



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

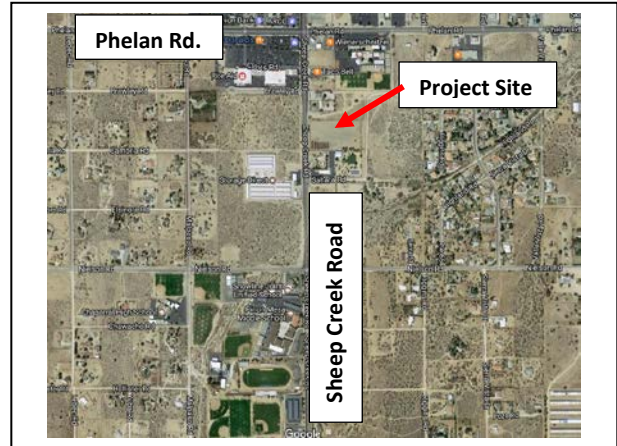
HEARING DATE: MAY 18, 2017

Project Description

AGENDA ITEM # 2

Vicinity Map

APN: 3066-261-10
Applicant: Phelan Pinon Hills C.S.D.
Community: Phelan
Location: East side of Sheep Creek Road, approximately 300 feet north of Warbler Road.
Project No: P201300092
Staff: Jim Morrissey
Applicant Rep: Steeno Design Studio, Inc., Thomas Steeno
Proposal: A Conditional Use Permit for improvements in a four phased project consisting of: 8,324 sq. ft. Admin. Building; 10,170 sq. ft. Service Building; 14,558 sq. ft. Multi-Purpose Building, and; 5,000 sq. ft. Admin. Building expansion area on 8.14 acres.



21 Hearing Notices Sent On: May 4, 2015

Report Prepared By: Jim Morrissey

SITE INFORMATION

Parcel Size: 8.14 ACRES
Terrain: GENERALLY FLAT
Vegetation: Minimal vegetation.

SURROUNDING LAND DESCRIPTION:

AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT
Site	Northerly portion of parcel is vacant, southerly portion contains a modular office, park, and a community and senior center.	CG (General Commercial)
North	Vacant	CG (General Commercial)
South	Vacant and equipment storage	CG (General Commercial)
East	Vacant	CG (General Commercial)
West	Vacant and commercial uses	CG (General Commercial)

AGENCY

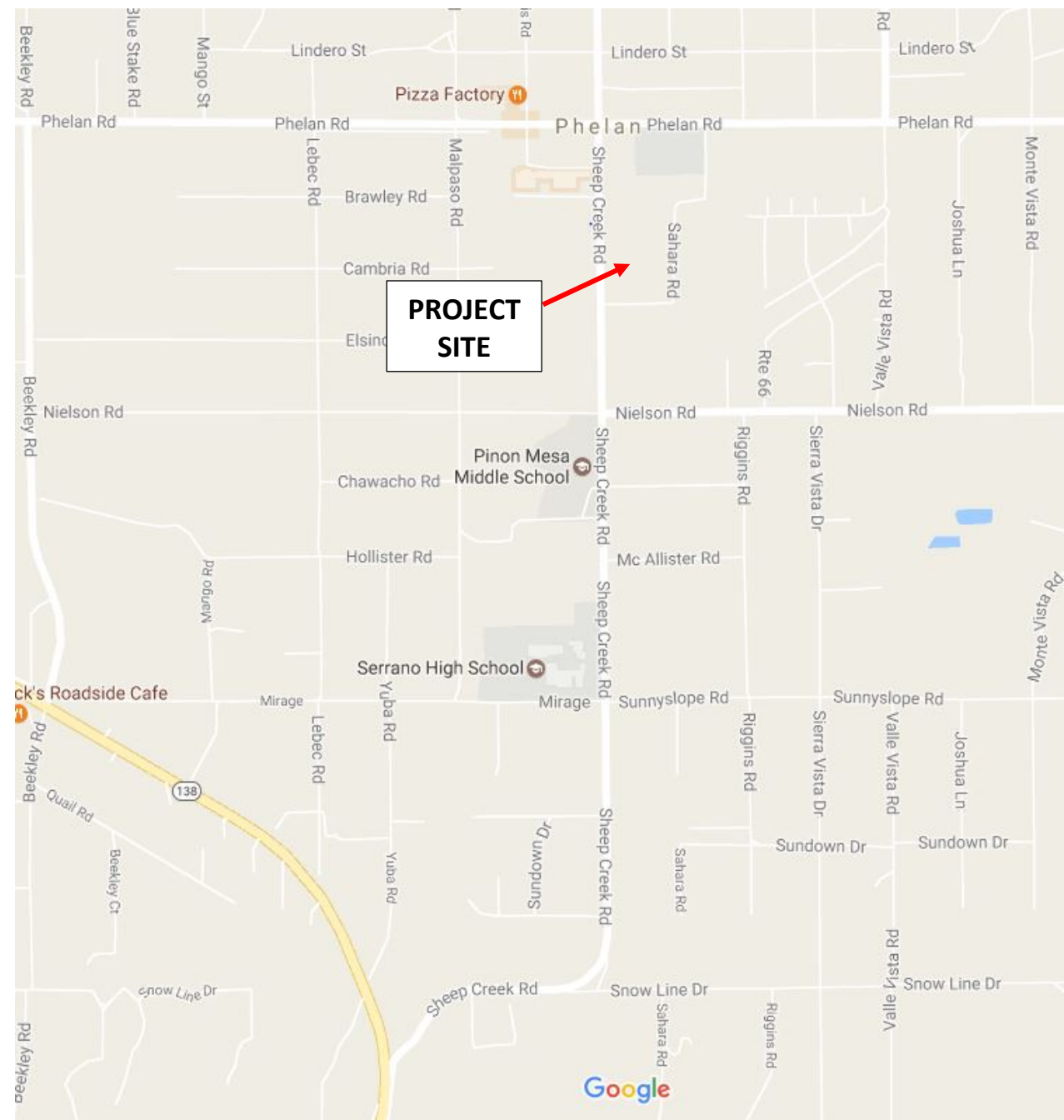
COMMENT

City Sphere of Influence:	N/A	N/A
Water Service:	Sheep Creek Water Company	Water Service Certification/Presently Served
Sewer Service:	N/A	On-Site Disposal/Septic

In accordance with Section 86.08.010 of the Development Code, the action taken by the Planning Commission may be appealed to the Board of Supervisors within ten (10) calendar days after the Planning Commission hearing.

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VICINITY MAP





SITE PHOTOS



Looking easterly across project site from Sheep Creek Road.



Across from project site looking south along Sheep Creek Road.



Across from project site looking north along Sheep Creek Road.



Existing driveway access into southerly side of project site.
Existing modular Administration Building is to the right.



Existing driveway entrance from Warbler Road, with a park site to the right and community center to the left.



View of existing park site improvements.



Looking easterly along Warbler Road. Park site is in the distance.



Looking northerly along Sahara Road from Warbler Road.

BACKGROUND:

Project: The applicant is requesting approval of a Conditional Use Permit (CUP) (Project) to construct a new administration center for the Phelan Pinon Hills Community Services District (District). Improvements are proposed to occur in four phases consisting of: a 10,170 sq. ft. service building in Phase 1; a 8,324 sq. ft. administration building in Phase 2; a 14,558 sq. ft. multi-purpose building in Phase 3, and; a 5,000 sq. ft. potential administration building expansion area in Phase 4; with all phases to be built on an 8.14 acre parcel.

The southerly portion of the subject property is already developed with the existing District administration building, community center, and park. The northerly portion is vacant and unimproved. The proposed Project will take access through the southerly portion of the property into the new development. The existing facilities were approved in 2003 as part of CUP 11886CU1

ANALYSIS:

Project Phasing: Improvements proposed in each phase are listed below:

Phase 1

A 10,170 sq. ft. service building will be constructed and include 25 parking spaces arranged around the building plus street improvements along Sahara Road. That portion of the perimeter block wall along the northerly property line will be installed. A retention basin adjoining the building to the east will be installed. Paved access will extend westerly from Sahara Road through the property to the existing access driveway that terminates at the northerly boundary of the existing improvement area. A portion of Sahara Road and Warbler Road will be upgraded to provide paved access to the site from Sheep Creek Road.

Phase 2

An 8,324 sq. ft. administration building will be constructed, along with most of the required site parking, lighting, and landscape areas. The perimeter block wall will be completed along the northerly property line and most of the southerly boundary lines of the new development area. The designated open space area will be landscaped.

Phase 3

A 14,558 sq. ft. multi-purpose building will be constructed as will the balance of the adjoining parking area and block wall.

Phase 4

A 5,000 sq. ft. administration building expansion will be constructed, representing the extension of the Phase 2 structure.

Consistency with General Plan and Zoning Regulations: The Project is located within the CG (General Commercial) Land Use Zoning District. The locational criteria for General Commercial uses include the following:

- A concentration of retail business and service areas that supply the daily community commercial needs.
- Areas with full urban services and infrastructure facilities.

The proposed Project provides facilities/uses that are related to the administration and operation of the District, such as offices, recreation (basketball court), and a service and maintenance facility. The Project is permitted by the Development Code subject to approval of a CUP. The Project has been evaluated for its effects upon on the Project site and its surroundings, resulting in a list of conditions used to ensure a logical and orderly extension of the land uses within the area. Included within the conditions are site and street improvements and various design requirements.

Development Code Compliance: The Project complies with the requirements of the Development Code, as noted below in Table No. 1.

Table No. 1
Development Code Evaluation

Building Area	Administration/Office S.F.	13,324 (includes expansion area)	
	Service Building S.F., with office area	10,170	
	Multi-Purpose Facility	14,668	
Parking Required	Office	1/250 s.f.	53 Stalls
	Warehousing	1/1000 s.f.	7
	Multi-Purpose	1/25 s.f. (seating)	76
	Disabled Parking	101 - 150	5
	Total Required Parking		141
Parking Provided	Standard Spaces		190
	Clean Air Spaces/Carpool Spaces	1 carpool space = 2 parking spaces	1 provided (2 equivalent)
	Disabled Parking		9
	Parking Provided		200 actual spaces
Landscaping	Required 20 %	Provided: 116,700 s.f. or 36.0 % (includes existing park area)	
Setbacks		Required	Provided
	Front	25	25' landscape setback provided
	Side Yards	10'	10'
	Rear Yard	0'	74'
Floor Area Ratio	Maximum FAR .3:1	Project FAR .14	

Site Design: The proposed Project includes two access drives along Sheep Creek Road and one from Sahara Road. As part of the Phase 1 improvements, the Project is required to install a 26' wide paving section from the northerly property line on Sahara Road south to Warbler Road. The existing pavement on Warbler Road will be extended easterly in a 26' wide section to Sahara Road, thereby providing paved access around the property. In addition, an existing internal driveway through the southerly portion of the property will connect to the new development area. A retention basin will also be installed as part of Phase 1 at the northeast corner of the property. A landscaped open space area is proposed in the middle of the development area to be installed as part of Phase 2, when most of the site is improved.

Environmental Analysis:

Biological Resources

The applicant has completed a *General Biological Resources Assessment* and subsequent letter update and a separate *Focused Desert Tortoise Survey*. The records search and site survey found minimal vegetation on-site, which provides marginal habitat for any sensitive species. The *Focused Desert Tortoise Survey* found the site does not support suitable habitat for desert tortoise based upon past disturbance activities, and no signs of the species were observed on-site. This species is not expected to move into the area due to the lack of suitable habitat. However, mitigation measures are required prior to ground disturbance to determine the presence/absence of Burrowing Owl and the Desert Tortoise.

Cultural Resources

The proposed Project was filed in 2013 and was not subject to the recent requirements of AB 52 that included Tribal notification. However, staff subsequently distributed materials in the manner consistent with the requirements of AB 52, including correspondence with the South Central Coastal Information Center at Cal State Fullerton to obtain record information on the need for preparation of a cultural report and notification to affected Tribes. The Information Center indicated no archaeological work is needed prior to approval of the Project plans. One Tribal response was received from the Twenty-Nine Palms Band of Mission Indians indicating that they have no interest in the Project.

The cultural analysis also considered a *Cultural Resource Assessment* prepared in 2003 for a 2.5 acre area on the parcel, south of the proposed development area. No resources were observed on that adjoining portion of the property. An historical resources records search was also conducted through the San Bernardino County Museum for the proposed development area. The Museum indicated the potential for prehistoric and historic archaeological resources and historic resources is low and no further archaeological work was recommended.

A mitigation measure has been included that requires that if human remains are found on-site the County Coroner will be notified and, if applicable, the Native American Heritage Commission, consistent with State law.

Noise

The proposed Project includes a service building for the maintenance of equipment. An *Acoustical Analysis* was prepared to identify potential noise generation from the District's maintenance operations, along with road noise from Sheep Creek Road and air conditioning compressors on the service and multi-purpose buildings. The potential noise from the service building was estimated utilizing an evaluation of operations at a Costco tire service facility when a pneumatic wrench was in use, which was judged to be the noisiest operation that would occur in the facility. It was estimated that noise levels at the easterly property line would be about 65 dB(A), which would be consistent with the County's noise regulations.

Projected noise levels at the administration building from vehicles on Sheep Creek Road was found to be at 57 dB(A), which is less than the County standard of 65 dB(A). The air conditioning compressors were calculated to generate noise levels in the 44 dB(A) range, which is consistent with the 60 dB(A) levels for noise-sensitive nighttime hours.

Traffic

The *Traffic Study* prepared for the proposed Project projected 587 vehicle trips per day for the completed Project. Peak hour trips were estimated at 52 and 59 in the morning and evening peak hours, respectively. The addition of Project trips to the existing vehicle trips on Sheep Creek Road found driveway and Warbler Road intersections would maintain a Level of Service (LOS) B. Future conditions in the Year 2035 would be similar for each intersection, except Warbler Road, which would operate at LOS C. LOS C and above is an acceptable level of service. The County's General Plan requires all new development proposals not to degrade intersection Levels of Service to below LOS C.

Air Quality

The Mojave Desert Air Quality Management District (MDAQMD) indicated they reviewed the site plan and, based upon the information provided, had no comment. County Staff also completed a preliminary air quality evaluation utilizing the CalEEMod computer program developed by the South Coast Air Quality Management District (SCAQMD). This preliminary evaluation found daily emissions to be less than the thresholds established by the MDAQMD.

Environmental Determination

In compliance with the California Environmental Quality Act (CEQA), an Initial Study has been prepared and concluded that the proposed Project would not have a significant impact upon the environment, with mitigation incorporated. Therefore, a Mitigated Negative Declaration is proposed. The recommended mitigation measures have been incorporated into the proposed conditions of approval.

SUMMARY:

Staff recommends approval of the proposed CUP, based upon staff's analysis that the subject proposal is consistent with applicable County design criteria and standards. The Project's conditions of approval and mitigation measures address potential environmental impacts of the Project. Therefore, staff recommends approval of the Conditional Use Permit.

RECOMENDATION: That the Planning Commission:

- A. **ADOPT** the Mitigated Negative Declaration.
- B. **APPROVE** the Conditional Use Permit for improvements in four phases consisting of an 8,324 sq. ft. administration building, a 10,170 sq. ft. service building, a 14,558 sq. ft. multi-purpose building and a 5,000 sq. ft. administration building expansion on 8.14 acres, based on the findings contained in the Staff Report and subject to the Conditions of Approval.
- C. **FILE** the Notice of Determination.

ATTACHMENTS:

- Exhibit A: Findings
- Exhibit B: Conditions of Approval
- Exhibit C: Initial Study/Mitigated Negative Declaration
- Exhibit D: MDAQMD Comment Letter

EXHIBIT A

Findings

EXHIBIT A: FINDINGS

A Conditional Use Permit for improvements in a four phased Project consisting of: 8,324 sq. ft. administration building; 10,170 sq. ft. service building; 14,558 sq. ft. multi-purpose building, and; 5,000 sq. ft. potential administration building expansion area on 8.14 acres (Project).

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, ingress/egress driveways, and other required features pertaining to the application, because the lot size is adequate to accommodate the proposed facility and is consistent with the size and design requirements of the CG zoning designation. All setbacks meet or exceed County requirements and the building design and layout provides adequate internal maneuvering areas and access to adjoining roadways. The adjoining development area to the south is on the same parcel as the proposed improvements. As such, the amount of Project landscaping would be based upon the entire developed area of the parcel, which exceeds County Standards. Adequate parking has been provided within each phase of the Project.
2. The site for the proposed use has adequate access, which means that the site design incorporates appropriate street and highway characteristics to serve the proposed use, because proposed conditions of approval will provide street right of way design to improve portions of Sheep Creek Road, Warbler Road, and Sahara Road to adopted County standards, thereby ensuring vehicle access is available around the Project site for patrons and emergency vehicles to utilize access drives into and out of the Project site along Sheep Creek Road and Sahara Road.
3. The proposed use will not have a substantial adverse effect on abutting property or the allowed use of the abutting property, which means that the use will not generate excessive noise, traffic, vibration, or other disturbance, because the applicant will provide a perimeter wall around the development perimeter and operational noise levels will be below adopted County standards for air conditioning compressors and maintenance operations. The closest off-site building to the proposed Project is approximately 100 feet from the planned development area. An acoustical study has been performed for the proposed service building due to its planned maintenance function and found projected noise levels would not exceed County standards. The proposed use will not generate vehicle trips that reduce the Level of Service at intersections to less than adopted County standards. In addition, the use will not interfere with the present or future ability to use solar energy systems.
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, because the proposed Project is a conditionally permitted use and the design requirements of the CG Land Use District have been met. The Project specifically implements the following goals:

General Plan goal LU 8: Beneficial facilities, such as schools, parks, medical facilities, sheriff and fire stations, libraries, and other public

uses, as well as potentially hazardous sites, will be equitably distributed throughout the County.

- Goal Implementation: The proposed Project provides a multi-purpose facility for neighborhood use and administration offices for the operation of those neighborhood activities, including those conducted within the adjoining park and community center.

General Plan Goal LU 9: Development will be in a continuous manner as much as possible to minimize environmental impacts, minimize public infrastructure and service costs, and further countywide economic development goals.

- Goal Implementation: The proposed Project is an expansion of the District's existing improvements located on the southerly portion of the property and the site adjoins additional commercial development along Sheep Creek Road.

General Plan Goal LU 10: Encourage distinct communities with a sense of "place" and identity.

- Goal Implementation: The proposed Project will provide a recreational and community service center through the combination of the existing neighborhood park and community center and the new multi-purpose facility. Due to its location on Sheep Creek Road, it will be easily accessible for area residents and visitors.

5. There is supporting infrastructure, existing or available, consistent with the intensity of development, to accommodate the proposed development without significantly lowering service levels, because utilities exist to adjacent to and on the Project site to provide service, the Sheep Creek Water Company has reviewed the Project design and has the ability to provide water services, and wastewater treatment will occur on-site through a County approved septic system. Sheep Creek Road is designated a Major Highway on the County General Plan and other surrounding roadways, including Sahara Road and Warbler Road, will be improved as local streets.
6. The lawful conditions stated in the approval are deemed reasonable and necessary to protect the public health, safety, and general welfare, because the Project has been reviewed by County departments and appropriate conditions of approval have been recommended to meet health and safety requirements, and an Initial Study has been prepared to evaluate potential environmental issues and appropriate mitigation measures have been recommended and incorporated into the conditions of approval to address potentially significant issues.
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, because the design of the building and setbacks from other proposed and existing buildings will not conflict with the ability to install or operate of such systems.

8. The Project is not likely to result in controversy, based upon the lack of public comments received through the Project Notice and CEQA public comment periods.
9. An Initial Study/Mitigated Negative Declaration for the Project has been prepared in compliance with the California Environmental Quality Act (CEQA) and represents the independent judgement of the County acting as lead agency for the Project. The Project will not have a significant adverse impact on the environment with implementation of all required conditions of approval and mitigation measures.

EXHIBIT B

Conditions of Approval

CONDITIONS OF APPROVAL

Phelan Pinon Hills Community Services District P201300092
Conditional Use Permit

GENERAL REQUIREMENTS

Ongoing and Operational Conditions

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

1. Project Approval Description. This Conditional Use Permit (CUP) is conditionally approved to expand the District's existing administrative and recreational facilities onto the northerly portion of an 8.14 acre site of the existing Phelan Pinon Hills CSD administrative building, park site, community center, and associated parking. The new facilities are proposed to be phased and include a 10,170 sq. ft. service building (Phase 1); 8,324 sq. ft. administrative building (Phase 2); 14,558 sq. ft. multi-purpose building (Phase 3), and; a 5,000 sq. ft. expansion area for the administrative building (Phase 4) in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the San Bernardino County Fire Code (SBCFC), the following Conditions of Approval, the approved site plan, and all other approved reports and displays (e.g. elevations).

The developer shall provide a copy of the Conditions of Approval and the site plan to every current and future project tenant, lessee, and property owner to facilitate compliance with these Conditions of Approval and continuous use requirements for the Project Site with APN: 3066-261-10 Project No. P201300092.

2. Project Location. The Project site is located on the easterly side of Sheep Creek Road, north of Warbler Road, and west of planned Sahara Road, in the Community of Pinon Hills.
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.

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:
- a. The permittee has commenced actual construction or alteration under a validly issued building permit, or
 - b. 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)
 - c. 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. County staff may grant extensions of time to the expiration date (listed above or as otherwise extended) in increments each not to exceed an additional three years beyond the current expiration date. The developer may file an application to request consideration of an extension of time with the appropriate fees no less than 30 days before the expiration date. County staff may grant extensions of time may be granted based on a review of the Extension application, which must include a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised Conditions of Approval or site plan modifications. (SBCC §86.06.060)
8. Project Account. The Job Costing System (JCS) account number is P201300092. 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 process a Condition Compliance Release Form (CCRF) for each respective building and/or phase of the development through the Planning Division in accordance with the directions stated in the Approval letter. The Planning Division shall release holds on each phase of development by providing to County Building and Safety the following:
- Grading Permits: a copy of the signed CCRF for grading/land disturbance and two “red” stamped and signed approved copies of the grading plans.

- Building Permits: a copy of the signed CCRF for building permits and three “red” stamped and signed approved copies of the final approved site plan.
 - Final Occupancy: a copy of the signed CCRF for final inspection of each respective building or use of the land, after compliance verification by the Planning Division.
12. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
13. 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: N/A;
 - b. STATE: N/A
 - c. COUNTY: Land Use Services – Building and Safety/Code Enforcement/Land Development/Planning, County Fire/HazMat; Public Health – Environmental Health Services
 - d. LOCAL: N/A
14. Continuous Maintenance. The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to:
- 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
 - 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.
 - j) 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.
 - k) Fire Lanes: The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including “No Parking” designations and “Fire Lane” designations.

15. Performance Standards. The approved land uses shall operate in compliance with the general performance standards listed in 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.
16. 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.
17. 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.
18. 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.
19. 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.
20. 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.
21. 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.
22. 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.

- 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

- 23. 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.
- 24. 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).

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

- 25. 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.
- 26. Natural Drainage. The natural drainage courses traversing the site shall not be occupied or obstructed.
- 27. 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.
- 28. Continuous BMP Maintenance. The property owner/“developer” is required to provide and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the County approved Water Quality Management Plan (WQMP) for the project. This includes but is not limited to, filter material replacement and sediment removal, as required to assure peak performance of all BMPs. Furthermore, such maintenance activity will require compliance with all Local, State, or Federal laws and regulations, including those pertaining to confined space and waste disposal methods in effect at the time such maintenance occurs.
- 29. BMP Enforcement. In the event the property owner/“developer” (including any successors or assigns) fails to accomplish the necessary MBP maintenance within five (5) days of being given written notice by County Public Works, then the County shall cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or “developer”, including administrative costs, attorney fees and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.

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

- 30. Refuse Storage/Removal. All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that 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.

31. Septic System Maintenance. The septic system shall be properly maintained, not create a public nuisance, and be serviced by a DEHS permitted sewage pumper.

32. Noise. Noise level(s) shall be maintained at or below County Standards, Development Code §83.01.080

COUNTY FIRE DEPARTMENT – Community Safety Division (909) 386-8465

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

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

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

35. Recycling Storage Capacity. The developer shall provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the County in compliance with the recycling requirements of Assembly Bill (AB) 2176.

36. Mandatory Commercial Recycling. Beginning July 1, 2012, all businesses defined to include a commercial or public entity that generates 4 or more cubic yards of commercial waste a week or is a multi-family residential dwelling of 5 units or more to arrange for recycling services. The County is required to monitor commercial recycling and will require businesses to provide recycling information. This requirement is to assist the County in compliance with AB 341.

37. Mandatory Organics Recycling. As of April 2016, the State of California through AB 1826 (Enacted October 2014), requires businesses that generate eight (8) cubic yards of organics per week to recycle. A business generating organic waste shall arrange for the recycling services in a manner that is consistent with state and local laws and requirements, including a local ordinance or local jurisdiction's franchise agreement, applicable to the collection, handling, or recycling of solid and organic waste or arrange for separate organic waste collection and recycling services, until the local ordinance or local jurisdiction's franchise agreement includes organic waste recycling services. A business that is a property owner may require a lessee or tenant of that property to source separate their organic waste to aid in compliance. **Additionally, all businesses that contract for gardening or landscaping services must stipulate that the contractor recycle the resulting**

gardening or landscaping waste. Residential multifamily dwellings of five (5) or more units are required to recycle organics though not required to arrange for recycling services specifically for food waste. Applicant will be required to report to the County on efforts to recycle organic materials once operational.

DEPARTMENT PUBLIC WORKS - Survey (909) 387-8149

38. **Record of Survey.** The Site Plan shows bearings and distances that are not of record. A Record of Survey is required per Section 8762 of the Business and Professions Code.
39. **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 (Section 8771(b) Business and Professions Code).

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

The Following Shall Be Completed

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

40. **Joshua Tree Relocation Plan.** The developer shall submit and have approved by the Planning Division a relocation plan for Joshua Trees within the developed site area. The relocation plan shall be accompanied with certification from an appropriate arborist, registered professional forester or a Desert Native Plant Expert that the proposed tree removal, replacement, or revegetation activities are appropriate, supportive of a healthy environment, and are in compliance with Chapter 88.01 of the San Bernardino County Development Code. The certification shall include the information in compliance with Department procedures. Transplantation onsite shall be the primary method of addressing a Joshua Tree removals from the subject property.
41. **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 the 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 flag person 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.

42. 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.

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.

43. 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.

44. Biological Resources Mitigation Measures 1 and 2 - Pre-Construction Clearance Surveys. *Burrowing owl and desert tortoise pre-construction clearance surveys shall be conducted prior to project implementation by a qualified biologist and a report filed with the Planning Division for review and approval for the burrowing owl. The desert tortoise survey shall either confirm the continued absence of the desert tortoise on the project site or*

verify the intensity and location of the recently-migrated desert tortoise on the project site. If a desert tortoise is discovered on the site, all activities shall cease. The developer shall notify the U.S. Fish and Wildlife Service and shall initiate a consultation with the California Department of Fish and Wildlife for the incidental take of the desert tortoise.

45. *Cultural Resources Mitigation Measure 1-Human Remains. If human remains of any kind are found during earthwork activities, all activities must cease immediately and the San Bernardino County Coroner and a qualified archaeologist must be notified. The Coroner will examine the remains and determine the next appropriate action based on his or her findings. If the coroner determines the remains to be of Native American origin, he or she will notify the Native American Heritage Commission whom will then identify the most likely descendants to be consulted regarding treatment and/or reburial of the remains. If a most likely descendant cannot be identified, or the most likely descendant fails to make a recommendation regarding the treatment of the remains within 48 hours after gaining access to them, the contactors shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance. Any costs incurred related to the remains shall be borne by the project proponent.*

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

46. Geotechnical (Soil) Report. When earthwork quantities exceed 5,000 cubic yards, a geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits.
47. Grading Plans. Grading plans shall be submitted to Building and Safety for review and approval prior to grading/land disturbance.
48. 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
49. Erosion & Sediment Control Plan. An erosion and sediment control plan and permit shall be submitted to and approved by the Building Official.
50. Erosion Control Installation. Erosion control permit shall be obtained and devices installed prior to any land disturbance. No sediment is to leave the job site.
51. Regional Board Permit Letter. CONSTRUCTION projects involving one or more acres must be accompanied by a copy of the Regional Board permit letter with the WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.

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

52. Drainage Improvements. A Registered Civil Engineer 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 manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$550.00 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.
53. FEMA Flood Zone. The Project is located within Flood Zone AO according to FEMA Panel Number 6450H dated 08/28/2008 and will require the lowest floor of structure to be elevated a minimum of 1 foot above the known shallow flooding depth of 1' in compliance with FEMA/SBC regulations or elevated 2 feet above the highest

adjacent grade (HAG). Elevation Certificate is required. 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.

54. Topo Map. A topographic map shall be provided to facilitate the design and review of necessary drainage facilities.
55. Grading Plans. Grading plans shall be submitted for review and approval obtained. An \$806 deposit for grading plan 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.
56. WQMP. A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained. A \$2,650 deposit for WQMP review will be collected upon submitted to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. The report shall adhere to the current requirements established by the Mojave Watershed Region. Copies of the WQMP guidance and template can be found at: (<http://www.sbcounty.gov/dpw/land/npdes.asp>)
57. WQMP Inspection Fee. The developer shall provide a \$3,600.00 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

COUNTY FIRE DEPARTMENT – Community Safety Division (909) 386-8465

58. Water System. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix IIIA of the Uniform Fire Code.
59. FS-2. The County General Plan designates this property as being within the Fire Safety Review Area 2 (two) and all future construction shall adhere to all applicable standards and requirements of this overlay district.
60. Fire Fee. The required fire fees are due at time of submittal; and paid to the San Bernardino County Fire Department/Community Safety Division. This fee is in addition to fire fees that are paid to other City or County offices.

PRIOR TO ISSUANCE OF BUILDING PERMITS

The Following Shall Be Completed:

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

61. Architecture. Architectural elevations 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.
62. 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 development, 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.

63. Landscape and Irrigation Plan. Landscape and Irrigation Plans shall be prepared in conformance with Chapter 83.10, Landscaping Standards, of the County Development Code. The developer shall submit four copies of a landscape and irrigation plan to County Planning.
64. 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.
- a. 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:
- 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.
 - 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.
65. 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.

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

66. Construction Plans. Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division.

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

67. 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. These shall be submitted to the Land Use Services Department, located at 385 N. Arrowhead Ave, San Bernardino CA 92415-0187. Phone: (909) 387-8178.

Construction Phase I – Includes Site Plan Phase I and a Portion of Phase II

Sahara Road (Local – 60')

- Road Dedication. A 30 foot grant of easement is required to provide a half-width right-of-way of 30'.
- Street Improvements. Design curb and gutter with match up paving 18 feet from centerline with a minimum 26 ft. paved section within a 40 foot right-of-way from northerly property line to Warbler Road. Additional right-of-way will be required to accommodate the required paving.
- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110. Adequate easement shall be provided to ensure sidewalk improvements are within Public right-of-way.
- Sidewalks. Design sidewalks per County Standard 109 Type "C".
- Driveway Approach. Design driveway approach per San Bernardino County Standard 129B, and located per Standard 130.
- CMRS Exclusion. Road improvements required for Sahara Road may not be accepted into the County Maintained Road System (CMRS).

Warbler Road (Local – 60')

- Street Improvements. Design curb and gutter with match up paving 18 feet from centerline with a minimum 26 ft. paved section within a 40 foot right-of-way from existing pavement easterly to Sahara Road.
- Sidewalks. Design sidewalks per County Standard 109 Type "C".
- Driveway Approach. Design driveway approach per San Bernardino County Standard 129B, and located per Standard 130.
- CMRS Exclusion. Road improvements required for Sahara Road may not be accepted into the County Maintained Road System (CMRS).

Sheep Creek Road (Major Highway – 104')

- Road Dedication. A 30 foot grant of easement is required to provide a half-width right-of-way of 52'. Adequate easement shall be provided at the curb return to ensure sidewalk improvements are within Public right-of-way.
- Street Improvements. Design curb and gutter with match up paving 40 feet from centerline along the property frontage of Phase I.
- Driveway Approach. Design driveway approach per San Bernardino County Standard 129B, and located per Standard 130.

Construction Phase II – Includes the Remainder of Site Plan Phase II

Sheep Creek Road (Major Highway – 104')

- Street Improvements. Design curb and gutter with match up paving 40 feet from centerline along the property frontage of Phase II.
 - Sidewalks. Design sidewalks per County Standard 109 Type "C".
68. Road Standards and Design. All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Desert Road Standards of San Bernardino County, and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.
69. Street Improvement Plans. The developer shall submit for review and obtain approval of street improvement plans prior to construction. Final plans and profiles shall indicated the location of any existing utility facility or utility pole which would affect construction, and any such utility shall be relocated as necessary without cost to the County. Street improvement plans shall not be approved until all necessary right-of-way is acquired.
70. Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from County Public Works. Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.
71. Soils Testing. Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be submitted to the Transportation Operations Division, Permits Section of County Public Works, prior to any placement of base materials and/or paving.
72. Turnarounds. Turnarounds at dead end streets shall be in accordance with the requirements of the County Department of Public Works and Fire Department.
73. Transitional Improvements. Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing, shall be required as necessary.
74. Street Gradients. Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of County Public Works confirming the adequacy of the grade.

COUNTY FIRE DEPARTMENT – Community Safety Division (909) 386-8465

75. Building Plans. No less than three (3) complete sets of Building Plans shall be submitted to the Fire Department for review and approval. [F42]
76. Water System Commercial. A water system approved and inspected by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. All fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than three hundred [300] feet from any portion of a structure. [F54]

77. Access. The development shall have a minimum TWO (2) points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. Standard 902.2.1 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. 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. [41]
78. Combustible Vegetation. Combustible vegetation shall be removed as follows: "Where the average slope of the site is less than 15% - Combustible vegetation shall be removed a minimum distance of thirty (30) feet from all structures or to the property line, whichever is less." Where the average slope of the site is 15% or greater - Combustible vegetation shall be removed a minimum one hundred (100) feet from all structures or to the property line, whichever is less. County Ordinance # 3586 [F52]
79. Fire Sprinkler-NFPA #13. An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The plans (minimum 1/8" scale) shall include hydraulic calculations and manufacturer's specification sheets. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal. Standard 101.1 [F59]
80. Roof Certification. A letter from a licensed structural (or truss) engineer shall be submitted with an original wet stamp at time of fire sprinkler plan review, verifying the roof is capable of accepting the point loads imposed on the building by the fire sprinkler system design. [F59A]
81. Fire Alarm. A manual, automatic or manual and automatic fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required for 100 heads or more. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. Standard 1007.1.1FA. [F62A]
82. Hood and Duct Suppression. An automatic hood and duct fire extinguishing system is required. A Fire Department approved designer/installer shall submit three (3) sets of detailed plans (minimum 1/8" scale) with manufacturers' specification sheets to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. [F65]

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

83. Construction and Demolition Waste Management Plan (CDWMP) Part 1 – The developer shall prepare, submit, and obtain approval from SWMD of a CDWMP Part 1 for each phase of the project. The CDWMP shall list the types and weights or volumes of solid waste materials expected to be generated from construction. The CDWMP shall include options to divert from landfill disposal, materials for reuse or recycling by a minimum of 50% of total weight or volume. Forms can be found on our website at www.sbcounty.gov/dpw/solidwaste. An approved CDWMP Part 1 is required before a demolition permit can be issued.

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

84. Water Purveyor. Water purveyor shall be DEHS approved. (i.e. approved water agency/district, water source and/or well). Applicant shall procure a verification letter from the water agency with jurisdiction. The letter shall state whether or not water connection and service shall be made available to the project by the water agency. The letter shall also reference the project name and assessor's parcel number. For projects with a current active water connection, a copy of the water bill with project address may suffice. For more information contact DEHS.
85. Onsite 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 DEHS standards, properly sealed and certified as inactive OR (3) constructed to DEHS 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.
86. Water System Permit. If an approved water company cannot service the project a water systems permit will be required. The source of water shall meet water quality and quantity standards pursuant to Title 22 Drinking Water Standards. For more information contact DEHS Drinking Water Section.
87. RWB. Written clearance shall be obtained from the designated California Regional Water Quality Control Board and a copy forwarded to DEHS: Lahontan Region, 14440 Civic Drive, Suite 200, Victorville, CA 92392 (760) 241-6583.
88. Sewer Purveyor. Sewage disposal shall be EHS approved. (i.e. approved sewage/wastewater agency/district and/or Onsite Wastewater Treatment System (OWTS)). Applicant shall procure a verification letter from the sewerage agency with jurisdiction. The letter shall state whether or not sewer connection and service shall be made available to the project by the sewerage agency. The letter shall also reference the project name and assessor's parcel number. For projects with a current active sewer connection, a copy of the sewer bill with project address may suffice. For information, call DEHS/Plan Check at: 1-800-442-2283.
89. Wastewater Systems. Applicant shall procure a verification letter from the sewerage agency with jurisdiction. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewerage agency. The letter shall reference the Assessor's Parcel Number.
90. OWTS. If sewer connection and/or service are unavailable, Onsite Wastewater Treatment System(s) (OWTS) may then be allowed under the following conditions: A percolation report shall be submitted to DEHS for review and approval. If the percolation report cannot be approved, the project may require an alternative OWTS. For more information, contact DEHS Wastewater Section.
91. Acoustical Study. Preliminary acoustical information shall be submitted demonstrating that the proposed project maintains noise levels at/or below County Noise Standard(s), San Bernardino Development Code (§ 83.01.080, 87.0905). 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 DEHS for review and approval. For more information and request an acoustical checklist contact DEHS. (800) 442-2283
92. Recycling Center. The refuse generated shall comply with San Bernardino County Code §33.0801 et. seq. The recycling center shall maintain an amount of less than 10% residual solid waste (by weight) from the separated waste and less than 1% putrescible waste (by weight) from the separated waste material pursuant to the Transfer/Processing Regulatory Requirements of Title 14 CCR (§17402.5). If the facility exceeds the above stated limitations, a Solid Waste Facility Permit will be required. For more information, contact DEHS Local Enforcement Agency (LEA).

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

93. Design of Sheep Creek Road. Based on the Traffic Study dated March 18, 2013 from Hall and Foreman, Inc., the applicant shall design Sheep Creek Road to provide a Two Way Left Turn Lane along the project frontage and provide adequate storage for vehicles turning left into the project driveways.

PRIOR TO FINAL INSPECTION OR OCCUPANCY

The Following Shall Be Completed

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

94. 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 P201300092.
95. 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).
96. CCRF/Occupancy. Prior to occupancy/use, all Condition Compliance Release Forms (CCRF) shall be completed to the satisfaction of County Planning with appropriate authorizing signatures from each reviewing agency.
97. Screen Rooftop. All roof top mechanical equipment is to be screened from ground vistas.
98. 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.
99. Installation of Improvements. All required on-site improvements shall be installed per approved plans.
100. 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.

DEPARTMENT PUBLIC WORKS – Traffic (909) 387-8186

101. Local Area Transportation Fee Plan. This project falls within the High Desert Local Area Transportation Facilities Fee Plan. This fee shall be paid by a cashier's check to the Department of Public Works Business Office. These fees are subject to change. Based on the Traffic Study dated February 2016 and the ITE Trip Generation Manual, this project generates the number of vehicle trips shown in the table below. This fee is \$193.55 per vehicle trip multiplied by the total number of vehicle trips (683). Therefore, the total estimated Local Transportation Fees for this project is \$132,194.65. The current High Desert Local Area Transportation Facilities Plan can be found at the following website:
http://www.sbcounty.gov/dpw/transportation/transportation_planning.asp

102. Construct Roadway Improvements. The applicant shall construct, at 100% cost to the applicant, all roadway improvements as shown on their approved street improvement plans.

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

103. Condition Compliance Release Form Sign-off. Prior to occupancy all Department/Division requirements and signoffs shall be completed.

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

104. Drainage Improvements. All required drainage improvements, if any, shall be completed by the applicant. The private registered engineer shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.
105. WQMP Improvements. All required WQMP improvements shall be completed by the applicant, inspected and approved by County Public Works. An electronic file of the final and approved WQMP shall be submitted to Land Development Division, Drainage Section.
106. Elevation Certificate. An Elevation Certificate of the structure(s) shall be completed, approved, and on file with County Building and Safety.

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

107. LLD Requirements. All LDD requirements shall be completed by the applicant prior to occupancy.
108. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works. Completion of road and drainage improvements does not imply acceptance for maintenance by the County.
109. Private Roads/Improvements. All required on-site and off-site improvements shall be completed by the applicant. Construction of private roads and private road related drainage improvements shall be inspected and certified by the engineer. Certification shall be submitted to Land Development by the engineer identifying all supporting engineering criteria.
110. Open Roads/Cash Deposit. Existing County roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, during actual construction. A cash deposit shall be made to cover the cost of grading and paving prior to issuance of road encroachment permit. Upon completion of the road and drainage improvement to the satisfaction of the Department of Public Works, the cash deposit may be refunded.
111. Structural Section Testing. A thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to County Public Works.
112. Parkway Planting. Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by County Public Works and Current Planning and shall be maintained by the adjacent property owner or other County-approved entity.

113. Phased Projects. Projects within any phase of a phased project shall have all required on-site and off-site public road and drainage improvements required for such a phase sufficiently completed by the applicant, inspected and approved for construction of that phase, prior to final inspection or occupancy for any buildings or other structures in that phase.

The term "phase" as used here shall mean the following: "The block of building permits drawn on less than the whole project" or "A plan of building construction which indicates blocks of construction of less than the whole project."

In each phase, the installation of any on-site or off-site public road improvements shall be sufficiently completed so as to assure protection from storm or drainage run off, a safe and drivable access for fire and other emergency/safety vehicles, and the ordinary and intended use of the buildings or structures. The Building Official, with the concurrence of the Land Development Division may approve any plan or approve a change to an approved plan, which compiles with the intent of this policy.

COUNTY FIRE DEPARTMENT – Community Safety Division (909) 386-8465

114. 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. Standard 901.4.4 [F82]
115. Key Box. An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock. Standard 902.4 [F85]
116. Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road. Standard 901.4.3. [F80]
117. 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. Standard 901.4 [F93]
118. Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. [F88]
119. Inspection by the Fire Department. Permission to occupy or use the building (Certification of Occupancy or Shell Release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for the "fire final".

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

120. C&D Plan – 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 reuse of materials on site. The CDWMP Plan Part 2 shall provide evidence to the satisfaction of County Solid Waste that demonstrates that the project has diverted

from landfill disposal, materials for reuse or recycling by a minimum of 50 percent of total volume of all construction waste.

END OF CONDITIONS

EXHIBIT C

Initial Study/Mitigated Negative Declaration

SAN BERNARDINO COUNTY

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

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

PROJECT LABEL:

APN:	3066-261-10
APPLICANT:	Phelan Pinon Hills C.S.D.
COMMUNITY:	Pinon Hills
LOCATION:	Located in the Phelan area of San Bernardino County. The site lies north of Warbler Road, between Sheep Creek Road and Sahara Road, generally south of Phelan Road.
STAFF:	Jim Morrissey
REP(S):	Steen Design Studio, Inc., Thomas Steeno
PROPOSAL:	A Conditional Use Permit for a four phased project consisting of: An 8,324 sq. ft. administrative building; 10,170 sq. ft. service building; 14,558 sq. ft. multi-purpose building, and; 5,000 sq. ft. potential expansion area for the administrative building on a portion of an 8.13 acre parcel.

USGS Quad: Phelan
T, R, Section: T4N R7W Sec. 24 NW 1/4 of the NW 1/4

Thomas Bros.:

Planning Area: Desert Region, Index Map FH04 A Phelan

LUD: CG – General Commercial

Overlays: N/A

PROJECT CONTACT INFORMATION:

Lead agency: San Bernardino County
Land Use Services Department - Current Planning Division
385 North Arrowhead Avenue, First Floor
San Bernardino, CA 92415-0182

Contact person: Jim Morrissey, Contract Planner
Phone No: 909-387-4434
E-mail: Jim.Morrissey@lus.sbcounty.gov

Fax No: (909) 387-3223

Project Sponsor: Phelan Pinon Hills CSD

Consultant: Steeno Design Studio, Thomas Steeno
Phone No: (760) 244-5001

PROJECT DESCRIPTION

The Pinon Hills Community Services District proposes to expand its existing administrative and recreational facilities onto the northerly portion of an existing 8.13 acre parcel that currently includes the existing administrative building, park site, community center, and associated parking. The existing facilities were approved in 2003 as part of a Conditional Use Permit 11886CU1. The new facilities are proposed to be phased and include a 10,170 sq. ft. service building (Phase 1); 8,324 sq. ft. administrative building (Phase 2); 14,558 sq. ft. multi-purpose building (Phase 3), and; a 5,000 sq. ft. potential expansion area for the administration building (Phase 4).

PROJECT SETTING:

Regional Setting

The Project site is located in the Desert region of San Bernardino County (Figure 1). The site lies northeast of Highway 138 in the Community of Pinon Hills, specifically on the east side of Sheep Creek Road, north of Warbler Road, west of Sahara Road, and less than ¼-mile south of Phelan Road.

Local Setting

The area immediately surrounding the vacant northerly portion of the Project site to the north, east, and west is vacant/undeveloped land. The land uses surrounding the developed southerly portion of the Project site currently include vacant/undeveloped land, commercial land uses and residential. Sheep Creek Road is a paved two (2) lane roadway. A portion of Warbler Road is paved, approximately half the distance between Sheep Creek Road and Sahara Road.

ENVIRONMENTAL/EXISTING SITE CONDITIONS

The subject property is divided into the improved southerly portion of the Property, previously approved as part of a Conditional Use Permit 11886CU1, and the vacant/unimproved northerly portion, which is proposed to be developed in four separate phases as described above. The southerly portion consists of the existing administrative offices, community center, and a park site that includes a basketball court, children's play equipment, and activity field. The northerly portion consists of very disturbed land with very little native vegetation. The completed *General Biological Resources Assessment* noted the existence of a few small rabbitbrush, yellow-green matchweed plants, and bromus grasses. A portion of the property was previously occupied by several buildings and sheds that have since been removed.

AREA	EXISTING LAND USE	OFFICIAL LAND USE DISTRICT
SITE	Office buildings, park, and vacant/undeveloped land	PH/CG – Phelan/Pinon Hills General Commercial
North	Vacant/Undeveloped	PH/CG – Phelan/Pinon Hills General Commercial
South	Vacant/Undeveloped	PH/CG – Phelan/Pinon Hills General Commercial
East	Vacant/Undeveloped	PH/CG – Phelan/Pinon Hills General Commercial
West	Commercial and vacant/Undeveloped	PH/CG – Phelan/Pinon Hills General Commercial

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

Federal: None

State of California: None

County of San Bernardino: Land Use Services Department- Code Enforcement, Building and Safety, Planning, Land Development; Public Health-Environmental Health Services; County Surveyor, and; County Fire

Local: None

EVALUATION FORMAT

This Initial Study (IS) is prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines. This format of the study is presented as follows. The project is evaluated based upon its effect on seventeen (17) 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 mitigation measures required as conditions to reduce project impacts to a level below significant are listed.
4. **Potentially Significant Impact:** Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate significant adverse impacts.

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

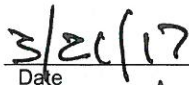
DETERMINATION:

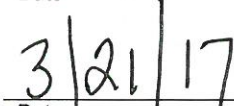
On the basis of this initial evaluation, the following finding is made

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

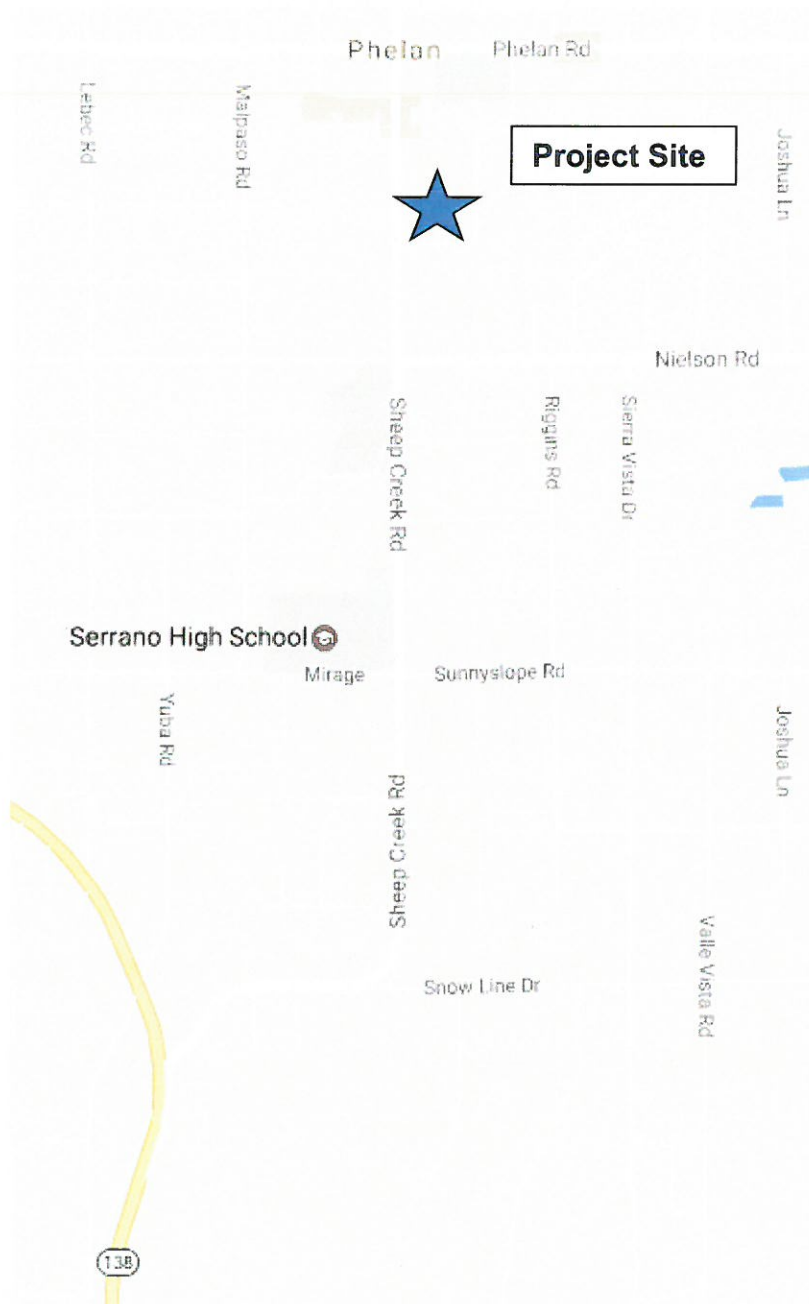

Signature (prepared by): **Project Planner**


Signature: **SUPERVISING PLANNER,**

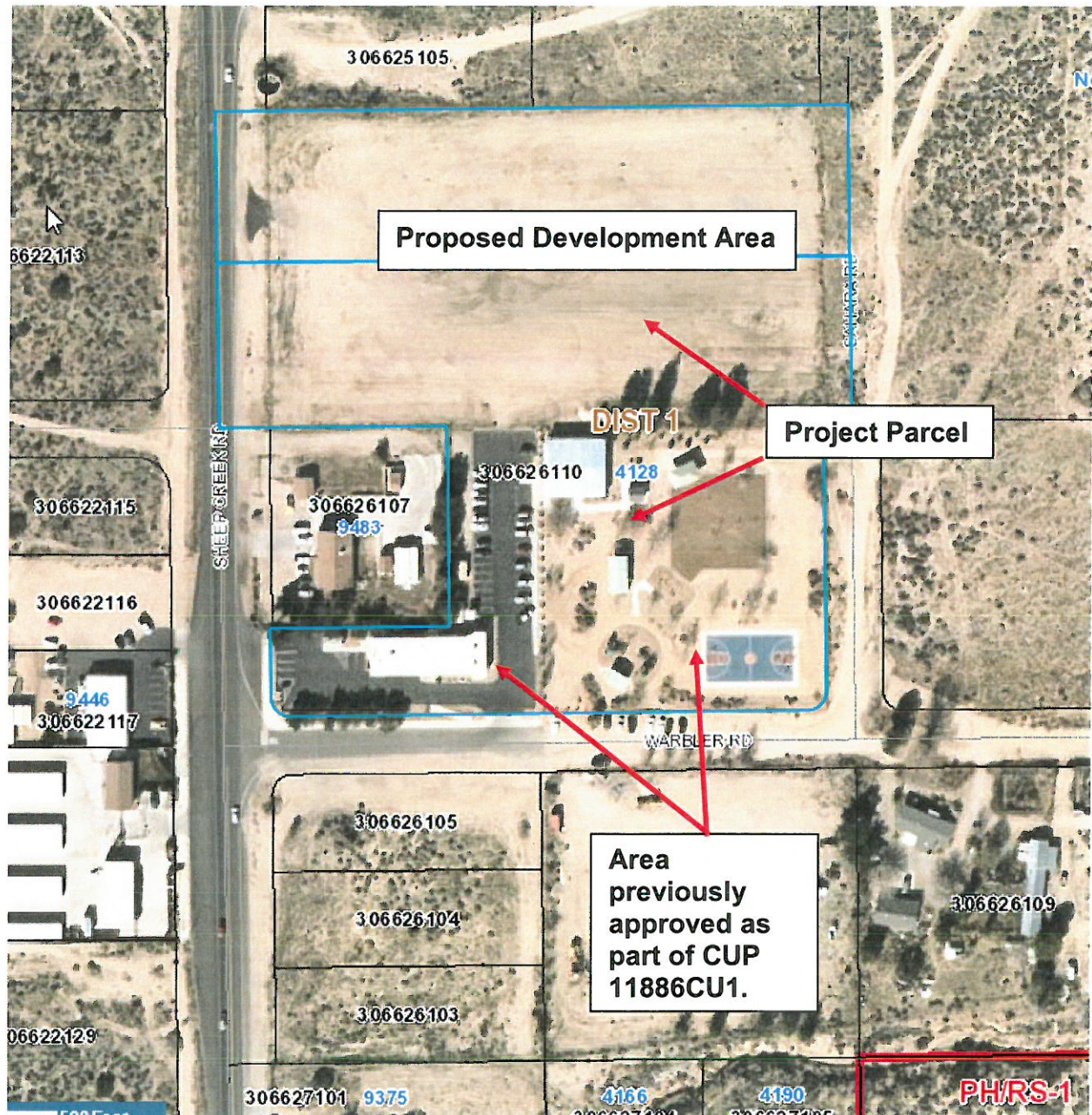

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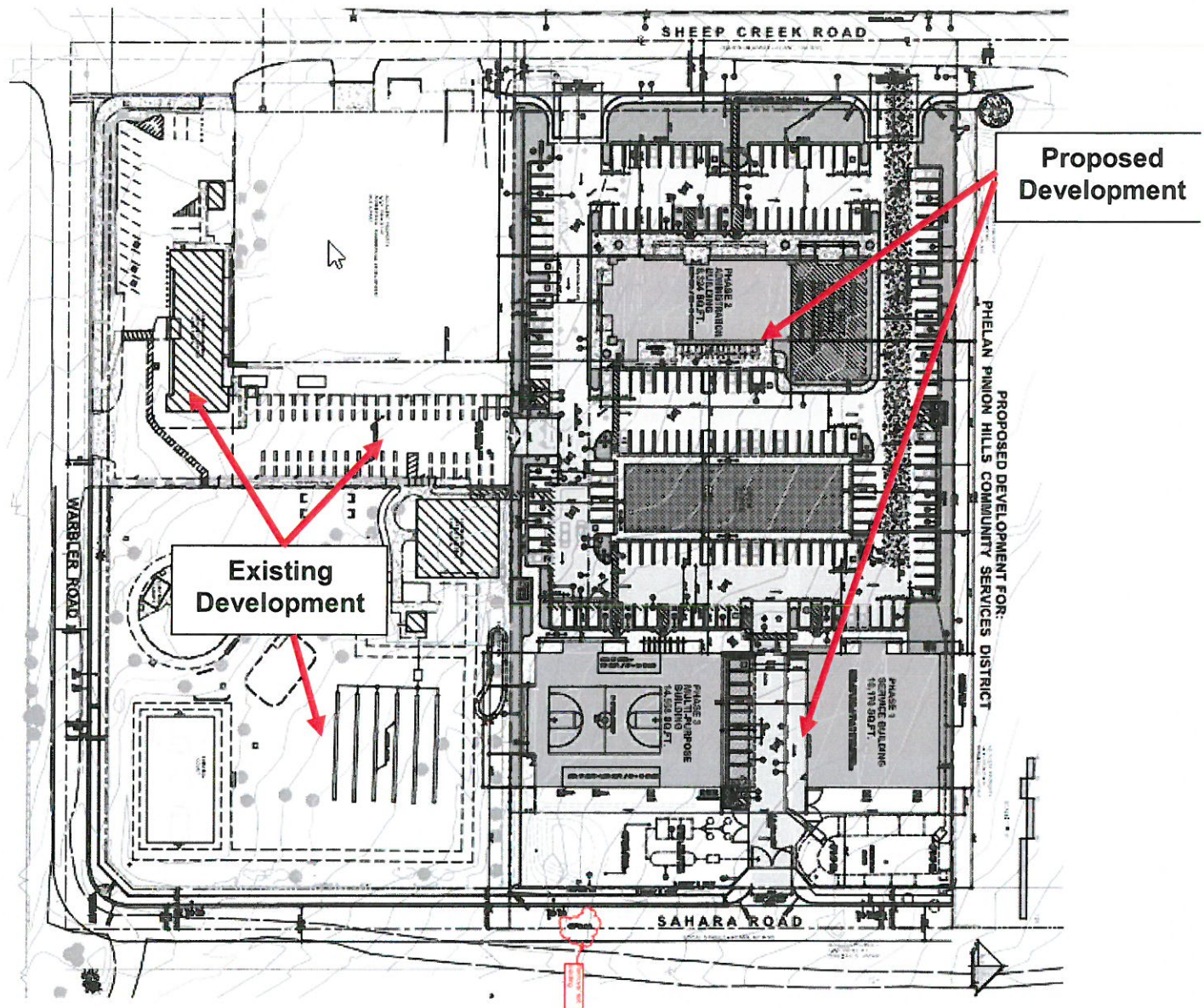
Vicinity Map



Aerial Photo of Site



SITE PLAN



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

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

- I a) **No Impact.** That portion of the Project site proposed for development is relatively flat and vacant/undeveloped developed. The Project site is located within a broad, flat plain with relatively constant sloping terrain to the northeast. The site is located at approximately 4,155 feet elevation above mean sea level (AMSL). There are no scenic vistas in the project vicinity, therefore, no impacts to scenic vistas would occur.
- I b) **No Impact.** The Project site is located approximately 1.4 miles northeast of State Highway 138 and approximately 5.75 miles south of State Highway 18. The project site is not located along a state scenic highway and the project site does not have trees, rock outcroppings, or historic buildings. No impacts to such resources would occur because they do not exist on site.
- I c) **No Impact.** The proposed development area would be consistent with the existing development in the general area and adjoins existing development to the south. The closest residences are located to the southeast approximately 350 feet from the proposed development area. Implementation of the Project would not change the existing visual character of degrade the quality of the site and its surroundings.
- I d) **Less than Significant.** The proposed project would include shielded parking lot lighting and some exterior building lighting is possible. However, the limited nature of the exterior lighting and the use of shielding to prevent night-time glare would reduce potential impacts to less than significant.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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 Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. 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 loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

- II a) **No Impact.** The Project parcel is partially developed with the northerly portion of the property undeveloped and is the subject of the proposed development project. The Department of Conservation San Bernardino County Important Farmland 2014 Map, Sheet 2 of 2 displays the property as "Urban and Built-Up Land", which is defined as land "occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. Common examples include residential, industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures." As such, the Project site is not identified as having either Prime or Unique Farmland or Farmland of Statewide Importance.
- II b) **No Impact.** The Project site is designated Pinon-Hills General Commercial (PH/CG) on the San Bernardino County General Plan and Zoning District Map. The southerly portion of the Project site is developed with a community center, Pinon-Hills Community Services District administrative

office, and a local park site. No agricultural operations exist in the area and the Important Farmland Map previously referenced does not identify any Prime Farmland, Unique Farmland or Farmland of Statewide Importance. The California Department of Conservation, San Bernardino County Williamson Act Map for Fiscal Year 2015/2016 does not display an agricultural preserve over the subject property or the surrounding area.

- II c-d) **No Impact.** The Project site is within a broad relatively flat plain within the high desert region of the County. No forest lands exist within the area. The *General Biological Resources Assessment* and subsequent update correspondence identified the undeveloped portion of the site as having been significantly disturbed and supports "...very little vegetation. Only a few plants were noted during the field investigations including Russian thistle (*Salsola tragus*), erodium (*Erodium cictarium*), buckwheat (*Eriogonum* sp.), and schismus (*Schismus barbatus*)." (p. 9) As such, the proposed Project would not result in the conversion of forest land to non-forest use because those resources do not exist on the site.
- II e) **No Impact.** No forest or farmland resources occur on the Project site. Implementation of the Project does not involve a change to the environment which could result in conversion of farmland to no-agricultural use or forest land to non-forest use because those resources do not occur on site.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **Less than Significant.** The proposed Project would not conflict with or obstruct implementation of the applicable air quality plan. A project is consistent with the regional Air Quality Management Plan (AQMP) if it does not create new violations of clean air standards, exacerbates any existing violations, or delays a timely attainment of such standards. The two principal criteria for conformance to an AQMP are 1) whether the project would result in an increase in the frequency or severity of existing air quality violations; cause or contribute to new violations, or delay timely attainment of air quality standards; and 2) whether the project would exceed the assumptions in the AQMP. Based on the analyses noted in responses III.b) and III.c), the project would not generate short-term and long-term emissions of volatile organic compounds (VOC), oxides of nitrogen (NOx, which are ozone precursors), or PM2.5 that could potentially cause an increase in the frequency or severity of existing air quality violations; cause or contribute to new violations; or delay timely attainment of air quality standards.

Conformity with adopted plans, forecasts, and programs relative to population, housing, employment and land use is the primary measurement by which the significance of planned growth is determined. The change to regional air quality from the proposed action is small due to the size of the project relative to the size of the air quality basin and because the Project does not exceed air quality threshold standards.

- b) **Less than Significant.** Air quality analyses for the proposed project have been conducted in accordance with the CEQA and Federal Conformity Guidelines (MDAQMD 2011) and the South Coast Air Quality Management District (SCAQMD) Air Quality Handbook with revisions through 2014. The air and dust emissions from the operational use of the Project were evaluated and compared to the MDAQMD standards and evaluated against applicable thresholds.

The MDAQMD has established the following significant annual emissions thresholds for determining whether the impacts from a project would be considered significant per CEQA:

Daily Emissions Thresholds of Significance

- Greenhouse Gases (CO₂e) - 548,000 pounds
- Carbon monoxide (CO) – 548 pounds
- Oxides of Nitrogen (NO_x) – 137 pounds
- Volatile Organic Compounds (VOC) – 137 pounds
- Oxides of Sulfur (SO_x) – 137 pounds
- Particulate matter (PM₁₀) – 82 pounds
- Particulate matter (PM_{2.5}) – 82 pounds

Source: CEQA Guidelines (MDAQMD 2011)

The estimated air pollutant emissions were determined utilizing the CalEEMod air quality program. The proposed Project was analyzed as one phase of construction, although the proposed project is intended to be constructed in four phases. The elimination of phases was intended to utilize the worst case conditions for the development of the site. The land uses were segregated into Government Office Building (13,300 sq. ft.), Health Club for the multi-purpose building (14,500 sq. ft.), and Industrial Park for the service building (24,000 sq. ft.). Based upon this preliminary data and watering twice daily resulted in the construction and operational emissions listed below.

Daily Construction Emissions (lbs./day)

Source	VOC	NO _x	CO	SO ₂	PM-10	PM-2.5
Peak Daily Total	71.3	67.2	56.1	0.071	12.1	7.9
SCAQMD Thresholds	137	137	548	137	82	82

Daily Operational Impacts (lbs./day)

Source	VOC	NO _x	CO	SO ₂	PM-10	PM-2.5
Total	6.6	11.9	59.1	0.09	6.2	1.8
SCAQMD Thresholds	137	137	548	137	82	82

Although the proposed Project does not exceed MDAQMD thresholds, the Applicant is 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)). To limit dust production, the Applicant must comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures (BACM) for each fugitive dust source. This would include, but not be limited to the following BACMs:

1. 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.
 - I. 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 and

mining activity on the site. 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 twice each workday.

II. The Project proponent shall ensure that all disturbed areas are treated to prevent erosion.

III. The Project proponent shall ensure that all mining and processing activities are suspended when winds exceed 25 miles per hour.

Exhaust emissions from vehicles and equipment and fugitive dust generated by on-site activities, would slightly increase NO_x and PM₁₀ levels in the area. Although the Proposed Project would not exceed MDAQMD thresholds during operations, the Applicant would be required to implement the following conditions as required by MDAQMD:

2. All equipment used for mining must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
3. The operator shall maintain and effectively utilize and schedule on-site equipment and haul trucks in order to minimize exhaust emissions from truck idling.
4. The operator shall comply with all existing and future CARB and MDAQMD regulations related to diesel-fueled trucks and equipment, 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.

MDAQMD rules for diesel emissions from equipment and trucks are embedded in the compliance for all diesel fueled engines, trucks, and equipment with the statewide CARB Diesel Reduction Plan. These measures will be implemented by CARB in phases with new rules imposed on existing and new diesel-fueled engines and truck and equipment fleets.

With compliance with existing rules and regulations and conditions above, operational emissions are expected to be less than significant.

- c) **Less than Significant.** As demonstrated in response to b) above, the thresholds for the above referenced criteria pollutants would not be exceeded by the Project. Therefore cumulative air quality impacts are anticipated to be less than significant.
- d) **No Impact.** The Project site is not located within a residential area. The closest residence is approximately 350 feet to the south. Impact to sensitive receptors are not anticipated as threshold levels are not exceeded and no residences are located adjacent to the site.
- e) **No Impact.** The proposed Project site is approximately 350 feet from the closest residence. Widening and paving of Sheep Creek Road and Sahara Road would generate some odors. But due to the distance from sensitive receptors for most of the proposed street paving, the level of sensitivity would not be significant.

No significant adverse impacts are identified or anticipated and no mitigation measures are required. However the Applicant is required to comply with existing MDAQMD rules and regulations.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
IV. BIOLOGICAL RESOURCES - Would the project:				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game (CDFW) or U.S. Fish and Wildlife Service (USFWS)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc...) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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)

RCA Associates, LLC conducted a reconnaissance-level field survey to characterize on-site habitats and to evaluate their potential to support sensitive species on October 25, 2012 and subsequently on August 8, 2014 to confirm the previous findings.

SUBSTANTIATION:

- IV a) **Less than Significant Impact with Mitigation Incorporated.** A *General Biological Resources Assessment* was prepared for the vacant/unimproved portion of the subject property that included a field survey on October 25, 2012 and August 8, 2014 by RCA Associates, LLC. The original Assessment noted "The site has been significantly disturbed by past human activities, and currently supports very little vegetation. Only a few plants were noted during the field investigations, including Russian thistle (*Salsola tragus*), erodium (*Erodium cicutarium*), buckwheat (*Eriogonum* sp.), schismus (*Schismus barbatus*)." (p. 9)

"Only a few wildlife species were identified in the surrounding area during the field investigations conducted on October 25, 2012... Birds observed were limited to mourning doves (*Zenaidura macroura*), ravens (*Corvus corax*), and song sparrows (*Melospiza melodia*). No reptiles were observed on the site; although, side-blotched lizards (*Uta stansburiana*) and western whiptail lizards (*Cnemidophorus tigris*) are relatively common in the region and may occasionally occur on the property and surrounding area." (p. 9) No small animal burrows were observed on the site. Although the Assessment did not identify the need for mitigation measures, the Assessment did note the potential need for pre-construction surveys 30-days before the start of site clearing activities due to the "mobile" nature of the species. As such, a measure has been included since the species may have moved onto the subject property subsequent to the completion of previous site surveys.

The Assessment, which includes the updated letter identifying a subsequent field survey of the subject property, also included a separate report appendix entitle *Focused Desert Tortoise Survey*, dated October 30, 2012. The report noted that no desert tortoises or desert tortoise sign was observed on the subject property or in the zone of influence. The Survey also stated "The site does not support suitable habitat for the desert tortoise based on past disturbance activities... The species has been documented in the regional and populations have been documented about seven miles east of the site (CNDDDB, 2012)." (p. 1) Due to the lack of on-site vegetation and identified species the proposed Project is expected to result in a less than significant impact. However, the *Focused Desert Tortoise Survey* noted that "survey results are only valid for 12-months, and CDFG, USFWS, and the County may require the site be re-surveyed for desert tortoise if development activities are not completed by October 25, 2013." (p. 12) It is assumed this date would have been modified due to the subsequent field survey completed on August 8, 2014. In order to verify current site conditions, a subsequent survey is required as a mitigation measure not more than one year or less than 30-days from the date of ground disturbance. Should desert tortoise or desert tortoise sign be found contact with and implementation of appropriate measures shall be undertaken through California Department of Fish and Wildlife and U. S. Fish and Wildlife Service. Upon inclusion of this mitigation measure and the findings of the two previous site surveys, the potential impact upon biological resources would be less than significant.

- IV b-c) **No Impact.** The subject property is relatively flat without an identified drainage course. The *General Biological Resource Assessment* prepared for the northerly undeveloped portion of the property did not identify any water resources on the property and found no blueline water courses traversing the site. The site does not provide suitable habitat for the seven federal and State species of Special Concern listed in the California Natural Diversity Database (CNDDDB) as occurring within five (5) miles of the property. Each of the flora or fauna species that could potentially occur on the subject property, require desert scrub, except for the burrowing owl that also can occur in agricultural areas and other types of habitat. Although suitable habitat does not exist on-site for any of the listed species, the Assessment does note that California Department of

Fish and Wildlife may require pre-construction surveys to determine the presence or absence of the burrowing owl prior to grading. The potential future existence of the burrowing owl is not indicative of riparian habitat and no federally protect wetlands exist on-site.

- IV d) **No Impact.** The subject property is partially developed and adjoins a developed property to the south and a storage facility exists across Sheep Creek Road further to the southwest of the proposed development area. The *Focused Desert Tortoise Survey* noted "No wildlife corridors were identified on the site or in the immediate surrounding area, and no breeding activities were observed among any of the wildlife species." (p. 9)
- IV e) **No Impact.** Chapter 88.01, Plant Protection and Management, County Development Code provides regulations and guidelines for the management of plant resources, including the protection of native plant life and trees. Regulated desert native plants include the following species: Smoketree, mesquites, century plants, nolinias, yuccas, creosote rings, Joshua trees, desert ironwood, and palos verdes. No identified native plants exist on-site.
- IV e-f) **No Impact.** The Project site is not within a habitat conservation plan or natural community conservation plan, based upon a review of California Regional Conservation Plan August 2015, exhibit prepared by the California Department of Fish and Wildlife. The Apple Valley Multi-Species Conservation Plan is the closest Conservation Plan to the area and is located easterly of Interstate 15, an estimated 18 miles northeast of the subject property.

Possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as conditions of project approval to reduce these impacts to a level less than significant.

MM# Mitigation Measures

BIO-1-Burrowing Owl. Utilizing accepted protocols, within 30-days prior to initiating ground disturbance activities, a pre-construction survey shall be conducted for the Burrowing Owl by a qualified biologists and a report filed within the Planning Department for review and approval.

BIO-2-Desert Tortoise. A pre-construction survey shall be completed by a County approved biologist to either confirm the continued absence of the desert tortoise on the project site or to verify the intensity and location of the recently migrated Desert Tortoise on the project site. If a desert tortoise is discovered on the site all activities shall cease. The developer shall notify the U.S. Fish and Wildlife Service and shall initiate a consultation with the California Department of Fish and Wildlife for the incidental take of the desert tortoise.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
V. CULTURAL RESOURCES - Would the project				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input 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) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred 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 ☐ of Paleontologic ☐ Resources overlays or cite results or cultural resource review)

V a-b) **Less than Significant with Mitigation Incorporated.** The Project site is partially improved, with the proposed new buildings to be constructed on vacant land. A number of assessments have been conducted for the Project site and include:

- *Cultural Resource Assessment* conducted by Archaeological Associates in March 2003 for a 2.5 acre portion of the site that now represents the existing administrative building, parking area, and Phelan Park. Four archaeological sites were identified as part of a records search within one mile of the Project site and include several listings for Tejon Road, a concrete cistern, and Phelan Road. A field reconnaissance of the site did not reveal any prehistoric or historic resources.
- Historical Resources Records search conducted by the San Bernardino County Museum on October 25, 2012 for the unimproved portion of the Project site. The records search included one area-specific survey report and seven (7) general area overviews. The records search results show no records of prehistoric or historic archaeological resources, cultural landscapes, ethnic resources or heritage properties. Based upon available historical records and maps, and comparison with similar environmental localities, the sensitivity assessment for the overall project area assigned by the Museum found:

Prehistoric Archaeological Resources: Low
Historic Archaeological Resources: Low
Historic Resources (built environment): Low
Cultural Landscapes: Unknown
Ethnic Resources: Unknown

The survey further noted "No further archaeological work is recommended." (p. 2)

- A records check of the unimproved portion of the Project site conducted by the South Central Coastal Information Center provided in an e-mail dated April 27, 2016.

In order to avoid and/or minimize potential impacts to historical and archeological resources, the mitigation measures listed below shall be implemented.

- V c) **Less than Significant with Mitigation Incorporated.** This proposed development Project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, because no resources have been identified on the site. Based upon a review of the Soil Survey of San Bernardino County, California, Mojave River Area, prepared by the U.S. Department of Agriculture, the site is within the Tujunga series that represent soils formed in alluvium. These type of soil conditions are not expected to contain such resources. To further reduce the potential for impacts, a condition of approval shall be added to the project which requires the developer to contact the County Museum for determination of appropriate measures, if any finds are made during project construction.
- V d) **Less than Significant with Mitigation Incorporated.** No human remains are known to exist on-site. Construction activities, particularly grading, soil excavation and compaction, could adversely affect buried human remains if uncovered. Mitigation measure below shall be implemented to reduce potential impacts to less than significant.

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

MM# Mitigation Measures

CUL-1 Human Remains. If human remains of any kind are found during earthwork activities, all activities must cease immediately and the San Bernardino County Coroner and a qualified archaeologist must be notified. The Coroner will examine the remains and determine the next appropriate action based on his or her findings. If the coroner determines the remains to be of Native American origin, he or she will notify the Native American Heritage Commission whom will then identify the most likely descendants to be consulted regarding treatment and/or reburial of the remains. If a most likely descendant cannot be identified, or the most likely descendant fails to make a recommendation regarding the treatment of the remains within 48 hours after gaining access to them, the contractors shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance. Any costs incurred related to the remains shall be borne by the project proponent.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
VI. GEOLOGY AND SOILS - Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 181-B of the California Building Code (2001) creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

- VI a) The project site is not located within a geologic hazard overlay zone in the County of San Bernardino General Plan.
- i) **Less than Significant.** No fault hazard areas are located within the Phelan-Pinon Hills area based upon a review of the San Bernardino County Geologic Hazards Overlays Map. The closest identified faults in the area are located approximately seven miles to the south.

- ii) **Less than Significant.** The Project site is subject to geologic hazards such as earthquakes that occur from time to time in the Southern California area. Safety provisions identified in the Uniform Building Code are required when development occurs to reduce potential ground shaking hazards to less than significant level.
- iii-iv) **Less than Significant.** The Project site is relatively flat and not located within an area where local geological and groundwater conditions suggest a potential for liquefaction based upon a review of the San Bernardino County Geologic Hazards Overlays Map. Additionally, the site is not located in a hillside or mountain area where rock falls and landslides are expected to occur during an earthquake or where the local topography and geological conditions suggest potential for earthquake induced landslides. Therefore, the proposed project is not anticipated to expose people or structures to significant effects resulting from these type of natural events.
- VI b) **Less than Significant.** Construction activities could result in soil erosion if the Project site is not properly designed. The potential impacts of soil erosion would be minimized through the preparation and implementation a Stormwater Pollution Prevention Plan (SWPPP) in compliance with the requirements of the National Pollutant Discharge Elimination System (NPDES) General Construction Permit. The SWPPP would prescribe temporary Best Management Practices (BMPs) to control wind and water erosion during and shortly after construction of the Project. A preliminary Water Quality Management Plan (WQMP) has been prepared, which specifies permanent BMPs to control erosion and sedimentation once construction is complete. A final WQMP is required prior to the issuance of building permits, which will affirm the proposed BMPs on the construction plans.
- VI c) **Less than Significant.** There is no indication that the subject property is located in an area that is geologically unstable or would become unstable as a result of development. As mentioned above, it is unlikely that a landslide, lateral spreading, subsidence, liquefaction or collapse would occur onsite or in the project vicinity based upon a review of the County's existing Geologic Hazard Overlays Map and that identify landslide susceptibility, liquefaction susceptibility, and earthquake faults. A geotechnical study is required as a condition of approval for the project and would set forth recommendations for grading and site engineering, which responds to the potential slope instability.
- VI d) **Less than Significant.** Expansive soils are characterized by their ability to undergo significant volume change as a result of changes in the soils moisture content. Expansive soils are commonly very fine-grained with a high percentage of clay. According to information in the *General Biological Resources Assessment* the site appears "to be primarily sandy loam." This soil type has a low shrink-swell potential. As such the proposed project would not be adversely affected by expansive soils. Less than significant impacts related to expansive soils are anticipated.
- VI e) **No Impact.** The proposed Project will utilize septic tanks. Subsurface wastewater disposal would be subject to approval of the County's Environmental Health Services Division. No unique conditions are known to exist that would adversely affect the proper use of an on-site septic system. As such, no impacts related to the use of septic tanks or waste water disposal are anticipated.

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

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

According to CEQA Guidelines section 15064.4, when making a determination of the significance of greenhouse gas emissions, the "lead agency shall have discretion to determine, in the context of a particular project, whether to (1) use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use." Moreover, CEQA Guidelines section 15064.7(c) provides that "a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts" on the condition that "the decision of the lead agency to adopt such thresholds is supported by substantial evidence."

San Bernardino County GHG Reduction Plan

In September 2011, the County of San Bernardino adopted a Greenhouse Gas Emissions (GHG) Reduction Plan (September 2011) ("GHG Plan"). The GHG Plan presents a comprehensive set of actions to reduce the County's GHG emissions to 15% below current levels (2007 levels) by 2020, consistent with the AB 32 Scoping Plan. GHG emissions impacts are assessed through the GHG Development Review Process (DRP) by applying appropriate reduction requirements as part of the discretionary approval of new development projects. Through its development review process, the County will implement CEQA requiring new development projects to quantify project GHG emissions and adopt feasible mitigation to reduce project emissions below a level of significance. A review standard of 3,000 metric tons of CO₂ equivalent (MTCO₂e) per year is used to identify projects that require the use of Screening Tables or a project-specific technical analysis to quantify and mitigate project emissions. Note that the MDAQMD has an annual threshold of 100,000 tons of CO₂ per year and 548,000 pounds per day, based upon their August 2016 CEQA Guidelines.

- a, b) The following analysis is based on the Governor's Office of Planning and Research, Technical Advisory on CEQA and Climate Change.

Per CEQA guidelines, new project emissions are treated as standard emissions, and air quality impacts are evaluated for significance on an air basin or even at a neighborhood level. Greenhouse gas emissions are treated differently, in that the perspective is global, not local. Therefore, emissions for certain types of projects might not necessarily be considered as new emissions if the project is primarily population driven. Many gases make up the group of pollutants that are believed to contribute to global climate change. However three gases are currently evaluated Carbon dioxide (CO₂) Methane (CH₄) and Nitrous oxide (N₂O). South Coast Air Quality Management District (SCAQMD) provides guidance methods and/or Emission Factors. MDAQMD allows the use of this methodology.

A screening threshold of 3,000 MTCO₂e per year has been adopted by the County as potentially significant to global warming. Sample project sizes by Land Use Category have been identified by the County to be less than the Greenhouse Gas significance threshold include General Commercial Office Space, 162,000 square feet, and Retail Space 160,000 square feet. Due to the number of parking spaces required for office and retail uses (1 per 250 sq. ft.) and the associated greenhouse gas generated by that level of vehicle use, construction activity/size, and operational characteristics would far exceed the proposed project size. As such, the proposed project would be less than significant. However, the following GHG conditions shall be included as part of the projects conditions of approval, as required by the County's Greenhouse Gas Emissions criteria. With the addition of the following conditions to the project's conditions of approval indicated below, impacts arising from GHG will be less than significant.

COMMERCIAL AND INDUSTRIAL PROJECTS

1. **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, and/or providing a web site or message board for coordinating rides.
 - 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 materials shall be submitted to County Planning for review and approval. The developer shall also provide to all tenants and require that the tenants shall display in their stores current transit route information for the project area in a visible and convenient location or employees and customers. The specific transit routes displayed shall include Omni Trans Route 8, San Bernardino-Mentone-Yucaipa.
 - 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.
2. **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 impacts to GHG 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-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 implementation of the following when possible:
 - Training operators to use equipment more efficiently.
 - Identifying the proper size equipment for a task can also provide fuel savings and associated reductions in GHG emissions.
 - Replacing older, less fuel-efficient equipment with newer models.

- 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 manufactures 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 flag person 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.
3. **GHG - Design Standards.** The developer shall submit for review and obtain approval from County Planning that the following measures have been incorporated into the design of the project. These are intended to reduce potential project impacts on greenhouse gas (GHG) 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.
- a) **Meet Title 24 Energy Efficiency requirements implemented July 1, 2014.** 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 January 24, 2013; Cool Roof Coating performance standards as amended January 24, 2013):
 - 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 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 is provided 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 equipment shall be installed.
 - A building automation system including outdoor temperature/humidity sensors will control public area heating, vent, and air conditioning units.
- c) 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.
- d) 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 broke 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.
- e) Recycling. Exterior storage areas for recyclables and green waste shall be provided. Where recycling pickup is available, adequate recycling containers shall be locate in public areas. Construction and operation waste shall be collected for reuse and recycling.
- f) Transportation Demand Management (TDM) Program. The project shall include adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience.

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 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.

4. **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 5 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.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a) Create a significant hazard to the public or the Environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION

- VIII a) **Less Than Significant.** The proposed Project is not expected to result in impacts from hazards and hazardous materials through the routine transport, use, or disposal of hazardous materials, because the proposed project would not involve the routine transport, use, or disposal of significant amounts of hazardous materials. During construction, the proposed project would involve the transport of general construction materials (i.e., concrete, wood, metal, fuel, etc.) as well as other materials necessary to construct the proposed Project.

Construction activities would involve the use of hazardous materials such as fuels, oils, and greases for the fueling and servicing of construction equipment. Such substances may be stored in temporary storage tanks/sheds that would be located on the project site. Although these types of materials are not acutely hazardous, they are classified as hazardous materials and create the potential for accidental spillage, which could expose workers. The use, storage, transport, and disposal of hazardous materials used in construction of the project would be carried out in accordance with federal, state, and County regulations. No extremely hazardous substances (i.e., governed under Title 40, Part 335 of the Code of Federal Regulations) are anticipated to be produced, used, stored, transported, or disposed of as a result of project construction. During construction of the facility, non-hazardous construction debris would be generated and disposed of in local landfills. Sanitary waste would be managed using portable toilets, with waste being disposed of at approved sites.

The Project is required to comply with federal, state, and county laws, ordinances, and regulations; therefore, the proposed project would result in less-than-significant impacts related to the creation of significant hazards through the routine transport, use, or disposal of hazardous materials.

- VIII b) **Less Than Significant.** 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. With the exception of construction-related materials such as fuels, lubricants, adhesives, and solvents, the proposed project would not generate or require the use or storage of significant quantities of hazardous substances. Additionally, any proposed use or construction activity that might use hazardous materials is subject to permit and inspection by the Hazardous Materials Division of the County Fire Department. Compliance with regulations and standard protocols during the storage, transportation, and usage of any hazardous materials would ensure no substantial impacts would occur. As such, there is a less-than significant impact associated with creating a significant hazard to the public or the environment.
- VIII c) **Less Than Significant.** The Project site is located less than ¼ mile (1,000 feet) from Snowline Virtual School, located at the southwest corner of Nielson Road and Sheep Creek Road. Serrano High School is located approximately 2,000 feet south of the project site and adjacent to Snowline Virtual School along Sheep Creek Road. The District's web site states "Snowline Virtual School is a public, K-12, tuition –free blended school which offers high quality, interactive classes by combining online instruction with instruction-led courses taught by highly qualified, California credentialed teachers." Due to the lack of hazardous materials to be used and transported to the project site, impacts would be less than significant.
- VIII d) **No Impact.** The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 as reported on the California Department of Toxic Substances Control EnviroStor database on May 18, 2016.
- VIII e-f) **No Impact.** The Project site is not located within the boundaries of an airport land use plan or within the vicinity of a private airstrip. The El Mirage Airport (private) and Apple Valley Airport (operated by San Bernardino County) are located approximately 14 and 24 miles north and northwest of the project site, respectively. The proximity of the airports would not result in a safety hazard for people working at the project site.
- VIII g) **No Impact.** The proposed development Project would not result in a change to existing emergency operations. As no changes are necessary, implementation of the project would not physically interfere with an adopted emergency plan or emergency evacuation plan.
- VIII h) **No Impact.** The Project site is not mapped within a Fire Safety Overlay District as identified on the County General Plan Hazards Overlay. The project site has minimal vegetation with adjoining properties that are both developed and vacant desert lands. The project is not anticipated to create any safety hazards that would result in impacts from wildfires to people or structures due to its lack of vegetation and vacant perimeter properties.

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

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION

IX a, f) **Less Than Significant.** The proposed development Project would not violate any water quality standards or waste discharge requirements, because an on-site septic system, approved by the County of San Bernardino, would collect and dispose of wastewater and the off-site discharge of pollutants would be regulated through measures contained in the approved Water Quality Management Plan (WQMP). The WQMP would ensure that pollutant discharge from the site would be regulated through best management practices and the historic rate of discharge would be maintained due to the use of an on-site retention basin.

The site development requirements will also require the following as standard conditions of approval:

1. **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

Regional Board Permit Letter: CONSTRUCTION projects involving one or more acres must be accompanied by a copy of the Regional Board permit letter with the WDID #. Construction activity includes clearing, grading or excavation that result in the disturbance of at least one (1) acre of land total.

IX b) **Less Than Significant.** Water service will be provided by the Phelan Pinon Hills Community Services District. The District's water service area covers approximately 119 square miles and derives its water supply from 11 groundwater wells. According to the District's *Urban Water Management Plan Update* from 2015, the Districts pumps water from wells in the Mojave Basin Area and the Antelope Basin Area. There are no limits on the amount of water that may be pumped by the District from the Mojave Basin Area, provided any amount over their proportional fair share requires purchase of a replacement amount to recharge the Basin. The District is also allowed to pump water from the Antelope Valley Basin. The *Urban Water Management Plan* provides that "Because the District's collective groundwater supplies are sufficient to meet water demands, the District typically only purchases water as an emergency water supply source. (p. 6-2) The Plan also states that "Because a single dry year or a multiple dry year period will not compromise the District's ability to provide a reliable supply of water to its customers,..." (p. 7-7) In addition, Table 7-4 compares multiple dry years in 2020, 2025, 2030, and 2035. No additional supplies are necessary to meet projected demand. Based upon the District's ability to meet projected water needs and the existing requirement to replenish groundwater supplies should extraction levels exceed proportional fairness, the District would not deplete groundwater supplies.

IX c-e) **Less Than Significant.** The proposed Project would not affect the existing flood plain or drainage flows through the project site. Any historic drainage flows through the site would need to be continued, thereby maintaining the existing area drainage pattern. No identified drainage course or stream traverses the project site.

IX g-i) **No Impact.** The proposed Project site is within a 100-year flood plain. This flood plain is part of a broad flood plain extending to the north of the project site. No housing is proposed as part of the proposed project and no levees or dams exist upstream of the project site. Building pad elevations

would be required to be raised above the base flood level elevation to adequately protect the structures.

- IX j) **No Impact.** Due to inland distance from the Pacific Ocean and any other significant body of water, tsunamis and seiches are not potential hazards; therefore, impacts from seiche and tsunami are not anticipated. The proposed Project is not located in an area susceptible to mudflows. People or structures would not be at a significant risk related to seiche, tsunami, or mudflow.

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

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

SUBSTANTIATION:

- X a) **No Impact.** The proposed project is an expansion of existing administrative facilities, previously approved as part of Conditional Use Permit 11886CU1, located on the southerly portion of the property, adjacent to an existing park and senior facility. The new development portion of the project fronts upon Sheep Creek Road, an existing paved roadway. Vacant land exists to the north, east and west of the proposed development portion of the parcel. As such, the proposed Project would not divide an established community.
- X b-c) **No Impact.** The Project site is not within an adopted habitat conservation plan or natural community conservation plan. According to the completed biological resources assessment "very little native vegetation currently exists on the site due to past and on-going human activities." (p. 1) The report also noted that no sensitive native plants exist on-site and that the site "supports marginal habitat for any sensitive species including the desert tortoise..." (p.1)

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

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

SUBSTANTIATION:

XI a-b) **Less than Significant.** The proposed Project site is classified as MRZ-4. A designation of MRZ-4 indicates "areas where geologic information does not rule out either the presence or absence of mineral resources." The reference also states "It must be emphasized that MRZ-4 classification does not imply that there is little likelihood for the presence of mineral resources, but rather there is a lack of knowledge regarding mineral occurrence. Further exploration could well result in the reclassification of land in MRZ-4 areas to MRZ-3 or MRZ-2 categories." (p. 6, *Guidelines for Classification and Designation of Mineral Lands*, Department of Conservation, State Mining and Geology Board) Lands in the area do not include mineral extraction and it is unlikely for the property to be utilized for such use due to the project size and surrounding land uses. As such, it is unlikely the proposed project would result in the loss of mineral resources.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
XII. NOISE - Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

XII a, c-d) **Less than Significant.** The proposed development Project will generate noise during the construction and operational phases. Multiple construction phases are proposed and no specific time frame has been identified. The surrounding properties are vacant, except for land to the south that includes the District's existing park site and commercial businesses that front upon Sheep Creek. The closest residences to the project site are south of the existing park, south of Sahara/Warbler Road.

Pursuant to section 83.01.080 of the County Development Code, interior noise levels in all single family residences shall not exceed 45 dB(A) Day-Night Sound Level (Ldn) emanating from sources outside the residential building. The exterior noise levels in single family residential land use areas should not exceed 60 dB(A) Ldn for any exterior residential use area. However, an exterior noise level of up to 65 dB(A) is permitted, provided exterior noise levels have been substantially mitigated through a reasonable application of the best available noise reduction technologies.

The subject Property and surrounding lands, including the existing residences, are designated PH/CG (Pinon Hills, General Commercial). The property adjoining the residences to the west is utilized as an equipment rental yard. Due to the commercial nature of the proposed use and surrounding commercial land, residentially designated land uses would not be affected by the proposed project. Project construction activities and operational characteristics would increase noise above ambient levels. However, the proposed development Project would not exceed County standards. The proposed project includes a maintenance facility, with bay doors that face to the east. An acoustical analysis of the proposed project was prepared that identified existing traffic noise and projected project noise. The analysis projected a noise level of 43.5 dB(A) for potential mechanical equipment utilizing the methodology found in ARI (Air-Conditioning and Refrigeration Institute) Standard 275. The automotive maintenance building (Service Building) was evaluated based upon the potential use of pneumatic wrenches during vehicle wheel removal, which was assumed to be the noisiest potential mechanical operation. Utilizing data collected from a Costco tire service facility, it was calculated noise levels would be 65 dB(A), which would be within the County noise level limit of 75 dB(A) for a one-minute daytime operation that could affect a commercial land use. As such, projected noise levels would not exceed County noise limits.

Roadway noise from Sheep Creek Road was measured at 56 dB(A) on a weekday, 150 feet from the roadway centerline. Based upon the placement of the proposed administrative building and the projected noise levels, it was estimated that a CNEL of 57 dB(A) would occur at the building line, which is within County standards.

XII b) **Less Than Significant.** Groundbourne vibration and groundbourne noise could originate from earth movement during the construction phase of the proposed project. Construction activities may result in short term impacts to the noise environment including groundbourne vibration and noise. Potential impacts from ground vibration occurring during construction periods, between the hours of 7:00 am and 7:00 pm, are exempt from County vibration standards. Motor vehicle use during project operation are also exempt from County vibration standards. Potential impacts due to noise would be short term during construction and would end once the project is operational. At buildout the Project is not expected to generate notable groundbourne vibration or noise.

XII e-f) **No Impact.** The Project site is not located within a land use plan or in the vicinity of a private airstrip. No impacts related to excessive noise levels from these types of land uses would occur.

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

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

SUBSTANTIATION:

XIII a-c) **No Impact.** The proposed development Project is intended to respond to the service needs of residents within the area. The proposed facilities would not result in development of new residential or commercial land uses, but rather are intended to respond to projected needs. The proposed development site is vacant and improved. The portion that is improved would not change, except potentially in the occupancy of existing structures. That portion of the Project site proposed for new construction would not result in the removal of housing or displace people because the land is vacant.

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

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XIV. PUBLIC SERVICES

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

Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

Fire Protection

Less Than Significant. Fire protection is provided by the County of San Bernardino. The closest station to the project site is the Phelan Station No. 10, located at 9625 Beekley Road, approximately 1.4 driving miles from the project site. Implementation of the proposed Project would not significantly increase demand for fire protection services and is not anticipated to impact acceptable service ratios, response times, or other performance objectives.

Police Protection

Less Than Significant. The Project site would be served by the San Bernardino County Sheriff's Department, which has the Phelan Substation located approximately one-quarter mile north of the project site. According to the Department's Website, the Phelan Substation has one sergeant, one detective, one patrol corporal, and nine deputies. Response times are anticipated to increase as the population, traffic and business levels in the area increase. The proposed project is not anticipated to result in increased demand for police protection services that would impact acceptable service ratios, response times, or other performance objectives.

Schools

No Impact. The Project site is located within the Snowline Joint Unified School District. Pinon Mesa Middle School and Serrano High School are located approximately one-third mile south of the project site. Due to the type of use proposed, the proposed project would not induce population growth and would not increase demand for school services or impact existing school facilities.

Parks

No Impact. The applicant, Pinon Hills Community Services District, provides a variety of services, including park and recreation. An existing park site is located adjacent to the proposed improvement area. Due to the type of use proposed as part of the new development area, the project would not induce population growth and would not increase demand for parks or impact existing park facilities.

Other Public Facilities

Less Than Significant. The proposed development Project would result in the need for additional roadway maintenance. However, the primary purpose of the proposed project is to respond to the needs of existing residents. As such, some additional level of vehicle trips would be generated by the proposed Project for individuals traveling to and from the site, but these trips would occur from existing residents.

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

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

SUBSTANTIATION:

XV a-b) **No Impact.** The proposed development Project is an expansion of the District's existing development area that includes the current administration building, park site, and Pinon Hills Community Center, which includes areas for meetings, kitchen area, and educational events. The proposed Project would not result in population change that would increase the use of existing neighborhood and regional parks or other recreational facilities and would not necessitate the construction of new facilities.

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

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

SUBSTANTIATION:

- XVI a) **No Impact.** Sheep Creek Road is currently a paved two-lane roadway, but master planned as a Major Highway with four travel lanes. According to information on the County's Public Works Website, the average daily traffic (ADT) on Sheep Creek Road in November 2012 was 8075. The standard design capacity listed within the County's Road Planning and Design Standards for a two-lane collector roadway is 5,000 ADT, based upon "the desirability of maintaining an acceptable traffic level which will not adversely affect residential neighborhood qualities." The County General Plan Final Environmental Impact utilized 7,000 ADT as a threshold for two lane roads in the Desert area. Since the area is not residential and posted vehicle speeds range from 40 mph to 55 mph and far exceed typical collector roadway conditions, it is reasonable to conclude additional roadway capacity exists that can provide for the proposed Project. Also, please refer to the LOS information contained in the County Congestion Management Plan discussed below that indicates the LOS is A in both directions, meaning the roadway would operate at its best capacity level.

Sidewalk improvements currently exist along Sheep Creek Road adjacent to a portion of the existing site and north of the proposed development area. The proposed Project's new development area will be required to widen the existing roadway and install a sidewalk along that portion of the street adjacent to the site.

- XVI b) **No Impact.** Sheep Creek Road is part of the adopted San Bernardino County Congestion Management Plan (CMP), based upon Figure 2-2 of the San Bernardino County CMP 2015 Update. Based upon information contained in the 2015 CMP Update, Sheep Creek Road, between Phelan Road and SR-138, has a Level of Service (LOS) in the morning and evening hours of in both directions. As such, development of the project site would not adversely affect the existing CMP.

A traffic analysis was completed (Hall and Foreman, 2013) for the proposed project and projected a peak hour trip generation factor of 59 and 597 daily trips. The study projected that existing traffic, plus project conditions would result in an LOS of B for morning and evening peak hours. The Sheep Creek Road and Warbler intersection with 2035 traffic would change to an LOS of C for morning and evening peak hours. All conditions would be consistent with County standards.

- XVI c) **No Impact.** Implementation of the proposed project would not result in a change to air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks, due to the lack of airports in the area.

- XVI d) **No Impact.** The proposed Project would primarily utilize Sheep Creek Road, which is a paved, flat, two lane roadway with good visibility.

- XVI e) **Less Than Significant.** Emergency access to the Project site would be provided from Sheep Creek Road on the westerly side of the project site and Warbler Road to the south. Improvements already exist through a portion of the subject parcel from Warbler Road. As such, implementation of the Project would not significantly impact existing emergency access.

- XVI f) **No Impact.** Implementation of the project would not affect existing public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS - Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:

- XVII a) **Less Than Significant.** The proposed development Project will utilize an on-site septic system. San Bernardino County Environmental Health Services Division has required submittal and approval of a percolation report to determine the feasibility of allowing the operation of such as system.
- XVII b, d) **Less Than Significant.** Water service will be provided by the Phelan Pinon Hills Community Services District. The District's water service area covers approximately 119 square miles and derives its water supply from 11 groundwater wells. The District's *Urban Water Management Plan Update* prepared in 2015 states "... a single dry year or a multiple dry year period will not compromise the District's ability to provide a reliable supply of water to its customers,..." (p. 7-7) In addition, Table 7-4 compares multiple dry years in 2020, 2025, 2030, and 2035 and found adequate supplies will be available to meet projected demand. As such, no additional supplies are necessary to meet projected demand and no new or expanded entitlement resources would be necessary to meet future demands. San Bernardino County Environmental Health Services (DEHS) has also required the water purveyor to be approved by DEHS. As noted above, sewer service will be provided through an on-site subsurface disposal system approved by County of San Bernardino Environmental Health Services.
- XVII c) **Less Than Significant.** The proposed development Project is conditioned to provide a final Water Quality Management Plan (WQMP) to ensure appropriate methods have been provided to retain the incremental increase in stormwater discharged caused through the addition of impervious surfaces. Once constructed, the proposed Project would discharge stormwater flows equal to the historical rate in the historical drainage pattern. As such, additional storm water drainage facilities would not be required. The applicant has proposed an on-site retention basin along the easterly side of the project. Discharge from the basin in an overflow condition would direct water to the north in its historical pattern. No drainage facilities exist in the area to receive this water.

XVII e) **No Impact.** The proposed development Project includes subsurface disposal utilizing a County approved septic system.

XVII f) **Less Than Significant.** The proposed Project includes 37,949 sq. ft. of building area. Disposal Rates for commercial office buildings per 1,000/sq. ft. per day, based upon past studies identified on the CalRecycle Web Site operated by the State of California. Applying this factor to the proposed project would result in a generation of approximately 227 pounds per day or 41.5 tons per year.

The County of San Bernardino Solid Waste Management Division (SWMD) is responsible for the operation and management of the County of San Bernardino's solid waste disposal system which consists of six landfills and seventeen transfer stations operated by the County. The existing landfill serving the project site is the Victorville Sanitary Landfill in Victorville. The Landfill has a maximum permitted daily capacity of 3,000 tons and 83,200,000 of remaining capacity as of May 2009. Due to the landfill capacity the solid waste system has sufficient permitted capacity to accommodate the project's solid waste disposal needs.

This Project also falls within a Uniform Handling Service area. All commercial users within the uniform handling area who are required to have uniform handling service shall, upon notice thereof, be required to accept uniform handling service from the grantee holding a franchise agreement and pay the rate of such services. This service area includes waste and recycling services.

XVII g) **Less than Significant.** The proposed Project is required to comply with all federal, state, and local statutes and regulation related to solid waste. The project would consist of short-term construction activities (with short-term waste generation limited to minor quantities of construction debris). Solid waste produced during the construction phase of this project would be disposed of in accordance with all applicable regulations, including the County construction and demolition debris reduction ordinance. Operational disposal would involve the collection of waste from a franchise company and disposed of within a licensed facility.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:

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

SUBSTANTIATION:

- a) **Less Than Significant.** Based on the analyses contained in this Initial Study, impacts to Aesthetics, Agriculture and Forestry Resources, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, and Traffic are considered to have a less than significant or no impact on the environment.

The results of the Initial Study show that there are potentially significant impacts to Biological Resources and Cultural Resources. These impacts will be reduced to less than significant after incorporation of mitigation measures and compliance with existing rules and regulations.

Therefore the Project will not substantially degrade the quality of the environment and impacts to air quality, habitat, wildlife populations, plant and animal communities, rare and endangered species, important examples of the major periods of California history or prehistory or traffic, would be less than significant with mitigation.

- b) **Less Than Significant.** None of the proposed project actions would substantially contribute to any cumulatively significant impact on the evaluated resources. The proposed Project would not result in any unmitigated adverse project effects on Aesthetics, Air Quality, Biological Resources, Cultural Resources, Greenhouse Gas Emissions, Geology and Soils, Hydrology and Water Quality, Hazards and hazardous Materials, Land Use and Planning, Noise, Population and Housing, Recreation or Transportation/Traffic and there would be no contribution to any cumulatively considerable impacts

in these issue areas. There would be no long-term loss of agricultural or forestry resources or loss of availability of a mineral resource of value to the state, region, or locally, so there would be no cumulative effect. The project would involve reclamation of the project site for long-term open space habitat. There would not be an adverse change in scenic value or visual quality or noise levels that could contribute to a cumulative impact. No impacts on services or utility systems would occur as a result of project implementation that could combine with cumulative effects in the area surrounding the project.

In addition, the analysis in this Initial Study Checklist demonstrated that the proposed project is in compliance with all applicable regional plans including, but not limited to, air quality, biological resources, and greenhouse gas emissions. Compliance with these regional plans serves to reduce impacts on a regional basis so that the Project would not produce impacts, that considered with the effects of other past, present, and probable future projects, would be cumulatively considerable. Based on the analyses contained in this Initial Study, cumulative environmental impacts are considered less than significant with mitigation incorporated, less than significant or having no impact on the environment.

- c) **Less Than Significant.** As discussed this Initial Study Checklist, the proposed Project would not expose persons to adverse impacts related to Air Quality, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use and Planning, Noise, Population and Housing, or Transportation/Traffic hazards. These impacts were identified to have no impact, a less than significant impact, or a less than significant impact with mitigation incorporated.

The implementation of the existing rules and regulations, conditions from permit approvals and the mitigation measures identified in this Initial Study Checklist and listed below would result in a less than significant impact. There would be no substantial adverse effects on human beings, either directly or indirectly.

XIX. MITIGATION MEASURES

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

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

BIO-1-Burrowing Owl. Utilizing accepted protocols, within 30-days prior to initiating ground disturbance activities, a pre-construction survey shall be conducted for the Burrowing Owl by a qualified biologist and a report filed within the Planning Department for review and approval.

BIO-2-Desert Tortoise. A pre-construction survey shall be completed by a County approved biologist to either confirm the continued absence of the desert tortoise on the project site or to verify the intensity and location of the recently migrated Desert Tortoise on the project site. If a desert tortoise is discovered on the site all activities shall cease. The developer shall notify the U.S. Fish and Wildlife Service and shall initiate a consultation with the California Department of Fish and Wildlife for the incidental take of the desert tortoise.

CUL-1 Human Remains. If human remains of any kind are found during earthwork activities, all activities must cease immediately and the San Bernardino County Coroner and a qualified archaeologist must be notified. The Coroner will examine the remains and determine the next appropriate action based on his or her findings. If the coroner determines the remains to be of Native American origin, he or she will notify the Native American Heritage Commission whom will then identify the most likely descendants to be consulted regarding treatment and/or reburial of the remains. If a most likely descendant cannot be identified, or the most likely descendant fails to make a recommendation regarding the treatment of the remains within 48 hours after gaining access to them, the contractors shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance. Any costs incurred related to the remains shall be borne by the project proponent.

GENERAL REFERENCES (List author or agency, date, title)

Archaeological Information Center, Response Letter dated October 25, 2012.

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

California Division of Mines and Geology, Special Studies Zones: Fifteenmile Valley Quadrangle Official Map, March 1, 1988.

California Department of Conservation, San Bernardino County Important Farmland Map, Sheet 2 of 2.
<ftp://ftp.consrv.ca.gov/pub/dirp/FMMP/pdf/2014/>

California Department of Conservation, San Bernardino County Williamson Act Fiscal Year 2015/2016 Map, Sheet 2 of 2. ftp://ftp.consrv.ca.gov/pub/wa/SanBernardino_15_16_WA.pdf

CEQA Guidelines, Appendix G

California Division of Mines and Geology. *Mineral Land Classification of a Part of Southwestern San Bernardino County, California: A part of the Eastern San Gabriel Mountains and the Western San Bernardino Mountains* (DMG Open-File Report 94-07). 1995.

County of San Bernardino Development Code

County of San Bernardino General Plan, 2007

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

Focused Desert Tortoise Survey, prepared by RCA Associates, LLC, dated October 30, 2012.

General Biological Resources Assessment, prepared by RCA Associates, LLC, October 29, 2012 and subsequent update letter, dated August 12, 2014.

Preliminary Acoustical Analysis of the Proposed Development for the Phelan Pinon Hills Community Services District, P.A. Penardi & Associates, February 27, 2013.

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

Mojave Desert Air Quality Management District, Response Letter dated April 12, 2016.

Traffic Study, Hall & Foreman, Inc., March 18, 2013.

San Bernardino County Museum. October 16, 1992. *Paleontologic Assessment, APN #436-142-19, Apple Valley, San Bernardino County, California.*

San Bernardino County Museum. September 24, 1992. *Historical Resources Record Search For APN 436-142-19*

San Bernardino County Museum. January 16, 2015. *Historical Resources Record Search: APN #0436-142-19, Apple Valley.*

Phelan Pinon Hills CSD
APN 3066-261-10
March 21, 2016

State of California, Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program

Town of Apple Valley General Plan, 2009.

EXHIBIT D

MDAQMD Comment Letter



Mojave Desert Air Quality Management District

14306 Park Avenue, Victorville, CA 92392-2310

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Visit our web site: <http://www.mdaqmd.ca.gov>

Eldon Heaston, Executive Director

April 12, 2016

Jim Morrissey, Contract Planner
San Bernardino County Land Use Services
385 North Arrowhead Avenue, First Floor
San Bernardino, CA 92415-0187

Project: Phelan/Pinon Hills C.S.D., Revised CUP

Dear Mr. Morrissey:

The Mojave Desert Air Quality Management District (District) has received the revised Conditional Use Permit (CUP) for a CUP to add a 8,324 sq. ft. administrative building, 10,170 sq. ft. service building, 14,558 sq. ft. multi-purpose building, and 5,000 sq. ft. expansion area for the administrative building in four phases adjacent to a recreational complex on 8.14 acres in the community of Phelan.

The District has reviewed the site plan, and based on the information provided has no comments.

Thank you for the opportunity to review this planning document. If you have any questions regarding this letter, please contact me at (760) 245-1661, extension 6726, or Tracy Walters at extension 6122.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan J. De Salvio".

Alan J. De Salvio

Deputy Director – Mojave Desert Operations

AJD/tw

Phelan Pinon Hills CSD CUP

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