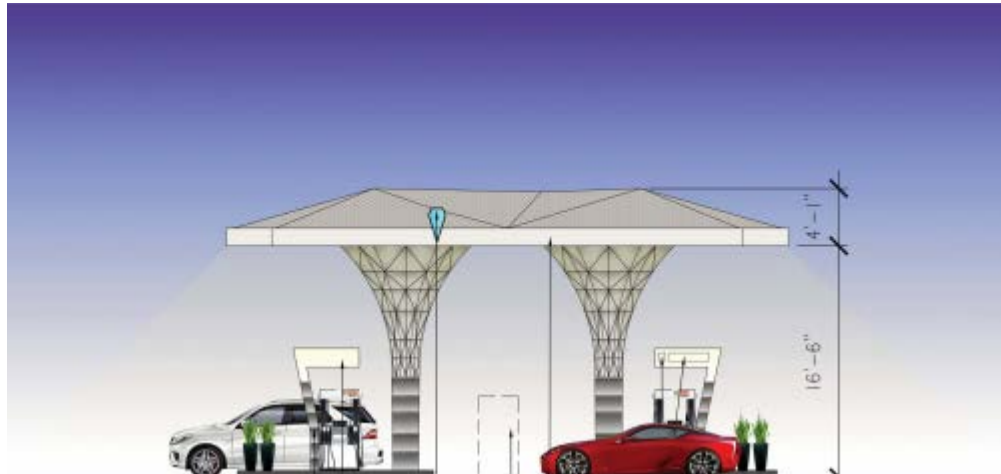
NORTH ELEVATION



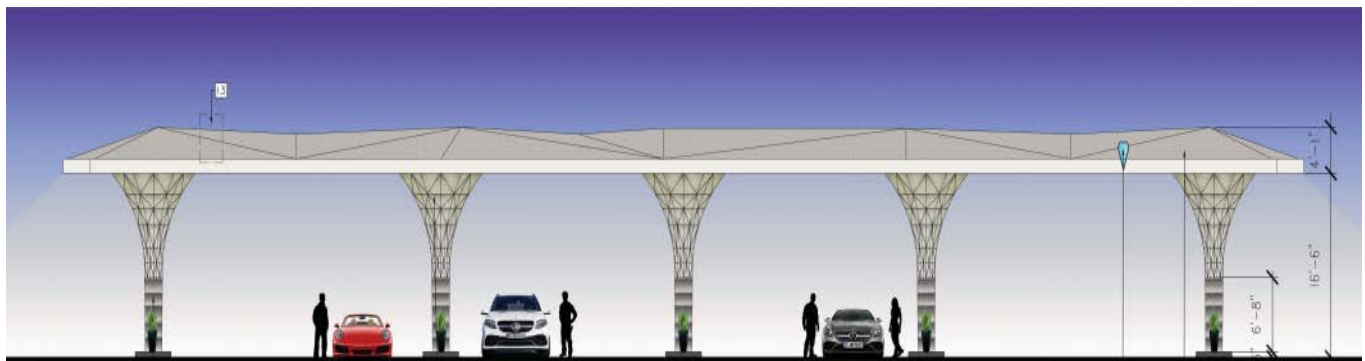
SOUTH ELEVATION



EAST AND WEST ELEVATION



NORTH AND SOUTH ELEVATION



SITE PHOTOS

Northwest view from Property Site.



South view from Project Site.



SITE PHOTOS

Northwest corner of Project Site, looking south.



Overview of Project Site from southeast corner.



PROJECT DESCRIPTION:

The applicant is requesting approval of a Conditional Use Permit (CUP) to develop a 14-island fueling station and a 7,250 square-foot convenience store with an attached drive-thru for food pick-up (Project). The proposed fueling station includes 14 fueling islands with 28 fuel dispensers and two underground storage tanks (USTs) including a 40,000-gallon split tank for storing 30,000 gallons of unleaded and 10,000 gallons of premium fuel, and a 22,000-gallon split tank for storing 12,000 gallons of ethanol (E85), and 10,000 gallons of diesel. Ten of the 14 fueling islands will be located under a 5,480 square-foot canopy, while the remaining four fueling islands will be located under a 2,040 square-foot canopy. The Project includes 24,120 square feet of landscaping along the eastern and southern Project boundaries and along the drive-thru. There will be a total of 38 parking spaces including two handicap accessible parking spaces. The Project site is approximately 2.75 acres of a 9.82-acre parcel, located at 40808 US 395 in Kramer Junction within the Rural Commercial (CR) land use zoning district.

BACKGROUND:

The Project site is currently developed with existing structures which includes a restaurant (Astro Burger), a small office for a former gas station, two single-family residences (one is occupied and the other is vacant), a water well and a pump house. All on-site structures on the proposed 2.75-acre Project area will be demolished for the proposed Project. The Project site supports very little vegetation due to past development activities.

The proposed Project will include the demolition of the existing buildings, site clearing and preparation, appurtenant improvements, as well as the construction of the proposed convenience store and drive-thru, with on-site parking and loading areas, circulation, and landscaping. Off-site street and drainage improvements will also be constructed. The Project will be landscaped to the eastern and southern boundaries along with the drive-thru area. Access to the site for passenger cars, trucks, and other vehicles will be provided by two driveways on U.S. Highway 395.

PROJECT ANALYSIS:

Site Planning: The proposed convenience store with drive-thru and parking areas will be screened from public view through the incorporation of trees and shrubs placed strategically throughout the Project site. Off-site street improvements will include curb, gutter, paving and a driveway approach on U.S. Highway 395. The Project's site plan provides adequate areas to accommodate all parking, loading areas, and access and circulation requirements, as needed to comply with County requirements (See Table 2 below).

Code Compliance Summary: As noted above, the Project satisfies all applicable standards of the Development Code for development in the Rural Commercial (CR) Land Use Zoning District, as illustrated in Table 2:

Table 2: PROJECT CODE COMPLIANCE

Project Component	Development Code Standard Rural Commercial – Desert Region		Project Plans
Convenience Store with Drive-thru and Service Station	CUP		CUP
Parking	29 spaces		38 spaces
Landscaping	20% required		22.91% provided
Building Setbacks	Front	25'	25'
	Street Side	25'	25'
	Interior Side	10'	10'
	Rear	10'	10'
Building Height	35 feet maximum		29'-0"
Floor Area Ratio	.3:1		.3:1

Landscaping: The site will include drought-tolerant landscaping, with a variety of trees, groundcover and shrubs, in compliance with Development Code Section 83.10.060 and species native to the Desert Region Landscaping Design Guidelines. The Project will meet the code requirements, will provide ample tree planting in the perimeter landscaping, and will comply with landscape efficiency pursuant to the Model Water Efficient Landscape Ordinance.

Hours of Operation: The applicant proposes to be open 24 hours a day, seven days a week. The Project will employ a total of 12 staff members, three per shift.

California Environmental Quality Act Compliance:

The Project is subject to the California Environmental Quality Act (CEQA). As such, County staff prepared an Initial Study (IS) for the Project (Exhibit A). Staff determined that the Project will not have any direct, or reasonably foreseeable indirect, adverse impacts on the environment that will remain potentially significant with implementation of the proposed mitigation measures. The IS was made available for public review with a closing date of June 29, 2020. No state agencies submitted comments. A letter from the State Clearinghouse was received acknowledging that we have complied with the State Clearinghouse review requirements pursuant to CEQA.

Mitigation measures have been identified to ensure impacts will not have a significant impact on the environment, which includes measures addressing inadvertent discovery of cultural resources, discovery and archaeological/cultural documents of tribal cultural resources, and inadvertent discovery during earthmoving activities. Therefore, a Mitigated Negative Declaration (MND) is recommended for adoption along with an approval of the Project. The County exercised its independent judgment and analysis in making this determination.

Public Comments:

Project notices were sent to surrounding property owners within 300 feet of the Project site, as required by Development Code Section 85.03.080. No comments were received during the initial public comment period nor in response to the Notice of Availability/Notice of Intent comment period for the Initial Study.

RECOMMENDATION:

That the Planning Commission:

1. **ADOPT** the Mitigated Negative Declaration (Exhibit A);
2. **ADOPT** the Findings as contained in the Staff Report (Exhibit B);
3. **APPROVE** the Conditional Use Permit to construct and operate a service station with 14 fueling pumps, a 7,250 square-foot building that includes a convenience store with alcohol sales and a drive-thru restaurant, subject to the recommended Conditions of Approval (Exhibit C); and
4. **DIRECT** the staff to file the Notice of Determination.

ATTACHMENTS:

- EXHIBIT A: Initial Study/Mitigated Negative Declaration
EXHIBIT B: Findings
EXHIBIT C: Conditions of Approval
EXHIBIT D: Letter of Intent
EXHIBIT E: Site Plan

EXHIBIT A

Initial Study/Mitigated Negative Declaration

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

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

PROJECT LABEL:

APNs:	0492-191-04	USGS Quad:	Saddleback Mountain Quadrangle
Applicant:	Beyond Food Mart, Inc.	T, R, Section:	T10N, R06W, 5
Location	40808 US 395, Kramer Junction	Thomas Bros:	
Project No:	PROJ-2019-00052	Community Plan:	None
Rep	Michael Ramirez	LUZD:	Rural Commercial (CR)
Proposal:	A Conditional Use Permit to construct and operate a service station with 14 fueling pumps, a 7,250 square-foot structure that includes a convenience store with alcohol sales, a drive-thru restaurant and a canopy car wash on approximately 2.75-acre portion of a 9.82-acre parcel.	Overlays:	FEMA Flood Zone D

PROJECT CONTACT INFORMATION:

Lead agency: County of San Bernardino
Land Use Services Department
15900 Smoke Tree Street, Suite #131
Hesperia, CA 92345

Contact person: Magda Gonzalez, Senior Planner
Phone No: (760) 995- 8150 **Fax No:** (760) 995-8167
E-mail: Magda.Gonzalez@lus.sbcounty.gov

PROJECT DESCRIPTION:

Summary

Beyond Food Mart (Applicant) is requesting the approval of a Conditional Use Permit to construct and operate a 14-island fueling station and a 7,250 square-foot convenience store with an attached drive-thru for food pick-up. The Project Site would occur on a 2.75-acre portion of a 9.82-acre site that is located at 40808 State Highway 395 (US-395) (Assessor’s No. 0492-191-04). The Project Site occurs on the west side of US-395 just north of State Highway Route 58 (SR-58) at Kramer Junction (See Figure 1-Regional Location and Figure 2-Project Vicinity). Access to the site would be provided via an existing driveway and a new driveway both along US Hwy-395.

The proposed fueling station would be composed of 14 fueling islands with 28 fuel dispensers and two underground storage tanks (USTs) including a 40,000-gallon split tank for storing 30,000 gallons of unleaded and 10,000 gallons of premium fuel, and a 22,000-gallon split tank for storing 12,000 gallons of

ethanol (E85), and 10,000 gallons of diesel. Ten of the 14 fueling islands would be located under a 5,480 square-foot canopy on the northeast portion of the site, and the remaining four islands would be located under a 2,040 square-foot canopy on the southeast portion of the site (See Figure 3 Site Plan). The Proposed Project would require a total of 12 employees.

The Project would include 24,120 square feet of landscaping along the eastern and southern boundaries of the site as well as around the drive-thru que and a total of 38 parking spaces including two handicap-accessible parking spaces. The maximum heights of the convenience store and canopies would not exceed 29 feet. The Proposed Project also includes a bioretention basin on the northwest corner of the Project Site. The existing catch basin/sump pump inside the bioretention basin will serve as an overflow system for the proposed bioretention system.

Surrounding Land Uses and Setting

The Project Site is in unincorporated San Bernardino County Community of Kramer Junction. The County of San Bernardino Land Use Zoning Map show the Project Site is within the Rural Commercial (CR) zone. The 2.75-acre Project Site is surrounded by commercial uses to the north (Kramer Junction Antiques) followed by SR-58, US-395 to the east followed by an abandoned motel, vacant land to the west, and the Atchison, Topeka and Santa Fe (ATSF) railroad tracks to the south. The following table, Table 1, lists the existing land uses and zoning district designations.

Table 1

Existing Land Use and Land Use Zoning Districts		
Location	Existing Land Use	Land Use Zoning District
Project Site	Restaurant (Astro Burger), small office for the former gas station, two single-family residences (one occupied and one vacant), and a water well and pump house	Rural Commercial (CR)
North	Kramer Junction Antiques	Rural Commercial (CR)
South	ATSF railroad tracks	Rural Commercial (CR)
East	US-395, abandoned motel/dwelling	Special Development-Residential (SD-RES)
West	Vacant	Resource Conservation (RC) Government Owned Land

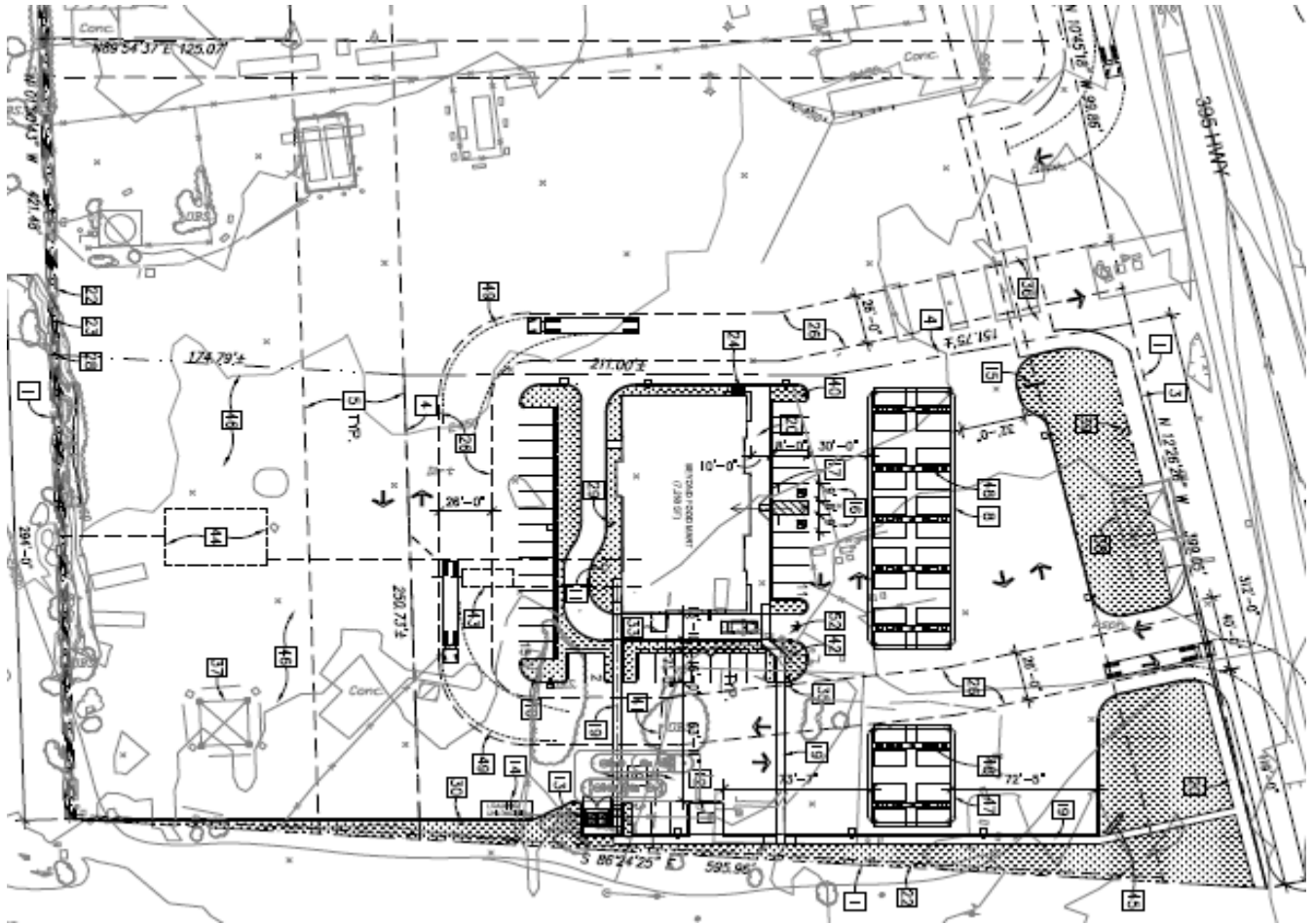
Project Site Location, Existing Site Land Uses and Conditions

The Project Site is located at 40808 US-395 (Assessor's No. 0492-191-04). The Project Site occurs on the west side of US-395 just south of SR-58 at Kramer Junction. The Project Site is designated CR as identified in the San Bernardino County General Plan. The CR District allows for development of retail trade and personal services, repair services, lodging services, recreation and entertainment services, transportation services, and similar and compatible uses agriculture and residential uses allowed also but are secondary in importance. The Proposed Project is conditionally permitted within the CR District.

According to a Phase I Archaeological Resource Assessment, dated January 24, 2020, prepared by Rincon Consultants, Inc., the 2.75-acre Project Site is currently developed with existing structures including: a restaurant (Astro Burger), small office for the former gas station, two single-family residences (one occupied

and one vacant), and a water well and pump house. According to the Phase I, the Project Site also contained five aboveground storage containers reported to contain water and other unknown items. All on-site structures would be removed to allow for development of the Proposed Project. The remaining 6.7 acres of the 9.82-acre site is currently occupied by Kramer Junction Antiques which is composed of two structures including a family-owned antique shop and a warehouse that houses the family's private Route 66 memorabilia collection including antique gas pumps, signs and cars. The warehouse is open to the public and provides office space for the antique shop. Current uses on the 6.7-acre portion of the 9.82-acre site would remain in place.

Proposed Site Plan



Vicinity Map



ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Federal: None;

State of California: Lahontan, Caltrans;

County of San Bernardino: Land Use Services Department-Planning, Building and Safety, and Land Development; Public Health-Environmental Health Services; Public Works: Surveyor, Traffic, and Solid Waste Management; County Fire: Community Safety Division and Hazardous Materials Division;

Regional: Mojave Desert Air Quality Management District.

Local: None

Site Photograph



CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

On February 19, 2020, the County of San Bernardino mailed notification pursuant to AB52 to the following tribes: Colorado River Indian Tribes, Twenty-Nine Palms Band of Mission Indians, Morongo Band of Mission Indians, San Manuel Band of Mission Indians, and Fort Mojave Indian Tribe. Requests for consultations were due to the County by March 19, 2020. Table 2 – AB 52 Consultation Results, shows a summary of comments and responses.

Table 1 - AB 52 Consultation

Tribe	Comment Letter Received	Summary of Response	Conclusion
Travis Armstrong, Consulting Archaeologist, Morongo Band of Mission Indians	March 2, 2020	No comment	Concluded
Jessica Mauck, Cultural Resources Analyst, San Manuel Band of Mission Indians	March 23, 2020	Standard language, no concerns	Concluded
Darrel Mike, Tribal Chairman, Twenty-nine Palms Band of Mission Indians	None	None	Concluded
Anthony Madrigal, Jr., Tribal Grants Administrator/Tribal Historic Preservation Officer, Twenty-nine Palms Band of Mission Indians	None	None	Concluded
Bryan Etsitty, Acting Director, Colorado River Indian Tribes	None	None	Concluded
Linda Otero, Director, Fort Mojave Indian Tribe	None	None	Concluded

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

EVALUATION FORMAT

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

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

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

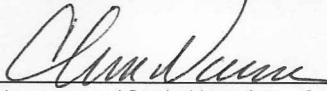
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|---|--|--|
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| <input type="checkbox"/> <u>Biological Resources</u> | <input type="checkbox"/> <u>Cultural Resources</u> | <input type="checkbox"/> <u>Energy</u> |
| <input type="checkbox"/> <u>Geology/Soils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

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

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


 Signature: (Magda Gonzalez, Senior Planner)

June 26, 2020
 Date


 Signature: (Chris Warrick, Supervising Planner)

JUNE 26, 2020
 Date

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: (Check if project is located within the view-shed of any Scenic Route listed in the General Plan):
San Bernardino General Plan, 2007; Submitted Project Materials

a), c) **Less than Significant Impact.** In the desert region of San Bernardino County native wildlife, vegetation, water and scenic vistas are considered as unique environmental features. Saddleback Mountain is approximately six miles northwest of the Project Site and is considered a scenic vista of the area. The Project Site is relatively flat with no immediate scenic vistas that the Proposed Project would have an adverse impact on.

A Phase I Archaeological Resource Assessment, dated January 24, 2020, was completed by Rincon Consultants, Inc., for the Project Site to assess current conditions. The Project Site is part of Kramer Junction in the Mojave Desert of Southern California. The nearest community is the unincorporated area of Boron, which is located approximately six miles west of site on SR-58. Land uses around Kramer Junction, including the site area, are primarily catered to commercial activities geared toward travelers, utility/maintenance uses, a small number of single-family residences, and vacant land. Implementation of the Proposed Project would not degrade visual character of public views and would comply with the County of San Bernardino Development Code Section 83.02.060. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

b) Less than Significant Impact. The Project Site occurs adjacent to State Route 58 (SR-58). SR-58 at Kramer Junction was subject to improvements beginning in 2018, as shown on the Caltrans District 8 Current Projects webpage. Available (digital) aerials for the Project Site online show that SR-58 was located south of the Project Site prior to the recent intersection realignment. SR-58 is now located north of the Project Site with aesthetic improvements to the on- and off-ramps and bridge. The current conditions at the Project Site are vacant/old structures and deteriorating asphalt. Development of the Proposed Project would contribute to the highway's aesthetic improvements and scenic quality. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

d) Less than Significant Impact. The Proposed Project would include installation of exterior lighting that would be required to comply with County lighting standards. Glare that is anticipated from implementation of the Proposed Project would not be significant due to proposed building materials (i.e., non-glare, cement board). Furthermore, lighting associated with other commercial uses along US-395 and the old alignment of SR-58 would continue to be the major source of lighting for the area at night. No sensitive receptors occur in the vicinity of the Proposed Project. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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):

San Bernardino County General Plan, 2007; California Department of Conservation Farmland Mapping and Monitoring Program; Submitted Project Materials

a) **No Impact.** According to the California Department of Conservation's Important Farmland Finder Interactive Map, no prime farmland, unique farmland, or farmland of statewide importance occurs at the Project Site or within the immediate vicinity. The Proposed Project would not convert farmland to a non-agricultural use. No impacts are identified or are anticipated, and no mitigation measures are required.

b) **No Impact.** The Project Site is not under a Williamson Act Contract as identified in the latest map prepared by the California Department of Conservation, Division of Land Resource Protection. According to the Williamson Act Maps used by the Land Use Services Division, there are no active Williamson Act Contracts within the Kramer Junction region. Therefore, no impacts are identified or anticipated, and no mitigation measures are required. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

c) **No Impact.** Implementation of the Proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned for Timberland Production because the Project Site is within the High Desert area of the County and there are no forest lands or timberlands in the region. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

d) **No Impact.** The Project Site does not support forest land. Implementation of the Proposed Project would not result in loss of forest land or conversion of forest land to non-forest use. No impacts are identified or are anticipated, and no mitigation measures are required.

e) **No Impact.** Implementation of the Proposed Project would not result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. No impacts are identified or are anticipated, and no mitigation measures are required.

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

SUBSTANTIATION: (Discuss conformity with the Mojave Desert Air Quality Management Plan, if applicable): **San Bernardino County General Plan, 2007; Submitted Project Materials**

a) Less than Significant Impact. The Project Site is located in the Mojave Desert Air Basin (MDAB). The MDAB encompasses the desert portion of San Bernardino County. The Mojave Desert Air Quality Management District (MDAQMD) has jurisdiction over air quality issues and regulations within the MDAB. To assist local agencies in determining if a project's emissions could pose a significant threat to air quality, the MDAQMD has prepared the California Environmental Quality Act (CEQA) and Federal Conformity Guideline (August 2016). The air and dust emissions from the construction and operational use of the Proposed Project were evaluated and compared to the MDAQMD air quality thresholds to determine significance.

Air emissions from the Proposed Project are subject to federal, State, and local rules and regulations implemented through provisions of the federal Clean Air Act, California Clean Air Act, and the rules and regulations of the California Air Resources Board (CARB) and MDAQMD. The federal Clean Air Act and California Clean Air Act were established in an effort to assure that acceptable levels of air quality are maintained. These levels are based upon health-related exposure limits and are referred to as National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS). The ambient air quality standards establish maximum allowable concentrations of specific pollutants in the atmosphere and characterize the amount of exposure deemed safe for the public. Areas that meet the standards are designated attainment and if found to be in violation of primary standards are designated as nonattainment areas.

An Air Quality, Global Climate Change, and Energy Impact Analysis, dated March 31, 2020, was completed by Ganddini Group, Inc. (Ganddini) (available at the County offices for review), for the Proposed Project. The purpose of the impact analysis is to provide an assessment of the impacts

resulting from development of the Proposed Project and to identify mitigation measures that may be necessary to reduce potentially significant impacts. The Proposed Project will comply with all applicable MDAQMD construction and operational-source emission reduction rules and guidelines. Project construction and operational-source emissions would not cause or substantively contribute to violation of the CAAQS or NAAQS. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

b) Less than Significant Impact. The Proposed Project's construction and operational emissions were screened using California Emissions Estimator Model (CalEEMod) version 2016.3.2 prepared by the MDAQMD (available at the County offices for review). CalEEMod was used to estimate the on-site construction emissions. The emissions incorporate Rule 402 and 403 by default as required during construction. The criteria pollutants screened for include reactive organic gases (ROG), nitrous oxides (NO_x), carbon monoxide (CO), sulfur dioxide (SO₂), and particulates (PM₁₀ and PM_{2.5}). Two of the analyzed pollutants, ROG and NO_x, are ozone precursors. Both summer and winter season emission levels were estimated.

Construction

The proposed project is anticipated to start construction no sooner than November 2020 and take approximately eight months to complete. The project will be operational in 2021. Daily regional emissions during construction are forecasted by assuming a conservative estimate of construction activities (i.e., assuming all construction occurs at the earliest feasible date) and applying the mobile source and fugitive dust emissions factors. The input values used in this analysis were adjusted to be project-specific for the construction schedule and the equipment used was based on CalEEMod defaults. The CalEEMod program uses the EMFAC2014 computer program to calculate the emission rates specific for the MDAQMD portion of San Bernardino County for construction-related employee vehicle trips and the OFFROAD2011 computer program to calculate emission rates for heavy truck operations. EMFAC2014 and OFFROAD2011 are computer programs generated by CARB that calculates composite emission rates for vehicles. Emission rates are reported by the program in grams per trip and grams per mile or grams per running hour. Daily truck trips and CalEEMod default trip length data were used to assess roadway emissions from truck exhaust. The maximum daily emissions are estimated values for the worst case day and do not represent the emissions that would occur for every day of project construction. The maximum daily emissions are compared to the MDAQMD daily regional numeric indicators. Detailed construction equipment lists, construction scheduling, and emission calculations are provided in Appendix B of the Air Quality, Global Climate Change, and Energy Impact Analysis.

Per MDAQMD Rule 1113 as amended on April 23, 2012, the architectural coatings that would be applied after January 1, 2013 will be limited to an average of 150 grams per liter or less.

The phases of the construction activities which have been analyzed below for each phase are: (1) demolition, (2) site preparation, (3) grading, (4) construction, (5) paving, and (6) application of architectural coatings. Site preparation was needed over approximately 40 percent of the site to remove existing asphalt surfaces/hardscape only. Details pertaining to the project's construction timing and the type of equipment modeled for each construction phase are available in the CalEEMod output.

The construction-related criteria pollutant emissions for each phase are shown below in Table 3. Table 3 shows that none of the analyzed criteria pollutants would exceed the MDAQMD daily emissions thresholds. Additionally, the Proposed Project would comply with the CARB Air Toxics Control Measure that limits diesel powered equipment and vehicle idling to no more than 5 minutes at a location, and the CARB In-Use Off-Road Diesel Vehicle Regulation; compliance with these would minimize emissions of TACs during construction. Therefore, impacts from TACs during construction would be less than significant. Therefore, a less than significant regional air quality impact would occur from construction of the proposed project.

Table 3 below shows that none of the analyzed criteria pollutants would exceed MDAQMD daily emissions thresholds.

**Table 3
 Construction-Related Regional Pollutant Emissions**

Activity	Pollutant Emissions (pounds/day)					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Demolition	2.21	21.12	15.34	0.03	1.37	1.13
Site Preparation	0.23	1.88	2.40	0.00	0.38	0.15
Grading	1.98	21.38	10.44	0.02	3.67	2.26
Building Construction	3.29	24.11	22.47	0.04	2.03	1.39
Paving	1.72	10.70	12.48	0.02	0.78	0.59
Architectural Coating	25.34	1.56	2.28	0.00	0.22	0.13
Total for overlapping phases ¹	30.35	36.38	37.23	0.07	3.02	2.11
MDAQMD Thresholds	137	137	548	137	82	82
Exceeds Thresholds?	No	No	No	No	No	No

Notes:

Source: CalEEMod Version 2016.3.2

(1) Construction, painting and paving phases may overlap.

Compliance with MDAQMD Rules 402 and 403

Although the Proposed Project does not exceed MDAQMD thresholds for construction emissions, the Project Applicant would be required to comply with all applicable MDAQMD rules and regulations as the MDAB is in non-attainment status for ozone and suspended particulates (PM₁₀ and PM_{2.5} (state)). The Project Applicant would be required to comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures (BACMs) for each fugitive dust source, and the AQMP, which identifies Best Available Control Technologies (BACTs) for area sources and point sources. The BACMs and BACTs would include, but not be limited to the following:

1. The Project Applicant shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.
 - (a) The Project Applicant shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of

any grading activity on the site. Portions of the site that are actively being graded shall be watered regularly (2x daily) to ensure that a crust is formed on the ground surface and shall be watered at the end of each workday.

- (b) The Project Applicant shall ensure that all disturbed areas are treated to prevent erosion until the site is constructed upon.
- (c) The Project Applicant shall ensure that landscaped areas are installed as soon as possible to reduce the potential for wind erosion.
- (d) The Project Applicant shall ensure that all grading activities are suspended during first and second stage ozone episodes or when winds exceed 25 miles per hour.

During construction, exhaust emissions from construction vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, would increase NO_x and PM₁₀ levels in the area. Although the Proposed Project does not exceed MDAQMD thresholds during construction, the Project Applicant would be required to implement the following conditions as required by MDAQMD:

- 2. To reduce emissions, all equipment used in grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
- 3. The Project Applicant shall ensure that existing power sources are utilized where feasible via temporary power poles to avoid on-site power generation during construction.
- 4. The Project Applicant shall ensure that construction personnel are informed of ride sharing and transit opportunities.
- 5. All buildings on the Project Site shall conform to energy use guidelines in Title 24 of the California Administrative Code.
- 6. The Project Applicant shall maintain and effectively utilize and schedule on-site equipment in order to minimize exhaust emissions from truck idling.
- 7. The Project Applicant shall comply with all existing and future CARB and MDAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.

Operational

The air quality impacts created by vehicle trips associated with the Proposed Project have been analyzed by inputting the project-generated vehicular trips from the TIA, prepared by Ganddini Group, Inc., for year 2021 into the CalEEMod Model. The TIA found that the Proposed Project will generate approximately 5,417 total trips (includes pass-by trip reduction) and with a net of 4,060 total trips by reducing total trips by those associated with existing uses at the Project Site. A trip generation rate of 193.46 trips per fuel pump per weekday was used for the 28 vehicle fueling position gasoline service station with convenience market, which took into consideration the approximately 10.8 percent pass-by reduction. Emissions associated with the Proposed Project's operational activities in comparison to MDAQMD annual thresholds are listed in Table 4 below:

**Table 4
 Operation-Related Regional Pollutant Emissions**

Activity	Pollutant Emissions (tons/year)					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Area Sources ¹	0.05	0.00	0.00	0.00	0.00	0.00
Energy Usage ²	0.00	0.01	0.01	0.00	0.00	0.00
Mobile Sources ³	1.41	10.14	12.55	0.04	2.86	0.79
Subtotal Emissions	1.46	10.14	12.55	0.04	2.86	0.79
Existing Uses to be Removed	-0.58	-2.99	-4.10	0.01	-0.89	-0.26
Total Emissions	0.89	7.15	8.45	0.06	1.97	0.53
MDAQMD Annual Thresholds	25	25	100	25	15	15
Exceeds Threshold?	No	No	No	No	No	No

Notes:

Source: CalEEMod Version 2016.3.2. Annual Emissions

(1) Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.

(2) Energy usage consists of emissions from generation of electricity and on-site natural gas usage.

(3) Mobile sources consist of emissions from vehicles and road dust.

As shown in Table 3 and Table 4, and described above, the construction and operational-source emissions would not exceed SCAQMD thresholds. Impacts would be less than significant, and no mitigation measures would be required.

c) Less than Significant Impact. The project operational-sourced emissions would not exceed applicable regional thresholds of significance established by the MDAQMD. Additionally, project-related trips will not cause or result in CO concentrations exceeding applicable state and/or federal standards (CO “hotspots”). Project operational-source emissions would therefore not adversely affect sensitive receptors within the vicinity of the project. No significant adverse impacts are identified or anticipated and no mitigation measures are required.

d) Less than Significant Impact. Established requirements addressing construction equipment operations, and construction material use, storage, and disposal requirements act to minimize odor impacts that may result from construction activities. Moreover, construction-source odor emissions would be temporary, short-term, and intermittent in nature and would not result in persistent impacts that would affect substantial numbers of people. Potential construction-source odor impacts are therefore considered less than significant. No significant adverse impacts are identified or anticipated and no mitigation measures are required.

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

SUBSTANTIATION:*(Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database):*
San Bernardino County General Plan, 2007; Submitted Project Materials; General Biological Resources Assessment

a), e-f) **No Impact.** A General Biological Resources Assessment, dated January 7, 2020, was prepared for the Proposed Project by RCA Associates, Inc. (RCA) (available at the County offices for review). The assessment included a comprehensive data review and a field survey on the Project Site and surrounding areas. The property was evaluated for the presence of native habitats which could potentially support populations of special status wildlife species. A protocol survey was conducted for the desert tortoise, and a focused survey was also conducted for the presence of any burrows which could potentially be utilized by burrowing owls. A habitat assessment was also performed for the Mohave ground squirrel. The property was evaluated for the presence of sensitive habitats including stream channels, wetlands, vernal pools, riparian habitats, and jurisdictional areas.

Based on data from United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and a search of the California Natural Diversity Database (CNDDDB, 2017) for the Kramer Junction, California quadrangle, there are three special status wildlife species, one special status insect species, and four special status plant species that have been documented within the quadrangle. Wildlife species include desert tortoise (*Gopherus agassizii*), Mohave ground squirrel (*Xerospermophilus mohavensis*), and prairie falcon (*Falco mexicanus*). Plant species include desert cymopterus (*Cymopterus deserticola*), white pygmy-poppy (*Canbya candida*), Barstow woolly sunflower (*Eriophyllum mohavense*), and sagebrush loeflingia (*Loeflingia squarrosa* var. *artemisiarum*). The crotch bumble bee (*Bombus crotchii*) is the special status insect which has been documented in the area.

The property supports very little vegetation due to past development activities. Vegetation observed included a few Russian thistle (*Salsola tragus*), yellow-green matchweed (*Gutierrezia sarothrae*), erodium (*Erodium cicutarium*), and brome grasses (*Bromus* sp.). A few desert willows (*Chilopsis linearis*) and sycamores (*Platanus racemosa*) were also planted around the single-family dwellings.

The site supports very few wildlife species with jackrabbits (*Lepus californicus*) and desert cottontails (*Sylvilagus auduboni*) as the only mammals observed during the field investigations. No reptiles were observed during the field investigations due to the time of year (i.e., December); although species common in the area include western whiptails (*Cnemidophorus tigris*) and side-blotched lizards (*Uta stansburiana*). Bird species observed during the field investigations included mourning dove (*Zenaidura macroura*), pigeon (*Columba Livia domestica*), and common raven (*Corvus corax*).

The Project Site was evaluated for the presence of suitable habitat for the Burrowing Owl. Burrowing Owls utilize a variety of natural and modified habitats for nesting and foraging where the vegetation is low-growing. Typical habitats for the species include native and non-native grasslands, interstitial grassland within shrub lands, shrubs lands with low density cover, drainage ditches, earthen berms, pasture lands, and fallow fields. Burrowing owls typically utilize abandoned fossorial burrows which have been excavated by various mammals such as coyotes, foxes, ground squirrels, badgers, and dogs. Owls may also use man-made structures such as electrical vaults, cement culverts, man-made structures, and large debris piles. Although burrowing owls have not been documented in the area based on the CNDDDB search, the species is relatively mobile and is known to occur throughout Southern California. Therefore, surveys were conducted for the species since it sometimes occurs in disturbed areas where suitable

burrows or man-made areas (i.e., debris piles, etc.) are present. However, no burrowing owls or owl sign was observed on the site or in any areas surrounding the site.

A habitat assessment was initially conducted for the desert tortoise in conjunction with the general biological surveys. The purpose of the habitat assessment was to evaluate the habitat present on the site and to determine if the site supports suitable habitat for the species. The site does not support prime habitat for the species; however, a protocol survey was conducted for the species.

A habitat assessment was performed for the Mohave ground squirrel as per CDFW protocol including an analysis of the on-site habitat, evaluation of local populations, and assessment of connectivity with habitats in the surrounding area which might support populations of the Mohave ground squirrel.

The Federal and State listed wildlife species which have been documented in the surrounding region within approximately five miles of the site include the desert tortoise and Mohave ground squirrel. Neither of these species were observed on the site during the surveys, nor are either species expected to inhabit the site at present or in the future. Suitable habitat for the desert tortoise and the Mohave ground squirrel are absent from the property. The crotch bumble bee is a candidate for listing as endangered. However, the species is not expected to occur on the site given the absence of suitable plants which it requires such as milkweed, lupines, phacelias, and sage.

There is one special status wildlife species and four special status plants species which have been documented within about five miles of the site. These species include prairie falcon, white pygmy-poppy, desert cymopterus, Barstow woolly sunflower, and sagebrush loeflingia. The prairie falcon typically hunts over open areas which support populations of its prey species which includes small mammals, birds, and reptiles; based on the past development which has occurred on the site, the property is not expected to provide suitable hunting habitat. None of the plant species were observed on the site during the field investigations nor are any of the species expected to occur on the site. As noted above, native vegetation was cleared from the site during past development activities and therefore the Project Site is not expected to provide suitable habitat for these plants. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

b), c) **No Impact.** The Project Site does not support riparian habitat. It was determined during the general biological assessment that it is not within a riparian area. Implementation of the Proposed Project would not result in impacts to riparian habitat. There are no other identified sensitive natural communities in the vicinity. No sensitive habitats such as blue-line channels, vernal pools, or critical habitats for sensitive species were observed during the field investigations. Therefore, no impacts are identified or are anticipated and no mitigation measures are required.

d) **No Impact.** Wildlife movement and the fragmentation of wildlife habitat are recognized as critical issues that must be considered in assessing impacts to wildlife. In summary, habitat fragmentation is the division or breaking up of larger habitat areas into smaller areas that may or may not be capable of independently sustaining wildlife and plant populations. Wildlife movement (more properly recognized as species movement) is the temporal movement of individuals (plants

and animals) along diverse types of corridors. Wildlife corridors are especially important for connecting fragmented habitat areas. The property is bordered in an area where wildlife movement is restricted by roads, other infrastructure, and commercial development. Impacts to regional wildlife movement are not expected. The site is in a partially developed area where habitat fragmentation has already occurred. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

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

SUBSTANTIATION: (Check if the project is located in the Cultural or Paleontologic Resources overlays or cite results of cultural resource review): **San Bernardino County General Plan, 2007; Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton; Submitted Project Materials**

a), b) **Less than Significant with Mitigation Incorporated.** An Archaeological Resource Assessment, dated January 24, 2020, was prepared for the Proposed Project by Rincon Consultants, Inc. (Rincon) and an April 24, 2020 update to the report was prepared to address an historic evaluation of the properties on-site (available at the County offices for review). Rincon conducted a search of the California Historical Resources Information System (CHRIS) at the South-Central Coastal Information Center (SCCIC) located at the California State University, Fullerton. The search was performed to identify previously recorded cultural resources, as well as previously conducted cultural resources studies within the project site and a 0.5-mile radius surrounding it. The CHRIS search included a review of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the Office of Historic Preservation Historic Properties Directory, the California Inventory of Historic Resources, and the Archaeological Determinations of Eligibility list.

The SCCIC records search identified 34 previously recorded cultural resources within a 0.5-mile radius of the Project Site; two resources were noted within the Project Site. Additionally, 26 previously conducted cultural resources studies have been performed within a 0.5-mile radius of the Project Site. One study (CA-SB-07381) has been completed within the current project site.

Rincon completed a review of historical topographic maps and aerial imagery to ascertain the development history of the Project Site. Aerial imagery available from 1952 depict the Project Site as an agricultural field (NETR Online 2020). Aerial imagery from 1972-1995 depicts the Project Site during development to its current condition (NETR Online 2020). Historical topographic maps from 1958-1976 depicts the development of structures on the Project Site (NETR Online 2020).

Rincon conducted a pedestrian field survey of the Project Site on January 13, 2020. Most of the Project Site has been previously disturbed by the construction of the existing buildings, transmission line, and adjacent construction of the railroad and US-395. Areas of exposed ground were inspected for prehistoric artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools, ceramics, fire-affected rock), ecofacts (marine shell and bone), soil discoloration that might indicate the presence of a cultural midden, soil depressions, and features indicative of the former presence of structures or buildings (e.g., standing exterior walls, postholes, foundations) or historic debris (e.g., metal, glass, ceramics). Ground disturbances such as burrows and drainages were also visually inspected.

Based on the results of the cultural resources records search and pedestrian field survey, no archaeological resources were identified within the Project Site. Rincon noted several historic-age structures within the Project Site. Both residences on the Project Site have been highly modified since their initial construction such that they no longer represent a cohesive architectural style. The extant commercial buildings exhibit minimal features commonly associated with examples of automobile-related architecture (property types: restaurant and service station); these include their simple form, sitting on the property and extant signage. Despite the presence of some of these features, the buildings are not excellent examples of auto-related development when examined within the context of Southern California or San Bernardino County, in which many more characteristic examples exist. In addition, neither building embodies a particular architectural style. The research conducted for this study did not suggest that the subject property may yield information deemed important to history or prehistory.

Grading and construction activities may uncover unknown cultural resources. Therefore, a possible significant adverse impact has been identified or anticipated and the following mitigation measures are required as a condition of Project approval to reduce the impacts to a level below significant. The required mitigation measure is:

Mitigation Measure CR-1: *In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.*

Mitigation Measure CR-2: *If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.*

c) Less than Significant with Mitigation. Construction activities, particularly grading, could potentially disturb human remains interred outside of a formal cemetery. Field surveys conducted as part of the Archaeological Resource Assessment did not encounter any evidence of human remains. The Project Site is not located on or near a known cemetery, and no human

remains are anticipated to be disturbed during the construction stage. However, the discovery of human remains is always a possibility during ground-disturbing activities. A possible significant adverse impact has been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce the impact to a level below significant. The required mitigation measure is:

Mitigation Measure CR-3: *If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.*

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

SUBSTANTIATION: San Bernardino County General Plan, 2007; Submitted Materials

a) Less than Significant. Electricity: Southern California Edison (SCE) provides electricity to the Project Site. The Project Site is developed with five existing structures, of which two are currently occupied. Development of the Proposed Project would result in a continued need for electricity. The Proposed Project’s demand is expected to be sufficiently served by the existing SCE electrical facilities.

According to the California Energy Commission’s Energy Report Generator for the San Bernardino County Planning Area, Non-Residential Sector for the year 2018, the Non-Residential Sector was responsible for 10,189.923519 GWh of electricity consumption in the San Bernardino County Planning Area. The Proposed Project is estimated to annually consume 0.01711 GWh. The Proposed Project’s estimated annual electricity consumption compared to the 2018 annual electricity consumption of the overall Non-Residential Sector in the San Bernardino County Planning Area would account for approximately 0.000168 percent of total electricity consumption. Total electricity demand in SCE’s service area is estimated to increase by approximately 12,000 Gigawatt hours (GWh)— between the years 2015 and 2026. The increase in electricity demand from the Proposed Project would therefore represent an insignificant percent of the overall demand in the San Bernardino County Planning Area. The Proposed Project’s electrical demand is not expected to significantly impact SCE’s level of service.

The Proposed Project has been designed to comply with the 2019 Building Energy Efficiency Standards. The County San Bernardino would review and verify that the Proposed Project plans would comply with the most current version of the Building and Energy Efficiency Standards. The Proposed Project would also be required adhere to CALGreen, which establishes planning and design standards for sustainable developments, and energy efficiency. These sustainable features would be incorporated into the Proposed Project in which may include high energy efficiency insulation, wall assemblies and windows to maximize insulation of cool or warm temperature; Cool roof concrete roof tiles; Radiant barrier roof sheathing; and energy efficiency heating and cooling systems. The development of the Proposed Project is not anticipated to conflict with achievement of the 60 percent Renewable Portfolio Standard established in in the current SB 100. SCE and other electricity retailer’s SB 100 goals include that end-user electricity use such as residential and commercial developments use would decrease from current emission estimates. The Proposed Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation and no mitigation measures are recommended.

Natural Gas: The Proposed Project and surrounding area are serviced by Southern California Gas Company (SoCalGas). The Project Site is currently developed and has some demand on natural gas. The development of the Proposed Project would result in a continued demand of natural gas. The Proposed Project's demand is expected to be sufficiently served by the existing SoCalGas facilities for providing natural gas. The commercial demand of natural gas is anticipated to decrease from approximately 81 billion cubic feet (bcf) to 65 Bcf between the years 2015 to 2035. According to the California Energy Commission's Energy Report Generator for San Bernardino County Planning Area, Non-Residential Sector from the year 2018, the Non-Residential Sector was responsible for 268.614328 million Therms of natural gas consumption in the San Bernardino County Planning Area. The Proposed Project is estimated to annually consume 0.001218 million Therms. The Proposed Project's estimated annual natural gas consumption compared to the 2018 annual natural gas consumption of the overall Non-Residential Sector in the San Bernardino County Planning Area would account for approximately 0.000453 percent of total natural gas consumption. Therefore, the natural gas demand from the Proposed Project would represent an insignificant percentage to the overall demand in the San Bernardino County Planning Area. The Proposed Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation and no mitigation measures are required.

b) Less than Significant Impact. Project design and operation would comply with the County of San Bernardino Greenhouse Gas Emissions Reduction Plan, and the State Building Energy Efficiency Standards related to appliance efficiency regulations, and green building standards as noted above. The County San Bernardino would review and verify that the Proposed Project plans would comply with the most current version of the Building and Energy Efficiency Standards. Project development would not cause inefficient, wasteful and unnecessary energy consumption, and no adverse impact would occur.

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

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

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

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

ii. Strong seismic ground shaking?

iii. Seismic-related ground failure, including liquefaction?

iv. Landslides?

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

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?

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

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?

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

SUBSTANTIATION: (Check if project is located in the Geologic Hazards Overlay District): **San Bernardino County General Plan, 2007; Submitted Project Materials**

San Bernardino County General Plan, 2007; Submitted Project Materials

- a) *i) **Less than Significant.*** The nearest fault to the Project Site is the South Lockhart Fault in the Helendale-South Lockhart Fault Zone according to the California Department of Conservation California Geological Survey Interactive Map. The South Lockhart Fault occurs approximately 3.5 miles east of the Project Site. There is no identified fault that occurs on or near the Project Site. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

*ii) **Less than Significant Impact.*** Seismic ground shaking is a frequent occurrence throughout San Bernardino County. The Project Site is surrounded by multiple earthquake faults including the South Lockhart Fault approximately 3.5 miles east of the Project Site, the Garlock Fault approximately 34 miles north of the Project Site and the San Andreas Fault approximately 45 miles south of the Project Site. During the life of the Proposed Project, seismic activity associated with the active faults can be expected to generate moderate to strong ground shaking at the Project Site. As is required by the Uniform Building Code, construction of the structures on the Proposed Project will comply with the California Building Code (CBC) and would ensure that potential impacts from seismic events are reduced to the least extent possible. As a mandatory condition of project approval, the Proposed Project would be required to construct proposed structures in accordance with the California Building Code (CBC) which is established by the California Building Standards Code. The code is also known as Title 24, Part 2 of the California Code of Regulations. The CBC is designed to preclude significant adverse effects associated with strong seismic ground shaking. With mandatory compliance of standard design and construction measures, potential impacts would be reduced to a less than significant and the Proposed Project would not expose people or structures to substantial adverse effects, including loss, injury or death, involving seismic ground shaking. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

*iii) **No Impact.*** Liquefaction is a process whereby strong earthquake shaking causes sediment layers that are saturated with groundwater to lose strength and behave as a fluid. Ground failure associated with liquefaction can result in severe damage to structures. As demonstrated by San Bernardino County's Geologic Hazards Overlay Map EHFH C, the Project Site is not located in an area at risk for liquefaction. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

- iv*) **No Impact.** Seismically induced landslides and other slope failures are common occurrences during or soon after earthquakes. As demonstrated by San Bernardino County's Geologic Hazards Overlay Map EHFH C, the Project Site is not located in an area at risk for landslides. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.
- b*) **Less than Significant Impact.** During the development of the Project Site, which would include disturbance of 2.75 acres, project-related dust may be generated due to the operation of machinery on-site or due to high winds. Additionally, erosion of soils could occur due to a storm event. Development of the Proposed Project would disturb more than one acre of soil; therefore, the Proposed Project is subject to the requirements of the State Water Resources Control Board General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-2009-DWQ). Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling or excavation. The Construction General Permit requires the development and implementation of a Storm Water Pollution and Prevention Plan (SWPPP). The SWPPP must list Best Management Practices (BMPs) to avoid and minimize soil erosion. Adherence to BMPs is anticipated to ensure that the Proposed Project does not result in substantial soil erosion or the loss of topsoil. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.
- c*) **Less than Significant Impact.** Less than Significant Impact. The Project Site is relatively flat with no prominent geologic features occurring on or within the vicinity of the Project Site. Review of the County of San Bernardino General Plan Geologic Hazard Overlay Map EHFH C showed that the Project Site is located in an area with no risk of susceptibility to become unstable as a result of on- or off-site landslide. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.
- d*) **Less than Significant Impact.** As described in the Phase I Archaeological Resources Assessment, January 24, 2020, completed by Rincon Consultants, Inc. (available at the County offices for review), the Project Site is part of a northwest to southeast trending valley bound by upland of Pleistocene older alluvium to the northeast and Jurassic-Cretaceous quartz Monzonite rocks of the Kramer Hills to the northwest (**Dibblee, 1967**). The site area is underlain by Holocene or late Pleistocene sandy alluvium which in turn overlies older, Plio-Pleistocene clayey sediments. In addition to the surficial deposits, artificial fills composed of various materials are likely to be present at certain areas of the site e.g. cavities of former USTs and pipe trenches associated with the former gas station. Expansive soils are fine-grained silts and clays which are subject to swelling and contracting. The amount of this swelling and contracting is subject to the amount of fine-grained clay materials present in the soils and the amount moisture either introduced or extracted from the soils. The regional soil of the Project Site is not known to be expansive in nature. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

e) **Less than Significant Impact.** The Proposed Project would connect to the existing sewer line onsite that is connected to a leach field. No additional septic tanks or alternative wastewater disposal is proposed. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

f) **Less than Significant with Mitigation.** As part of the Archaeological Resource Assessment, no paleontological resources were encountered. Although the Project Site does not visibly contain a unique paleontological resource or site or unique geologic feature, grading could expose resources that may exist below the surface. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measure is:

Mitigation Measure GEO-1: *If encountered, all identified and/or recovered paleontological/fossil specimens must be professionally researched, analyzed, reported, and curated in accordance with the San Bernardino County Museum policies and guidelines.*

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

SUBSTANTIATION:
San Bernardino County General Plan, 2007; Submitted Project Materials

a), b) **Less than Significant Impact.** 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 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.

In 2007, the California State Legislature adopted Senate Bill 97 (SB97) requiring that the CEQA Guidelines be amended to include provisions addressing the effects and mitigation of GHG emissions. New CEQA Guidelines have been adopted that require: inclusion of a GHG analyses in CEQA documents; quantification of GHG emissions; a determination of significance for GHG emissions; and, adoption of feasible mitigation to address significant impacts. The CEQA Guidelines [Cal. Code of Regulations Section 15083.5 (b)] also provide that the environmental analysis of specific projects may be tiered from a programmatic GHG plan that substantially lessens the cumulative effect of GHG emissions. If a public agency adopts such a programmatic GHG Plan, the environmental review of subsequent projects may be streamlined. A project’s incremental contribution of GHG emissions will not be considered cumulatively significant if the project is consistent with the adopted GHG plan. The Proposed Project would require a Conditional Use Permit (CUP) which would allow for operation of the Proposed Project and confirm compliance with General Plan allowable land uses. Analysis of the Proposed Project’s construction GHG emissions and operational GHG emissions was conducted for the Proposed Project in the Air Quality, Global Climate Change, and Energy Impact Analysis, dated March 31, 2020, that was completed by Ganddini Group, Inc. (Ganddini), in association with buildout under the existing General Plan land use zoning designations to provide a long-term emissions comparison. GHG emissions associated with the Proposed Project’s construction and operational activities in comparison to buildout of the Project Site under the existing General Plan land use zoning designations are listed in Table 5, below:

Table 5
 Project-Related Greenhouse Gas Emissions
 (MT Per Year)

Proposed Project			
Source	CO ₂	CH ₄	N ₂ O
Area ¹	0.00	0.00	0.00
Energy ²	11.95	0.00	0.00
Mobile ³	4,054.65	0.29	0.00
Waste ⁴	3.06	0.18	0.00
Water ⁵	2.47	0.01	0.00
Construction ⁶	9.33	0.00	0.00
Subtotal Emissions	4,081.47	0.49	0.00
-Existing uses to be Removed	-1,302.97	-0.70	0.00
Total Net Emissions	2,778.50	-0.21	0.00
MDAQMD GHG Thresholds	100,000		
County Threshold	3,000		
Significant	No		

Notes:

Source: CalEEMod Version 2016.3.2

- (1) Area sources consist of GHG emissions from consumer products, architectural coatings, and landscape equipment.
- (2) Energy usage consist of GHG emissions from electricity and natural gas usage.
- (3) Mobile sources consist of GHG emissions from vehicles.
- (4) Solid waste includes the CO₂ and CH₄ emissions created from the solid waste placed in landfills.
- (5) Water includes GHG emissions from electricity used for transport of water and processing of wastewater.
- (6) Construction GHG emissions CO₂e based on a 30-year amortization rate.

As shown in Table 5, construction and operational GHG emissions produced from the Proposed Project would not exceed the County's established GHG thresholds of significance. Therefore, the Proposed Project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

The proposed project is not anticipated to conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. Any project that does not exceed 3,000 MTCO₂e per year will be considered to be consistent with the Plan and determined to have a less than significant individual and cumulative impact for GHG emissions. The Proposed Project is expected to comply with the performance standards for commercial uses as detailed in the *County of San Bernardino Greenhouse Gas Emissions Reduction Plan*. The Proposed Project will not result in substantial emissions of greenhouse gases and will not conflict with the Green County initiatives. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:
San Bernardino County General Plan, 2007; Submitted Project Materials

- a) **Less than Significant Impact.** Any business that handles a hazardous material in quantities at or exceeding 55 gallons, 500 pounds, or 200 cubic feet (compressed gas) at any one time in or generates any amount of hazardous waste must obtain hazardous material and/or hazardous waste permits. The Project Proponent shall submit a hazardous materials business plan using the California Environmental Reporting System (CERS) to the San Bernardino County Fire Protection District for review to determine the applicable permits required for the Proposed Project. Underground storage tank (UST) systems storing hazardous substances in the County of San Bernardino shall conform to standards issued by the San Bernardino County Fire Protection District. Written approval shall be obtained from this Department prior to the installation of any new UST system(s) and/or modifications to existing UST systems. Prior to installation, plans for underground storage tank systems shall be reviewed and approved by Office of the Fire Marshal, Hazardous Materials Division. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.
- b) **Less than Significant Impact.** The Proposed Project would 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 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. In addition, since hazardous materials are proposed on-site for operational purposes, the Proposed Project is subject to permit and inspection by the Hazardous Materials Division of the County Fire Department, as required by Health and Safety Code Section 25507, which requires a business plan for emergency response to a release or threatened release of a hazardous material in accordance with the standards prescribed in the regulations adopted pursuant to Health and Safety Code Section 25503. Safety procedures associated with such hazards shall be clearly posted and personnel shall be properly trained in these procedures. Adequate fire alarms, fire-fighting and fire suppression equipment and devices must be provided on-site in accordance with the requirements of the California Building Code and the Uniform Fire Code requirements, and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Compliance with regulations and standard protocols during the storage, transportation, and usage of any hazardous materials would ensure no substantial impacts would occur. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.
- c) **Less than Significant Impact.** The nearest school to the Project Site occurs almost seven miles to the west at 12444 Roberts Avenue in Boron, California. There are no schools within one-quarter mile of the Project Site. The Proposed Project includes a 14-pump fueling station with a total of 62,000 gallons of underground storage tanks (UST). All operations of the fuel island and storage tanks would be required to comply with all federal, state and local laws regulating the management and use of hazardous materials. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
- d) **No Impact.** The Project Site is not located on site included on the list of hazardous material sites compiled pursuant to Government Code Section 65962.5 by the California Department of

Toxic Substances Control's EnviroStor data management system (accessed March 26, 2020). Therefore, no impacts are identified or anticipated and no mitigation measures are required.

- e) **No Impact.** The Project Site is not located within the vicinity of a private or public airstrip. The nearest airport is the Edwards Air Force Base approximately 22 miles southwest of the Project Site. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
- f) **Less than Significant Impact.** The Project Site does not contain any emergency facilities; however, the Project Site is located south of the SR-58 and is on the west side of the US-395. Both State Routes are designated by the County of San Bernardino as evacuation routes in the desert region, discussed further in Section XX (a) of this document. Implementation of the Proposed Project would not impair or physically interfere with an adopted emergency response plan or emergency evacuation plan and would comply with Goal S9 of the County of San Bernardino's General Plan to ensure impacts to the County's emergency evacuation plan are reduced to a less than significant level. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
- g) **No Impact.** As identified by San Bernardino County's Hazard Overlay Map EHFHB (Kramer Junction), the Project Site is not located within a Fire Safety Area. Furthermore, the Project Site is located in a region which is developed primarily with commercial development; wildland is not located within the vicinity. Therefore, the Proposed Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. No impacts are identified or are anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
X. HYDROLOGY AND WATER QUALITY - Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

San Bernardino County General Plan, 2007; Submitted Project Materials

- a) **Less than Significant Impact.** The Kramer Junction Community is located in the Mojave Basin Watershed Planning Area and draws its water supplies from the Alto and Estes portions of the Mojave groundwater basin. The Project Site discharges stormwater into a watershed managed by the Lahontan Regional Water Quality Control Board.

The Proposed Project is subject to the National Pollution Discharge Elimination System (NPDES) permit requirements. The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State's General Construction permit include removal of vegetation, grading, excavating, or any other activity that causes the disturbance of one acre or more. The General Construction permit required recipients to reduce or eliminate non-storm water discharges into stormwater systems, and to develop and implement a Stormwater Pollution Prevention Plan (SWPPP). The purpose of an SWPPP is to: 1) identify pollutant sources that may affect the quality of discharges of stormwater associated with construction activities; and 2) identify, construct and implement stormwater pollution control measures to reduce pollutants in stormwater discharges from the construction site during and after construction.

The RWQCB has issued an area-wide NPDES Storm Water Permit for the County of San Bernardino, the San Bernardino County Flood Control District, and the unincorporated cities of San Bernardino County. The implementation of NPDES permits ensure that the State's mandatory standards for the maintenance of clean water and the federal minimums are met. Soil erosion and sedimentation impacts would be reduced to less than significant through implementation of the Best Management Practices (BMPs) detailed in a SWPP and through periodic inspections by the RWQCB.

The Proposed Project would utilize the existing on-site septic system. Continued use of the on-site septic system for the Proposed Project will require inspection and approval from the County of San Bernardino Environmental Health Services. Once approved it will be submitted to the RWQCB for review and approval. The Proposed Project's design incorporates measures to diminish impacts to water quality to an acceptable level as required by state and federal regulations and is not expected to violate any water quality standards or waste discharge requirements. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- b) **Less than Significant Impact.** The Project Site is under jurisdiction of the Mojave Water Agency (MWA), which was appointed Watermaster in 1993 as a result of a Court Order related to adjudication of the groundwater basin. As the Watermaster, the MWA serves as the wholesaler of imported water received from the State Water Project (SWP) and manages the groundwater basins. An Urban Water Management Plan (UWMP) was prepared in June 2016, to ensure an adequate and reliable level of water services and supply would be available to meet the needs of its customers during average, single-dry, and multiple-dry years.

The MWA manages the local groundwater supply to ensure its reliability during droughts and shortages. MWA is contracted with the California Department of Water Resources (DWR) for delivery of SWP water, but the variability in SWP supplies affects the ability of MWA to meet the overall recharge water supply needs for their service area. According to the MWA, it is assumed that local supply sources will remain constant during dry weather years. Since annual fluctuations in natural surface flows do not impact the long-term sustainability of the groundwater basins, MWA assumes that the natural supply is 100 percent available in single-dry year and multiple-dry year conditions.

The MWA Reliability Projections for a Normal Year in 2035 indicates a surplus of supply over demand at 9,309 acre-feet per year (AFY). The MWA Reliability Projection for a Single Dry Year in 2035 indicates no surplus but supplies meet projected demands. The MWA Reliability Projections for Multiple Dry Years in 2035 also show supplies meet demands with no surplus. MWA estimates that the demands will increase by 10 percent during single-dry year and multi-year periods. The UWMP finds that MWA can meet 100 percent of their service area demands through 2035 in single-dry years and multiple-dry year periods with consistent local sources, SWP banking, and supply enhancement projects.

Additionally, the UWMP shows both the Projected Water Supply and the Demand for Single Dry Water Year is projected at 5,864 AFY in 2035 and both projections remain consistently at 5,864 AFY for Dry Years and every multiple-dry year supply thereafter.

A Preliminary Water Quality Management Plan (PWQMP), dated March 12, 2020, was completed by W&W Land Design Consultants for the Project Site (available at the County offices for review). Development of the Proposed Project would result in new impervious surfaces on-site. However, the Proposed Project includes a detention basin that would allow for infiltration of runoff from impervious surfaces. The basin and sump pump will remain for the Proposed Project's use. Current site soil conditions show no infiltration rate, and therefore the sump pump design is necessary to meet the WQMP design guideline.

The Proposed Project is not expected to 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 would be served by an existing water purveyor (MWA) that has indicated that there is sufficient capacity in the existing water system to serve the anticipated needs of the Proposed Project for multiple dry year scenarios. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

c) i) **Less than Significant Impact;**

Erosion is the wearing away of the ground surface as a result of the movement of wind or water, and sedimentation is the accumulation of soil and other matter transported from the land by wind or water. As mentioned in Section VII, response (b) of this Initial Study, erosion of soil could occur due to a storm event. Thus, the Proposed Project is subject to the requirements of the State Water Resources Control Board General Permit for Discharges of Storm Water Associated with Construction Activity. The Construction General Permit requires the development and implementation of a Storm Water Pollution and Prevention Plan (SWPPP). The SWPPP must list Best Management Practices (BMPs) to avoid and minimize soil erosion. Adherence to BMPs is anticipated to ensure that the Proposed Project does not result in substantial soil erosion or the loss of topsoil. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

ii)

iii)

Less than Significant Impact. The existing site sheet flow drains from southeast to northwest. Run-off from the existing drainage management area (DMA) will drain to a proposed bioretention basin on the northwest corner of the Project Site. The existing catch basin/sump pump inside the bioretention basin will serve as an overflow system for the bioretention system. The proposed site design will provide a more impervious area than that of existing site conditions so the necessary water quality basin will be implemented to mitigate additional runoff created by the proposed design. The on-site storm drain will be considered private and will be the responsibility of the owner. Best management practices (BMPs) are listed in the PWQMP for the Proposed Project and shall be implemented throughout construction and operation of the Proposed Project. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

iv) **Less than Significant Impact.** As identified on the San Bernardino County FEMA Flood Hazard Areas on flood map 06071C3825H, the Project Site occurs in an area identified as Zone D, which includes areas where flood hazards are undetermined but possible. Development of the Project would not impede or redirect flood flows. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

d) **Less than Significant Impact.** The Project Site would not be subject to inundation by seiche, tsunami, or mudflow. Furthermore, the Project Site lies inland within the Mojave Desert and is not adjacent to any marine or inland water bodies. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

e) **Less than Significant Impact.** The Proposed Project would not otherwise substantially degrade water quality as appropriate measures relating to water quality protection. Appropriate BMPs will be reviewed and approved by the County and RWQCB has discussed above. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

SUBSTANTIATION:
San Bernardino County General Plan, 2007; Submitted Project Materials

a) **No Impact.** The Project Site is currently developed and in use. The physical division of an established community is typically associated with construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility in an existing community or between a community and an outlying area. The Proposed Project includes a Gas Station and Convenience Store and the Project Site is generally surrounded by similar development and vacant undeveloped land. As such, the Proposed Project would serve the established community and does not have the potential to physically divide it. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

b) **No Impact.**
 The Proposed Project includes the development of a Gas Station and Convenience Store. The Project Site has a current land use zoning of Rural Commercial. The land use zoning for the Proposed Project complies with General Plan allowable land uses. Therefore, the Proposed Project would not conflict with any land use plan, policy or regulation. No impacts are identified or anticipated and no mitigation measures are required.

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

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

San Bernardino County General Plan, 2007; Submitted Project Materials

a), b) **No Impact.** According to the California Department of Conservation California Geological Survey Interactive Web Maps, using the Data Viewer for the layer “Mineral Land Classification Maps (SMARA Study Areas)”, the Project Site does not occur in an area known to contain mineral resources. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

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

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

San Bernardino County General Plan, 2007; Submitted Project Materials

- a) **Less than Significant Impact.** A Noise Evaluation, dated February 7, 2020, was completed by Ganddini Group (Ganddini) for the Proposed Project (available at the County offices for review). Exterior noise sources associated with the project would include rooftop air conditioning units, a drive-thru speakerphone, a drive-through queue line, gasoline service station activities, loading/unloading of delivery vehicles, and typical parking lot noise. With the exception of heating, ventilation, and air conditioning (HVAC), these typical commercial and parking lot noise sources are expected to occur for less than a minute at a time. The HVAC is expected to be in operation during business hours. Noise associated with parking lots includes, but is not limited to idling cars/trucks, trucks diesel engines, exhaust systems, trailer coupling, air brakes, warning signal, doors closing, and starting engine noise. The Proposed Project includes 38 parking spaces (this includes 28 parking spaces within the gas station canopy and one loading/unloading space).

Noise sources associated with the drive-through include the drive-through speaker and vehicles waiting in the queue line. The drive-through speaker is located along the western side of the proposed building. Noise associated with drive-thru speakers vary as they are adjustable and can be set to be just above the ambient noise levels. Vehicles waiting in the drive-through queue line would also include noise sources such as idling engines, conversation and amplified music.

Indoor activities associated with the proposed project would not be readily audible outside or at nearby receptors.

The Proposed Project is a commercial building and therefore is considered to be a fixed/stationary noise source. The proposed building would shield land uses to the east from noise associated with the drive-through speaker. Furthermore, the distance from the Project Site to the commercial uses to the south would aid in reducing noise exposure. This is due to the ATSF railroad line and Twenty Mule Road (Old State Route 58) being located in between the Project Site and the majority of the commercial uses to the south. No other structures or obstacles are identified that would reduce noise exposure from the Project Site. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

- b) **Less than Significant Impact.** Groundborne vibration and groundborne noise could originate from earth movement activities during the construction phase of the Proposed Project. Ground-borne vibration levels resulting from construction activities occurring at the Project Site would be temporary and construction activities would generate low levels of ground-borne vibration within the Project Site including grading. Therefore, the vibration impacts due to project construction are anticipated to result in less than significant impacts regarding exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.
- c) **No Impact.** According to the San Bernardino County Hazard Overlay Map EHFHB (Kramer Junction), the Project Site is not within an Airport Safety Review Area. The nearest airport to the Project Site is the Edwards Air Force Base (Edwards AFB), which is approximately 22 miles southwest of the site. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

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

SUBSTANTIATION:

San Bernardino County General Plan, 2007; Submitted Project Materials.

- a) **Less than Significant Impact.** Construction activities on-site would be short-term and would not attract new employees to the area. The Proposed Project includes the operation of a Gas Station and Convenience Store with a drive thru. The employment generated by the Proposed Project would be filled from the local area and would not result in population growth. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
- b) **Less than Significant Impact.**
The Project Site contains five existing structures, of which one is an occupied residence. All structures will be demolished as part of the Proposed Project construction activities. However since only one residence is occupied, development of the Proposed Project would not necessitate the construction of replacement housing due to displacement of substantial numbers of people or existing housing. Furthermore, the Project Site occurs in the Rural Commercial (CR) zoning land use designation which allows for development of retail trade and personal services, repair services, lodging services, recreation and entertainment services, transportation services, and similar and compatible uses. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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XV. PUBLIC SERVICES

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

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 type="checkbox"/>	<input checked="" type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

San Bernardino County General Plan, 2007; Submitted Project Materials

a) *Fire Protection?* **Less than Significant Impact.**

The nearest fire service station is the San Bernardino County Fire Station 4, approximately 27.3 miles south of the Project Site. The Project Site does not occur in an area known to have wildfire risks or in a Fire Safety Area. The current conditions of the Project Site include five existing structures, two of which are still in use, which would be replaced by the proposed development of a Gas Station and Convenience Store with a drive thru. Thus, service demands for the Project Site would not significantly increase. The County protects its residents and visitors from injury and loss of life and protect property from fires through the continued improvement of existing Fire Department facilities and the creation of new facilities, but also through the improvement of related infrastructure that is necessary for the provision of fire service delivery such as water systems and transportation networks. Comprehensive safety measures that comply with federal, state, and local worker safety and fire protection codes and regulations would be implemented to minimize the potential for fires to occur during construction or operations. The Proposed Project would be required to comply with County fire suppression standards and adequate fire access and pay required development fees. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Police Protection? **Less than Significant Impact.**

Kramer Junction and other unincorporated portions of the County are served by the San Bernardino County Sheriff's Department (SBCSD) for police protection. The nearest police services to the Project Site are approximately 30 miles from the site; the Sheriff – Barstow Station to the southeast and the Victor Valley Sherriff's Station to the south. The SBCSD reviews staffing needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection. Additionally, developer impact fees are collected at the time of building permits issuance to offset project impacts. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Schools? **Less than Significant Impact.**

The nearest school to the Project Site occurs almost seven miles to the west at 12444 Roberts Avenue in Boron, California. The Proposed Project would require an estimated 12 new employees and therefore would not result in a significant increase in population growth or generation of new students within the area as the new employees would likely come from within the local area. With the collection of development impact fees, impacts related to school facilities are expected to be less than significant and no mitigation measures are required.

Parks? **No Impact.**

The Proposed Project would not induce residential development nor significantly increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of any facilities would result. Operation of the Proposed Project would place no demands on parks because it would not involve the construction of housing and would not involve the introduction of a temporary or permanent human population into the area. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Other Public Facilities? **No Impact.**

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

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

SUBSTANTIATION:
San Bernardino County General Plan, 2007; Submitted Project Materials

a), b) **Less than Significant Impact.** The Proposed Project would not increase the use of existing neighborhood or regional parks, or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. No new recreational facilities would be constructed as part of the Proposed Project and no population growth is anticipated. The Project Proponent would be required to pay local impact fees to offset impacts. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

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

SUBSTANTIATION:

San Bernardino County General Plan, 2007; Submitted Project Materials

- a) **Less than Significant Impact.** A Traffic Impact Analysis (TIA) (available at County offices for review), dated March 30, 2020, was completed by Ganddini Group, Inc., to assess impacts from the Proposed Project related to traffic. Regional access to the project area is provided by the US-395 Highway north and south of the Project Site and SR-58 State Route east and west of the Project Site. The key east- west roadway providing local circulation is Twenty Mule Team Road (old SR-58). US-395 is a two-lane undivided highway classified as a Major Highway on the General Plan Circulation Element. I-10 Highway access is provided at grade interchanges north and south of the elevated SR-58 State Route. SR-58 is a four-lane divided highway classified as a Major Highway east of US-395 and as a State Highway west of US-395 on the General Plan Circulation Element. SR-58 State Route access is provided at grade interchanges north and south of the elevated SR-58 State Route. Twenty Mule Team Road is a two-lane undivided roadway east and west of a four-lane divided roadway segment at the intersection of US-395. Until recently this was the alignment of the old-SR-58 and was classified as a Major Highway east of US-395 and as a State Highway west of US-395 on the San Bernardino County General Plan Circulation Element.

The Transportation & Mobility Element of the Countywide Plan (CWP) includes policy maps for the Transit Network (TM-2), Mobility Focus Area (TM-3), Bicycle and Pedestrian Planning (TM-4), Goods Movement (TM-5), and Airports (TM-6). The Project Site is outside of a community planning area; however, US-395 and SR-58 are shown as Major Highway and State Highway on the regional county roadway network. The Project Site is north of the Victor Valley Transit Authority area and there currently are no transit routes. The Project Site is not within a defined Focus Area, but this location is shown for commercial land use development. There currently are no planned bicycle routes for this area of the county. US-395 and SR-58 are shown as federal and state truck routes for regional county-wide movement of goods. On-street parking is generally prohibited in the project area. Bicycle facilities are not provided and pedestrian sidewalks are currently not provided along the roadways adjacent to the Project Site. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

- b) **Less than Significant Impact.** The TIA was prepared in accordance with procedures outlined in the Institute of Transportation Engineers Trip Generation Handbook (3rd Edition, 2017) and County of San Bernardino/California Department of Transportation's Transportation Impact Study Guidelines. Traffic operations of roadway facilities are described using the term "Level of Service" (LOS). LOS is used to qualitatively describe the performance of a roadway facility, ranging from LOS A (free-flow conditions) to LOS F (extreme congestion and system failure). Intersection delay analysis was performed using the Vistro (Version 6.00-00) software. The intersection LOS analysis has been performed in accordance with Appendix B of the San Bernardino County Congestion Management Program, including minimum phase times, lost time, and saturation flow rates. The County of San Bernardino has established a LOS D as the minimum LOS for all roadways/intersections within the County. Therefore, any intersection operating at LOS E or F will be considered deficient for the purpose of the TIA.

The Proposed Project is forecast to generate a total of approximately 6,072 gross daily trips, including 603 gross trips during the AM peak hour and 502 gross trips during the PM peak hour. A substantial portion of the project-generated retail trips come from pass-by trips. Therefore, the Proposed Project is forecast to result in a net increase of approximately 5,417 net daily trips, including 229 net trips during the AM peak hour and 221 net trips during the PM peak hour for the roadway network immediately outside the study area.

The study area intersections included in the TIA are as follows:

- US-395 (NS) at SR-58 Westbound Ramps (EW)
- US-395 (NS) at SR-58 Eastbound Ramps (EW)
- US-395 (NS) at Twenty Mule Team Road (old SR-58) (EW)
- US-395 (NS) at Project South Access (EW)

The following scenarios are evaluated during typical weekday AM and PM peak hour conditions:

- Existing
- Existing Plus Project
- Opening Year (2021) Without Project
- Opening Year (2021) With Project
- Year 2040 Without Project
- Year 2040 With Project

Existing Conditions

Current existing traffic conditions on the study area roadway segments are currently operating at an acceptable LOS based on the County's planning level daily roadway capacity thresholds. As shown below in Table 6:

**Table 6
Existing Intersection LOS**

#	INTERSECTION	Level of Service	v/c
1	US-395 Hwy (NS) at SR-58 WB ramps (EW)	B	0.182
2	US-395 Hwy (NS) at SR-58 EB ramps (EW)	B	0.319
3	US-395 Hwy (NS) at Twenty Mule Team Rd (EW)	B	0.347

v/c= volume to capacity ratio

Future Conditions

Year 2040 forecasts have been determined using the San Bernardino Transportation Analysis Model (SBTAM) Year 2040 travel demand model plots. The study intersection LOS for Year 2040 Without Project conditions are forecast to operate within acceptable LOS (C or better for County of San Bernardino and D or better for Caltrans) during the peak hours for Year 2040. The study intersection LOS for Year 2040 With Project conditions are forecast to operate within acceptable LOS (C or better for County of San Bernardino and D or better for Caltrans) during the peak hours for Year 2040.

Table 7
Year 2040 Intersection LOS

	INTERSECTION	2040 Without Project		2040 With Project		Significant Impact?
		LOS		LOS		
		AM	PM	AM	PM	
1	US-395 Hwy (NS) at SR-58 WB ramps (EW)	B	B	B	B	No
2	US-395 Hwy (NS) at SR-58 EB ramps (EW)	B	B	C	C	No
3	US-395 Hwy (NS) at Twenty Mule Team Rd (EW)	A	A	A	A	No
4	US-395 at Project South Access	-	-	A	A	No

As shown in Table 7, the project generated trips do not result in a significant impact to the study area intersections. The study area intersections are projected to operate at acceptable Levels of Service during the peak hours for Year 2040 without project traffic conditions. In addition, the study area intersections are projected to operate at acceptable Levels of Service during the peak hours for Year 2040 with project traffic conditions; the project generated trips would not result in a significant impact at the study area intersections.

An analysis of the project impacts at County facilities in accordance with typical San Bernardino County Congestion Management Program (CMP) requirements concluded that based on the project trip assignment, the proposed project is forecast to contribute fewer than 50 (or more) weekday peak hour trips to a CMP-monitored intersection or 100 (or more) weekday peak hour trips to a mainline freeway monitoring location. Therefore, a Congestion Management Program impact analysis is not required for this project.

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

c), d) **Less than Significant Impact.**

The Proposed Project will utilize the existing one left turn lane and one shared through and right turn lane at the existing driveway cut that aligns with the SR-58 eastbound ramps, install eastbound control, and construct the eastbound approach to provide access for outbound and inbound right turns. The Proposed Project will provide one additional access driveway on US-395. The southern access on US-395 is proposed with inbound and outbound right turn only. The Proposed Project will comply with conditions established by the County of San Bernardino for standard development including the approval of the final grading, landscaping, and street improvement plans that demonstrate that sight distance standards are met in accordance with applicable County of San Bernardino/California Department of Transportation sight distance standards. Adequate storage capacity is forecast to be provided at the study area intersections with the addition of project-generated trips; therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

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

- a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

San Bernardino County General Plan, 2007; Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton; Submitted Project Materials

a), b) i)

ii) Less than Significant with Mitigation.

As discussed in Section V of this document, an Archaeological Resource Assessment, completed by Rincon Consultants, Inc. (Rincon), concluded there were no resources on the Project Site or the vicinity that were eligible for listing in the California Register of Historical Resources.

On December 24, 2019, Rincon contacted the Native American Heritage Commission (NAHC) and requested a search of the Sacred Lands File (SLF). The NAHC emailed a response on December 31, 2019 stating that the SLF search was returned with negative results. Outreach letters were sent to each Native American tribal contact and the responses are listed in Table 2. Two Native American tribes responded to the outreach letters on January 9, 2020. Travis Armstrong, Morongo Band of Mission Indians Tribal Historic Preservation Officer responded stating that the tribe had no further comments. As the Lead Agency, San Bernardino County initiated the Assembly Bill 52 consultation on February 19, 2020. Morongo Band of Mission Indians in their response to the County's AB consultation process stated they had no further comments. San Manuel Band of Mission Indians (SMBMI) in its response to the County's AB 52 consultation process indicated that "the proposed project area exists within Serrano

ancestral territory and, therefore, is of interest to the Tribe. However, due to the nature and location of the proposed project, and given the CRM Department's present state of knowledge, SMBMI does not have any concerns with the project's implementation, as planned, at this time. As a result, SMBMI requests that the following language be made a part of the project/permit/plan conditions", see CUL 1-3.

Based on completion of consultation under AB 52 with interested tribes, final recommendations shall be incorporated into the Project's Conditions of Approval.

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

Mitigation Measure TCR-2: *Any and all archaeological/cultural documents created as part of the project (isolated records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.*

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

SUBSTANTIATION:

County of San Bernardino General Plan 2007; Submitted Project Materials

a), b) **Less than Significant Impact.**

The Proposed Project would connect to existing water services that are currently utilized for the uses on presently on the Project Site. The Project Proponent submitted an Adequate Service Certification for Private Water Service to connect to the existing water services. Upon approval of the certification, the Proposed Project would not pose significant impacts to the depletion of public water supplies.

The Project Site is serviced by Southern California Edison (SCE), which provides the electrical service to the project area. The Proposed Project will receive electrical power by connecting to SCE's existing power lines along Baldy Mesa Road, east of the Project Site. The increased demand is expected to be sufficiently served by the existing SCE electrical facilities. Total electricity demand in SCE's service area is estimated to increase by approximately 12,000 Gigawatt hours between the years 2015 and 2026. The increase in electricity demand from the project would represent an insignificant percent of the overall demand in SCE's service area.

Southern California Gas Company (SoCalGas) provides natural gas service to the vicinity and the Project Site. Therefore, the Proposed Project will receive natural gas from the Southern California Gas Company by connecting to the existing line along Baldy Mesa Road, east of the Project Site. The existing SoCalGas facilities are expected to sufficiently serve the increased demand of natural gas. The commercial demand of natural gas is anticipated to decrease from approximately 81 billion cubic feet (bcf) to 65 bcf between the years 2015 to 2035. Therefore, the natural gas demand from the Proposed Project would represent an insignificant percentage to the overall demand in SoCalGas' service area. The Proposed Project would not require the expansion or construction of new natural gas facilities.

The Proposed Project does not require the construction of new electric power, natural gas or telecommunications facilities. The Project Site shall be serviced through existing Southern California Edison and SoCal Gas facilities, which are expected to meet the needs of the Proposed Project. Furthermore, the Proposed Project is expected to have sufficient water supply available to serve the Project.

The MWA's boundaries encompass approximately 4,900 square miles of the High Desert in San Bernardino County. As a state water contractor, the MWA is entitled to receive an annual allotment of up to 85,800 acre-feet of water from the State Water Project (SWP) via the California Aqueduct. Nearly all the water supplied to businesses, homes, and farms throughout the High Desert is pumped from groundwater. Production wells exist throughout the region, owned by a multitude of water users from homeowners with domestic wells to large water districts, with some wells pumping millions of gallons every day. The Mojave River is the primary source of recharge to groundwater. On average, about 54,000 acre-feet of water enters groundwater basins within the MWA. Most of the natural water flows entering local aquifers originate in the San Bernardino Mountains and reach the Mojave River in the form of runoff from rainfall or snowmelt.

Although the area receives substantial natural inflows of water, the High Desert region has been in overdraft for decades. Thus, more water is pumped from groundwater basins than what goes in. To make up the difference, the MWA is using SWP resources, delivering water from the SWP to groundwater recharge sites throughout the region to supplement natural water supplies. The MWA currently has access to an average of 50,000 acre-feet per year in water supplies from the SWP. The SWP is a water storage and delivery system of reservoirs, aqueducts, power plants and pumping plants extending more than 700 miles. The SWP was designed to deliver nearly 4.2 million acre-feet of water per year. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- c) **Less than Significant Impact.** The Project Proponent received an approved Adequate Service Certification for On-Site Sewage Disposal on November 15, 2019. Conditions of approval include submission of a Percolation Report for Environmental Health and Safety (EHS) to review and approve, and shall have the existing septic system on-site be certified by a qualified professional that the system functions properly, meets code, and has the capacity required for the Proposed Project. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

- d) **Less than Significant Impact.** The Project Site is located approximately 31 miles northeast of the Barstow Landfill. The Barstow Landfill can accept a permitted maximum of 1,500 tons/day. According to CalRecycle's estimated solid waste generation rates for commercial development, the Proposed Project would generate approximately 10.53 pounds of solid waste per employee per day, or approximately 0.063 tons per day, which would equate to 0.0042 percent of the permitted daily tonnage that can be accepted at the Barstow Landfill. Waste generated from the Proposed Project is not expected to significantly impact solid waste collection systems. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

- e) **Less than Significant Impact.** The County of San Bernardino, Department of Public Works, Solid Waste Management Division reviews and approves all new construction projects which are required to submit a Construction and Demolition Solid Waste Management Plan (waste management plan).

Effective January 1, 2011, the California Green Building Standards Code (CALGreen) requires all newly constructed buildings, including low-rise residential and most nonresidential commercial projects, to develop a waste management plan and divert a minimum of 50 percent of construction waste. This factor has been recently increased to 65 percent.

A project's waste management plan is to consist of two parts which are incorporated into the Conditions of Approval (COA's) by the County of San Bernardino Planning and Building & Safety divisions. As part of the plan, projects are required to estimate the amount of tonnage to be disposed and diverted during construction. Additionally, projects must provide the amount of waste that will be diverted and disposed of. Disposal/diversion receipts or certifications are required as a part of that summary. Burrtec is the franchise waste hauler for the area.

The mandatory requirement to prepare a Construction and Demolition Solid Waste Management Plan would ensure that impacts related to construction waste would be less than significant.

The Proposed Project would comply with all federal, State, and local statutes and regulations related to solid waste. Solid waste produced during the construction phase or operational phase of the Proposed Project would be disposed of in accordance with all applicable statutes and regulations. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

SUBSTANTIATION:
County of San Bernardino General Plan 2007; Submitted Project Materials

a) **Less than Significant Impact.**
 The Project Site does not contain any emergency facilities; however, the Project Site is located south of the SR-58 and is on the west side of the US-395. Both State Routes are designated by the County of San Bernardino as evacuation routes in the desert region. The Office of Emergency Services (OES), County Fire Department shall be responsible for the continued update of emergency evacuation plans for wildland fire incidents as an extension of the agency's responsibility for Hazard Mitigation Planning in San Bernardino County. OES shall update evacuation procedures in coordination with San Bernardino County and provide specific evacuation plans for the Desert Region where route planning, early warning and agency coordination is most critical in ensuring proper execution of successful evacuations. OES will monitor population growth and evaluate road capacities and hazard conditions along evacuation corridors to prepare contingency plans to correspond to the location, direction and rate of spread of wildland fires. The Proposed Project would comply with the policies within Goal S9 of the County of San Bernardino's General Plan to ensure impacts to the County's emergency evacuation plan are reduced to a less than significant level. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

b), d) **No Impact.**

The Project Site is not located within a Fire Hazard Area. The Project Site is currently developed, but the surrounding landscape outside of a 0.5-mile radius of the Project Site consists of mostly vacant land. Due to the lack of wildfire fuel factors within the Project Area and on the Project Site, the risk of wildfire is less than significant. The Proposed Project shall comply with applicable standards required by the responsible Fire Authority. Furthermore, the Project Site is not located within a 100-year FEMA Flood Zone Area and there are no dams, reservoirs, or large water bodies near the Project Site, as shown in the FEMA Flood Map. The Proposed Project is not anticipated to exacerbate wildfire risks, thereby exposing project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

- c) **No Impact.** Implementation of the Proposed Project would not require additional installation of utility infrastructure. The Project Site is currently developed and in use and utilizes the existing surrounding utility infrastructure, as will the Proposed Project. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XXI. MANDATORY FINDINGS OF SIGNIFICANCE:				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input 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 would 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:

County of San Bernardino General Plan 2007; Submitted Project Materials

- a) **Less than Significant Impact.** The General Biological Resources Assessment prepared for the Project Site concluded that there are no direct, indirect, or cumulative impacts. Therefore, the Proposed Project is not anticipated 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. Potential impacts to cultural resources were identified in the Archaeological Resource Assessment prepared for the Proposed Project. As discussed in this Initial Study, all direct, indirect, and cumulative can be reduced to a less than significant level with implementation of Mitigation Measures CR-1, CR-2, CTR-1, CTR-2, CTR-3 and GEO-1. Adherence to mitigation measures as presented in this Initial Study would ensure that important examples of the major periods of California history or prehistory are not eliminated as a result of the Proposed Project. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

(a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.

(b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

Impacts associated with the Proposed Project would not be considered individually or cumulatively adverse or considerable. Impacts identified in this Initial Study can be reduced to a less than significant impact. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- c) **Less than Significant Impact.** The incorporation of design measures, County of San Bernardino policies, standards, and guidelines and proposed mitigation measures as identified within this Initial Study would ensure that the Proposed Project would have no substantial adverse effects on human beings, either directly or indirectly on an individual or cumulative basis.

XVIII MITIGATION MEASURES.

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

Mitigation Measure CR-1: *In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.*

Mitigation Measure CR-2: *If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.*

Mitigation Measure CR-3: *3. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.*

Mitigation Measure GEO-1: *If encountered, all identified and/or recovered paleontological/fossil specimens must be professionally researched, analyzed, reported, and curated in accordance with the San Bernardino County Museum policies and guidelines.*

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

Mitigation Measure TCR-2: *Any and all archaeological/cultural documents created as part of the project (isolated records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.*

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RCA Associates, Inc. *General Biological Resources Assessment*. January 7, 2020.

Rincon Consultants, Inc. *Archaeological Resource Assessment*. January 24, 2020.

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EXHIBIT B

Findings

FINDINGS: CONDITIONAL USE PERMIT

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 85.06.040, and supporting facts for the construction and operation of a 7,250 square-foot building that includes a convenience store with alcohol sales and a drive-thru restaurant along with a service station with 14 fueling islands to be located under two canopies (hereafter referred to as “Project”) on approximately 2.75-acres of a 9.82-acre parcel of land in unincorporated San Bernardino County (PROJ-2019-00052/CUP, APN: 0492-191-04).

1. THE SITE FOR THE PROPOSED USE IS ADEQUATE IN TERMS OF SHAPE AND SIZE TO ACCOMMODATE THE PROPOSED USE AND ALL LANDSCAPING, LOADING AREAS, OPEN SPACES, PARKING AREAS, SETBACKS, WALLS AND FENCES, YARDS, AND OTHER REQUIRED FEATURES PERTAINING TO THE APPLICATION.

All setbacks meet or exceed the requirements of the Development Code for the proposed land use and the existing zoning. The proposed 7,250 square-foot convenience store with drive-thru restaurant and 14-pump fuel service station will meet all Development Code requirements for the proposed Rural Commercial (CR) Land Use Zoning District.

2. THE SITE FOR THE PROPOSED USE HAS ADEQUATE LEGAL AND PHYSICAL ACCESS WHICH MEANS THAT THE SITE DESIGN INCORPORATES APPROPRIATE STREET AND HIGHWAY CHARACTERISTICS TO SERVE THE PROPOSED USE.

The proposed Project provides for adequate site access off U.S. Highway 395. The Project will be required, as part of its Conditions of Approval, to provide road dedication and improvements, which include curb and gutter, sidewalks and driveway approaches on U.S. Highway 395. The Project will comply with necessary requirements set forth by the County Land Development Division and Traffic Division, and the California Department of Transportation (Caltrans).

3. THE PROPOSED USE WILL NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON ABUTTING PROPERTY OR THE ALLOWED USE OF THE ABUTTING PROPERTY, WHICH MEANS THAT THE USE WILL NOT GENERATE EXCESSIVE NOISE, TRAFFIC, VIBRATION, OR OTHER DISTURBANCE.

An Initial Study (IS) was prepared for the proposed Project resulting in a proposed Mitigated Negative Declaration (MND). These documents are collectively referred to as the “IS/MND.” The IS/MND analyzed potential impacts to surrounding properties, and recommended mitigation measures to address any potentially significant impacts. These mitigation measures, which are incorporated into the Project’s proposed Conditions of Approval, ensure that there will be no significant adverse impacts to abutting properties from the Project.

The Project will also comply with the noise restrictions established by Development Code Section 83.01.080 during construction and operations. Construction will be temporary and will not involve blasting or produce noise and/or vibration that exceed Development Code requirements. Operation of the Project will generate minimal noise at a level that is within Development Code standards.

In addition, the use will not substantially interfere with the present or future ability to use solar energy systems. The proposed Project would not shade adjacent parcels and would not limit the future development of solar energy systems or other development on neighboring properties. U.S. Highway 395 bounds the Project site to the east and State Route 58 borders it to the south. Abandoned and vacant properties are located further east and vacant land is located to the west while an existing antique store can be found to the north.

4. THE PROPOSED USE AND MANNER OF DEVELOPMENT ARE CONSISTENT WITH THE GOALS, MAPS, POLICIES, AND STANDARDS OF THE GENERAL PLAN AND ANY APPLICABLE COMMUNITY OR SPECIFIC PLAN.

The Project does not propose a change in the land use zone designation; as such, it will implement the General Plan by adhering to Development Code standards of the Rural Commercial (CR) land use zoning designation. The purpose of the Rural Commercial (CR) zoning district is to provide sites for retail trade and personal services, repair services, lodging services, recreation and entertainment services, transportation services, and similar and compatible uses; as well as agriculture and residential uses, allowed as secondary uses. The Rural Commercial (CR) land use zoning district provides sites in rural areas where a range of commercial services intermixed with residential uses can be established which are limited in scope and intensity and meet the needs of the remote population and the traveling public. Specifically, the General Plan states that the County should:

- Protect areas best suited for commercial uses by virtue of their location, access to major arterials, and availability of infrastructure and other utilities, from other incompatible uses. (Policy LU 3.1)
- The County will have a compatible and harmonious arrangement of land uses by providing a type and mix of functionally well-integrated land uses that are fiscally viable and meet general social and economic needs of the residents. (Goal LU. 1)
- Develop a well-integrated mix of residential, commercial, industrial, and public uses that meet the social and economic needs of the residents in the three geographic regions of the County: Valley, Mountain, and Desert. (Policy LU 1.1)
- Promote a mix of land uses that are fiscally self-sufficient. (Policy LU 1.3)

The Project will not conflict with any applicable adopted land use plan, policy, or regulation or an agency with jurisdiction over the Project.

5. THERE IS SUPPORTING INFRASTRUCTURE, EXISTING OR AVAILABLE, CONSISTENT WITH THE INTENSITY OF DEVELOPMENT, TO ACCOMMODATE THE PROPOSED DEVELOPMENT WITHOUT SIGNIFICANTLY LOWERING SERVICE LEVELS.

During construction and operation the Project's required use of local infrastructure will not significantly affect existing service levels. As part of the Conditions of Approval, the Project applicant will be responsible for paying for and/or constructing the minimal necessary infrastructure improvements and thus there will be no significant effect on existing service levels.

6. THE LAWFUL CONDITIONS STATED IN THE APPROVAL ARE DEEMED REASONABLE AND NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

The Project's Conditions of Approval reflect requirements designed to protect the public health, safety, and general welfare. These conditions are based on established legal requirements and are applicable to all similar projects. Consequently, they are considered reasonable and necessary to protect the public health, safety, and general welfare. All conditions listed in the Conditions of Approval are necessary and reasonable to ensure compliance and to carry out the goals, policies and objectives of the County's General Plan.

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.

The location of the proposed Project was designed in a manner to not interfere with the future ability for the property owner to install a solar energy system. The Project would not impede development of solar energy generation systems on adjacent parcels.

ENVIRONMENTAL FINDINGS:

The environmental findings, in accordance with Section 85.03.040 of the Development Code, are as follows:

Pursuant to provisions of the California Environmental Quality Act (CEQA) and the San Bernardino County Environmental Review Guidelines, the above referenced Project has been determined that it will not have a significant adverse impact on the environment with the implementation of all the required Conditions of Approval and mitigation measures. An MND will be adopted and a Notice of Determination (NOD) will be filed with the San Bernardino County Clerk's office. The MND for this Project reflects the County's independent judgment and was presented to the review authority, which reviewed and considered the information in the MND before making a decision on the Project. Therefore, adoption of a MND is recommended.

EXHIBIT C

Conditions of Approval

CONDITIONS OF APPROVAL

Beyond Food Mart – Kramer Junction
Convenience Store with Drive-Thru and Service Station
Conditional Use Permit

GENERAL REQUIREMENTS

Ongoing and Operational Conditions

LAND USE SERVICES DEPARTMENT– Planning Division (760) 995-8140

1. Project Description. Conditional Use Permit (CUP) to construct and operate a service station with 14 fueling islands, a 7,250 square-foot building that includes a convenience store with alcohol sales and a drive-thru restaurant on a 2.75-acre portion of a 9.82-acre parcel in Kramer Junction, APN: 0492-191-04; Project No. PROJ-2019-00052.

This Project is approved to be constructed and operated in compliance with the San Bernardino County Code (SBCC) and the Rural Commercial (CR) land use designation, the California Building Codes (CBC), the California Fire Code (CFC), the Conditions of Approval, contained herein, and the approved site plan dated August 20, 2020.

2. Project Location. The Project site is located at 40808 US 395, Kramer Junction.
3. 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 the height, location, bulk or size of structure or equipment shall require an additional land use review and application subject to approval 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)
4. Indemnification. In compliance with SBCC §81.01.070, the developer shall agree, to defend, indemnify, and hold harmless the County or its “indemnitees” (herein collectively the County’s elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

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

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

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

Beyond Food Mart – Kramer Junction

APN: 0492-191-04/PROJ-2019-00052

Planning Commission Hearing Date: August 20, 2020

5. Expiration. This project permit approval shall expire and become void if it is not “exercised” within three (3) years of the effective date of this approval, unless an extension of time is approved. The permit is deemed “exercised” when either:
- The permittee has commenced actual construction or alteration under a validly issued building permit, or
 - The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a building permit. (SBCC §86.06.060)
 - Occupancy of approved land use occupancy of completed structures and operation of the approved and exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs:
 - Construction permits for all or part of the project are not issued or the construction permits expire before the structure is completed and the final inspection is approved.
 - The land use is determined by the County to be abandoned or non-conforming.
 - The land use is determined by the County to be not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination.

PLEASE NOTE: This will be the ONLY notice given of this approval's expiration date. The developer is responsible to initiate any Extension of Time application.

6. Continuous Effect/Revocation. All of the conditions of this project approval are continuously in effect throughout the operative life of the project for all approved structures and approved land uses/activities. Failure of the property owner or developer to comply with any or all of the conditions at any time may result in a public hearing and possible revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner, developer or other interested party to correct the non-complying situation.
7. Extension of Time. Extensions of time to the expiration date (listed above or as otherwise extended) may be granted in increments each not to exceed an additional three years beyond the current expiration date. An application to request consideration of an extension of time may be filed with the appropriate fees no less than thirty days before the expiration date. Extensions of time may be granted based on a review of the application, which includes a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications. (SBCC §86.06.060)
8. Project Account. The Project account number is PROJ-2019-00052. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works, and County Counsel). Upon notice, the “developer” shall deposit additional funds to maintain or return the account to a positive balance. The “developer” is responsible for all expense charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 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.
9. Condition Compliance. In order to obtain construction permits for grading, building, final inspection and/or tenant occupancy for each approved building, the developer shall comply with all of the conditions for each of the respective stages of development. The developer shall obtain written clearance (email is ok) that all of the conditions have been satisfied prior to issuance of any permits.
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.

Beyond Food Mart – Kramer Junction

APN: 0492-191-04/PROJ-2019-00052

Planning Commission Hearing Date: August 20, 2020

11. **Additional Permits.** The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use. These may include but not limited to:
 - a. **FEDERAL:** U.S. Fish & Wildlife
 - b. **STATE:** Lahontan RWQCB, Mojave ADQMD, California Department of Fish and Wildlife, and Caltrans;
 - c. **COUNTY:** Land Use Services – Building and Safety/Code Enforcement/Land Development, County Fire – Hazardous Materials/Community Safety Division ; Public Health – Environmental Health Services, Public Works –Traffic/ County Surveyor/Solid Waste Management, and
 - d. **LOCAL:** N/A

12. **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:
 - a. **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.
 - b. **Graffiti and debris:** The developer shall remove graffiti and debris immediately through weekly maintenance.
 - c. **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.
 - d. **Dust control:** The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided.
 - e. **Erosion control:** The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability.
 - f. **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.
 - g. **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.
 - h. **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.
 - i. **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.
 - j. **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.
 - k. **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 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.
 - l. **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.
 - m. **Waste Disposal:** The Developer shall comply with regulations stipulated on the Development Code Section 84.24 regarding Solid Waste Disposal.

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13. Performance Standards. The approved land uses shall operate in compliance with the general performance standards listed in the County Development Code 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.
14. Lighting. Lighting shall comply with Table 83-7 “Shielding Requirements for Outdoor Lighting in the Mountain Region and Desert Region” of the County’s Development Code (i.e. “Dark Sky” requirements). All lighting shall be limited to that necessary for maintenance activities and security purposes. This is to allow minimum obstruction of night sky remote area views. No light shall project onto adjacent roadways in a manner that interferes with on-coming traffic. All signs proposed by this project shall only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign, by direct stationary neon lighting or in the case of an approved electronic message center sign, an alternating message no more than once every five seconds.
15. Clear Sight Triangle. Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90 degree angle intersections of public rights-of-way and private driveways. All signs, structures and landscaping located within any clear sight triangle shall comply with the height and location requirements specified by County Development Code (SBCC§ 83.02.030) or as otherwise required by County Traffic.
16. Cultural Resources. During grading or excavation operations, should any potential paleontological or archaeological artifacts be unearthed or otherwise discovered, the San Bernardino County Museum shall be notified and the uncovered items shall be preserved and curated, as required. For information, contact the County Museum, Community and Cultural Section, telephone (909) 798-8570.
17. Underground Utilities. No new above-ground power or communication lines shall be extended to the site. All required utilities shall be placed underground in a manner that complies with the California Public Utilities Commission General Order 128, and avoids disturbing any existing/natural vegetation or the site appearance.
18. Construction Hours. Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the County of San Bernardino Development Code standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.
19. Construction Noise. The following measures shall be adhered to during the construction phase of the project:
 - All construction equipment shall be muffled in accordance with manufacturer’s specifications.
 - All construction staging shall be performed as far as possible from occupied dwellings. The location of staging areas shall be subject to review and approval by the County prior to the issuance of grading and/or building permits.
 - All stationary construction equipment shall be placed in a manner so that emitted noise is directed away from sensitive receptors (e.g. residences and schools) nearest the project site.
20. GHG – Operational Standards. The developer shall implement the following as greenhouse gas (GHG) mitigation during the operation of the approved project:
 - a. Waste Stream Reduction. The “developer” shall provide to all tenants and project employees County-approved informational materials about methods and need to reduce the solid waste stream and listing available recycling services.
 - b. Vehicle Trip Reduction. The “developer” shall provide to all tenants and project employees County-approved informational materials about the need to reduce vehicle trips and the program elements this project is implementing. Such elements may include: participation in established ride-sharing programs, creating a new ride-share employee vanpool, designating preferred parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles with benches in waiting areas, and/or providing a web site or message board for coordinating rides.

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- c. Provide Educational Materials. The developer shall provide to all tenants and staff education materials and other publicity about reducing waste and available recycling services. The education and publicity materials/program shall be submitted to County Planning for review and approval.
- d. Landscape Equipment. The developer shall require in the landscape maintenance contract and/or in onsite procedures that a minimum of 20% of the landscape maintenance equipment shall be electric-powered.

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

21. Enforcement. If any County enforcement activities are required to enforce compliance with the conditions of approval, the property owner and “developer” shall be charged for such enforcement activities in accordance with the County Code Schedule of Fees. Failure to comply with these conditions of approval or the approved site plan design required for this project approval shall be enforceable against the property owner and “developer” (by both criminal and civil procedures) as provided by the San Bernardino County Code, Title 8 – Development Code; Division 6 – Administration, Chapter 86.09 – Enforcement.
22. Weed Abatement. The applicant shall comply with San Bernardino County weed abatement regulations and periodically clear the site of all non-complying vegetation. This includes removal of all Russian thistle (tumbleweeds).

DEPARTMENT OF PUBLIC WORKS – Traffic Division – (909) 387-8186

23. Project Vehicles. Project vehicles shall not back up into the project site nor shall they back out into the public roadway.

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

24. Tributary Drainage. Adequate provisions should be made to intercept and conduct the tributary off site- on site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties at the time the site is developed.
25. Erosion Control Installation. Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.
26. Additional Drainage Requirements. In addition to drainage requirements stated herein, other "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
27. Natural Drainage. The natural drainage courses traversing the site shall not be occupied or obstructed.

PUBLIC HEALTH - Environmental Health Services (800) 442-2283

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

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29. Noise Levels. Noise level shall be maintained at or below County Standards, Development Code Section 83.01.080. For information, please call EHS at 1-800-442-2283.
30. Septic System Maintenance. The septic system shall be maintained so as not to create a public nuisance and shall be serviced by a EHS permitted pumper. For information, please call EHS/Wastewater Section at: 1-800-442-2283.

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

31. Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein “Fire Department” Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable status, codes, ordinances and standards of the Fire Department.
32. Additional Requirements. In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
33. Access. 150+ feet. Roadways exceeding one hundred fifty (150) feet in length shall be approved by the Fire Department. These shall be extended to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building.
34. Standard F-4 Post Indicator Valves and Fire Department Connections. This standard, in conjunction with the latest edition of NFPA 13R and NFPA 24, shall apply to the design and installation of, and the modification to, all new and existing fire sprinkler systems in commercial and industrial buildings and multi-family dwellings. This standard and its interpretation shall take NOT precedent where there is any conflict with NFPA standards.

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**PRIOR TO ISSUANCE OF GRADING PERMITS
OR LAND DISTURBING ACTIVITIES**

The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT– Planning Division (760) 995-8140

35. GHG – Construction Standards. The developer shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce GHG emissions and submitting documentation of compliance. The developer/construction contractors shall do the following:
- a) Implement the approved Coating Restriction Plans.
 - b) Select construction equipment based on low GHG emissions factors and high-energy efficiency. All diesel/gasoline-powered construction equipment shall be replaced, where possible, with equivalent electric or CNG equipment.
 - c) Grading contractor shall provide and implement the following when possible:
 - 1) training operators to use equipment more efficiently.
 - 2) identifying the proper size equipment for a task can also provide fuel savings and associated reductions in GHG emissions.
 - 3) replacing older, less fuel-efficient equipment with newer models.
 - 4) use GPS for grading to maximize efficiency.
 - d) Grading plans shall include the following statements:
 - “All construction equipment engines shall be properly tuned and maintained in accordance with the manufacturers specifications prior to arriving on site and throughout construction duration.”
 - “All construction equipment (including electric generators) shall be shut off by work crews when not in use and shall not idle for more than 5 minutes.”
 - e) Schedule construction traffic ingress/egress to not interfere with peak-hour traffic and to minimize traffic obstructions. Queuing of trucks on and off site shall be firmly discouraged and not scheduled. A flagperson shall be retained to maintain efficient traffic flow and safety adjacent to existing roadways.
 - f) Recycle and reuse construction and demolition waste (e.g. soil, vegetation, concrete, lumber, metal, and cardboard) per County Solid Waste procedures.
 - g) The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew and educate all construction workers about the required waste reduction and the availability of recycling services.
36. Air Quality. Although the Project does not exceed Mojave Desert Air Quality Management District thresholds, the Project proponent is required to comply with all applicable rules and regulations as the Mojave Desert Air Basin is in non-attainment status for ozone and suspended particulates [PM₁₀ and PM_{2.5} (State)]. To limit dust production, the Project proponent must comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures for each fugitive dust source. This would include, but not be limited to, the following Best Available Control Measures. Compliance with Rules 402 and 403 are mandatory requirements and thus not considered mitigation measures:
- a. The Project proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.
 1. The Project proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading. Portions of the site that are actively being graded shall be watered to ensure that a crust is formed on the ground surface, and shall be watered at the end of each workday.
 2. The Project proponent shall ensure that all disturbed areas are treated to prevent erosion.
 3. The Project proponent shall ensure that all grading activities are suspended when winds exceed 25 miles per hour.

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- b. Exhaust emissions from vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, will increase NO_x and PM₁₀ levels in the area. Although the Project will not exceed Mojave Desert Air Quality Management District thresholds during operations, the Project proponent will be required to implement the following requirements:
 - 1. All equipment used for grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
 - 2. The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site haul trucks in order to minimize exhaust emissions from truck idling.

- 37. Diesel Regulations. The operator shall comply with all existing and future California Air Resources Board and Mojave Desert Air Quality Management District regulations related to diesel-fueled trucks, which among others may include: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment. Mojave Desert Air Quality Management District rules for diesel emissions from equipment and trucks are embedded in the compliance for all diesel fueled engines, trucks, and equipment with the statewide California Air Resources Board Diesel Reduction Plan. These measures will be implemented by the California Air Resources Board in phases with new rules imposed on existing and new diesel-fueled engines.

- 38. Cultural Resources (CR-1). In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.
 - a. TCR-1: The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.
 - b. TCR-2: Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.

- 39. Monitoring and Treatment Plan (MTP) (CR-2). If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

- 40. Inadvertent Discovery (CR-3). If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

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

41. Demolition Permit Required Before Grading. 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.
42. Geotechnical (Soil) Report Required Before Grading. A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits or land disturbance.
43. Wall Plans. Submit plans and obtain separate building permits for any required retaining walls.

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

44. Topo Map. A topographic map shall be provided to facilitate the design and review of necessary drainage facilities.
45. FEMA Flood Zone. The project is located within Flood Zone D according to FEMA Panel Number 06071C3825H dated 8/28/2008. Flood Hazards are undetermined in this area but possible. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit.
46. Drainage Improvements. A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a safety manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$750 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
47. On-site Flows. On-site flows need to be directed to the nearest County road or drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.
48. Regional Board Permit. Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.
49. 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
50. Grading Plans. Grading and Erosion control plans shall be submitted for review and approval obtained, prior to construction. All Drainage and WQMP improvements shall be shown on the Grading plans according to the approved Drainage study and WQMP reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.

PUBLIC HEALTH - Environmental Health Services (800) 442-2283

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

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DEPARTMENT OF PUBLIC WORKS – Surveyor – (909) 387-8149

52. Survey Monumentation. 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 pursuant to Section 8771(b) Business and Professions Code.
53. Record of Survey or Corner Record. Pursuant to Sections 8726(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances:
- Monuments set to mark property lines or corners;
 - Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel;
 - Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

PRIOR TO ISSUANCE OF BUILDING PERMITS

The Following Shall Be Completed:

LAND USE SERVICES DEPARTMENT – Planning (760) 995-8140

54. Architecture. The architectural elevations provided are considered conceptual. Final details with colors and material samples shall be submitted to the Planning Division for approval prior to building plan check submittal.
55. Lighting Plans. The developer shall submit for review and approval to County Planning a photometric study demonstrating that the project light does not spill onto the adjacent properties, or public streets. Lighting fixtures shall be oriented and focused to the onsite location intended for illumination (e.g. walkways). Lighting shall be shielded away from adjacent sensitive uses, including the adjacent residential zoning district, to minimize light spillover. The glare from any luminous source, including on-site lighting, shall not exceed 0.5 foot-candle at the property line. This shall be done to the satisfaction of County Planning, in coordination with County Building and Safety.
56. Landscape and Irrigation Plan. Landscape and Irrigation Plans shall be prepared in conformance with Chapter 83.10, Landscaping Standards, of the County Development Code. The developer shall submit a Landscape Plan record through our EZ Online Permitting system. Refer to the Landscape Plan Information Sheet for more information; this handout can be located in Planning's Handouts page under the Guidance section.
57. GHG – Design Standards. The developer shall submit for review and obtain approval from County Planning evidence that the following measures have been incorporated into the design of the project. These are intended to reduce potential project greenhouse gas (GHGs) emissions. Proper installation of the approved design features and equipment shall be confirmed by County Building and Safety prior to final inspection of each structure.
- Meet Title 24 Energy Efficiency requirements. The Developer shall document that the design of the proposed structures meets the current Title 24 energy-efficiency requirements. County Planning shall coordinate this review with the County Building and Safety. Any combination of the following design features may be used to fulfill this requirement, provided that the total increase in efficiency meets or exceeds the cumulative goal (100%+ of Title 24) for the entire project (Title 24, Part 6 of the California Code of Regulations; Energy Efficiency Standards for Residential and Non Residential Buildings, as amended:

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- Incorporate dual paned or other energy efficient windows,
 - Incorporate energy efficient space heating and cooling equipment,
 - Incorporate energy efficient light fixtures, photocells, and motion detectors,
 - Incorporate energy efficient appliances,
 - Incorporate energy efficient domestic hot water systems,
 - Incorporate solar panels into the electrical system,
 - Incorporate cool roofs/light colored roofing,
 - Incorporate other measures that will increase energy efficiency.
 - Increase insulation to reduce heat transfer and thermal bridging.
 - Limit air leakage throughout the structure and within the heating and cooling distribution system to minimize energy consumption.
- b. Plumbing. All plumbing shall incorporate the following:
- All showerheads, lavatory faucets, and sink faucets shall comply with the California Energy Conservation flow rate standards.
 - Low flush toilets shall be installed where applicable as specified in California State Health and Safety Code Section 17921.3.
 - All hot water piping and storage tanks shall be insulated. Energy efficient boilers shall be used.
- c. Lighting. Lighting design for building interiors shall support the use of:
- Compact fluorescent light bulbs or equivalently efficient lighting.
 - Natural day lighting through site orientation and the use of reflected light.
 - Skylight/roof window systems.
 - Light colored building materials and finishes shall be used to reflect natural and artificial light with greater efficiency and less glare.
 - A multi-zone programmable dimming system shall be used to control lighting to maximize the energy efficiency of lighting requirements at various times of the day.
 - Provide a minimum of 2.5 percent of the project's electricity needs by on-site solar panels.
- d. Building Design. Building design and construction shall incorporate the following elements:
- Orient building locations to best utilize natural cooling/heating with respect to the sun and prevailing winds/natural convection to take advantage of shade, day lighting and natural cooling opportunities.
 - Utilize natural, low maintenance building materials that do not require finishes and regular maintenance.
 - Roofing materials shall have a solar reflectance index of 78 or greater.
 - All supply duct work shall be sealed and leak-tested. Oval or round ducts shall be used for at least 75 percent of the supply duct work, excluding risers.
 - Energy Star or equivalent appliances shall be installed.
 - A building automation system including outdoor temperature/humidity sensors will control public area heating, vent, and air conditioning units
- e. Landscaping. The developer shall submit for review and obtain approval from County Planning of landscape and irrigation plans that are designed to include drought tolerant and smog tolerant trees, shrubs, and groundcover to ensure the long-term viability and to conserve water and energy. The landscape plans shall include shade trees around main buildings, particularly along southern and western elevations, where practical.
- f. Irrigation. The developer shall submit irrigation plans that are designed, so that all common area irrigation areas shall be capable of being operated by a computerized irrigation system, which includes either an on-site weather station, ET gauge or ET-based controller capable of reading current weather data and making automatic adjustments to independent run times for each irrigation valve based on changes in temperature, solar radiation, relative humidity, rain and wind. In addition, the computerized irrigation system shall be equipped with flow sensing capabilities, thus automatically shutting down the irrigation system in the event of a mainline break or broken head. These features will assist in conserving water, eliminating the potential of slope failure due to mainline breaks and eliminating over-watering and flooding due to pipe and/or head breaks.

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- g. Recycling. Exterior storage areas for recyclables and green waste shall be provided. Where recycling pickup is available, adequate recycling containers shall be located in public areas. Construction and operation waste shall be collected for reuse and recycling.
 - h. Transportation Demand Management (TDM) Program. The project shall include adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. Preferred carpool/vanpool spaces shall be provided and, if available, mass transit facilities shall be provided (e.g. bus stop bench/shelter). The developer shall demonstrate that the TDM program has been instituted for the project or that the buildings will join an existing program located within a quarter mile radius from the project site that provides a cumulative 20% reduction in unmitigated employee commute trips. The TDM Program shall publish ride-sharing information for ride-sharing vehicles and provide a website or message board for coordinating rides. The Program shall ensure that appropriate bus route information is placed in each building.
58. Signs. All proposed on-site signs shall be shown on a separate plan, including location, scaled and dimensioned elevations of all signs with lettering type, size, and copy. Scaled and dimensioned elevations of buildings that propose signage shall also be shown. The applicant shall submit sign plans to County Planning for all existing and proposed signs on this site. The applicant shall submit for approval any additions or modifications to the previously approved signs. All signs shall comply with SBCC Chapter 83.13, Sign Regulations, SBCC §83.07.040, Glare and Outdoor Lighting Mountain and Desert Regions, and SBCC Chapter 82.19, Open Space Overlay as it relates to Scenic Highways (§82.19.040), in addition to the following minimum standards:
- a. All signs shall be lit only by steady, stationary shielded light; exposed neon is acceptable.
 - b. All sign lighting shall not exceed 0.5 foot-candle.
 - c. No sign or stationary light source shall interfere with a driver's or pedestrian's view of public right-of-way or in any other manner impair public safety.
 - d. Monument signs shall not exceed four feet above ground elevation and shall be limited to one sign per street frontage.
59. MDAQMD Permits. The District has reviewed the best practices are employed to minimize fugitive dust emissions during the construction of the project. As the proposed project also includes a Gasoline Dispensing Facility that will require an Authority to Construct from the District, the District recommends that the County require the submission of applicable permit applications and the associated application fees to the District.
60. Lahontan. The Project proponent shall consult with Water Board staff to discuss Project components and to determine the necessary permitting authorizations required prior to Project implementation.

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

- 61. Construction Plans. Any building, sign, or structure to be added to, altered (including change of occupancy/use), constructed, or located on site, will require professionally prepared plans based on the most current adopted County and California Building Codes, submitted for review and approval by the Building and Safety Division.
- 62. Temporary Use Permit. A Temporary Use Permit (T.U.P.) for the office trailer will be required or it must be placed on a permanent foundation per State H.C.D. guidelines. A T.U.P. is only valid for a maximum of five (5) years.

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

- 63. Road Dedication/Improvements. The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California.

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US 395 Highway (Major Highway – 104')

- Road Dedication. A 12 foot grant of easement is required to provide a half-width right-of-way of 52 feet.

Salton Road (Section Line – 88')

- Road Dedication. A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet.
- Radius Return. A 50' minimum radius return grant of easement is required at the intersection of Salton Road and US Highway 395.

64. Caltrans. Obtain comments from Caltrans for access requirements and working within their right-of-way.

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

65. Access. The development shall have a minimum of 2 points of vehicular access. These are for fire/emergency equipment access and for evacuation routes.

- a. Single Story Road Access Width. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions.
- b. Multi-Story Road Access Width. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height.

66. Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Road surface shall meet the approval of the Fire Chief prior to installation. All roads shall be designed to 85% compaction and/or paving and hold the weight of Fire Apparatus at a minimum of 80K pounds.

67. Building Plans. Building plans shall be submitted to the Fire Department for review and approval. EZOP

68. Fire Fee. The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division.

69. Fire Flow Test. Your submittal did not include a flow test report to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied. This requirement shall be completed prior to combination inspection by Building and Safety. 1500 GPM at 20 PSI 2hrs

70. Combustible Protection. Prior to combustibles being placed on the project site an approved all-weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy.

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

71. Construction and Demolition Waste Management Plan (CDWMP) Part 1. CDWMP Part I must be submitted prior to issuance of the permit. County waste hauler is through Waste Management dba as Benz Sanitation. For questions related to the submittal of this plan please call (909) 386-8701 or visit the EZOP website at <http://wp.sbcounty.gov/ezop/permits/construction-waste-management-planpart-1/>

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

72. Water Purveyor. Water purveyor shall be EHS approved.
73. Water System Permit. A water system permit may/will be required and concurrently approved by the State Water Resources Control Board Division of Drinking Water. Applicant shall submit preliminary technical report to EHS and the State Water Resources Control Board. Application must be approved prior to initiating construction of any water-related development. Source of water shall meet water quality and quantity standards. Test results, which show source meets water quality and quantity standards shall be submitted to the Division of Environmental Health Services (EHS). For information, contact the Water Section at 1-800-442-2283 and SWRCB-DDW at 916-449-5577.
74. California Regional Water Quality Control Board Clearance. Written clearance shall be obtained from the designated California Regional Water Quality Control Board (listed below) and a copy forwarded to the Division of Environmental Health Services for projects with design flows greater than 10,000 gallons per day. Lahontan Region, 15095 Amargosa Road Bldg 2 Suite 210 Victorville, CA 92392.
75. Demolition Inspection Required. All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any such premises. For information, contact EHS Vector Section at 1-800-442-2283.
76. Existing OWTS. Existing onsite wastewater treatment system can be used if applicant 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 methods used in determining function.
77. Existing Wells. If wells are found on-site, evidence shall be provided that all wells are: (1) properly destroyed, by an approved C57 contractor and under permit from the County OR (2) constructed to EHS standards, properly sealed and certified as inactive OR (3) constructed to EHS standards and meet the quality standards for the proposed use of the water (industrial and/or domestic). Evidence shall be submitted to DEHS for approval.
78. Food Establishment Plan Check Required. Plans for food establishments shall be reviewed and approved by EHS. For information, call EHS/Plan Check at: 1-800-442-2283.
79. New OWTS. If sewer connection and/or service are unavailable, onsite wastewater treatment system(s) may then be allowed under the following conditions: A soil percolation report per June 2017 standards shall be submitted to EHS for review and approval. If the percolation report cannot be approved, the project may require an alternative OWTS. For information, please contact the Wastewater Section at 1-800-442-2283.
80. Preliminary Acoustical Information. Submit preliminary acoustical information demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standard(s), San Bernardino Development Code Section 83.01.080. The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance to noise standards, a project specific acoustical analysis shall be required. Submit information/analysis to the DEHS for review and approval. For information and acoustical checklist, contact DEHS at 1-800-442-2283.
81. Sewage Disposal. Method of sewage disposal shall be EHS approved onsite wastewater treatment system (OWTS).

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PRIOR TO FINAL INSPECTION OR OCCUPANCY

The Following Shall Be Completed

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

82. Fees Paid. Prior to final inspection by Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, the applicant shall pay in full all fees required under actual cost job number PROJ-2019-00052.
83. Shield Lights. Any lights used to illuminate the site shall include appropriate fixture lamp types as listed in SBCC Table 83-7 and be hooded and designed so as to reflect away from adjoining properties and public thoroughfares and in compliance with SBCC Chapter 83.07, “Glare and Outdoor Lighting” (i.e. “Dark Sky Ordinance”).
84. Screen Rooftop. All roof top mechanical equipment is to be screened from ground vistas.
85. Landscaping/Irrigation. All landscaping, dust control measures, all fences, etc. as delineated on the approved Landscape 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.
86. Installation of Improvements. All required on-site improvements shall be installed per approved plans.
87. GHG – Installation/Implementation Standards. The developer shall submit for review and obtain approval from County Planning of evidence that all applicable GHG performance standards have been installed, implemented properly and that specified performance objectives are being met to the satisfaction of County Planning and County Building and Safety. These installations/procedures include the following:
 - a) Design features and/or equipment that cumulatively increases the overall compliance of the project to exceed Title 24 minimum standards by five percent.
 - b) All interior building lighting shall support the use of fluorescent light bulbs or equivalent energy-efficient lighting.
 - c) Installation of both the identified mandatory and optional design features or equipment that have been constructed and incorporated into the facility/structure.

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

88. Drainage Improvements. All required drainage improvements shall be completed by the applicant. The private Registered Civil Engineer (RCE) shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans.

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

89. LDD Requirements. All LDD requirements shall be completed by the applicant prior to occupancy.
90. Caltrans Approval. Obtain approval from Caltrans for access requirements and working within their right-of-way.

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

94. Alternative Treatment Permit. An Alternative Treatment Permit, if applicable shall, be required. For information, contact DEHS at: 1-800-442-2283.

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

95. Commercial Addressing. Commercial and industrial developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum six (6) inches in height and with a three quarter (3/4) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances.
96. Fire Alarm Automatic. An automatic fire sprinkler monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.
97. Fire Lanes. The applicant 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/private roads in accordance with the approved plan.
98. 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 plans to the with hydraulic calculation and manufacturers specification sheets to the Fire Department for approval and approval. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal.
99. Hood and Duct Suppression. An automatic hood and duct fire extinguishing system is required. A Fire Department approved designer/installer shall submit detailed plans with manufactures □□ specification sheets to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. Required if Class 1 hood is installed.
100. 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 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.

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

101. Permit Requirements. Any business or facility that handles hazardous materials in quantities at or exceeding 55 gallons, 500 pounds, or 200 cubic feet (compressed gas) at any one time or generates any amount of hazardous waste shall obtain hazardous material permits from this department. Prior to occupancy the business operator shall apply for permits (Hazardous Material Permit, Hazardous Waste Permit, Aboveground Storage Tank Permit, Underground Storage Tank Permit) or apply for exemption from permitting requirements.
102. Reporting Requirements. Application for one or more of these permits shall occur by submitting a hazardous materials business plan using the California Environmental Reporting System (CERS) <http://cers.calepa.ca.gov/>
103. Plan Submittal Requirements. Businesses or facilities handling greater than 1320 gallons of petroleum products in aboveground storage tanks (shell capacity) shall prepare and implement a Spill Prevention, Control, and Countermeasures Plan (SPCC) in accordance with 40 CFR 1 112.3 and CHSC 25270.4.5(a). The SPCC plan shall be submitted via the CERS system and maintained on site.

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104. Underground Storage Tank (UST) Systems. Underground storage tank (UST) systems storing hazardous substances in the County of San Bernardino shall conform to standards issued by the San Bernardino County Fire Protection District. Written approval shall be obtained from this Department prior to the installation of any new UST system(s) and/or modifications to an existing UST system. Prior to installation, plans for underground storage tank systems shall be reviewed and approved by Office of the Fire Marshal, Hazardous Materials Division. For additional information please contact (909) 386-8401.

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

105. Construction and Demolition Waste Management Plan (CDWMP) Part 2. The developer shall complete SWMD's CDWMP Part 2 for construction and demolition. This summary shall provide documentation of actual diversion of materials including but not limited to receipts, invoices or letters from diversion facilities or certification of reuse of materials on site. The CDWMP Part 2 shall provide evidence to the satisfaction of SWMD that demonstrates that the project has diverted from landfill disposal, material for reuse or recycling by a minimum of 65% of total weight or volume of all construction waste.

END OF CONDITIONS

EXHIBIT D

Letter of Intent

Letter of Intent

Applicant: _____
Mailing Address: _____
Phone Number: _____
Business Name: _____

Date: _____
Primary Contact: _____
APN(s): _____

If needed, you may attach additional documents to provide more detailed information.

Brief description of proposed use:

Brief Description of proposed location and surrounding properties as they currently exist:

Logistics (Truck trips, hours of business, parking, number of employees, etc.):

Goals and Objectives:

EXHIBIT E

Site Plan

