LAND USE SERVICES DEPARTMENT
PLANNING COMMISSION STAFF REPORT

HEARING DATE: August 7, 2025 **AGENDA ITEM 2**

PROJECT DESCRIPTION

APN: 0593-321-25 and 0593-271-01
Applicant: David Martinez
Community: Pioneertown
Location: 50857 Burns Canyon Road and 50921 Powder Horn Pass
Project No: PROJ-2023-00010
Staff: Oliver Mujica
Rep: David Martinez
Proposal: Conditional Use Permit to establish and operate a meeting facility for up to 30 seasonal outdoor events per calendar year for up to 150 persons per event, including fire safety and site access improvements on Burns Canyon Road and Powder Horn Pass, and parking lot improvements with 50 parking spaces on 11.25 acres.



19 Public Hearing Notices Sent on: July 22, 2025

Report Prepared By: Oliver Mujica, Contract Planner III

SITE INFORMATION

Parcel Size: Approximately 11.25 acres
Vegetation: Scattered natural vegetation

TABLE 1 – SITE AND SURROUNDING LAND USES AND ZONING

AREA	EXISTING LAND USE	LAND USE CATEGORY	LAND USE ZONING DISTRICT
SITE	Existing Structures	Rural Living, 1 Dwelling Unit / 2.5 Acre Maximum	Rural Living, 5-Acre Minimum (RL-5)
North	Single-Family Residences	Rural Living, 1 Dwelling Unit / 2.5 Acre Maximum	Rural Living, 5-Acre Minimum (RL-5)
South	Single-Family Residences	Rural Living, 1 Dwelling Unit / 2.5 Acre Maximum	Rural Living, 5-Acre Minimum (RL-5)
East	Single-Family Residences	Rural Living, 1 Dwelling Unit / 2.5 Acre Maximum	Rural Living, 5-Acre Minimum (RL-5)
West	Single-Family Residences	Rural Living, 1 Dwelling Unit / 2.5 Acre Maximum	Rural Living, 5-Acre Minimum (RL-5)

	Agency	Comment
City Sphere of Influence:	N/A	N/A
Water Service:	Private	N/A
Sewer Service:	Private	N/A

STAFF RECOMMENDATION

That the Planning Commission **FIND** the Conditional Use Permit is exempt from CEQA pursuant to CEQA Guidelines Section 15183; **ADOPT** the recommended findings for approval of the Conditional Use Permit; **APPROVE** the Conditional Use Permit, subject to the Conditions of Approval; and **DIRECT** the Land Use Services Department to file the Notice of Exemption in accordance with California Environmental Quality Act[1].

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

FIGURE 1 – VICINITY MAP



FIGURE 2 – LAND USE CATEGORY MAP

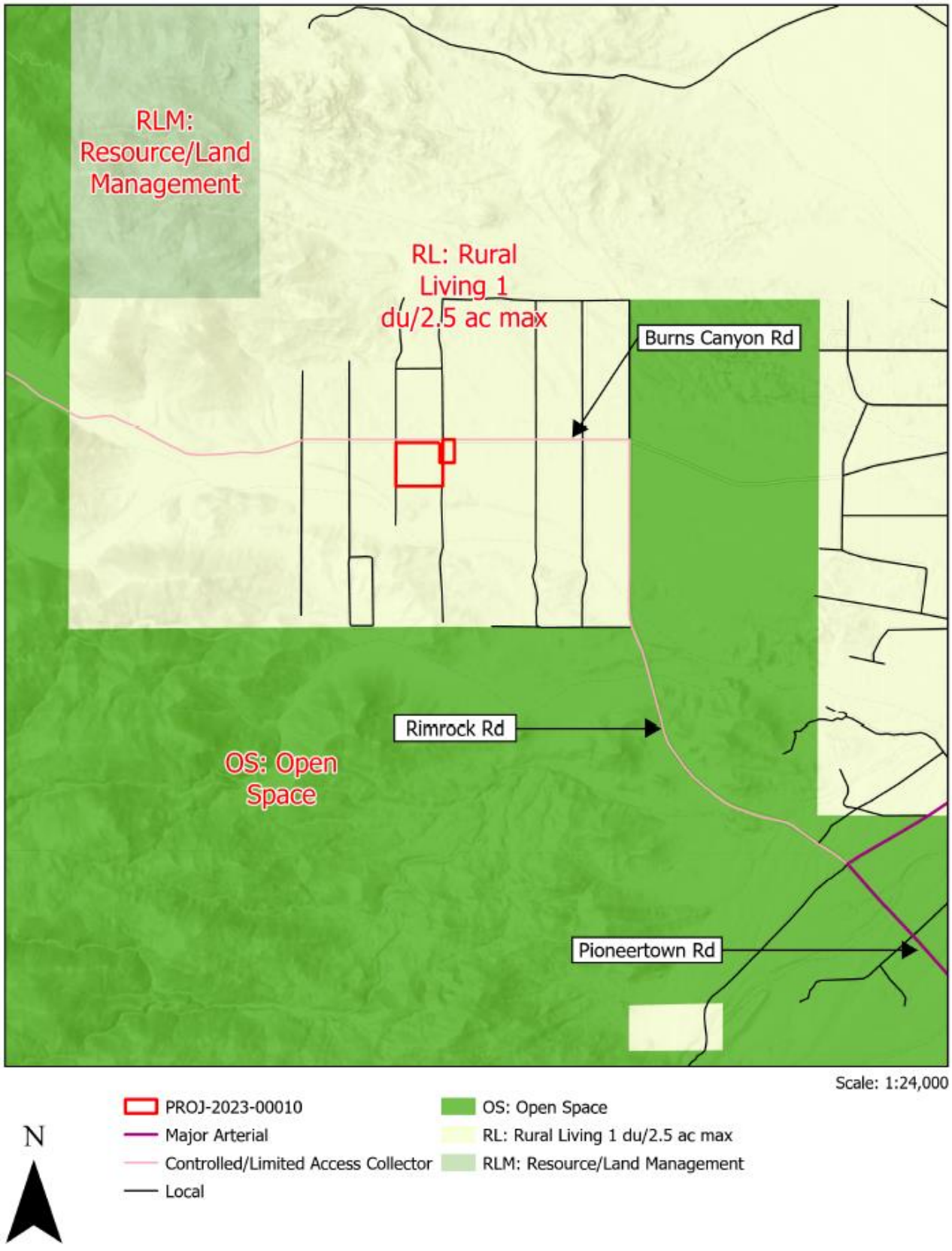


FIGURE 3 – ZONING MAP

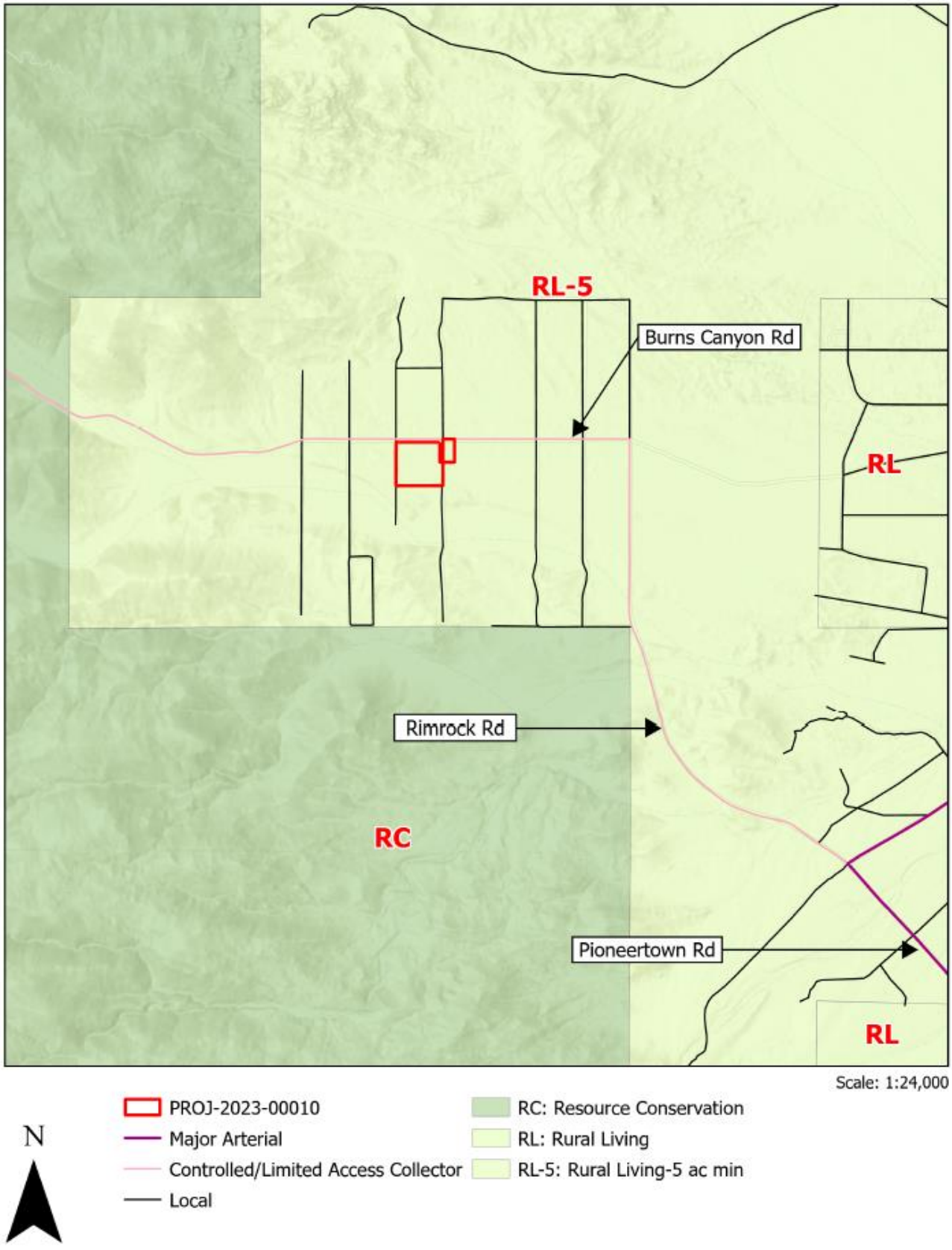


FIGURE 4 - PROJECT SITE
View of site looking west on Burns Canyon Road



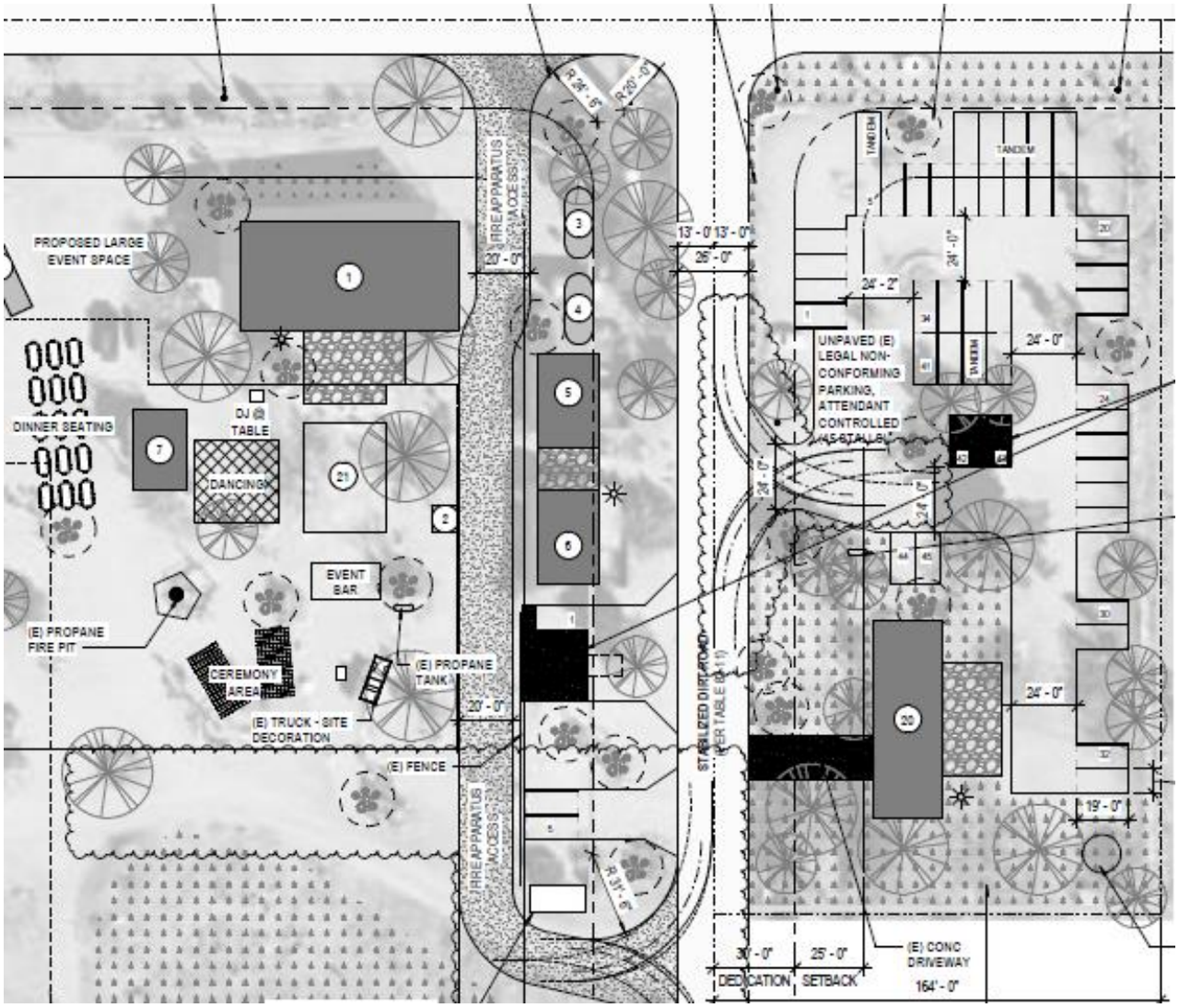
FIGURE 5 - PROJECT SITE
View looking south towards Powder Horn Pass from Burns Canyon Road



FIGURE 6 - PROJECT SITE
View of site looking south from 4th Avenue



FIGURE 7 – SITE PLAN



BACKGROUND AND PROJECT DESCRIPTION

The project site is comprised of two (2) parcels (50857 Burns Canyon Road and 50921 Powder Horn Pass) currently developed with an existing legal non-conforming motel land use consisting of a hatch house, lodge, two (2) cabins, two (2) air stream units, six (6) storage structures, four (4) horse shelters, shade structure, event restrooms, viewing deck, and parking (Exhibit D). Over the course of the past decades, Rimrock Ranch has hosted a variety of seasonal outdoor events (Exhibit E).

In 2019, under the current ownership/Applicant, Rimrock Ranch had its longstanding land use formally recognized as a legal non-conforming motel. The Applicant now seeks to add an accessory use to include a meeting facility for seasonal outdoor events, as it has over its long history. With the exception of the required fire safety, access, and parking lot improvements, no construction or alteration of the existing legal non-conforming motel land use is proposed.

The Applicant is requesting approval of a Conditional Use Permit to establish and operate a meeting facility for up to thirty (30) seasonal outdoor events per calendar year for up to 150 people per event (Project). Due to the high desert's extreme weather, the seasonal outdoor events will occur during mid-March to mid-June and from September to mid-November for a total of thirty (30) events per year.

Pursuant to Section 82.01.020(c)(2)(A) of the San Bernardino County Development Code (Development Code), "[t]he RL (Rural Living) land use zoning district provides sites for rural residential uses, incidental agricultural uses, and similar and compatible uses." Correspondingly, pursuant to Section 82.04.040(b) of the Development Code, a "Meeting Facility, public or private" is permitted within the Rural Living (RL) zoning district, subject to the approval of a Conditional Use Permit. Therefore, the proposed seasonal outdoor events for Rimrock Ranch is conditionally permitted within the Rural Living, 5-Acre Minimum (RL-5) zoning district.

The proposed meeting facility would be used in conjunction with the existing legal nonconforming use. The Project site would therefore be comprised of the following (See Figure 7):

Parcel 1 (50857 Burns Canyon Road)

- Hatch House with one (1) guest room (3,200 square feet)
- Air Stream Unit with one (1) guest room (133 square feet)
- Air Stream Unit not available for rent (98 square feet)
- Two (2) cabins with two (2) guest rooms each (759 square feet each)
- Six (6) storage structures totaling 1,938 square feet
- Four (4) horse shelters (225 square feet each)
- Shade structure (1,200 square feet)
- Event restrooms (100 square feet)
- Viewing deck (600 square feet)
- Fire emergency access
- Seasonal outdoor meeting facility (maximum of 30 events per calendar year with up to 150 people per event)

Parcel 2 (50921 Powder Horn Pass

- Parking lot (50 parking spaces)

  Lodge with one (1) guest room (1,800 square feet)

PROJECT ANALYSIS

Logistics and Operations:

- All events are subject to rules and conditions put forth in a contract between the owner and the patrons. The contract will be consistent with, or more rigorous then, Project conditions of approval and countywide development standards for the Project site.
- Every event is supervised by either the owners or a proxy.
- Every event has provided venue staff included.
- Event insurance is required.
- No campfires or fireworks of any kind are permitted on the premises. Propane fires in contained units only, no fires past 12:00 a.m.
- Applicable fire regulations and noise ordinances are strictly enforced.
- Rimrock Ranch employs active noise monitoring techniques during events.
- Event space for larger celebrations is limited to the areas west of the “observation deck” and south of the “hatch house.”
- Drinking water for the events is supplied by vendors through pre-purchased event catering packages; no water is used from the existing well. Well water is reserved for the use of Motel operations only.

Event Frequency and Hours of Operation:

- Due to seasonality, events occur:
    - Mid-March to Mid-June and September to November
    - Thirty (30) events per year
    - Events are limited to a maximum of 150 guests
- Hours:
    - Amplified music off no later than 10:00 p.m.
    - Bar closes no later than 10:30 p.m.
    - Event lights no later than 11:00 p.m.
    - Non-registered guests must vacate by 11:00 p.m.
    - All outdoor activity by registered Motel guests (23 max) is prohibited after 12:00 a.m.
    - All event guests are required to be off premises by 11:00 p.m.
    - All event staff are required to be off premises by 12:00 a.m.

Alcohol:

- Alcohol for events is available exclusively through pre-purchased event catering packages offered by the facility under an ABC Type 70 License (On-Sale General Restrictive Services) and served exclusively by certified bartenders.
- Registered guests may purchase alcohol via Controlled Access Cabinets located exclusively within guestrooms under an ABC Type 66 License (Controlled Access Cabinet Permit).
- Insurance covering host liquor liability is required in the events contract.
- If a temporary bar is provided it shall be closed by 10:30 p.m., with last the call at 10:00 p.m.

Parking and Loading:

- Pursuant to Development Code Section 83.11.040, a Meeting Facility requires one (1) off-street parking space for each three (3) fixed seats. Based on a maximum of 150 guests per event, a total of 50 parking spaces (150 / 3 = 50) is required for the proposed Project.
- On-site parking is limited to the existing parking area on the east parcel, north and east of the "Lodge," and accessible stall accessed from Powder Horn Pass. All cars are to be valet on the easterly parcel by one (1) to two (2) parking attendants. No street parking is available or allowed.
- New paved accessible parking stalls proposed along Powder Horn Pass and within the existing easterly parking lot, which includes a new concrete pad and striping per requirements set forth in the California Building Code. One van accessible parking stall is planned for parking at Powder Horn Pass.
- Deliveries occur via Burns Canyon Road and Powder Horn Pass, with an existing truck turnaround at the southeast side of the west parcel.
- Prior to occupancy/use, a Reciprocal Parking Agreement between APN: 0593-321-25 and APN: 0593-271-01 shall be recorded.

Frequency and time of day for deliveries:

- 8:00 a.m. to 1:00 p.m. arrival and departure of rental trucks, no more than two (2) for unloading of the event rentals.
- Arrival and departure of temporary restroom trailers.
- 2:00 p.m.: Arrival of catering truck
- 9:00 p.m.: Departure of catering truck

Restroom Facilities:

- A mobile portable restroom trailer is kept on-site, and service is subcontracted to Burrtec with regular maintenance schedules.
- Private restrooms within dwelling units are for use by registered guests only. Private restrooms utilize an existing well and septic system.
- One permanent single-occupant restroom with a shower is available for use by registered guests staying in an Air Stream trailer rental unit. The private restroom utilizes an existing well and septic system.

Code Compliance Summary:

The proposed Project satisfies all applicable standards of the Development Code for development within the Rural Living, 5-Acre Minimum (RL-5) zoning district, as illustrated on the site plan (Exhibit D) and in Table 2 below:

Table 2: PROJECT CODE COMPLIANCE

Project Component	San Bernardino Development Code	Project Plans
Meeting Facility, public or private	CUP	CUP
Parking	50 spaces	50 spaces

TABLE 3: COUNTYWIDE POLICY PLAN CONSISTENCY

Policy LU-2.1: Compatibility with Existing Uses	Consistency
We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.	Considering features of the site design with the existing improvements, the establishment and operation of the seasonal outdoor events consistent with the County Development Code, along with implementing the Conditions of Approval, the Project minimizes negative impacts on the surrounding land uses and adjacent neighborhoods.
Policy LU-2.4: Land Use Map Consistency	**Consistency**
We consider the proposed development that is consistent with the Land Use Map (i.e., it does not require a change in Land Use Category), to be generally compatible and consistent with surrounding land uses and a community's identity. Additional site, building, and landscape design treatment, per other policies in the Policy Plan and development standards in the Development Code, may be required to maximize compatibility with surrounding land uses and community identity.	The existing improvements associated with the Project conform with the performance standards that are identified in the County Development Code. A Meeting Facility for seasonal outdoor events is allowed within the Rural Living, 5-Acre Minimum (RL-5) zoning district, subject to the approval of a Conditional Use Permit. Additionally, the Project site plan identifies compliance with the County Development Code.

CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

In accordance with the California Environmental Quality Act (CEQA) Guidelines, Sections 15050 and 15367, the County is designated Lead Agency for the Project and has principal authority and jurisdiction for CEQA actions and Project approval. As part of its initial review of the Project, the Land Use Services Department determined that the Project is exempt from CEQA pursuant to Section 15183 of the CEQA Guidelines based on an exemption checklist (Exhibit A).

Pursuant to Section 15183, CEQA mandates that projects which are consistent with the development density established by existing zoning or general plan policies for which an Environmental Impact Report (EIR) was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. On October 27, 2020 (Item No. 100), the Board of Supervisors (Board) adopted the Countywide Plan which serves as the general plan for the unincorporated County.

The Project site is located within the Rural Living (RL) Countywide Plan Land Use Category and the Rural Living, minimum 5 acres (RL-5) zoning district. The density and intensity range for the Rural Living (RL) Land Use Category is 1 unit per 2.5 acres. The Project site is surrounded to the west, north, and east by rural residential development. The properties to the south are characterized by scattered rural residential and vacant lands. The motel use, along with the seasonal outdoor events, has been occurring on-site since 1947. Approval of the meeting facility for outdoor events does not include the expansion of existing structures and remains consistent with the Rural Living (RL) density as shown in Table 2. The existing motel use already has legal non-conforming status, and allowing a meeting facility for seasonal outdoor events with a Conditional Use Permit is consistent with the Countywide Plan.

In conjunction with adopting the Countywide Plan, the Board also certified a Program Environmental Impact Report (PEIR)(SCH No. 2017101033). The PEIR identified the following areas as either having a potentially significant impact or an unavoidable impact with the anticipated build-out of the Countywide Plan: Air Quality (Impact 5.3-1, -2, -3, -4, and -5), Biological Resources (Impact 5.4-1, -2, -4 and -5), Cultural Resources (Impact 5.5-1, -2, and -3), Greenhous Gas Emissions (Impact 5.7-1), Hazards and Hazardous Materials (Impact 5.8-6 and -8), Mineral Resources (Impact 5.11-1),

Noise (Impact 5.12-1, -2, and -3), and Transportation/Traffic (Impact 5.16-3). As a result of the expected impacts, the Board adopted feasible mitigation measures included within the PEIR's Mitigation Monitoring and Reporting Program.

As part of the evaluation of peculiar impacts to the Project site, the analysis in the checklist concludes that the proposed Project would not result in: 1) any new or peculiar impacts not identified as significant in the PEIR; 2) any significant impacts that were not analyzed as such in the prior PEIR; 3) any potentially significant offsite or cumulative impacts not discussed in the PEIR; or 4) any more severe impacts based on substantial new information that was not available at the time the PEIR was prepared. The Project is required to comply with applicable uniformly applied development policies or standards and mitigation measures specified in the PEIR. Feasible mitigation measures that were identified in the PEIR and that will be undertaken include MM BIO-1, and MM CUL-2, which have been included in the Conditions of Approval. Based on the findings of the checklist, no further action is required, and a Notice of Exemption will be filed to confirm that the Project is eligible for an exemption under CEQA Guidelines Section 15183.

PUBLIC COMMENTS

On June 2, 2025, a Project Notice was mailed to the nineteen (19) property owners within 300 feet of the Project site including the property owner of the Project site, as required by Section 85.03.080 of the Development Code. Thirty-two (32) letters of support were received (Exhibit F).

NOTICE OF HEARING

On July 22, 2025, a Notice of Hearing was mailed to the nineteen (19) property owners within 300 feet of the Project site, including the property owner of the Project site, as required by Section 86.07.020 of the Development Code. One (1) letter of support was received (Exhibit F).

REQUIRED FINDINGS FOR REQUESTED ACTIONS

Pursuant to Development Code Section 85.06.040, the supporting facts for the required findings for approval of the Conditional Use Permit are provided in Exhibit B.

RECOMMENDATION That the Planning Commission:

1) **FIND** that the Conditional Use Permit is exempt from the California Environmental Quality Act pursuant to Section 15183 of the California Environmental Quality Act Guidelines (Exhibit A);

2) **ADOPT** the Findings in support of the Conditional Use Permit (Exhibit B);

3) **APPROVE** the Conditional Use Permit to establish and operate a meeting facility for up to thirty (30) seasonal outdoor events per calendar year for up to 150 persons per event, including fire safety and site access improvements on Burns Canyon Road and Powder Horn Pass, and parking lot improvements with fifty (50) parking spaces on a 11.25-acre project site, subject to the Conditions of Approval (Exhibit C); and

4) **DIRECT** the Land Use Services Department to file the Notice of Exemption in accordance with the California Environmental Quality Act.

ATTACHMENTS:

EXHIBIT A: Community Plan Exemption Checklist
EXHIBIT B: Findings for Conditional Use Permit
EXHIBIT C: Conditions of Approval
EXHIBIT D: Site Plan
EXHIBIT E: Rimrock Ranch Overview
EXHIBIT F: Public Comments

EXHIBIT A

Community Plan Exemption Checklist

DRAFT

Rimrock Ranch Project CEQA Guidelines Section 15183 (PROJ-2023-00010)

Countywide Plan Streamlining Checklist

July 2025

Prepared for:

San Bernardino County
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, California 92415

Mark Wardlaw, Director, Land Use Services Department

Prepared by:

Harris & Associates

101 Progress, Suite 250
Irvine, California 92618
(949) 655-3900
Elizabeth Kim, Senior Project Manager

This page intentionally left blank.

Table of Contents

Acronyms and Abbreviations ..... **iv**

Section 1 Introduction **1**

1.1 Overview of CEQA Guidelines Section 15183 1
1.2 Countywide Plan 2
1.3 Project Overview 2
1.4 Applicability of State Guidelines Section 15183 2
1.5 Content and Organization of This Streamlining Checklist 4
1.6 CWP PEIR 5

Section 2 Environmental Setting **7**

2.1 Project Location 7
2.2 Existing Land Use 7
2.3 Existing Countywide Plan and Zoning Designation 8
2.4 Surrounding Land Uses, General Plan, and Zoning Designations 8
2.5 Geographical Planning Regions 8
2.6 Countywide Plan 8

Section 3 Project Description **17**

3.1 Project Description 17
3.2 Discretionary Approvals 17

Section 4 Environmental Checklist **19**

4.1 Background 19
4.2 Environmental Factors Potentially Affected 21
4.3 Determination (to Be Completed by the Lead Agency) 22
4.4 Evaluation of Environmental Impacts 23

Section 5 Environmental Analysis **26**

5.1 Aesthetics 26
5.1.1 Summary of Impacts Identified in the CWP PEIR 26
5.1.2 Impacts Associated with the Project 26
5.2 Agriculture and Forest Resources 30
5.2.1 Summary of Impacts Identified in the CWP PEIR 30
5.2.2 Impacts Associated with the Project 30
5.3 Air Quality 34
5.3.1 Summary of Impacts Identified in the CWP PEIR 34
5.3.2 Impacts Associated with the Project 34
5.4 Biological Resources 39
5.4.1 Summary of Impacts Identified in the CWP PEIR 39

5.4.2 Impacts Associated with the Project 39
5.5 Cultural Resources 45
5.5.1 Summary of Impacts Identified in the CWP PEIR 45
5.5.2 Impacts Associated with the Project 45
5.6 Energy 50
5.6.1 Summary of Impacts Identified in the CWP PEIR 50
5.6.2 Impacts Associated with the Project 50
5.7 Geology and Soils 52
5.7.1 Summary of Impacts Identified in the CWP PEIR 52
5.7.2 Impacts Associated with the Project 52
5.8 Greenhouse Gas Emissions 58
5.8.1 Summary of Impacts Identified in the CWP PEIR 58
5.8.2 Impacts Associated with the Project 58
5.9 Hazards and Hazardous Materials 61
5.9.1 Summary of Impacts Identified in the CWP PEIR 61
5.9.2 Impacts Associated with the Project 61
5.10 Hydrology and Water Quality 66
5.10.1 Summary of Impacts Identified in the CWP PEIR 66
5.10.2 Impacts Associated with the Project 66
5.11 Land Use and Planning 72
5.11.1 Summary of Impacts Identified in the CWP PEIR 72
5.11.2 Impacts Associated with the Project 72
5.12 Mineral Resources 74
5.12.1 Summary of Impacts Identified in the CWP PEIR 74
5.12.2 Impacts Associated with the Project 74
5.13 Noise 76
5.13.1 Summary of Impacts Identified in the CWP PEIR 76
5.13.2 Impacts Associated with the Project 76
5.14 Population and Housing 80
5.14.1 Summary of Impacts Identified in the CWP PEIR 80
5.14.2 Impacts Associated with the Project 80
5.15 Public Services 83
5.15.1 Summary of Impacts Identified in the CWP PEIR 83
5.15.2 Impacts Associated with the Project 83
5.16 Recreation 87
5.16.1 Summary of Impacts Identified in the CWP PEIR 87
5.16.2 Impacts Associated with the Project 87
5.17 Transportation 89
5.17.1 Summary of Impacts Identified in the CWP PEIR 89
5.17.2 Impacts Associated with the Project 89

5.18 Tribal Cultural Resources 92
5.18.1 Summary of Impacts Identified in the CWP PEIR 92
5.18.2 Impacts Associated with the Project 92
5.19 Utilities and Service Systems 96
5.19.1 Summary of Impacts Identified in the CWP PEIR 96
5.19.2 Impacts Associated with the Project 96
5.20 Wildfire 101
5.20.1 Summary of Impacts Identified in the CWP PEIR 101
5.20.2 Impacts Associated with the Project 101
Section 6 References 106

Figures

Figure 1 Regional Location 11
Figure 2 Project Site 13
Figure 3 Project Site Zoning Designation 15

Appendices

Appendix A. Proposed Site Plan
Appendix B. Biological Resource Survey Report
Appendix C. Cultural Resources Assessment
Appendix D. Noise Memo

Acronyms and Abbreviations

AB	Assembly Bill
AQMD	Air Quality Management District
BLMS	Bureau of Land Management - Sensitive Species
CARB	California Air Resources Board
CBC	California Building Code
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CO	Carbon monoxide
CRHR	California Register of Historical Resources
CRPR	California Rare Plant Rank
CWP	Countywide Plan
FHSZ	Fire Hazard Severity Zone
GHG	greenhouse gas
CALGreen	California Green Building Standards
HCP	habitat conservation plans
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MMRP	Mitigation Monitoring and Reporting Program
MS4	municipal separate storm sewer system
NCCP	natural community conservation plans
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
PEIR	Program Environmental Impact Report
PRC	Public Resources Code
RL	Rural Living
RR	Regulatory Requirement
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCH	State Clearinghouse
SO2	sulfur dioxide
SRA	State Responsibility Area
SSC	Species of Special Concern
VMT	vehicle miles traveled
VOC	volatile organic compounds

Section 1 Introduction

This document is a California Environmental Quality Act (CEQA) Guidelines Section 15183 Checklist to the Program Environmental Impact Report (PEIR) (State Clearinghouse [SCH] No. 2017101033) for the San Bernardino Countywide Plan (CWP or Countywide Plan), which was certified on November 2, 2020. The CWP was approved at the same public hearing. The certified CWP PEIR analyzed the potential environmental impacts of the proposed land use designations and policies that would accommodate a projected growth of 15,355 residential units and 49,680 people between 2016 and 2040 in the unincorporated areas of the County of San Bernardino.

A project is consistent with the CWP if the development density does not exceed what was contemplated and analyzed for the involved parcel in the CWP for which the CWP PEIR prepared and complies with the associated standards applicable to that development density (CEQA Guidelines Section 15183(i)(2)). Development density standards can include the number of dwelling units per acre, the number of people in a given area, floor area ratio, and other measures of building intensity, building height, size limitations, and use restrictions.

This checklist provides an analysis of potential environmental impacts resulting from the approval of the Rimrock Ranch Conditional Use Permit (CUP) Project (project). Following the format of CEQA Guidelines Appendix G, environmental effects are evaluated to determine if the project would result in an increase or new potentially significant impact (i.e., impact peculiar to the project or project site) not identified in the CWP PEIR that could trigger additional review under Guidelines Section 15183 (Streamline Checklist).

1.1 Overview of CEQA Guidelines Section 15183

As set forth in California Public Resources Code (PRC) Section 21083.3 and State CEQA Guidelines Section 15183, projects that are "consistent with the development density established by the existing zoning, community plan or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site" (CEQA Guidelines Section 15183(a) and PRC Section 21083.3(b)). The CEQA Guidelines further state that "[i]f an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards […] then an additional EIR need not be prepared for the project solely on the basis of that impact" (CEQA Guidelines Section 15183(c))."

1.2 Countywide Plan

The County of San Bernardino (County) CWP was adopted, and the CWP PEIR was certified by the County in 2020. The CWP serves as the County's business plan and includes a long-term vision and principle-based Policy Plan that function as the County's General Plan.

The CWP PEIR evaluated the potential environmental effects from implementation of the CWP, and development pursuant to the CWP is subject to mitigation measures identified in the CWP PEIR and the requirements of the County's Code of Ordinances and the Development Code. A project is consistent with the CWP if the development density does not exceed what was contemplated and analyzed for the parcel(s) in the CWP PEIR and complies with the associated standards applicable to that development density (State CEQA Guidelines Section 15183(i)(2)). Development density standards can include the number of dwelling units per acre, the number of people in a given area, floor area ratio (FAR), and other measures of building intensity, building height, size limitations, and use restrictions.

The project site is in the East Desert Region, and designated RL (Rural Living) by the CWP and zoned Rural Living 5-acre minimum lot size(RL-5).

1.3 Project Overview

The project involves a Conditional Use Permit approval that would allow seasonal outdoor events, which have been occurring on-site since 1947, to be added to the existing legal non-conforming motel use. The project does not propose an increase in quantity or intensity of existing seasonal outdoor events. Instead, the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event.

1.4 Applicability of State Guidelines Section 15183

As set forth in State CEQA Guidelines Section 15183(d), additional environmental review is not required for projects which meet the following conditions:

1. The project is consistent with:
    a. A community plan adopted as part of a general plan,
    b. A zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development, or
    c. A general plan of a local agency, and
2. An EIR was certified by the lead agency for the zoning action, the community plan, or the general plan.

Additionally, the CEQA Guidelines Section 15183(e) limits the analysis of only those significant environmental effects for which:

1. Each public agency with authority to mitigate any of the significant effects on the environment identified in the EIR on the planning or zoning action undertakes or requires others to undertake mitigation measures specified in the EIR which the lead agency found to be feasible, and

2. The lead agency makes a finding at a public hearing as to whether the feasible mitigation measures will be undertaken.

The CEQA Guidelines Section 15183 applies for the project because the following findings can be made:

1. The project is consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified.

   The project involves approval of a Conditional Use Permit that would allow seasonal outdoor events, which have been occurring on-site since 1947, to be added to the existing legal non-conforming motel use. The project does not propose an increase in quantity or intensity of events. Instead, the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. The only physical changes proposed for the project involve paving and striping for four accessible parking stalls and concrete driveway and striping the existing parking lot per the requirements set forth in the California Building Code. The project site has a CWP land use designation of Rural Living (RL) and is within the Rural Living, 5-acre minimum lot size(RL-5) zoning district. Although the current RL-5 zoning district does not permit a motel, seasonal outdoor event uses are permitted subject to the approval of a Conditional Use Permit. However, the project is consistent with the assumptions, land use, and growth projections of the CWP, as its operation has been occurring since 1947, and the motel use holds legal non-conforming status. Therefore, the project is consistent with the land uses identified for the site at the time of preparation and certification of the CWP PEIR and it adequately anticipated and analyzed the impacts of this project, identified applicable mitigation measures necessary to reduce impacts of the project, and the project implements the applicable mitigation measures.

2. There are no project-specific effects which are peculiar to the project or its site, and which the CWP PEIR failed to analyze as significant effects.

   As explained in this Checklist, project impacts were adequately analyzed by the CWP PEIR. The CWP PEIR identified that the CWP would have significant and unavoidable environmental effects related to air quality, biological resources, greenhouse gas emissions, hazards and hazardous materials (wildfire), mineral resources, noise, and transportation and

traffic. The CWP PEIR also identified four environmental impact areas for which mitigation measures were required to reduce potential environmental impacts to a less than significant level: (1) air quality; (2) biological resources; (3) cultural resources; and (4) noise. The project implementation would not result in more severe impacts which are peculiar to the project or its sites, and which the CWP PEIR failed to analyze as significant effects.

3. There are no potentially significant off-site and/or cumulative impacts which the CWP PEIR failed to evaluate.

   The project involves approval of a Conditional Use Permit that would allow seasonal outdoor events, which have been occurring on-site since 1947, to be added to the existing legal non-conforming motel use. The project does not propose an increase in the frequency or intensity of events compared to the baseline condition that was evaluated in the CWP PEIR. Instead, the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. Therefore, the project would not result in any potentially significant off-site and/or cumulative impacts that have not been previously evaluated.

4. There is no substantial new information which results in more severe impacts than anticipated by the CWP PEIR.

   As explained in this Checklist, no new information has been identified which would result in a determination of a more severe impact than what had been anticipated by the CWP PEIR.

5. The project will undertake feasible mitigation measures specified in the CWP PEIR.

   As explained in this Checklist, the project will undertake feasible mitigation measures specified in the CWP PEIR, as applicable. These CWP PEIR measures will be undertaken through project design, compliance with regulations and ordinances, the project's conditions of approval, and County permit processing.

1.5 Content and Organization of This Streamlining Checklist

This Checklist relies on the CEQA Guidelines Appendix G and the CWP PEIR, which addresses environmental issues section by section. The completed checklist is included in Section 5.0, Environmental Analysis. Each environmental topic has the following subheadings:

- Summary of Impacts Identified in the CWP PEIR
- Impacts Associated with the project (including environmental checklist)
- Conclusion
- Uniformly Applied Development Policies or Standards
- CWP Goals and Policies
- Adopted CWP PEIR Mitigation Measures Applicable to the Project

1.6 CWP PEIR

This Checklist incorporates the CWP PEIR (and its constituent parts) by reference. All documents incorporated by reference are available for review at:

- San Bernardino County Govt. Center - Land Use Services Department: 385 N. Arrowhead Ave., 1st floor, San Bernardino, CA 92415
- https://countywideplan.com/resources/document-download/

The CWP PEIR evaluated 18 environmental topics and substantiated the following findings:

Less Than Significant Impacts Without Mitigation

- Aesthetics
- Agriculture and Forestry Resources
- Geology and Soils
- Hydrology and Water Quality
- Land Use and Planning
- Population and Housing
- Public Services
- Recreation
- Tribal Cultural Resources
- Utilities and Service Systems

Impacts Mitigated to Less Than Significant with Mitigation Measures

- Cultural Resources

Significant and Unavoidable Impacts

- Air Quality
- Biological Resources
- Greenhous Gas Emissions
- Hazards and Hazardous Materials (wildfire)
- Mineral Resources
- Noise
- Transportation/Traffic

This page intentionally left blank.

Section 2 Environmental Setting

The CWP PEIR considered the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by buildout of the CWP, within the Policy Plan, and impacts from the resultant population and employment growth in the unincorporated areas of the county. The CWP PEIR evaluated a buildout of 150,964 dwelling units, 357,378 people, and 65,483 jobs. Growth associated with the CWP is not linked to a timeline. However, buildout of the CWP was forecast for the year 2040. For the residential sector, the CWP PEIR evaluated environmental impacts associated with an increase of 15,355 housing units and 49,680 people.

2.1 Project Location

The project site consists of approximately 11.25 acres on the southern side of Burns Canyon Road and the eastern and western sides of the unpaved road, Powder Horn Pass (Assessor's Parcel Numbers 059-327-101 and 059-332-125) in Pioneertown California. The street address for the project site is 50857 Burns Canyon Road (APN 059-332-125) and 50921 Powder Horn Pass (APN 059-327-101), Pioneertown, California 92268. See Figure 1, Regional Location, and Figure 2, Project Site.

2.2 Existing Land Use

The two existing parcels are split by Powder Horn Pass, an unpaved road, that runs north and south. The eastern parcel is located at 50921 Powder Horn Pass and consists of an existing unpaved parking lot and a separate Motel building, the "Lodge". The larger, western parcel, at 50857 Burns Canyon Road, includes all other existing motel operations including the event space.

The existing operating seasons and hours for various activities are as follows:

- Mid-March to Mid-June & September to Mid-November
- 30 events per year
- Amplified music off no later than 10:00 p.m.
- Bar closes no later than 10:30 p.m.
- Event lights off at 11:00 p.m.
- Non-registered guests must vacate by 11:00 p.m.
- All outdoor activity by registered Motel guests (23 max) is prohibited after 12:00 a.m.
- All event guests are required to be off premises by 11:00 p.m.
- All event staff are required to be off premises by 12:00 a.m.

2.3 Existing Countywide Plan and Zoning Designation

The project site is within the Countywide Plan designation Rural Living (RL); zoned Rural Living 5-acre minimum lot size (RL-5). See Figure 3, Project Site Zoning Designation.

2.4 Surrounding Land Uses, General Plan, and Zoning Designations

The project site is surrounded to the west, north, and east by rural residential development and to the south by scattered rural residential and vacant lands in the RL Countywide Plan and RL-5 zoning district.

2.5 Geographical Planning Regions

The project site is in the East Desert Region of the County. The East Desert region is east of the Mountain region and encompasses approximately two million acres, including a notable gateway to Joshua Tree National Park. Most of the land in the East Desert region is federally administered.

2.6 Countywide Plan

The CWP (2020) updated the County General Plan, which had been last updated in 2007. It reflects the County's efforts since 2010 when the County Board of Supervisors set out to establish a vision for the future of the county as a whole and adopted a Countywide Vision in 2011 after two years of input from the community and the county's 24 cities and towns.

The Countywide Plan has four major components:

- A County Policy Plan, an update and expansion of the County's General Plan, including a new approach to county planning that includes social services, healthcare services, public safety, and other regional County services provided in both incorporated and unincorporated areas.

- A Community Planning Continuum to replace existing Community Plans with a greater focus on community self-reliance, grass-roots action, and implementation. Goals, policies, land use, and infrastructure decisions for the Community Plan areas will be addressed in the County Policy Plan while a set of new action-oriented Community Action Guides will offer a set of potential tools and action plans framed in a set of community-driven values and aspirations.

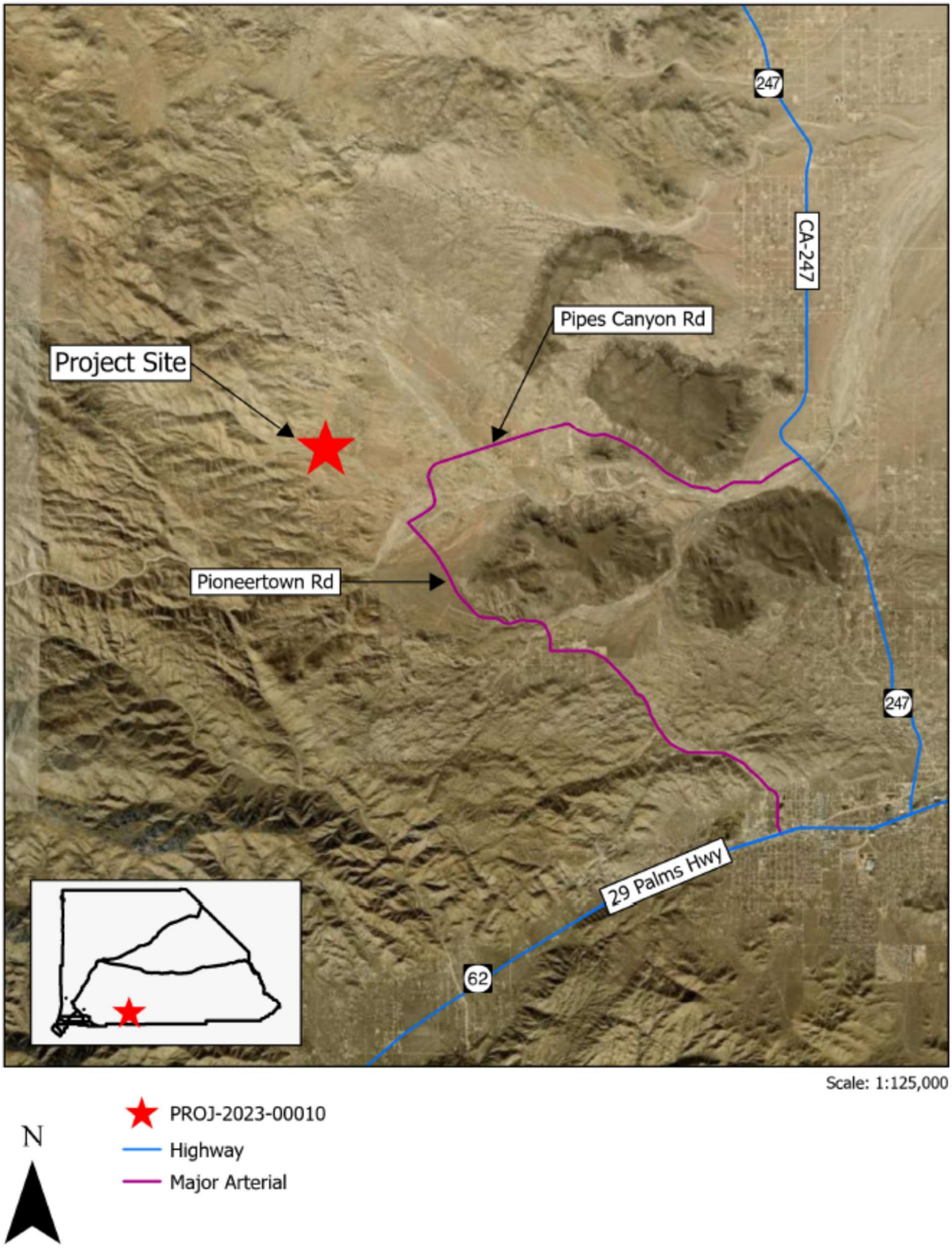
- A County Business Plan, with governance policies, operational metrics, and implementation strategies that outline the County's approach to providing municipal services in the unincorporated areas and regional services for both incorporated and unincorporated areas.

- A Regional Issues Forum, an online resource for sharing information and resources related to issues confronting the County as a whole, including the work of the Countywide Vision element groups.

The CWP PEIR examined the potential environmental impacts of the CWP and various actions by the County and others to adopt and implement the CWP, including, but not limited to adoption of any ordinance, guidelines, programs, actions, or other mechanisms that implement the CWP.

This page intentionally left blank.

Figure 1 Regional Location



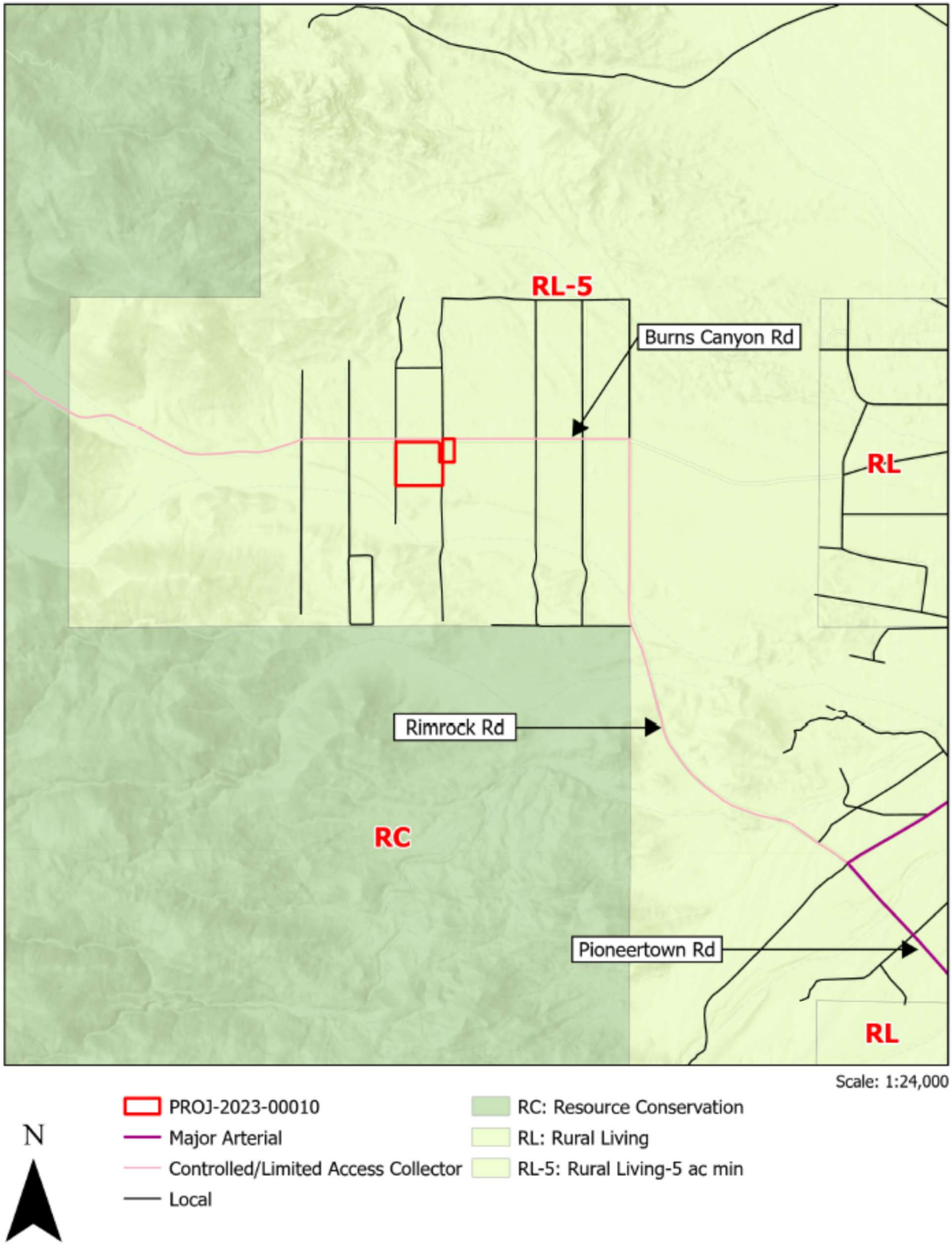
This page intentionally left blank.

Figure 2 Project Site



This page intentionally left blank.

Figure 3 Project Site Zoning Designation



This page intentionally left blank.

Section 3 Project Description

3.1 Project Description

Rimrock Ranch is a motel and seasonal outdoor event venue located in the high desert of San Bernardino County near Joshua Tree National Park in Pioneertown, California. It has been a continuously operating motel since 1947 which has hosted events such as weddings, retreats, film/photography shoots, and celebrations. High Desert Holdings LLC (Applicant) is seeking a Conditional Use Permit (CUP) to allow event use in addition to the existing legal non-conforming motel use. The project does not propose an increase in quantity or intensity of events. Instead, the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. On-site parking is limited to fifty (50) parking spaces within the existing parking area on the east parcel, north and east of the "Lodge".

As part of the CUP, the project would add a total of four new paved accessible parking stalls, two on the west parcel, south of the existing cabin, and two on the east parcel near the center of the existing parking lot. The existing east parking lot would be striped to provide a total of 45 spaces (including the two accessible parking stalls) with tandem spaces and the west parcel would also be striped to provide five parking stalls (including two accessible parking stalls), for a combined total of 50 parking spaces. In addition, a new concrete pad would be installed in the existing east parking lot along with pavement striping per the requirements set forth in the California Building Code. One van accessible parking stall is planned for parking at Powder Horn Pass. Finaly, the existing outdoor features would remain in place and no expansion of the current footprint of existing structures on site would occur. No new buildings would be constructed. In addition, seasonal outdoor events would continue to operate from Mid-March to Mid-June and from September to Mid-November with a maximum capacity of 150 guests. Amplified music would be prohibited after 10:00 p.m. while events lights would be prohibited after 11:00 p.m.

3.2 Discretionary Approvals

In accordance with State CEQA Guidelines Sections 15050 and 15367, the County is the designated Lead Agency for the project and has principal authority and jurisdiction for CEQA actions and project approval. Responsible Agencies are those agencies that have jurisdiction or authority over one or more aspects associated with the development of a proposed project and/or mitigation. Trustee Agencies are state agencies that have jurisdiction by law over natural resources affected by a proposed project. There are no Responsible Agencies or Trustee Agencies, or any other public agencies, whose approval is required for approving this project.

The following discretionary action is anticipated to be necessary for the implementation of the project:

- Approval of the Conditional Use Permit by the County of San Bernardino.

This page intentionally left blank.

Section 4 Environmental Checklist

4.1 Background

1. Project title:	Rimrock Ranch
2. Lead agency name and address:	San Bernardino County Land Use Services Department 385 N. Arrowhead Avenue, 1st Floor San Bernardino, California 92415
3. Contact person name and phone number:	Oliver Mujica, Contract Planner III Land Use Services Department (909) 387-4002 Oliver.Mujica@lus.sbcounty.gov
4. Project location:	San Bernardino County
5 Project sponsor's name and address:	San Bernardino County Land Use Services Department 385 N. Arrowhead Avenue, 1st Floor San Bernardino, California 92415
6. General plan designation:	Rural Living
7. Zoning:	Rural Living, 5-Acre Minimum Lot Size (RL-5)
8. Description of project:	Approval of a Conditional Use Permit to establish and operate a meeting facility for up to thirty (30) seasonal outdoor events per calendar year for up to 150 persons per event, including fire safety and site access improvements on Burns Canyon Road and Powder Horn Pass, and parking lot improvements with fifty (50) parking spaces on 11.25 acres.
9. Surrounding land uses and setting:	The property is surrounded to the west, north, and east by rural residential development and to the south by scattered rural residential and vacant lands.
10. Other public agencies whose approval is required:	Not applicable.

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Assembly Bill (AB) 52 (Chapter 532, Statutes of 2014) establishes a formal consultation process for California tribes as part of the CEQA process and equates significant impacts on "tribal cultural resources" with significant environmental impacts (PRC Section 21084.2). AB 52 requires that lead agencies undertaking CEQA review evaluate, just as they do for other historical and archeological resources, a project's potential impact to a tribal cultural resource. In addition, AB 52 requires that lead agencies, upon request of a California Native American tribe, begin consultation prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project. AB 52 does not apply to this Countywide Plan CEQA Guidelines Section 15183 Streamlining Checklist (State CEQA Guidelines Section15183). As such, AB 52 consultation is not required for this project.

4.2 Environmental Factors Potentially Affected

The subject areas checked below were determined to be a peculiar impact that was not identified as a significant impact under the prior EIR, a significant impact that was not analyzed as significant in the prior EIR, a potentially significant offsite impact or cumulative impact not discussed in the prior EIR, or a more severe impact due to substantial new information that was not known at the time the prior EIR, as indicated by the checklist and discussion on the following pages.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology and Soils	☐ Greenhouse Gas Emissions	☐ Hazards and Hazardous Materials
☐ Hydrology and Water Quality	☐ Land Use and Planning	☐ Mineral Resources
☐ Noise	☐ Population and Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities and Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

4.3 Determination (to Be Completed by the Lead Agency)

On the basis of this initial evaluation:

☒ I find that the project WOULD NOT result in: 1) a peculiar impact that was not identified as a significant impact under the prior EIR; 2) a significant impact that was not analyzed as significant in the prior EIR; 3) a potentially significant offsite impact or cumulative impact not discussed in the prior EIR; or 4) a more severe impact due to substantial new information that was not known at the time the prior EIR. NO FURTHER ACTION is required and a Notice of Determination (Section 15094) will be filed indicating that the project IS ELIGIBLE for a STREAMLINED REVIEW under State CEQA Guidelines Section 15183.

☐ I find that the project would result in: 1) a peculiar impact that was not identified as a significant impact under the prior EIR; 2) a significant impact that was not analyzed as significant in the prior EIR; 3) a potentially significant offsite impact or cumulative impact not discussed in the prior EIR; or 4) a more severe impact due to substantial new information that was not known at the time the prior EIR. I find that FURTHER ENVIRONMENTAL REVIEW is necessary to analyze those effects that are subject to CEQA, and therefore, this project is NOT ELIGIBLE for a STREAMLINED REVIEW under State CEQA Guidelines Section 15183.

Signature: (Oliver Mujica, Contract Planner III) Date: July 30, 2025

Signature: (Vanessa Norwood, Planning Manager) Date: 7/30/25

4.4 Evaluation of Environmental Impacts

This CEQA Guidelines Section 15183 Countywide Plan Streamlining Checklist provides an analysis of potential environmental impacts resulting from the project. Following the format of CEQA Guidelines Appendix G Checklist, environmental effects are evaluated to determine if the Project would result in a peculiar impact triggering additional review under State CEQA Guidelines Section 15183.

- Items checked "Peculiar Impact that is not Substantially Mitigated" indicates that the Project could result in a peculiar impact, including a physical change that belongs exclusively or especially to the Project or that is a distinctive characteristic of the Project or the Project site and that peculiar impact is not substantially mitigated by the imposition of uniformly applied development policies or standards. (State CEQA Guidelines Section 15183(b)(1)(f))
- Items checked "Impact not Analyzed as Significant Effect in CWP PEIR" indicates that the Project could result in a significant effect that was not analyzed as significant in the CWP PEIR. Such a Project impact is not significant if it can be substantially mitigated by the imposition of uniformly applied development policies or standards. (State CEQA Guidelines Section 15183(b)(2),(c),(f))
- Items checked "Potentially Significant Offsite or Cumulative Impact Not Discussed in CWP PEIR" indicates the Project could result in a significant offsite or cumulative impact that was not discussed in the CWP PEIR. Such an offsite or cumulative Project impact is not significant if it can be substantially mitigated by the imposition of uniformly applied development policies or standards. (State CEQA Guidelines Section 15183(b)(3),(c),(f))
- Items checked "Adverse Impact More Severe Based on Substantial New Information" indicates that there is new information that leads to a determination that the Project impact is more severe than discussed in the CWP PEIR. Such an impact is not more severe if it can be substantially mitigated by the imposition of uniformly applied development policies or standards. (State CEQA Guidelines Section 15183(b)(4)(c)(f)).
- Items checked "No New Impact" indicates that potential impacts from the Project have been adequately analyzed in the CWP PEIR.

A project does not qualify for a CEQA Guidelines Section 15183 Countywide Plan streamlined review if it is determined that it would result in one or more of the following: 1) a peculiar impact that was not identified as a significant impact under the CWP PEIR, 2) a significant impact was not analyzed as significant in the CWP PEIR, 3) a potentially significant offsite impact or cumulative impact not discussed in the CWP PEIR, or 4) a more severe impact due to substantial new information that was not known at the time the CWP PEIR was certified. However, if a project

having any of the foregoing impacts can be substantially mitigated through the imposition of uniformly applied development policies or standards. Uniformly applied development policies or standards that are applicable to the project are included within this analysis.

A summary of the County's analysis of each potential environmental effect related to the project is provided in the checklist below for each subject area.

This page intentionally left blank.

Section 5 Environmental Analysis

5.1 Aesthetics

5.1.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that adoption of the CWP would not result in significant aesthetic impacts. Visual disturbances caused by the CWP would include impacts from development built pursuant to the CWP that could obstruct or partially obstruct scenic vistas, alter scenic resources within a scenic highway, or alter the visual appearance and character of some communities in the County. Although this growth would result in adverse impacts, potential impacts would be minimized by a number of factors. These factors include:

- The Countywide Plan's concentration of future growth within existing urban areas. Growth in most unincorporated areas of the region would consist of infill development that would generally reflect surrounding land uses.
- The fact that much of the unincorporated county is owned and/or managed by federal or state agencies (e.g., U.S. Forest Service, Federal Bureau of Land Management, National Park Service, and U.S. Department of Defense) and therefore, in most cases, accommodates little (if any) new development.
- Implementation of proposed goals and policies, which prioritize conservation of existing natural landscapes.
- The programmatic nature of the Countywide Plan, including the requirements that subsequent, individual projects are subject to environmental review under CEQA.
- Continued implementation of the San Bernardino County Development Code.

These factors would minimize impacts on scenic vistas and the appearance and character of local communities to less than significant.

Buildout pursuant to the CWP could also create new sources of shade and shadow, light, and glare, but none of these would adversely affect day or nighttime views in the area. The CWP would introduce development in most regions that is relatively minimal due to the low density and low-rise nature of development and would not introduce skyscrapers, assemblages of tall buildings, freeway flyovers, or large hillside developments.

5.1.2 Impacts Associated with the Project

Except as provided in Public Resources Code Section 21099, would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☐	☒

a. Would the project have a substantial adverse effect on a scenic vista?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.1-1) and was determined to have a less than significant impact. The project involves expanding the project site's currently recognized legal non-conforming motel use to include seasonal outdoor events, which have occurred on site alongside the motel use since 1947. The project would not increase the frequency or intensity of the existing seasonal outdoor events. Instead, the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. No new buildings or structures would be constructed. The project would not change the existing land use analyzed under the CWP PEIR for the project site. Therefore, the project would not result in more severe impacts than already addressed by the CWP PEIR, and there is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.1-2) and was determined to have a less than significant impact. The project would not damage any scenic resources or historic buildings within a state scenic highway. There are no designated state scenic highways in the vicinity of the project site. The closest officially designated scenic highway is Route 38, approximately 9.5 miles to the west (Caltrans 2025). The eligible scenic highway, Route 247, is approximately 6.2 miles to the east of the project site. The project site would not be recognizable from these scenic resources. The project would not change the existing land use analyzed under the CWP PEIR for the project site. Therefore, the project would not result in more severe impacts than already addressed by the CWP PEIR, and there is no project-specific significant effect which are peculiar to the project or its site No new impact would occur.

c. Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.1-3) and was determined to have a less than significant impact. The project site is in non-urbanized area of the East Desert Region, and the project site is designated RL (Rural Living) by the Countywide Plan and zoned Rural Living, 5-Acre Minimum Lot Size (RL-5). The project would comply with the County Code Section 83.10, Landscaping Standards, as applicable. No changes to the project analyzed under the CWP PEIR is proposed. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.1-4) and was determined to have a less than significant impact. The project site is in non-urbanized area of the East Desert Region, and the project site is designated RL (Rural Living) by the Countywide Plan and zoned Rural Living, 5-Acre Minimum Lot Size (RL-5). As indicated in the CWP PEIR (page. 5.1-24), individual development projects could increase nighttime illumination or glare on a localized level, but the minimal amount growth anticipated in the region would have negligible impact the region's overall light environment.

The project will fully comply with the San Bernardino County Development Code Light Trespass Ordinance standards and requirements. The Light Trespass Ordinance requires what are considered best practices for preventing light pollution and resulting impacts on neighbors and wildlife. The project does not propose an increase in quantity or intensity of events. Lighting would be shielded in accordance with The Dark Sky Ordinance requirements. In addition, a light meter

would continue to be used on site to monitor luminance. The event space primarily exists within the west parcel in a courtyard that is obscured visually from Burns Canyon Road by the existing motel buildings that occupy the perimeter of the lot along the north and east boundary which limits light from traveling beyond the event space. Finally, lighting from all events would be prohibited past 11:00 pm per the Light Trespass Ordinance.

Therefore, project-specific impacts would be less than significant and would not result in peculiar impacts that were not previously addressed in the CWP EIR. No new impact would occur.

Conclusion

With regards to thearea of Aesthetics, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific-impacts would be less than significant.

Applicable Uniformly Applied Development Policies or Standards

The project is required to comply with the San Bernardino County Development Code. The following Development Codes pertaining to aesthetic and light and glare impacts are applicable to the project.

- Chapter 83.06 (Fences, Hedges, and Walls)
- Chapter 83.07 (Glare and Outdoor Lighting)

CWP PEIR Mitigation Measures

The CWP PEIR did not identify any mitigation measures related to aesthetics.

5.2 Agriculture and Forest Resources

5.2.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that the CWP would not result in significant impacts to agricultural and forestry resources. Buildout of the CWP would convert some mapped important farmland in the Valley and North Desert regions to non-agricultural uses. However, the CWP PEIR found that with the implementation of the CWP policy (i.e., Policy NR-7.2), impacts on mapped important farmland would be less than significant.

There are no Williamson Act lands in the Valley region where most development under the CWP would occur. There are no Williamson Act lands in the part of the North Desert region where most growth would occur. Williamson Act lands are in the Hesperia SOI, Apple Valley Sphere of Influence, Lucerne Valley Community Plan Area, and east and west of Barstow. Much of the Williamson Act lands are in the Rural Living (RL) land use category, and the remainder are in the Resource/Land Management category. Impacts to Williamson Act lands were found to be less than significant with implementation of CWP policies and regulatory requirements. Furthermore, the CWP EIR determined that the CWP would not convert substantial areas of forest land to non-forest areas. No mitigation measures related to agricultural or forest resources were required.

5.2.2 Impacts Associated with the Project

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☐	☒
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))?	☐	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☐	☒
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?	☐	☐	☐	☐	☒

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

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.2-1) and was determined to have a less than significant impact. The CWP PEIR indicated that there is no mapped important farmland in the East Desert Region of the County (page 5.2-5). The project site is in the East Desert Region, and the project site is designated RL (Rural Living) by the Countywide Plan and zoned

Rural Living, 5-Acre Minimum Lot Size (RL-5). No changes to the land uses analyzed under the CWP PEIR pertaining to farmland is proposed. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No New Impact. The CWP PEIR stated that no areas within the East Desert Region of the County are zoned for agricultural use or subject to a Williamson Act contract (page 5.2-5). The project site is located in the East Desert Region and is designated RL (Rural Living) under the Countywide Plan and zoned Rural Living, 5-Acre Minimum Lot Size (RL-5). No changes to the land uses analyzed in the CWP PEIR related to farmland are proposed. There is no project-specific significant effect which are peculiar to the project or its site. Therefore, no new impacts would occur.

c. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No New Impact. This topic was addressed in the CWP PEIR (Impact 5.2-3) and was determined to have a less than significant impact. The project site is vacant except for one existing house, stables, and fenced corral. The project site is designated RL (Rural Living) by the Countywide Plan and zoned Rural Living, 5-Acre Minimum Lot Size (RL-5). Therefore, no conflict with the existing zoning or cause rezoning of forest land would occur. No changes to the land uses analyzed in the CWP PEIR related to forest land are proposed. There is no project-specific significant effect which are peculiar to the project or its site. Therefore, no new impacts would occur.

d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

No New Impact. Refer response to above Section 5.2.2(c).

e. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No New Impact. The project site is designated RL (Rural Living) under the Countywide Plan and zoned Rural Living, 5-Acre Minimum Lot Size (RL-5). The project would not convert any farmland or forest land. No changes to the land uses analyzed in the CWP PEIR related to farmland or forest land are proposed. There is no project-specific significant effect which are peculiar to the project or its site. Therefore, no new impacts would occur.

Conclusion

With regards to the area of Agricultural/Forestry Resources, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project-specific impacts would be less than significant.

Applicable Uniformly Applied Development Policies or Standards

There are no uniformly applied development polices or standards that are applicable to the project related to agricultural and forestry resources.

CWP PEIR Mitigation Measures

The CWP PEIR did not identify any mitigation measures related to agriculture and forestry resources.

5.3 Air Quality

5.3.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that, even after the implementation of mitigation measures, the CWP would result in significant air quality impacts. Criteria air pollutant impacts were compared to the South Coast Air Quality Management District's (South Coast AQMD) and Mojave Desert Air Quality Management District (MDAQMD) significance thresholds. Construction activities related to buildout of the CWP would result in air pollutant levels that exceed South Coast AQMD and MDAQMD significance thresholds. In addition, development allowed under the CWP would exceed the South Coast AQMD's and MDAQMD's regional operational significance thresholds and would have the potential to affect the emissions forecasts in the South Coast AQMD and MDAQMD. The CWP would cumulatively contribute to the nonattainment designations of the South Coast Air Basin (SCAB) and the Mojave Desert Air Basin (MDAB). The CWP would also generate toxic air contaminants (TAC) that would contribute to elevated levels in the air basins and expose sensitive receptors to substantial pollutant concentrations. Odor impacts were identified as less than significant. Carbon monoxide (CO) hotspots were found to be less than significant. Although mitigation measures in the CWP PEIR would reduce air quality impacts of the CWP to the extent feasible, air quality impacts were identified as a significant and unavoidable impact of the CWP.

5.3.2 Impacts Associated with the Project

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

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☐	☒
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☐	☐	☒

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☐	☒
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☐	☒

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.3-1). The CWP PEIR identified inconsistency with South Coast AQMD and MDAQMD AQMPs as a significant unavoidable impact of the CWP. The construction and operation of development pursuant to the CWP was also found to cumulatively contribute to the nonattainment designations of the SCAB and MDAB. Regional growth projections are used by South Coast AQMD and MDAQMD to forecast future emission levels in the SCAB and MDAB. For southern California, these regional growth projections are provided by SCAG and are partially based on land-use designations in city and county general plans.

The assessment of CWP impacts relative to criteria air pollutants is based on totals for development within the respective air basins—the SCAB and MDAB. With the exception of sulfur dioxide, the CWP PEIR concluded the implementation of the CWP would result in exceeding the thresholds for criteria air pollutants for both the SCAB and the MDAB.

MDAQMD requires a consistency evaluation with adopted federal and state AQMPs. If a project is deemed consistent with the existing land use plan, it is considered consistent with the AQMPs. The project site is located in the East Desert Region and is designated RL (Rural Living) under the Countywide Plan and zoned Rural Living, 5-Acre Minimum Lot Size (RL-5). The project involves the expansion of the site's current recognized legal non-conforming motel use to include seasonal events which are already occurring on site and have been occurring since 1947 with the motel use. The project would not increase the quantity or intensity of the existing seasonal events. Instead, the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. No new buildings or structures would be constructed. The project would not change the existing land use analyzed under the CWP PEIR, therefore, the 2022 AQMP. As such, the project would not conflict or obstruct implementation of the 2022 AQMP.

There is no project-specific significant effect which are peculiar to the project or its site. No new impacts would occur.

b. Would the project 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)?

No New Impact. This topic was evaluated in the CWP PEIR (Impacts 5.3-2 and 5.3-3) and was determined to have a significant and unavoidable impact. Development allowed under the Countywide Plan would contribute to the nonattainment designations of the SCAB and MDAB through direct and indirect emissions of criteria air pollutants from land uses in the unincorporated county. Construction activities could temporarily increase PM_{10}, $PM_{2.5}$, and VOC, NO_X, SO_X, and CO regional emissions within the SCAB and MDAB. The primary source of NOx, CO, and SOx emissions is the operation of construction equipment. The primary sources of particulate matter (PM_{10} and $PM_{2.5}$) emissions are activities that disturb the soil, such as grading and excavation, road construction, and building demolition and construction. The primary source of VOC emissions is the off-gas emissions associated with grading and asphalt paving. Portions of the MDAB are designated nonattainment for O_3, particulate matter (PM_{10} and $PM_{2.5}$), and hydrogen sulfide. The project involves only the paving of the new accessible parking stalls and driveway, and the striping of the existing parking lot, and no construction permits is required. Therefore, Mitigation Measure AQ-2 that requires an air quality technical assessment prior to issuance of any construction permits for development project would not be applicable. The project would not change the land uses analyzed under the CWP PEIR and would not create new impact or increase impacts.

The CWP PEIR indicated that the buildout of the Countywide Plan in the East Desert and North Desert would result in exceedance of MDAQMD thresholds for VOC, NOx, CO, PM_{10}, and $PM_{2.5}$, assuming an increase of 22,432 population and 803 jobs. The project would not increase the frequency or intensity of seasonal events, which are already occurring on-site, therefore, no increase would be attributed to the project and the operation of the project is not anticipated to exceed the MDAQMD criteria air pollutant daily thresholds. The project would not change the land uses analyzed under the CWP PEIR and there is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

No New Impact. This topic was evaluated in the CWP PEIR (Impacts 5.3-4) and was determined to have a significant and unavoidable impact. The CWP PEIR indicated that areas of vehicle congestion have the potential to create pockets of CO called hotspots, exposing sensitive receptors to substantial pollutant concentrations. However, the project site is in a rural area without areas of vehicle congestion. Furthermore, the project would not increase the frequency or intensity of

seasonal events, which are already occurring on-site. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

No New Impact. This topic was evaluated in the CWP PEIR (Impacts 5.3-5) and was determined to have a less than significant impact. Industrial land uses, including indoor agricultural uses, are the primary type of land uses that have the potential to generate objectionable odors. The proposed season events and paved parking spaces would not create uses with the potential for objectionable odors. Also, MDAQMD Rule 402 requires abatement of any nuisance generating an odor complaint. During construction activities, construction equipment exhaust could temporarily generate odors. Any construction-related odor emissions would be temporary and intermittent in nature. Additionally, the project would not increase the frequency or intensity of seasonal events, which are already occurring on-site, and any special event-related odors would not be objectionable or adversely affect a substantial number of people. Therefore, the project would not result in more severe impacts than already addressed by the CWP PEIR, and there is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

Conclusion

With regards to the area of Air Quality, the following findings can be made:

5. No peculiar impacts to the project or its site have been identified.
6. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
7. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
8. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

Applicable Uniformly Applied Development Policies or Standards

The following regulatory requirements (RRs) related to air quality from the CWP EIR is applicable to the project.

RR AIR-4 Construction activities within the Mojave Desert Air Basin (MDAB) will be conducted in compliance with any applicable Mojave Desert Air Quality Management District (MDAQMD) rules and regulations, including but not limited to.

- Rules 201, 203, and 219, which regulate permits for installation and use of equipment that may generate air contaminants.
- Rule 402, Nuisance, which states that a project shall not "discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property." Additionally Rule 472, Reduction of Animal, requires that gases or vapors are minimized from animal rendering; and Rule 223, Emissions Reductions Permits for Large Confined Animal Facilities, requires odors from large animal facilities be controlled.
- Rule 403.1, Fugitive Dust for the Searles Valley Planning Area, and Rule 403.2, Fugitive Dust for the Mojave Desert Planning Area, for controlling fugitive dust and avoiding nuisance.
- Regulation IX, Standards of Performance for New Stationary Sources (NSPS), and XXIII, New Source Review.
- Regulation XIV, Emissions Reductions Credit Banking.
- Regulations XI, Source Specific Standards; Regulation, X, Emissions Standards for Additional Specific Air Contaminants; and XV, Emissions Standards for Specific Toxic Air Contaminants.
- Regulation XVII, Indirect Sources and Transportation Control.

Mitigation Measures Identified in the PEIR and Applicable to the Project

There are no mitigation measures that are applicable to the project.

5.4 Biological Resources

5.4.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that the CWP would result in potentially significant biological impacts because substantial areas of special-status species habitat and special-status vegetation communities are within proposed development areas. The total area of habitat that would be impacted and whether impacts on a project-level could be mitigated to below a level of significance could not be determined; therefore, after implementation of mitigation measures the potential remained for unavoidable impacts to special-status species and special-status vegetation communities. With implementation of CWP policies and mitigation measure, impacts to wildlife corridors, habitat conservation plans (HCP), and natural community conservation plans (NCCP) were found to be less than significant. Impacts to jurisdictional waters were found to be less than significant with no mitigation measures required.

5.4.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally	☐	☐	☐	☐	☒

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?					
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?	☐	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☐	☒
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?	☐	☐	☐	☐	☒

a. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

No New Impact. This topic was evaluated in the CWP PEIR (Impacts 5.4-1 and 5.4-2) and determined to be significant and unavoidable with implementation of existing regulatory requirements and mitigation measure. The CWP PEIR indicated that buildout of the Countywide Plan may result in actions that could adversely affect special-status species directly and indirectly. Direct impacts to special-status vegetation communities could result from the conversion of habitat either temporarily, as a result of grading, excavation, and construction activities, or permanently from the ongoing operation and/or maintenance of a project or plan. Indirect impacts could result from generation of fugitive dust, increased sediment loads in runoff from construction activities or the adverse effect of invasive plant species. However, implementation of the CWP policies as well

as compliance with regulatory requirements would avoid, minimize, and/or mitigate impacts to special-status species by requiring the protection and preservation of such resources.

A Biological Resources Assessment for the project was prepared and is included in Appendix B to this Checklist (Wilder Ecological Consulting, Inc. 2023). However, the site plan has been since changed and does not include a parking lot in the northwestern corner of the project site. Preparation of this report fulfills Mitigation Measure BIO-1 of the CWP PEIR. The Biological Resources Assessment characterized the natural habitat on site, documented whether sensitive plant and animal species were present. In addition, focused protocol surveys for burrowing owl and desert tortoise were conducted. The Biological Resources Assessment also included an assessment of suitable habitat for nesting birds, an assessment for signs of protected fur-bearing native mammals (American badger, desert kit fox), a botanical survey for sensitive plant species, and a general inventory of all plants and vertebrates observed on the properties.

No live burrowing owls or their sign (pellets, whitewash, feathers, or tracks) were observed in the project area. In addition, no live tortoises or sign (burrows, scat, tracks, or carcasses) were observed during focused protocol desert tortoise surveys. Finally, a total of 63 species of plants were recorded on site. However, none were sensitive plant species.

The project would not involve the demolition of any buildings or structures, and paving and striping would be limited to the area already used for parking and access. Therefore, no impacts to special status biological resources would result from project implementation. There is no project-specific effects which are peculiar to the project or its site. No new impact would occur.

b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.4-2) and determined to be significant and unavoidable with implementation of existing regulatory requirements and mitigation measure. The CWP PEIR indicated that buildout of the CWP may result in actions that could adversely affect special-status vegetation communities directly and indirectly. However, implementation of the CWP policies as well as compliance with regulatory requirements would avoid, minimize, and/or mitigate impacts to special-status species by requiring the protection and preservation of such resources. Impacts to special status species habitat and special status vegetation communities were analyzed in the CWP PEIR and impacts were determined to be significant and unavoidable even with mitigation. A Biological Resources Assessment for the project was prepared and is included in Appendix B to this Checklist (Wilder Ecological Consulting, Inc. 2023). However, the site plan has been since changed and does not include a parking lot in the northwestern corner of the project site. Preparation of this report fulfills Mitigation Measure BIO-1 of the CWP PEIR. The project would not involve the demolition of any

buildings or structures, and paving and striping would be limited to the area already used for parking and access. Therefore, no impacts to riparian habitat or other sensitive natural community would result from project implementation. No changes to the land uses analyzed in the CWP PEIR are proposed under the project. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

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

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.4-3) and determined to be less than significant with implementation of existing regulatory requirements and mitigation measure. The CWP PEIR indicated that development resulting from buildout of the Countywide Plan may result in both direct and indirect significant adverse impacts to jurisdictional wetlands or waters. The CWP PEIR also states that the analysis contained in the CWP PEIR does not satisfy the need for project-level CEQA analysis for individual projects. Whether or not individual projects would result in impacts to jurisdictional waters would depend on resources present at the time such projects are pursued and would be analyzed on a project specific level as identified in CWP policy NR-5.7 Development Review, Entitlement, and Mitigation. There are no aquatic resources located within the project site. Therefore, the project is not anticipated to have a substantial adverse effect on aquatic resources. The project-specific impacts would be less than significant and would not result in peculiar impacts that were not previously addressed in the CWP PEIR. No new impact would occur.

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.4-4) and determined to be less than significant with implementation of existing regulatory requirements and mitigation measure. The project site does not contain established native resident or migratory wildlife corridors and is not used as a native wildlife nursery site. The Biological Resources Assessment (Wilder Ecological Consulting, Inc. 2023) identified a total of 26 species of birds at the project site (refer to Appendix B). The project would not involve the demolition of any buildings or structures, and paving and striping would be limited to the area already used for parking and access. Additionally, consistent with the findings of the CWP PEIR, with the project is subject to the Migratory Bird Treaty Act that prohibits "take" of any migratory bird or any part, nest, or eggs of any such bird. California Fish and Game Code sections 3503, 3503.5, and 3513 prohibit the take and possession of bird eggs and nest. Therefore, project-specific impacts would be less than significant and would not result in peculiar impacts that were not previously addressed in the CWP EIR. No new impact would occur.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.4-5) and determined to be less than significant with implementation of existing regulatory requirements and mitigation measure. A Biological Resources Assessment for the project was prepared and is included in Appendix B to this Checklist (Wilder Ecological Consulting, Inc. 2023). However, the site plan has been since changed and does not include a parking lot in the northwestern corner of the project site. Preparation of this report fulfills Mitigation Measure BIO-1 of the CWP PEIR. The project would not involve the demolition of any buildings or structures, and paving and striping would be limited to the area already used for parking and access. No protected species or sensitive habitat would be impacted by the project. Therefore, project-specific impacts would be less than significant and would not result in peculiar impacts that were not previously addressed in the CWP EIR. No new impact would occur. No new impact would occur.

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.4-5) and determined to be less than significant with implementation of existing regulatory requirements and mitigation measure. There are no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans that apply to the project site. No new impact would occur.

Conclusion

With regards to the area of Biological Resources, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.

2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.

3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.

4. Feasible mitigation measures contained within the CWP PEIR (Mitigation Measure BIO-1) will be applied to the project.

Applicable Uniformly Applied Development Policies or Standards

The project is required to comply with the San Bernardino County Development Code. The following Development Codes pertaining to biological resources impacts are applicable to the project.

Chapter 88.01 (Plant Protection and Management). This chapter provides regulatory and management guidance for plant resources in unincorporated areas as well as mixed public and private lands. It primarily addresses tree and vegetation removal in public land and private land in unincorporated areas.

Section 88.01.060, Desert Native Plant Protection, conserves specified desert plant species.

Section 88.01.070, Tree Removal Permits: If the County determines that any onsite trees meet the criteria set forth in Section 88.01.070, a tree removal permit shall be required.

The following regulatory requirement (RR) related to biological resources from the CWP EIR is applicable to the project.

RR BIO-3 Nesting Birds: The Migratory Bird Treaty Act prohibits "take" of any migratory bird or any part, nest, or eggs of any such bird. California Fish and Game Code sections 3503, 3503.5, and 3513 prohibit the take and possession of bird eggs and nest.

Mitigation Measures Identified in the PEIR and Applicable to the Project

The CWP PEIR mitigation measure that is applicable to the project include the following:

BIO-1 For each development project that would disturb special status vegetation on vacant land, or that might impact a wildlife movement corridor or jurisdictional waters pursuant to the Countywide Plan and subject to CEQA, a qualified biologist shall determine the potential for a significant biological resource impact and determine whether a field survey of the project site is warranted. If warranted, a qualified biologist shall prepare a biological resources technical report meeting current requirements of CEQA, and addressing applicable County goals and policies, applicable Habitat Conservation Plans and Natural Community Conservation Plans, and applicable federal, state, and local regulatory requirements. The report shall include documentation of biological resources present or potentially present (including special-status species, special-status vegetation communities, jurisdictional waters, and wildlife movement corridors), an impacts analysis, avoidance measures, and mitigation measures to reduce significant impacts to less than significant if applicable and feasible.

[*Implementation of this measure has been met through preparation of Appendix B*]

5.5 Cultural Resources

5.5.1 Summary of Impacts Identified in the CWP PEIR

Historic Resources

The CWP PEIR indicated that the Cultural Resources Element of the CWP was designed to address potential impacts to historical resources. Specifically, Policies CR-2.1 through 2.5 call for preservation of resources significant at the national, state, and local levels; avoidance and mitigation of impacts; the building of partnerships; and the promotion of public awareness and education. These policies will guide the County's overall approach to historical resources as it implements the CWP. Nevertheless, it is possible that future development or improvements related to changes in land use could potentially affect historic buildings and structures and cause significant adverse impacts to historical resources. Mitigation measures in the CWP PEIR were found to reduce these impacts to less than significant.

Archeological Resources

The area under County jurisdiction contains archaeological resources, and coordination with tribal organizations indicated that the area under County jurisdiction is culturally sensitive. Future development or improvements related to changes in land use were found to potentially affect surface-level and subsurface archaeological resources through ground-disturbing construction activities. Archaeological resources are present in all geographic regions in the county. The Valley region was found to have fewer archaeological resources than surrounding regions due to disturbance and development.

The Cultural Resources Element of the CWP addresses potential impacts to archaeological resources. Specifically, Policies CR-2.1 through 2.5 call for preservation of resources significant at the national, state, and local levels; avoidance and mitigation of impacts; the building of partnerships; and the promotion of public awareness and education. These policies would guide the County's overall approach to archaeological resources as the County implements the Countywide Plan. However, additional mitigation measures were needed to render potential impacts to archaeological resources from future projects less than significant.

5.5.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☐	☐	☒
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☐	☒

a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.5-1) and was determined to have a less than significant impact after implementation of mitigation. An Archaeological Resources Inventory Report for the project was prepared and is included as Appendix C to this Checklist (BCR 2024). This report fulfills the requirements of Mitigation Measure CUL-2 of the CWP PEIR. This included an archaeological records search and a review of all recorded historic and prehistoric cultural resources, as well as a review of known cultural resources, and survey and excavation reports generated from projects completed within one-half mile of the project site. In addition, a review was conducted of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), and documents and inventories from the California Office of Historic Preservation including the lists of California Historical Landmarks, California Points of Historical Interest, Listing of National Register Properties, and Inventory of Historic Structures. During the survey conducted for the Archaeological Resources Inventory Report five historic structures and one historic roadway were observed within the project area: the Breathe Barn, the Hatch House, the lodge, Cabins 1 & 2, Cabins 3 & 4, and Powder Horn Pass. However, since the project related activities would avoid these resources, they were not recorded or evaluated to determine significance. A fencing plan would be developed as part of the project prior to pavement activities to ensure that these resources are excluded from all work areas during construction. No impact peculiar to the project would occur, as the project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA

Guidelines Section 15064.5. There is no project-specific significant effect which are peculiar to the project or its site. No new impacts would occur.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.5-2) and was determined to be less than significant with mitigation. The project will require limited ground-disturbing activities to even out the surface of the existing parking lot before the pavement. Archaeological resources can be found below ground. Therefore, CWP PEIR required that development as assumed in the CWP PEIR would implement Mitigation Measure CUL-2 through CUL-4 to reduce potential impacts to archaeological resources to a less than significant level. An Archaeological Resources Inventory Report for the project was prepared and is included as Appendix C to this Checklist (BCR Consulting LLC 2024). This report fulfills the requirements of Mitigation Measure CUL-2 of the CWP PEIR. The report included an archaeological records search and a review of all recorded historic and prehistoric cultural resources, including the NRHP, the CRHR, California Historical Landmarks, California Points of Historical Interest, Listing of National Register Properties, and Inventory of Historic Structures, known cultural resources, and survey and excavation reports generated from projects completed within one-half mile of the project site. Additionally, an archaeological pedestrian field survey of the project site was conducted on March 21, 2024. The Cultural Resources Assessment determined that there is no evidence that the site contains information needed to answer scientific research questions with a demonstrable public interest or that the site is directly associated with an important event or person. Furthermore, it does not contain a special and/or particular quality such as being the oldest or the best available example of its type. As such, the site is not recommended a unique archaeological resource under CEQA. No significant archaeological resources were found during the records search and field survey, the existing parking lot area was not identified as an area to be highly sensitive for archaeological resources, and no previously undisturbed soil would be disturbed as part of this project. Therefore, no other mitigation measure from the CWP PEIR will be necessary. However, if any part of the project changes, additional review and determination will be required to ensure that the project would have less than significant impacts related to archaeological resources. Impacts related to archaeological resources were analyzed in the CWP PEIR and Mitigation Measures CUL-2 was implemented. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

c. Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.5-4) and was determined to be less than significant. The project site is not a cemetery, and no known formal cemeteries are located within the immediate vicinity of the project site. However, human remains could be buried

outside of formal cemeteries, including the project site. The CWP PEIR indicated that ground disturbances by projects developed under the Countywide Plan could damage human remains. However, California Health and Safety Code Section 7050.5 requires that if human remains are discovered within a project site, disturbance of the site must stop until the coroner has investigated and made recommendations for the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative. If the coroner has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

Conclusion

With regards to the area of cultural/paleontological resources, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. Feasible mitigation measures contained within the CWP PEIR (Mitigation Measures CUL-2 through CUL-4) will be applied to the Project. These mitigation measures, detailed below, provide protection for archaeological resources and reduce potential impacts to a less than significant level.

Applicable Uniformly Applied Development Policies or Standards

The following regulatory requirements (RRs) related to cultural resources from the CWP EIR are applicable to the project.

RR CUL-1 Cultural and paleontological resources are recognized as nonrenewable resources and receive protection under the PRC and CEQA.

RR CUL-2 Native American historical and cultural resources and sacred sites are protected under PRC Sections 5097.9 to 5097.991, which require that descendants be notified when Native American human remains are discovered and provide for treatment and disposition of human remains and associated grave goods.

RR CUL-5 If human remains are discovered within a project site, disturbance of the site must stop until the coroner has investigated and made recommendations for the treatment and disposition of the human remains to the person responsible for the excavation,

or to his or her authorized representative. If the coroner has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. (California Health and Safety Code Section 7050.5)

Mitigation Measures Identified in the PEIR and Applicable to the Project

The CWP PEIR mitigation measures that are applicable to the project include the following:

CUL-2 In areas of documented or inferred archaeological resource presence, archaeological resource assessments shall be required prior to ground disturbance related to a development project. To determine the archaeological sensitivity of a proposed project area, the County may rely on an expert opinion from the County Museum staff, or on the results of a CHRIS records search at the SCCIC [South Central Coastal Information Center] or the Sacred Lands File maintained by the NAHC. Archaeological resources assessments shall be performed under the supervision of an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards (PQS) in either prehistoric or historic archaeology. The archaeological resources assessment shall include a Phase I pedestrian survey, undertaken to locate any surface cultural materials that may be present.

[*Implementation of this measure has been met through preparation of Appendix C.*]

5.6 Energy

5.6.1 Summary of Impacts Identified in the CWP PEIR

Section 5.18, Utilities and Service Systems, of the CWP PEIR, concluded that implementation of the Countywide Plan would not result in wasteful, inefficient, or unnecessary consumption of energy, and would be consistent with the Desert Renewable Energy Conservation Plan. Environmental impacts related to energy were determined to be less than significant.

5.6.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Result potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☐	☒
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☐	☒

a. Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.18-8) and was determined to be less than significant. Construction activities would primarily consume nonrenewable energy resources such as oil, diesel, and gasoline through operation of construction equipment, material deliveries, and debris hauling. However, construction-related energy consumption would be temporary, and no permanent new source of energy demand would result from construction activities. Construction activities associated with the parking area would be similar to construction practices in the region, therefore, would follow typical construction practices and would be subject to existing regulatory requirements related to energy, and is not anticipated to result in any unusual activities that would result in wasteful, inefficient, or unnecessary consumption of energy resources.

Furthermore, there are no plans for the expansion or alteration of any existing structures on the property. The project would not result in greater energy demands than analyzed in the CWP PEIR. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

No New Impact. This topic was evaluated in the CWP PEIR and was determined to be less than significant. The project is not anticipated to result in wasteful, inefficient, or unnecessary consumption of energy resource during construction and not changes to its current operation would occur. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

Conclusion

With regards to the area of Energy, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because Project specific impacts would be less than significant.

Applicable Uniformly Applied Development Policies or Standards

The following regulatory requirements (RRs) related to energy from the CWP EIR is applicable to the project.

RR USS-15 Projects will abide by Title 24 Chapter 6 of the California Code of Regulations with respect to energy efficiency standards.

RR USS-16 Both federally and non-federally regulated appliances shall abide by the efficiency standards of Title 20, Section 1601 et seq. of the California Code of Regulations.

Mitigation Measures Identified in the PEIR and Applicable to the Project

The CWP PEIR did not identify significant energy impacts or mitigation measures.

5.7 Geology and Soils

5.7.1 Summary of Impacts Identified in the CWP PEIR

Seismic Hazards

The CWP PEIR concluded that the CWP could subject residents, workers, and visitors in the county to seismic hazards such as surface rupture of a fault, ground shaking, and liquefaction. Furthermore, people in the county could be subject to hazards arising from landslides, ground subsidence, compressible soils, expansive soils, and erosion. Development pursuant to the CWP could involve the use of septic tanks.

The CWP PEIR concluded that all hazards due to geology and soils would be less than significant with the implementation of the San Bernardino County Building Code, the California Health and Safety Code, County requirements for the installation of septic tanks, the National Pollutant Discharge Elimination System (NPDES) Construction General Permit, and the following CWP policies from the Hazards Element and the Natural Resources Element:

Paleontological Resources

San Bernardino County contains paleontological resources. The younger alluvium across the valley floor is too young to preserve fossil resources in the upper layers, but the deeper layers and underlying sediments have high paleontological sensitivity. Valley growth areas lie in areas of low to high sensitivity. The broad alluvial plains between the mountains in the North Desert region generally have low to high sensitivity where younger alluvium is mapped at the surface and likely overlies older, high-sensitivity sediments. These older, high-sensitivity sediments are often exposed along the margins of alluvial plains as they approach the intervening mountain ranges.

Policy CR 2.3 of the Countywide Plan protects paleontological and archaeological resources from loss or destruction and requires that new development include appropriate mitigation to preserve the quality and integrity of these resources, avoid them when possible, and salvage and preserve them if avoidance is not possible. However, future development or improvements related to changes in land use were found to have potential to cause significant adverse impacts to paleontological resources, and additional mitigation measures were incorporated to reduce impacts to less than significant.

5.7.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2013), creating direct or indirect substantial risks to life or property?	☐	☐	☐	☐	☒

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☐	☒☐

a. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

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

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.6-1) and was determined to have a less than significant impact. However, impacts would be less than significant after compliance with the Alquist-Priolo Earthquake Fault Zoning Act and compliance with the County Development Code. The project site is not located within an earthquake fault zone mapped by the Countywide Policy Map, HZ-1 Earthquake Fault Zones. Therefore, the roject would result in no new impacts related to rupture of a known fault.

ii. Strong seismic ground shaking?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.6-1) and was determined to have a less than significant impact. The project site is located in a seismically active region, as is all of southern California. However, the project would not impact any of the existing buildings or structures. Paving of the new accessible parking stalls and driveway, and the striping of the existing parking lot would not result in new impacts related to seismic ground shaking. There would be no increase in the frequency or intensity of events at the site compared to the conditions analyzed in the CWP PEIR. Therefore, there are no project-specific significant effects that are peculiar to the project or its site. No new impact would occur.

iii. Seismic-related ground failure, including liquefaction?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.6-1) and was determined to have a less than significant impact. The project site is in the Pioneertown of the East Desert Region, and this area is not identified as having a high liquefaction potential in the CWP PEIR. Additionally, the project would not impact any of the existing buildings or structures. Paving of the new accessible parking stalls and driveway, and the striping of the existing parking lot would not result in new impacts related to seismic ground shaking. There would be no increase in the frequency or intensity of events at the site compared to the conditions analyzed in the CWP PEIR. . Therefore, the project would result in no new impacts on people or structures due to liquefaction. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

iv. Landslides?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.6-1) and was determined to have a less than significant impact. The project site is in the Pioneertown of the East Desert Region, and this area is not identified as having a high landslide potential in the CWP PEIR. There are no steep slopes on or near the project site that would result in potential landslide impacts. Therefore, there is no project-specific significant effect which is peculiar to the project or its site. No new impact would occur.

b. Would the project result in substantial soil erosion or the loss of topsoil?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.6-1) and was determined to have a less than significant impact. The project involves only the paving of the new accessible parking spaces and a new concrete pad in the existing parking lot. Since the total ground disturbance does not exceed one acre, the project would not be subject to the most current Statewide Construction General Permit or associated local National Pollutant Discharge Elimination System regulations. There is no project-specific significant effect which are peculiar to the project or its site. No new impacts would occur.

c. Would the project 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?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.6-4) and was determined to have a less than significant impact. The project site is not mapped as having a geologic unit or soils 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 in the CWP PEIR. The project would not involve the demolition of any buildings or structures, and paving and striping would be limited to the area already used for parking and access. Therefore, the project would result in no new impacts on people or structures due to unstable geologic units. There is no

project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

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

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.6-5) and was determined to have a less than significant impact. The CWP PEIR indicated that much of the Desert Regions has low to moderately expansive soils, but certain areas with alluvial and wind-deposited soils, and soils with salts, have high potential for collapsible soils. The project would not involve the demolition of any buildings or structures, and paving and striping would be limited to the area already used for parking and access. No changes to the land uses analyzed in the CWP PEIR are proposed under the project. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.6-6) and was determined to have a less than significant impact. An existing mobile portable restroom trailer is kept on-site for event use. Restrooms within the existing Motel are for use by registered guests and utilize the existing one-site septic system. No changes will be made to the existing wastewater disposal system. Therefore, the project would not result in a more severe impact than analyzed in the CWP PEIR. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.5-3) and was determined to have a less than significant impact with implementation of mitigation. The project site is identified as having a map symbol of grMz geologic unit in Figure 5.5-4, Paleontological Sensitivity – East Desert Region, of the CWP PEIR, which has no potential to contain significant paleontological resources as defined by the Society for Vertebrate Paleontology and Class 1, Very low potential, by the Bureau of Land Management's Potential Fossil Yield Classification system. The project involves only the paving of the new accessible parking stalls and driveway, and the striping of the existing parking lot. Therefore, the project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. No mitigation measure from the CWP PEIR is required. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

Conclusion

With regards to the area of Geology and Soils, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

Applicable Uniformly Applied Development Policies or Standards

None.

Mitigation Measures Identified in the PEIR and Applicable to the Project

No mitigation measures identified in the CWP PEIR for geology and soils

5.8 Greenhouse Gas Emissions

5.8.1 Summary of Impacts Identified in the CWP PEIR

Although the CWP would not result in a substantial magnitude of greenhouse gas (GHG) emissions, the County would not achieve the state's GHG emissions efficiency target for year 2040 or 2050 without implementation of additional local GHG reduction measures. Implementation of the CWP policies and actions of the CWP, combined with mitigation measures identified in the CWP PEIR, were found to reduce GHG emissions to the extent feasible. Adherence to the County's GHG Reduction Plan would also reduce GHG emissions in the unincorporated communities to meet the year 2020 reduction target. However, additional federal, state, and local measures would be necessary to reduce GHG emissions to meet the long-term GHG efficiency goals identified in the 2017 Scoping Plan, and impacts were found to be significant and unavoidable. The CWP was found not to conflict with the California Air Resources Board (CARB) scoping plan or Southern California Association of Governments' (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

5.8.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒	☐

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.7-1) and was determined to have a significant and unavoidable impact. The project would expand upon the current legal non-conforming use of the motel use to include seasonal outdoor events which have been occurring on site since 1947. However, it does not propose an increase in quantity or intensity of events. Instead,

the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. Therefore, no changes to the land uses analyzed in the CWP PEIR are proposed under the project, and no new unanticipated GHG emissions would result from project implementation. Mitigation measures identified in the CWP PEIR are for the County government, and not for individual project. The project would not generate GHG emissions, either directly or indirectly, that exceeds the impact analyzed in the CWP PEIR. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

b. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.7-2) and was determined to have a less than significant impact. The CWP PEIR indicated that the applicable plans adopted for the purpose of reducing GHG emissions include CARB's Scoping Plan and SCAG's RTP/SCS. The project does not include any components that would change the Countywide Plan's consistency with the Scoping Plan goals because it includes the same land use types in the same location as adopted Countywide Plan land use plan. Similarly, the project also does not include any components that would change the Countywide Plan's consistency with the RTP/SCS because the project would not result in any change to the general land use types or locations. No changes to the land uses analyzed in the CWP PEIR are proposed under the project. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

Conclusion

With regards to the area of Greenhouse Gas Emissions, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

Applicable Uniformly Applied Development Policies or Standards

The following regulatory requirements (RRs) related to GHG emissions from the CWP EIR are applicable to the project.

RR GHG-2 Construction activities are required to adhere to Title 13 California Code of Regulations (CCR) Section 2499, which requires that nonessential idling of construction equipment is restricted to five minutes or less.

RR GHG-4 The County of San Bernardino requires land uses in the unincorporated area to adhere to the state's Model Water Efficient Landscape Ordinance.

RR GHG -5 The County of San Bernardino adheres to the requirements of AB 341, AB 1826, and SB 1383. The County of San Bernardino Solid Waste Management Division manages landfill capacity and implements programs to divert waste from landfills, which includes recycling and organics/food waste collection. AB 341 requires business that generate 4 cubic yards of waste or more per week (including multifamily with five or more units) to arrange for recycling services. AB 1826 requires business to recycle their organic waste depending on how much waste they generate per week and also requires the County to implement an organic waste recycling program for business (including multifamily of five or more uses). SB 1383 requires that operates of landfills achieve reductions in short-lived climate pollutants and establishes a target to achieve a 50 percent reduction in statewide disposal of organic waste from 2014 levels by 2020 and 75 percent reduction from 2014 levels by 2025. AB 1383 also establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025.

Mitigation Measures Identified in the PEIR and Applicable to the Project

No mitigation measures identified in the CWP PEIR are applicable to the Project.

5.9 Hazards and Hazardous Materials

5.9.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that impacts arising from hazardous materials and hazardous material releases are site specific. Implementation of regulatory requirements and standard conditions of approval would ensure that impacts would be less than significant.

The CWP PEIR concluded that buildout could involve development of some projects within airport safety zones; however, projects proposed within such zones would be required to comply with land use regulations for the respective zones set forth by the affected agencies. Implementation of regulatory requirements and standard conditions of approval would ensure that impacts would be less than significant.

The CWP PEIR concluded that the CWP would not result in potentially significant impacts related to emergency plan hazards.

The CWP PEIR found that unincorporated growth per the CWP would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Measures to confine or avoid fires would be implemented for all future development, and adherence to existing regulations and review of building plans by the San Bernardino County Fire Department would reduce risks from fires in the county.

5.9.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☐	☒
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?	☐	☐	☐	☐	☒

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☐	☒
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?	☐	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☐	☒

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.8-1) and was determined to have a less than significant impact with implementation of existing regulatory requirements. The project involves the expansion of the site's current recognized legal non-conforming use to include seasonal outdoor events, which have occurred on-site alongside the motel use since 1947. However, it does not propose an increase in frequency or intensity of existing events. Instead, the

project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. No changes to the land uses analyzed in the CWP PEIR are proposed under the project. Furthermore, the types of pavement materials used during construction would not be acutely hazardous, and all storage, handling, use, and disposal of these materials are regulated by state and federal laws that the project is required to strictly adhere to. Therefore, the project would not create any new significant hazard related to the transport, use, or disposal of hazardous materials. There is no project-specific significant effect which are peculiar to the project or its site. No new impacts would occur.

b. Would the project 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?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.8-1) and was determined to have a less than significant impact with implementation of existing regulatory requirements. The project involves the expansion of the site's current recognized legal non-conforming use to include seasonal outdoor events. However, it does not propose an increase in quantity or intensity of existing events. Instead, the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. No changes to the land uses analyzed in the CWP PEIR are proposed for the project, and the project would not require any demolition of structures. Therefore, regulatory requirements (RR HAZ-1 through RR HAZ-6) identified in the CWP PEIR would not be necessary. The project would not create any new significant hazard to the public or the environment. There is no project-specific significant effect which are peculiar to the project or its site. No new impacts would occur.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.8-1) and was determined to have a less than significant impact with implementation of existing regulatory requirements. There is no existing or proposed school within one-quarter mile of the project site. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

d. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.8-2) and was determined to have a less than significant impact with implementation of existing state and federal regulations. The project site is not included on a list of hazardous materials sites compiled as part of the CWP PEIR. A review of the EnviroStor and GeoTracker databases does not include the project site as a hazardous material sites (DTSC 2025, SWRCB 2025). There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

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

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.8-3) and was determined to have a less than significant impact. The Yucca Valley Airport is the closest airport to the project site, located approximately 9.5 miles to the southeast. The project site is not within an airport land use plan or within two miles of a public or public-use airport. There is no project-specific significant effect which are peculiar to the project or its site. No new impacts would occur.

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.8-4) and was determined to have a less than significant impact. The closest evacuation routes from the project site is State Route 247, approximately 6.4 miles to the east. The project would not impair or physically interfere with any roadways for an adopted emergency response plan or emergency evacuation plan. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.8-5) and was determined to have a less than significant impact with implementation of regulatory requirements. The project site is located within the State Responsibility Area (SRA) and is mapped as a high fire hazard severity zone (FHSZ) by the California Department of Forestry and Fire Protection (CALFire 2024). The project would not involve the demolition or construction of any buildings or structures, and paving and striping would be limited to the area already used for parking and access. There would be no increase in the frequency or intensity of events at the site. Therefore, the project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires compared to the conditions analyzed in the CWP PEIR. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

Conclusion

With regards to the area of Hazards and Hazardous Materials, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.

3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.

4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

Applicable Uniformly Applied Development Policies or Standards

None.

Mitigation Measures Identified in the PEIR and Applicable to the Project

The CWP PEIR did not identify any mitigation measures related to hazards and hazardous materials.

5.10 Hydrology and Water Quality

5.10.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that development pursuant to the CWP would comply with the requirements of the regulated municipal separate storm sewer system (MS4) NPDES permits, the general Construction Permit, the San Bernardino County Development Code, and the requirements of the San Bernardino County Hydrology Manual and would therefore not increase surface water flows into drainage systems within the watershed and would not provide substantial additional sources of polluted runoff. The CWP encompasses areas within the jurisdiction of the Santa Ana Regional Water Quality Control Board (RWQCB), Lahontan RWQCB, and Colorado River Basin RWQCB. The Santa Ana RWQCB issued a MS4 Permit for the part of the Santa Ana Basin. Projects in the Lahontan RWQCB region creating and/or replacing 2,500 square feet or more of impervious surfaces are subject to the Statewide Small MS4 Permit. County is a permittee on the Statewide Small MS4 Permit, Order No. 2013-0001-DWQ. There are no regulated municipal separate storm sewer systems in the unincorporated County areas in the Colorado River Basin RWQCB. Development within this area is not subject to any MS4 permits but do need to meet the requirements of the Industrial General Permit and the Construction General Permit.

The CWP PEIR was also found to increase the amount of impervious surfaces in the county, but with the implementation of CWP policies from the Infrastructure and Utilities Element, this increase was found not to deplete groundwater or hinder groundwater recharge.

Portions of the county are in the 100-year flood hazard zone and dam inundation zones. Projects in 100-year flood hazard zones would be subject to Floodplain Development Standards Review under the County Code of Ordinances Chapter 85.07. Projects would also be subject to applicable CWP policies from the Hazards Element.

There is no tsunami hazard because the county boundary is about 22 miles inland from the Pacific Ocean. No areas that were planned for development pursuant to the CWP were found to be at risk of flooding from seiches. Altogether, impacts were identified as less than significant in the CWP PEIR.

5.10.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☐	☒
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) Result in substantial erosion or siltation on- or off-site; (ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; (iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or (iv) Impede or redirect flood flows?	☐	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☐	☒

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☐	☒

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

No New Impact. This topic was evaluated in the CWP PEIR (Impacts 5.9-1) and determined to have a less than significant impact. The project site is located within the Southern Mojave-Salton Sea Watershed, under the jurisdiction of the Colorado River Basin RWQCB. There are no regulated municipal separate storm sewer systems in the unincorporated County areas in the Colorado River Basin RWQCB. Development within this area is not subject to any MS4 permits. No changes to the land uses analyzed in the CWP EIR are proposed under the project. This impact was already analyzed in the CWP PEIR. The project would result in a negligible increase in impervious surfaces from the new paved accessible parking stalls and the proposed concrete pad. Therefore, the project would not result in substantially greater surface or groundwater quality impacts. There is no project-specific significant effect which are peculiar to the project or its site. No new impacts would occur.

b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

No New Impact. This topic was evaluated in the CWP PEIR (Impacts 5.9-2) and was determined to have a less than significant impact. The project would result in a negligible increase in impervious surfaces from the new paved accessible parking stalls and the proposed new concrete pad. Water for motel use operations is supplied by the onsite well. Drinking water for events would be supplied by vendors through pre-purchased event catering packages. No water for event use would be from the existing well. No changes to the land uses analyzed in the CWP EIR are proposed under the project. Therefore, it would not substantially decrease groundwater supplies or interfere significantly with groundwater recharge. There is no project-specific significant effect which are peculiar to the project or its site. No new impacts would occur.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site?

No New Impact. This topic was evaluated in the CWP PEIR (Impacts 5.9-1) and determined to have a less than significant impact. There are no regulated municipal separate storm sewer systems in the unincorporated County areas in the Colorado River Basin RWQCB. The project would result in a negligible increase in impervious surfaces from the new paved accessible parking stalls and the proposed concrete pad. Therefore, it would not substantially increase the rate or volume of surface runoff in a manner that would cause on- or off-site flooding. There is no project-specific significant effect which are peculiar to the project or its site. No new impacts would occur.

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

No New Impact. This topic was evaluated in the CWP PEIR (Impacts 5.9-1) and was determined to have a less than significant impact. The project would result in a negligible increase in impervious surfaces from the new paved accessible parking stalls and the proposed concrete pad. Therefore, the project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite. There is no project-specific significant effect which are peculiar to the project or its site. Therefore, no new impact would occur.

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

No New Impact. Refer to Section 5.10.2(c)(i).

iv. Impede or redirect flood flows?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.9-3) and was determined to have a less than significant impact with the implementation of existing regulatory requirements. A portion of the project site is within the area identified as 100-year California Department of Water Resources Awareness by the CWP PEIR Figure 5.9-3, Flood Hazard Zones. The Federal Emergency Management Agency Flood Insurance Rate Map identifies the project site as within Zone D (06071C8100H), which is defined as an area with possible but undetermined flood hazards (FEMA 2025). The project involves paving new accessible parking stalls along Powder Horn Pass and within the existing east parking lot and the development of a new. No new buildings are proposed. Therefore, the project would not result in flooding impacts and would not impede or redirect flood flows. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

d. Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.9-5) and was determined to have a less than significant impact with the implementation of existing regulatory requirements. The project site is approximately 109 miles inland from the Pacific Ocean. No tsunami impact is anticipated. There are no large water bodies in the vicinity of the project site; therefore, no seiche impact is anticipated. As discussed in Section 5.10.2(c)(iv), the project site is within the Zone D of the Federal Emergency Management Agency Flood Insurance Rate Map. The project would not result in flooding impacts and would not result in peculiar impacts that were not previously analyzed in the CWP PEIR. No new impact would occur.

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.9-2) and was determined to have a less than significant impact. Water for motel use operations is supplied by the onsite well. Drinking water for the events is supplied by vendors through pre-purchased event catering packages. No water for events would be used from the existing well. The project would result in a negligible increase in impervious surfaces from the new paved accessible parking stalls and the proposed concrete pad. Although there are no regulated municipal separate storm sewer systems in the unincorporated County areas in the Colorado River Basin RWQCB, such negligible increase in impervious areas is not anticipated to result in conflict with a water quality control plan or sustainable groundwater management plan. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

Conclusion

With regards to the area of Hydrology and Water Quality, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

Applicable Uniformly Applied Development Policies or Standards

None.

Mitigation Measures Identified in the PEIR and Applicable to the Project

The CWP PEIR did not identify any mitigation measures related to hydrology and water quality impacts.

5.11 Land Use and Planning

5.11.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that implementation of the CWP would not conflict with existing land use plans, policies, or regulations of agencies with jurisdiction over unincorporated lands. Implementation of regulatory requirements and standard conditions of approval ensured that no significant impacts would occur. The Land Use Element of the proposed San Bernardino CWP includes policies intended to minimize risks to people and the environment from land use and planning impacts.

5.11.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Physically divide an established community?	☐	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☐	☒

a. Would the project physically divide an established community?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.10-1) and determined to have a less than significant impact. The project site is in the East Desert Region, and the project site is designated RL (Rural Living) by the Countywide Plan and zoned Rural Living, 5-Acre Minimum Lot Size (RL-5). The project site is surrounded to the west, north, and east by rural residential development. The properties to the south are characterized by scattered rural residential and vacant lands. The motel use, along with the seasonal outdoor events, has been occurring on-site since 1947. The project would not increase the frequency or intensity of the seasonal outdoor events. Instead, the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. The existing motel use already has legal non-conforming status, and allowing seasonal outdoor events with a CUP to continue its operation

would not physically divide an established community. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.10-2) and determined to have a less than significant impact. The project does not propose to change its Countywide Plan designation or zoning district. The project involves the expansion of the site's current recognized legal non-conforming motel use to include seasonal outdoor events which are already occurring on site. However, it does not propose an increase in quantity or intensity of events. Instead, the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. In addition, no construction is proposed beyond the paving of accessible parking space. The project does not involve conflict with any other land use-related policy, as detailed throughout this checklist, including the County's lighting and noise standards. Therefore, impacts related to conflict with a policy adopted for the purpose of avoiding or mitigating an environmental effect would not occur. There is no project-specific significant effect which are peculiar to the project or its site. The project would not result in a new impact.

Conclusion

With regards to the area of Land Use and Planning, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

Applicable Uniformly Applied Development Policies or Standards

None.

Mitigation Measures Identified in the PEIR and Applicable to the Project

The CWP PEIR did not identify mitigation measures related to land use and planning.

5.12 Mineral Resources

5.12.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that buildout of the CWP in areas of the county mapped within MRZ-2 and MRZ-3 would result in the loss of available known mineral resources valuable to the region. Therefore, impacts were determined to be significant and unavoidable even with incorporation of mitigation measures.

5.12.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	☐	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☐	☒

a. Would the project 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?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.11-1) and determined to have significant and unavoidable impact where development occurs within the MRZ-2 and 3 area designations. The project site is in the East Desert Region of the CWP. According to Figure 5.11-2, Mineral Resource Zones 2 & 3 in the Eastern Half of the County, the project site is not within the MRZ-2 and 3 area designations. The project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. There is no project-specific significant effects which are peculiar to the project or its site. No new impact would occur.

b. Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.11-1) and determined to have significant and unavoidable impact where development occurs within the MRZ-2 and 3 area designations. According to Figure 5.11-2, Mineral Resource Zones 2 & 3 in the Eastern Half of the County, the project site is not within the MRZ-2 and 3 area designations and does not include a locally-important mineral resource recovery site on the CWP. There is no project-specific significant effect which are peculiar to the project or its site. Therefore, no new impacts would occur.

Conclusion

With regards to the area of Mineral Resources, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

Applicable Uniformly Applied Development Policies or Standards

None.

Mitigation Measures Identified in the PEIR and Applicable to the Project

No mitigation measures identified in the CWP PEIR are applicable to the project.

5.13 Noise

5.13.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR identified significant and unavoidable noise impacts associated with construction activities, traffic noise, and groundborne vibration. The implementation of policies and mitigation measures would reduce noise-related impacts to the extent feasible, but impacts would still be significant and unavoidable. Noise impacts related to airports and airstrips were found to be less than significant.

5.13.2 Impacts Associated with the Project

Would the project result in:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☐	☒
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☐	☒
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, exposure of people residing or working in the project area to excessive noise levels?	☐	☐	☐	☐	☒

a. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

No New Impact. This topic was evaluated in the CWP PEIR (Impacts 5.12-1 and 5.12-2) and was determined to have a significant and unavoidable impact. The property line of the nearest offsite

sensitive receptor, the residence located east of the project site, is approximately 100 feet from the event area and the residential structure is approximately 165 feet from the event area.

The CUP would allow an event use in addition to the existing legal non-conforming motel use within the Rural Living, 5-Acre Minimum Lot Size (RL-5) zoning district, which is surrounded by RL-5 land uses. Seasonal outdoor events are currently occurring with a maximum capacity of 150 guests. This maximum event capacity of 150 guests would remain unchanged. As such, it is assumed that noise conditions at future events would be similar to past events. Noise monitoring is currently part of the standard operating procedures at the project site. Section 83.01.080 of the County of San Bernardino Municipal Code, Noise, establishes noise standards for noise sources that affect adjacent properties. A Noise Memo was prepared by Harris & Associates (Harris) that reviewed the noise monitoring data and current noise management practices (refer to Appendix D of this Checklist). Based on the noise monitoring results collected between 2018 and 2025 for events sizes up to the maximum 150 attendees, the Noise Memo concluded that average noise levels during events generally do not exceed the applicable 55 A-weighted decibels (dBA) average noise threshold prior to 10:00 p.m., when amplified noise is allowed on-site (Harris and Associates 2025). Although noise levels do periodically exceed 55 dBA; they indicate that the threshold is generally not exceeded for more than 30 minutes in a given hour. A review of the event videos also confirmed that amplified noise consistently ceases within a few minutes of 10:00 p.m., and noise levels do not exceed 45 dBA during nighttime hours. As such, the existing seasonal events do not exceed standards established in Section 83.01.080 of County's Noise Ordinance in residential areas. The project would not increase the frequency or intensity of seasonal events, and would not change the layout or operating procedures, including implementation of monitoring and standard event rules. Therefore, the current and continued use of motel along with seasonal events would not exceed applicable County of San Bernardino Noise Ordinance noise level limits. The project would not result in peculiar impacts that were not previously analyzed in the CWP PEIR. No new impact would occur.

b. Would the project result in the generation of excessive groundborne vibration or groundborne noise levels?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.12-3) and was determined to have a less than significant impact with implementation of mitigation. The project would not involve the demolition or construction of any buildings or structures, and paving and striping for parking and access would be limited to the area already in use for parking and access. Therefore, no construction equipment capable of generating excessive groundborne vibration would be used during the paving and striping of parking stalls. The project also does not, and would not, use any speakers that generate groundborne noise levels. Therefore, the project would not alter the existing land use condition analyzed in the CWP PEIR, and there is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in exposure of people residing or working in the project area to excessive noise levels?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.12-4) and was determined to have a less than significant impact. The project is not located within an airport land use plan or within two miles of an airport. The Yucca Valley Airport is the closest airport to the project site, located approximately 9.5 miles to the southeast. Therefore, the project would not result in airport related noise impacts to people residing or working within the project site. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

Conclusion

With regards to thearea of Noise, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

Applicable Uniformly Applied Development Policies or Standards

The following regulatory requirement (RR) related to noise from the CWP EIR is applicable to the project.

RR-NOI-2 San Bernardino County Development Code, Construction Noise Sources. Section 83.01.080 establishes standards concerning acceptable noise levels for both noise-sensitive land uses and noise-generating land uses. It prohibits construction activities between 7:00 PM and 7:00 AM on weekdays, or at any time on Sunday or a federal holiday.

RR-NOI-3 San Bernardino County Development Code, Stationary Noise Sources. Section 83.01.080 establishes standards for stationary noise sources in Table 83-2.

RR-NOI-4 San Bernardino County Development Code Mobile Noise Sources. Section 83.01.080 establishes standards for mobile noise sources in Table 83-3 including:

- Limiting construction to the daytime hours between 7 AM to 7 PM on Monday through Friday and 9 AM to 6PM on Saturday. Construction is prohibited on Sundays.

RR-NOI-5 San Bernardino County Development Code Vibration. Section 83.01.090 prohibits vibration that can be felt without the aid of instruments or produces a particle velocity greater than or equal to two-tenths inch per second peak particle velocity (i.e., 0.20 in/sec PPV) at or beyond the lot line of the source. Exceptions are made for temporary construction, maintenance, repair, or demolition activities between 7:00 AM and 7:00 PM, except Sundays and federal holidays; and motor vehicles not under control of the industrial or commercial use.

Mitigation Measures Identified in the PEIR and Applicable to the Project

No mitigation measures identified in the CWP PEIR are applicable to the project.

5.14 Population and Housing

5.14.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that the CWP would directly result in population growth in the project area within the range projected by SCAG. Buildout of the CWP would not displace people or housing and would not necessitate the construction of replacement housing. Furthermore, implementation of the Countywide Plan would result in a jobs-housing balance of 1.1 countywide in 2040, in line with SCAG's projection of 1.1 when considering housing units and 1.2 when considering households. Therefore, implementation of the Countywide Plan would not contribute to a significant cumulative population and housing impact.

5.14.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☐	☒

a. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.13-1) and was determined to have a less than significant impact. The project is consistent with the Countywide Plan land use and zoning designations for the site, which are used by both local and regional agencies to determine anticipated growth. The project would expand the current recognized legal non-conforming use to include seasonal outdoor events which are already occurring at the motel site. The project does not propose an increase in quantity or intensity of events. Instead, the project

established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. In addition, no construction is proposed beyond paving accessible parking spaces and the proposed concrete pad within the existing parking lot. The project would not displace substantial numbers or existing or housing, necessitating the construction of replacement housing elsewhere. No new impact would occur. Therefore, development of the project is planned by the CWP, and the project would not induce substantial unplanned population growth in the surrounding area. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.13-2) and was determined to have a less than significant impact. The project would expand the current recognized legal non-conforming use to include seasonal outdoor events which are already occurring at the motel site. The project does not propose an increase in quantity or intensity of events. Instead, the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. The project would not displace substantial numbers or existing or housing, necessitating the construction of replacement housing elsewhere. There is no project-specific significant effect which is peculiar to the project or its site. No new impact would occur.

Conclusion

With regards to the area of Population and Housing, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

Applicable Uniformly Applied Development Policies or Standards

None.

Mitigation Measures Identified in the EIR and Applicable to the Project

The CWP PEIR did not identify any mitigation measures related to population and housing impacts.

5.15 Public Services

5.15.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that the CWP would cause fire protection, police, and library services to expand due to buildout. However, impacts were found to be less than significant upon implementation of the regulatory requirements and CWP policies, and standard conditions of approval.

The CWP PEIR concluded that the CWP would generate new students in the county and result in the need for new and/or expanded school facilities, the construction of which could result in environmental impacts. However, the required compliance with the Senate Bill 50 (SB 50) would reduce impacts to a less than significant level.

5.15.2 Impacts Associated with the Project

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:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Fire protection?	☐	☐	☐	☐	☒
b) Police protection?	☐	☐	☐	☐	☒
c) Schools?	☐	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☐	☒
e) Libraries or local daycare facilities?	☐	☐	☐	☐	☒

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

Fire protection?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.14-1) and was determined to have a less than significant impact. The San Bernardino County Fire Protection District serves the unincorporated County area, which includes the project site. The project would expand the current recognized legal non-conforming motel use to include seasonal outdoor events which are already occurring at the site. The project does not propose an increase in quantity or intensity of events. Instead, the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. The accessible parking pavement and striping per the California Building Code would improve access for emergency vehicles. No other changes are proposed that would result in additional fire protection services beyond those analyzed in the CWP PEIR. There is no project-specific significant effect which are peculiar to the project or its site. No new impacts related to fire protection services would occur.

Police protection?

No new Impact. This topic was evaluated in the CWP PEIR (Impact 5.14-2) and was determined to have a less than significant impact. The San Bernardino County Sheriff's Department provides policing services in the project vicinity from its Morongo Basin Patrol Station at 6527 White Feather Road, the unincorporated Community of Joshua Tree, approximately 16.6 miles southeast of the project site. This station's area of responsibility includes the incorporated communities of Twenty-nine Palms and the Town of Yucca Valley, as well as the unincorporated communities of Morongo Valley, Landers, Johnson Valley, Joshua Tree, Wonder Valley, Pioneertown, Amboy, Cadiz and Flamingo Heights. The CWP PEIR determined that little growth is forecast in the East Desert Region, and existing police facilities are anticipated to serve this growth. The project would expand the current recognized legal non-conforming motel use to include seasonal outdoor events which are already occurring at the site. The project does not propose an increase in quantity or intensity of events. Instead, the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. No changes in condition are proposed that would result in additional police service facilities beyond those analyzed in the CWP EIR. There is no project-specific significant effect which are peculiar to the project or its site. No new impacts related to police protection services would occur.

Schools?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.14-3) and was determined to have a less than significant impact. The project site is within the Morongo Unified School District. The project would expand the current recognized legal non-conforming use to include seasonal outdoor events which are already occurring at the motel site. The project does not propose an increase in quantity or intensity of events. Instead, the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. No changes

in conditions are proposed that would result in additional school services. There is no project-specific significant effect which are peculiar to the project or its site. Therefore, no new impact related schools would occur.

Parks?

Impact. Impacts related to parks were evaluated in the CWP PEIR as part of Impacts 5.15-1 and 5.15-2 in Section 5.15, Recreation and were determined to have a less than significant impact. The project would expand the current recognized legal non-conforming motel use to include seasonal outdoor events which are already occurring at the site. The project involves only the paving of the new accessible parking stalls and driveway, and the striping of the existing parking lot. The project does not propose an increase in quantity or intensity of events. Instead, the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. No changes in condition are proposed that would result in additional park services. There is no project-specific significant effect which are peculiar to the project or its site. Therefore, no new impact would occur.

Other public facilities?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.14-4), which specified other public facilities as library facilities and was determined to have a less than significant impact. The project would expand the current recognized legal non-conforming motel use to include seasonal outdoor events which are already occurring at the site. The project involves only the paving of the new accessible parking stalls and driveway, and the striping of the existing parking lot. The project does not propose an increase in quantity or intensity of events. Instead, the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. No changes in condition are proposed that would result in additional other public services. There is no project-specific significant effect which are peculiar to the project or its site. Therefore, no new impact would occur.

Conclusion

With regards to the area of Public Services, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.

4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

Applicable Uniformly Applied Development Policies or Standards

None.

Mitigation Measures Identified in the PEIR and Applicable to the Project

The CWP PEIR did not identify significant public services impacts or mitigation measures.

5.16 Recreation

5.16.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that the CWP would generate additional residents, which would increase the use of existing park and recreational facilities. Project implementation would result in environmental impacts from the provision of new and/or expanded recreational facilities. Upon implementation of regulatory requirements and compliance with CWP policies and programs, impacts of the CWP would be less than significant.

5.16.2 Impacts Associated with the Project

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
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?	☐	☐	☐	☐	☒
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?	☐	☐	☐	☐	☒

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?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.15-1) and was determined to have a less than significant impact. The project would expand the current recognized legal non-conforming motel use to include seasonal outdoor events which are already occurring at the site. The project would not involve the demolition of any buildings or structures, and paving and striping would be limited to the area already used for parking and access. The project does not propose an increase in quantity or intensity of events. Instead, the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. Therefore, the project would not increase in the use of existing neighborhood and regional parks

or other recreational facilities beyond those analyzed in the CWP PEIR. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.15-2) and was determined to have a less than significant impact. The project does not include recreational facilities or require the construction or expansion of recreational facilities. The project would expand the current recognized legal non-conforming motel use to include seasonal outdoor events which are already occurring at the site. The project would not involve the demolition of any buildings or structures, and paving and striping would be limited to the area already used for parking and access. No recreational facilities would be constructed or expanded as result of the project implementation. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

Conclusion

With regards to the area of Recreation, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

Applicable Uniformly Applied Development Policies or Standards

None.

Mitigation Measures Identified in the PEIR and Applicable to the Project

The CWP PEIR did not identify significant recreation impacts or mitigation measures.

5.17 Transportation

5.17.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR approached setting vehicle miles traveled (VMT) thresholds by first evaluating the appropriateness of recommended Office of Planning and Research (OPR) thresholds. OPR's Technical Advisory on Evaluating Transportation Impacts in CEQA concludes that achieving 15 percent lower per capita (for residential uses) and per employee (for office uses) VMT than existing development "is both generally achievable and is supported by evidence that connects this level of reduction to the State's emissions goals." The County determined that OPR's recommended 15 percent VMT reduction threshold would not be feasible throughout most of the unincorporated county. Therefore, the CWP PEIR was based on county-specific significance thresholds. A residential VMT/person above 19.7 would be considered significant, and an employment VMT above 23.1 would be considered significant. The CWP PEIR concluded that VMT averages would exceed both these targets under the CWP buildout and remain a significant and unavoidable impact with mitigation and implementation of CWP policies. The CWP was not found to conflict with any program, plan, ordinance, or policy addressing the circulation system, and impacts due to geometric design features or incompatible uses were found to be less than significant. Impacts to emergency access were also found to be less than significant.

5.17.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☐	☒
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☐	☐	☒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☐	☒

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
d) Result in inadequate emergency access?	☐	☐	☐	☐	☒

a. Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.16-1) and was determined to be less than significant. The project site is served by Burns Canyon Road and Powder Horn Pass. The nearest transit line is along State Route 247, approximately 6.6 miles east of the project site. There are no bicycle or pedestrian facilities in the vicinity of the project site. No change to the land uses analyzed under the CWP PEIR pertaining to transportation facilities is proposed. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.16-3) and was determined to be significant and unavoidable. The project would expand the current recognized legal non-conforming use to include seasonal outdoor events which are already occurring at the site. The project does not propose an increase in quantity or intensity of events. Instead, the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. No new buildings would be constructed. Maximum event capacity of 150 guests would remain unchanged. In addition, events would continue to operate from Mid-March to Mid-June and September to Mid-November. To minimize traffic impact, the project would continue to require shuttles when events exceed the existing 40-car parking capacity. Therefore, the project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b). There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.16-4) and was determined to have a less than significant impact. The project would expand the current recognized legal non-conforming motel use to include seasonal events which are already occurring at the site. The

project does not propose an increase in quantity or intensity of events. As part of the CUP, the project would include new paved accessible parking stalls added along Powder Horn Pass and within the existing east parking lot. In addition, a new concrete pad would be installed in the existing parking lot along with pavement striping per the requirements set forth in the California Building Code. No changes to roadways are required. In addition, no change to the land uses analyzed under the CWP PEIR pertaining to transportation is proposed. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

d. Would the project result in inadequate emergency access?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.16-4) and was determined to have a less than significant impact. The project site fronts Burns Canyon Road that would provide adequate access to emergency vehicles. The closest evacuation route from the project site is State Route 247, approximately 6.6 miles to the east. The project would not adversely impact this evacuation route. There is no project-specific significant effect which are peculiar to the project or its site. No new impact related to emergency access would occur.

Conclusion

With regards to the area of Transportation and Traffic, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

Applicable Uniformly Applied Development Policies or Standards

None.

Mitigation Measures Identified in the PEIR and Applicable to the Project

No mitigation measures identified in the CWP PEIR are applicable to the project.

5.18 Tribal Cultural Resources

5.18.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that with implementation of regulatory requirements and CWP policies impacts on tribal cultural resources would be less than significant. The Cultural Resources Element of the Countywide Plan was designed to address potential impacts to tribal cultural resources. Specifically, Policies CR-1.1 through 1.4 call for notification, planning, avoidance, or mitigation and monitoring. In the course of implementing the Countywide Plan and these specific policies, and in complying with requirements of Assembly Bill (AB) 52, the County will identify and address any impacts of specific projects to tribal cultural resources.

5.18.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: (i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or (ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision?	☐	☐	☐	☐	☒

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

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

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.17-1) and was determined to be less than significant with mitigation. As discussed in Section 5.5.2(a), the project site is not identified as a historical resource and does not contain any significant historical resources as defined in Public Resources Code Section 5020.1(k). The project site does not involve demolition of any structures that are at least 45 years of age. The project would not result in impacts to historic resources that are listed or eligible for listing. Mitigation Measure CUL-1 from the CWP PEIR is not required. The project would not result in new impacts to historical resources as defined in Public Resources Code section 5020.1(k). There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

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

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.17-1) and was determined to be less than significant with implementation of existing regulatory requirements. AB 52 establishes a formal consultation process for California tribes as part of the CEQA process and equates significant impacts on "tribal cultural resources" with significant environmental impacts (PRC Section 21084.2). PRC Section 21080.3.1 stipulates that consultation must take place prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project. Because this document is not a negative declaration, mitigated negative declaration, or environmental impact report, the project is not subject to AB 52 requirements.

Public Resources Code Section 5024.1(c) provides the National Register of Historic Places criteria for determining a resource to be listed as a historical resource in the California Register. As discussed in Section 5.5.2(a), the project site is not identified as a historical resource and does not contain any significant historical resources pursuant to criteria set forth in Public Resources Code Section 5024.1(c). As discussed in section 5.5.2(b), there are no previously documented historical or archaeological resources. The project is subject to the existing regulatory requirements under PRC Sections 5097.9 to 5097.991, which require that descendants be notified when Native American human remains are discovered and provide for treatment and disposition of human remains and associated grave goods. The project involves only the paving of the new accessible parking stalls and driveway, and the striping of the existing parking lot. Therefore, it is highly

unlikely that any significant tribal cultural resources would be discovered during paving. The project would not result in peculiar impacts that were not previously analyzed in the CWP PEIR. No new impact would occur.

Conclusion

With regards to the area of Tribal Cultural Resources, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.

2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.

3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.

4. Feasible mitigation measures contained within the CWP PEIR (CUL-2 through CUL-4) will be applied to the project. The mitigation measures and the existing regulatory requirements provide protection for tribal cultural resources and reduce potential impacts to a less than significant level.

Applicable Uniformly Applied Development Policies or Standards

The following regulatory requirements (RRs) related to tribal cultural resources from the CWP EIR are applicable to the project.

RR TCR-2 Native American historical and cultural resources and sacred sites are protected under PRC Sections 5097.9 to 5097.991, which require that descendants be notified when Native American human remains are discovered and provide for treatment and disposition of human remains and associated grave goods.

RR CUL-5 If human remains are discovered within a project site, disturbance of the site must stop until the coroner has investigated and made recommendations for the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative. If the coroner has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. (California Health and Safety Code Section 7050.5).

Mitigation Measures Identified in the PEIR and Applicable to the Project

The CWP PEIR did not identify significant tribal cultural resources impacts or mitigation measures. However, Mitigation Measures CUL-2 as listed in Section 5.5.3 of this Checklist is applicable to the project, which has been implemented.

5.19 Utilities and Service Systems

5.19.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that the CWP would require the construction of new or expanded wastewater facilities to serve the growth associated with Countywide Plan. The buildout would have the potential to have impacts. Projects developed in the county are required to comply with the existing wastewater treatment regulations. With implementation of regulatory requirements and Countywide Plan policies, impacts of the Countywide Plan related to wastewater collection and treatment would be less than significant. The CWP buildout would be adequately served by existing and proposed water supply and delivery systems, and stormwater flow would be adequately served by existing and proposed drainage systems. The CWP EIR determined that the development pursuant to the CWP would not exceed the capacity of the existing storm drain system. Additionally, existing and/or proposed facilities could accommodate project-generated solid waste and comply with related solid waste regulations, and the existing and/or proposed facilities would be able to accommodate project- generated utility demands. Overall, impacts related to utilities and service systems were determined to be less than significant with implementation of existing regulations.

5.19.2 Impacts Associated with the Project

Would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☐	☒
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☐	☒

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☐	☒
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☐	☒
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☐	☒

a. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

No New Impact.

Water

The topic of water was evaluated in the CWP PEIR (Impact 5.18-5) and was determined to be less than significant with implementation of existing regulatory requirements. Water for motel use operations is supplied by the onsite well. However, drinking water for events is currently, and would continue to be supplied by vendors through pre-purchased event catering packages and would not be from the existing well. The project would not require the relocation or construction of new or expanded water facilities. No impact peculiar to the project would occur that was not previously addressed in the CWP PEIR. No new impact would occur.

Wastewater Treatment

The topic of wastewater treatment was evaluated in the CWP PEIR (Impact 5.18-3) and was determined to be less than significant. The project site is served by the existing onsite septic system. However, an existing mobile portable restroom trailer is kept on-site for event use. The project would not result in increased frequency or intensity of seasonal outdoor events. The project would not require or result in the relocation or construction of new expanded wastewater treatment facilities, which could cause significant environmental impacts. No existing regulatory requirements are applicable to the project. No impact peculiar to the project would occur that was not previously addressed in the CWP PEIR. No new impacts would occur.

Stormwater Drainage

This topic was evaluated in the CWP PEIR (Impacts 5.9-1) and determined to have a less than significant impact. See Section 5.10.2 (a).

Electric Power

The project site is within the service boundaries of Southern California Edison for electric power service. Therefore, the project would not change any land use assumptions analyzed in the CWP PEIR. The project would not result in increased frequency or intensity of seasonal outdoor events. The project would not require new service connections for electricity. No impact peculiar to the project would occur that was not previously addressed in the CWP PEIR. No new impacts would occur.

Natural Gas

The project would use propane gas and would not require new gas service connections. The project would not result in increased frequency or intensity of seasonal outdoor events. No new or expanded gas service facilities that could cause significant environmental impacts are needed. No impact peculiar to the project would occur that was not previously addressed in the CWP PEIR. There is no project-specific significant effect which are peculiar to the project or its site. No new impacts would occur.

Telecommunications

The project site would be served by Frontier for telephone and Satellite system for cable services. The construction of telecommunication facilities is not anticipated to cause significant environmental impacts beyond those assumed for the land uses analyzed in the CWP PEIR. No impact peculiar to the project would occur that was not previously addressed in the CWP PEIR. No new impacts would occur.

b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.18-4) and was determined to be less than significant. The project site is in the Community of Pioneertown in the East Desert Region. Water for motel use operations is supplied by the onsite well. However, drinking water for events is currently, and would continue to be supplied by vendors through pre-purchased event catering packages and would not be from the existing well or a water purveyor. The project would not result in increased frequency or intensity of seasonal outdoor events. No changes to the land uses analyzed in the CWP PEIR are proposed under the project. No impact peculiar to the project would occur that was not previously addressed in the CWP PEIR. No new impact would occur.

c. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.18-1) and was determined to be less than significant. The project site is in the Community of Pioneertown in the East Desert Region and would be served by private septic system. However, an existing mobile portable restroom trailer is kept on-site for event use. The project would not result in increased frequency or intensity of seasonal outdoor events. The project would not result in inadequate wastewater treatment capacity. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

d. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.18-7) and was determined to be less than significant. The project would generate limited amount of solid waste during construction activities. The project involves the expansion of the site's current recognized legal non-conforming motel use to include seasonal outdoor events which are already occurring. It does not propose an increase in quantity or intensity of events. Instead, the project established a limit of thirty (30) seasonal outdoor events per calendar year with a maximum of 150 persons per event. The project is not anticipated to generate unusual amount of solid waste in excess of amount analyzed in the CWP PEIR. No changes to the land uses analyzed in the CWP PEIR are proposed under the project. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.18-7) and was determined to be less than significant. The project involves only the paving of the new accessible parking stalls and driveway, and the striping of the existing parking lot. There would be no increase in frequency or intensity of seasonal outdoor events compared to the existing condition. The project would continue to comply with AB 939, AB 341, and AB 1826 by adhering to the County's solid waste policies. No changes to the land uses analyzed in the CWP PEIR are proposed under the project. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

Conclusion

With regards to the area of Utilities and Service Systems, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

Applicable Uniformly Applied Development Policies or Standards

RR USS-12 The County and cities within the County shall abide by AB 939 and AB 341 and divert 75 percent of their waste from landfills by the year 2020. The County shall show 15 years disposal capacity for all jurisdictions within the county or show a plan to transform or divert its waste.

RR USS-14 Projects will store and collect recyclable materials in compliance with AB 341. Green waste will be handled in accordance with AB 1826.

Mitigation Measures Identified in the PEIR and Applicable to the Project

The CWP PEIR did not identify significant utilities and service system impacts or mitigation measures.

5.20 Wildfire

5.20.1 Summary of Impacts Identified in the CWP PEIR

The CWP PEIR concluded that unincorporated growth may require the installation or maintenance of associated infrastructure but that fire risks associated with this infrastructure would not result in impacts to the environment. Impacts to emergency and evacuation plans were also found to be less than significant. However, the CWP PEIR identified that due to slope, prevailing winds, and other factors, unincorporated growth in or near state responsibility areas or lands classified as very high fire hazard severity zones could expose occupants to or exacerbate risks from pollutant concentrations from a wildfire or from the uncontrolled spread of a wildfire. Additionally, unincorporated growth was found to expose people or structures to significant risks, including downslope or downstream flooding or landslides, because of post-fire slope instability. These impacts were found to be significant and unavoidable.

5.20.2 Impacts Associated with the Project

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☐	☒
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☐	☒
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☐	☒

Environmental Issues	Project Peculiar Impact that is not Substantially Mitigated by Uniformly Applied Policies	Significant Impact not Analyzed as Significant in the Prior EIR	Potentially Significant Offsite or Cumulative Impact not Discussed in the prior EIR	Adverse Impact More Severe based on Substantial New Information	No New Impact
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☐	☒

a. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.8-4) and was determined to have a less than significant impact. Figure 5.8-6, Fire Severity Zones and Potential Growth Areas in the East Desert Region, of the CWP PEIR identifies the project site, along with most of the area west of SR-247, within the High or Very High Fire Hazard Safet Zone (FHSZ). The project site is located within the SRA and is mapped in a high FHSZ by the California Department of Forestry and Fire Protection (CALFire 2024). The roadway that fronts the project site does not serve as an emergency evacuation route. The closest emergency route is State Route 247, approximately 6.6 miles to the east. The project would not involve the demolition or construction of any buildings or structures, and paving and striping for parking and access would be limited to the area already in use for parking access. The project also would not increase the frequency or intensity of special events to affect the potential for increased wildfire impact. No changes to the land uses analyzed in the CWP PEIR are proposed under the project, and the project would not substantially impair and adopted an emergency response plan or emergency evacuation plan. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

b. Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.8-6) and was determined to have a significant impact. The project would not involve the demolition or construction of any buildings or structures, and paving and striping for parking and access would be limited to the area already in use for parking access. The project also would not increase the frequency or intensity of special events to affect the potential for increased wildfire impact. Furthermore, the project site does not include significant slope. Therefore, the project would not exacerbate wildfire risks

compared to the existing conditions analyzed in the CWP PEIR. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

c. Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.8-7) and was determined to have a less than significant impact. The project site is in the SRA's high FHSZ. No changes to the land uses analyzed in the CWP PEIR are proposed under the project, and the project would improve emergency vehicle access through improvements to the existing parking lot. There is no project-specific significant effect which are peculiar to the project or its site. Therefore, no new impact would occur.

d. Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No New Impact. This topic was evaluated in the CWP PEIR (Impact 5.8-8) and was determined to have a less than significant impact. The project would result in a negligible increase in impervious surfaces from the new paved accessible parking stalls and the proposed concrete pad. No changes to the land use analyzed in the CWP PEIR are proposed under the project. Therefore, the project would result in no new impacts related to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. There is no project-specific significant effect which are peculiar to the project or its site. No new impact would occur.

Conclusion

With regards to the area of Wildfire, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified. 2
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the CWP PEIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the CWP PEIR.
4. No mitigation measures contained within the CWP PEIR would be required because project specific impacts would be less than significant.

Applicable Uniformly Applied Development Policies or Standards

None.

Mitigation Measures Identified in the PEIR and Applicable to the Project

No mitigation measures identified in the CWP PEIR are applicable to the project.

This page intentionally left blank.

Section 6 References

CalFire (California Department of Forestry and Fire Protection). 2024. Effective April 1, 204. Fire Hazard Severity Zones in State Responsibility Area.

Caltrans (Department of Transportation). 2025. State Scenic Highway Map. Accessed June 2025. https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa

DTSC (Department of Toxic Substances Control). 2025. EnviroStor. Accessed June 2025. https://www.envirostor.dtsc.ca.gov/public/

ENCORP Consulting INC. 2023. Archaeological Resources Inventory Report for the Rimrock Ranch Project.

FEMA (Federal Emergency Management Agency). 2008. Effective August 28, 2008. FEMA Flood Map Service Center. https://msc.fema.gov/portal/home

Harris and Associates. 2025. Review of Applicant-Provided Noise Data for Noise Ordinance Compliance

PlaceWorks. 2020, November 2 (certified). San Bernardino Countywide Plan for County of San Bernardino.

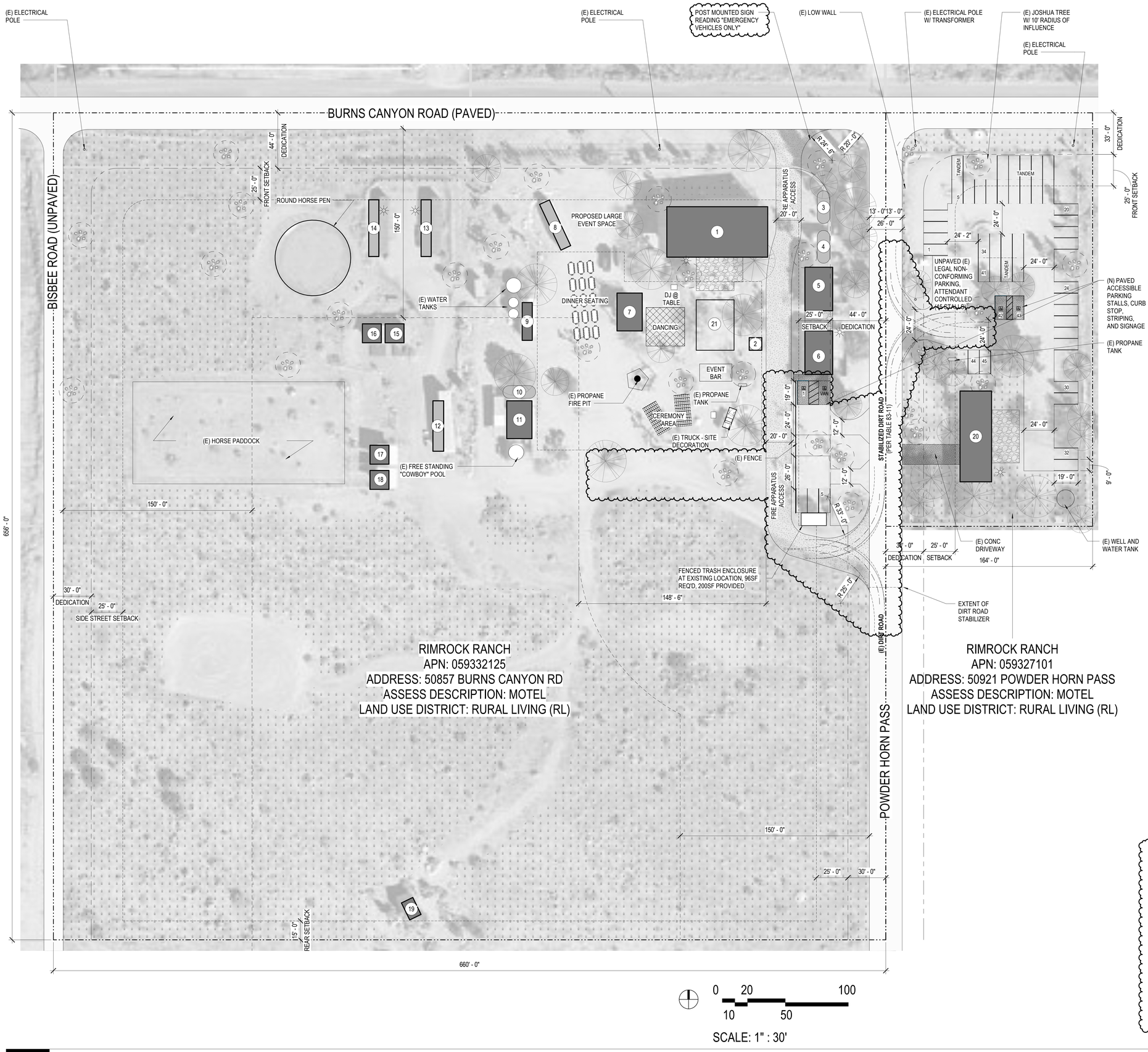
SWRCB (State Water Resources Control Board). 2025. Geotracker. Accessed June 2025. https://geotracker.waterboards.ca.gov/

Wilder Ecological Consulting, Inc. 2023. Biological Resources Assessment: Rimrock Ranch Properties.

This page intentionally left blank.

Appendix A. Proposed Site Plan

This page intentionally left blank.



BUILDING KEY

1. (E) "HATCH HOUSE" - 1 GUEST ROOM AREA: ±80'-0" X ±40'-0" (3,200sf), HEIGHT: ±30'-0"
2. (E) EVENT RESTROOM AREA: ±10'-0" X ±10'-0" (100sf), HEIGHT: ±10'-0"
3. (E) AIRSTREAM RV - NOT AVAILABLE TO RENT AREA: ±7'-0" X ±14'-0" (98sf), HEIGHT: ±10'-0"
4. (E) AIRSTREAM RV - 1 GUEST ROOM AREA: ±19'-0" X ±7'-0" (133sf), HEIGHT: ±10'-0"
5. (E) CABIN 1 & 2 - 2 GUEST ROOMS AREA: ±22'-0" X ±34'-6" (759sf), HEIGHT: ±15'-0"
6. (E) CABIN 3 & 4 - 2 GUEST ROOMS AREA: ±22'-0" X ±34'-6" (759sf), HEIGHT: ±15'-0"
7. (E) VIEWING DECK AREA: ±20'-0" X ±30'-0" (600sf), HEIGHT: ±20'-0"
8. (E) BUS - SITE DECORATION AREA: ±8'-6" X ±40'-0" (340sf), HEIGHT: ±10'-0"
9. (E) STORAGE "WELL HOUSE AND SHED" AREA: ±8'-0" X ±30'-0" (240sf), HEIGHT: ±15'-0"
10. (E) RV - STORAGE AREA: ±7'-0" X ±14'-0" (98sf), HEIGHT: ±10'-0"
11. (E) EVENT STORAGE & PREP SPACE "BREATHE BARN" AREA: ±20'-0" X ±30'-0" (600sf), HEIGHT: ±15'-0"
12. (E) RV - STORAGE AREA: ±8'-6" X ±40'-0" (340sf), HEIGHT: ±10'-0"
13. 14. (E) SHIPPING CONTAINER - STORAGE AREA: ±8'-0" X ±45'-0" (320sf), HEIGHT: ±9'-0"
15. 16. (E) STORAGE - HORSE AREA: ±15'-0" X ±15'-0" (225sf), HEIGHT: ±15'-0"
17. 18. (E) SHELTER - HORSE AREA: ±15'-0" X ±15'-0" (225sf), HEIGHT: ±15'-0"
19. (E) ACCESSORY STRUCTURE - NOT AVAILABLE TO RENT AREA: ±10'-0" X ±12'-0" (120sf), HEIGHT: ±15'-0"
20. (E) LODGE - 1 GUEST ROOM AREA: ±25'-0" X ±72'-0" (1,800sf), HEIGHT: ±20'-0"
21. (E) SHADE STRUCTURE AREA: ±30'-0" X ±40'-0" (1,200sf), HEIGHT: ±20'-0"

TOTAL PERMANENT STRUCTURE COVERAGE: 10,486SF
TOTAL NON-PERMANENT STRUCTURE COVERAGE: 671SF

ADJACENT USES

NORTH: RL-5, SINGLE FAMILY RESIDENTIAL

SOUTH: RL-5, VACANT LAND

EAST: RL-5, VACANT LAND

WEST: RL-5, SINGLE FAMILY RESIDENTIAL

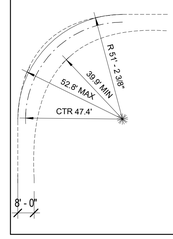
PLAN NOTES

1. NO GRADING IS PROPOSED WITH THE EXCEPTION OF THE ACCESSIBLE PARKING STALLS.

AERIAL VIEW



TRUCK TURN RADIUS



TRUCK TURNING RADIUS BASED ON AASHTO FIGURE 2-12. MINIMUM TURNING PATH FOR SINGLE-UNIT TRUCK (SU-40 [SU-12]) DESIGN VEHICLE

OFFICIAL USE ONLY

PROJECT SCOPE

APPLICATION TYPE	CONDITIONAL USE PERMIT
DESCRIPTION OF WORK	THE APPLICANT IS SEEKING A CONDITIONAL USE PERMIT TO REVISE THE EXISTING ENTITLEMENT OF MOTEL TO INCLUDE AN EVENT USE FOR A MAXIMUM OF 150 PERSONS. NO NEW BUILDINGS OR AREA IS PROPOSED.
PROJECT ADDRESS	50857 BURNS CANYON RD, PIONEERTOWN, CA 92268 AND 50921 POWDER HORN PASS, PIONEERTOWN, CA 92268
OWNERS	GWEN BARKER & ERIC DEAN 50857 BURNS CANYON ROAD PIONEERTOWN, CA 92268 (760)228-0130
ZONE & POLICY PLAN	RL-5 ZONE, RL POLICY PLAN

PARKING SPACE ANALYSIS

LAND USE REQ.	REQUIRED	PROVIDED
MEETING FACILITY - 1 SPACE FOR EACH 3 FIXED SEATS OR FOR EVERY 25 SF OF SEATING AREA	150 SEATS / 3 = 50	50 SPACES
TOTAL SPACES	**50 SPACES**	**50 SPACES**
DISABLED SPACE	4 PER SBC FOR (E) NON-CONFORMING PARKING	4 SPACES
VAN ACCESSIBLE - 1 PER EVERY 6 DISABLED SPACES	1 SPACE	1 SPACE
PARKING AREAS TO RECEIVE DUSTPROOFING PER 83.11.090(e), ACCESSIBLE STALLS TO RECEIVE CONCRETE SLAB		

LOT COVERAGE ANALYSIS

LAND USE ZONING	MAX. LOT COVERAGE ALLOWED	TOTAL LOT COVERAGE
APN 059332125: RURAL LIVING (RL-5)	20%	7,750 SF / 388,991 SF = 2%
APN 059327101: RURAL LIVING (RL-5)	20%	2,724 SF / 53,579 SF = 5%

DENSITY ANALYSIS

LAND USE ZONING	ALLOWED DENSITIY	PROVIDED DENSITY
APN 059332125: RURAL LIVING (RL-5)	1 UNIT PER 2.5 ACRES	8.93 ACRES / 2.5 = 3.6
APN 059327101: RURAL LIVING (RL-5)	20%	1.23 ACRES / 2.5 = 1

LANDSCAPING STANDARDS ANALYSIS

LAND USE ZONING	MIN. AREA REQUIRED	AREA PROVIDED
APN 059332125: RURAL LIVING (RL-5)	20%	229,016 SF / 425,210 SF = 54%
APN 059327101: RURAL LIVING (RL-5)	20%	16,361 SF / 53,579 SF = 31%

SITE PLAN LEGEND

- EXISTING PERMANENT STRUCTURES TO REMAIN
- EXISTING NONPERMANENT STRUCTURES
- ROAD
- PROPERTY LINES
- ROAD DEDICATIONS
- SETBACKS
- HARDSCAPING
- UNPAVED VEHICLE CIRCULATION
- CONCRETE PAVING
- (E) LANDSCAPING
- PATHWAY LIGHTING, NOTED FOR LOCATION, NOT QUANTITY
- 1 / A101 SIM — PLAN DETAIL REFERENCE

LMA
Loescher Meachem Architects
353 S Broadway, Suite 300
Los Angeles, CA 90013

RIMROCK RANCH SITE PLAN
EXHIBIT A

Appendix B. Biological Resource Survey Report

This page intentionally left blank.

Biological Resources Assessment: Rimrock Ranch Properties

Surveys for: Rare Plants, Desert Native Plants, Joshua Tree Assessment
Focused Protocol Surveys: Burrowing Owl and Desert Tortoise

San Bernardino County, CA

United States Geological Survey (USGS) 7.5-minute quadrangle Rimrock, CA
Township 1 North, Range 4 East, Section 03

Assessor's Parcel Numbers:
Parcel A: APN 0593-321-25
Parcel B: APN 0593-271-01

Prepared For:
High Desert Holding Company LLC
50857 Burns Canyon Rd.
Pioneertown, CA, 92268
Contact: Gwen Barker
and
Loescher Meachem Architects, Inc.
353 S. Broadway, #300
Los Angeles, CA, 90013
(818) 239-2798
Contact: Laura Mishkin

Prepared By:
Wilder Ecological Consulting, Inc.
226 W Ojai Ave Ste. 101-232
Ojai, CA 93023-3278
(805)-613-7676
Contact: Nate Jones
Nate.jones@wilderecological.com

Field Work Conducted By:
Nate Jones
Onkar Singh

Table of Contents

Executive Summary 1
1.0 Project Introduction 3
1.1 Project Location and Proposed Development 3
1.2 Project Site Description 3
2.0 Literature Review 9
2.1 Burrowing Owl 9
2.2 Desert Tortoise 9
2.3 Western Joshua Tree 10
2.4 Additional Species 10
3.0 Field Survey Methods 16
3.1 Biological Surveys 16
3.2 Focused Survey for Burrowing Owl 16
3.3 Focused Survey for Desert Tortoise 17
3.4 Vegetation Survey and Community Assessment 17
3.5 Western Joshua Tree Assessment 17
4.0 Results 18
4.1 Burrowing Owl 18
4.2 Desert Tortoise 18
4.3 Nesting Birds 18
4.4 Plants 18
4.5 Additional Vertebrate Animal Species 19
5.0 Impacts and Recommendations 19
5.1 General Impacts 19
5.2 Burrowing Owl 19
5.3 Desert Tortoise 20
5.4 Additional Bird Species 20
5.5 Mammals 21
5.6 Plants 21
5.7 Conclusions 22
6.0 Certification 23

Literature Cited 50

List of Tables

Table 1. Project Site Parcel Descriptions 3
Table 2. Sensitive Species with Potential to Occur in Project Area 12

List of Figures

Figure 1. USGS 1:6000 Topographic Map of Rimrock Ranch Project Location 5
Figure 2. Aerial Map of Rimrock Ranch Project Location 6
Figure 3. Rimrock Ranch Project – Architect Plans 7
Figure 4. Western Joshua trees in relation to planned parking area – Rimrock Ranch 8

List of Appendices

Appendix A. Species List: Vertebrates observed on Project Site 24
Appendix B. Species List: Plants observed on Project Site 25
Appendix C. Site Overview Photos 28
Appendix D. Joshua Trees Near Proposed Parking Area on Site 37
Appendix E. Joshua Tree Mitigation Measures 42
Appendix F. Succulents Mitigation Measures 46
Appendix G. Raw Data Sheets – Protocol Surveys 47

Executive Summary

The proponent, High Desert Holdings LLC, in retaining Loescher Meachem Architects, Inc., has requested a biological survey and associated report to submit in support of conditional use permitting for a hospitality business on the properties collectively known as Rimrock Ranch. The Rimrock Ranch is located at 50857 Burns Canyon Road, in unincorporated San Bernardino county, state of California. The area surveyed for this report is comprised of two parcels, which together total approximately 10.16 acres. Both parcels contain inhabited structures, mature landscaping, outdoor hosting areas, and existing parking, with vehicle access from the Burns Canyon Road right of way. The southern 5.8 acres is lightly disturbed natural habitat, and contains no permanently inhabited structures. The land surrounding the parcels to the west, north, and east, is characterized by rural residential and outbuilding structures on large lots. The land to the south is mostly undeveloped and supports a native juniper and scrub oak plant community in a late stage of recovery from a wildfire that occurred in 2006 (the Sawtooth Fire).

The properties are located within potential range of burrowing owl (*Athene cunicularia*) and desert tortoise (*Gopherus agassizii*). Burrowing owl is listed as a Species of Special Concern by the California Department of Fish and Wildlife (CDFW). Desert tortoise is listed as Threatened under the Federal Endangered Species Act (FESA) and as Threatened by the California Endangered Species Act (CESA). In addition, the property supports scattered western Joshua trees, which are currently protected by the county of San Bernardino and the state of California. General Biological Surveys, and agency protocol focused surveys for burrowing owl and desert tortoise, were conducted on May 20, 2023. An additional site visit was conducted on June 05, 2023 to assess the northwest corner of the project where additional (unpaved) parking areas are proposed.

The focused protocol surveys did not detect any signs of burrowing owl or desert tortoise. The protocol surveys indicate that neither species are currently present on the site and there is no evidence of their recent occupation. Given the dominant plant community structure, and the elevation of the site, the properties do not represent favorable habitat for desert tortoise.

Existing western Joshua trees within the developed portions of the parcels have been incorporated into the landscaping and are not adversely impacted by current activities. There are no plans to substantially alter the footprint of any buildings on site, however additional parking spaces are proposed in the northwest corner of the site where several small Joshua trees are located. Three specific Joshua trees may be impacted by the proposed earthwork, and these plants will need to be accounted for in the design of the parking area. The parking area will not be paved, so the locations of individual spaces could be modified to incorporate the plants into the landscaping. Alternatively, the plants could be transplanted to other locations on the property or removed, upon the approval of relevant permit applications.

No other sensitive plants or animals, or their sign, were observed on-site. The surveys were conducted during the active season for high desert plants and animals. The plant bloom was widespread and profuse after an exceptionally wet winter season.

The results of the biological surveys for desert tortoise are valid for a period of 1 year following the date of survey. It is unlikely that these sensitive species would appear on the site during this timeframe. Therefore, no on-site mitigation is recommended for burrowing owl or desert tortoise at this time. However, if new construction activities are planned to commence beyond May 20, 2024, it is recommended that appropriate agencies be contacted to determine whether additional focal surveys for tortoise and owl should be conducted by a qualified biologist prior to the commencement of ground-disturbing activities (USFWS 2019, CDFG 2012).

1.0 PROJECT INTRODUCTION

1.1 Project Location and Proposed Development

High Desert Holdings LLC is seeking a Conditional Use Permit for a hospitality business, but has no plans for any expansion of the current footprint of existing structures on site. There are plans to add an unpaved parking area to the northwest corner of the site. The parcels under consideration have been labeled as "A" and "B" for purposes of mapping and reference in text (Table 1). They can be found on the Rimrock, CA U.S. Geological Survey (USGS) 7.5 Minute Quadrangle Map in Township 1 North, Range 4 East, Section 03 at an elevation of approximately 4,600 feet (Figure 1).

Table 1. Project Site Parcel Descriptions

Parcel	APN	Approximate Acreage	Current Use 05/20/2023
A	0593-321-25	8.93	Rimrock Ranch; Residential, overnight cabin accommodations, vehicle parking, and outdoor hosting facilities
B	0593-271-01	1.23	Motel, overnight accommodations, vehicle parking, and outdoor hosting facilities

Parcel A has a street address of 50857 Burns Canyon Rd, and Parcel B has a street address of 50921 Powderhorn Pass. Both are located near Pioneertown, CA, in the 92268 zip code, in unincorporated San Bernardino County. Parcel B shares its western boundary with Parcel A. Both parcels have vehicle access on the north side from the Burns Canyon Road right of way, through Powderhorn Pass. The properties are surrounded to the west, north, and east by rural residential development. The properties to the south are characterized by scattered rural residential and open native habitat (Figure 2).

1.2 Project Site Description and Context for Biological Surveys

Parcel A is the larger of the two parcels. The northern half of the property contains residential buildings, rented cabins, various storage outbuildings, equestrian facilities, parked recreational vehicles, decorative equipment (old farm vehicles, etc.), and structures to facilitate outdoor events (pergola, decking, fire-pit, bathrooms, etc.). The southern half (approximately 4.9 acres) of the parcel is lightly disturbed by some historic clearing and vehicle travel, but is characterized by a largely intact community of native plants that is contiguous with extensive undeveloped open space to the south (Figure 2). Parcel B is fully developed, with a parking area and a small motel. Site photos can be found in this report in Appendix C. At present there are no plans to alter the footprint of any structures on site.

The existing outdoor features will remain in place, and a small parking area is planned for the northwest corner of the Project (Figures 3 and 4).

The soil on the project site is a gravely sandy loam with no significant rocks or cobble; the topography is relatively flat, but trends down toward a blue-line wash system located some distance south of the properties. There are no natural above-ground water resources (ponds, streams, springs, seeps, etc.). There are no USGS designated blue-line drainages on the property, and therefore no Jurisdictional Waterways. The properties themselves do not present as a native wildlife corridor, because they are contiguous with the developed, rural-residential parcels of the Rimrock community (Figures 1 and 2).

The project area is located within the range of burrowing owl, and is within 6 miles of historic records of desert tortoise (CNDDB). Burrowing owl is listed as a Species of Special Concern by the California Department of Fish and Wildlife (CDFW). The desert tortoise is listed as Threatened by the United States Fish and Wildlife Service (USFWS) under the Federal Endangered Species Act (FESA) and as Threatened by the California Endangered Species Act (CESA). The parcels contain many (>20) western Joshua tree plants, and several native succulents, which are protected by state and county laws. In addition, the relatively undisturbed southern portions of Parcel A support an intact scrub oak native vegetation community that presents favorable habitat for several sensitive species of plants, reptiles, birds, and mammals.

Therefore, a Biological Assessment was conducted on May 20, 2023 to characterize the natural habitat on site, and to document whether sensitive plant and animal species were present. In addition, Focused Protocol Surveys for burrowing owl and desert tortoise were conducted in the early morning hours. The surveys were performed during the active season for burrowing owl and tortoise. After protocol surveys were completed, a general biological assessment of the site was conducted. It included an assessment of suitable habitat for nesting birds, an assessment for signs of protected fur-bearing native mammals (American badger, desert kit fox), a botanical survey for sensitive plant species, and a general inventory of all plants and vertebrates observed on the properties.

One additional site visit was conducted on June 05, 2023 to assess the Joshua tree plants in the northwest corner of the Project where the additional parking area is planned (Figure 4). The parking will be unpaved.

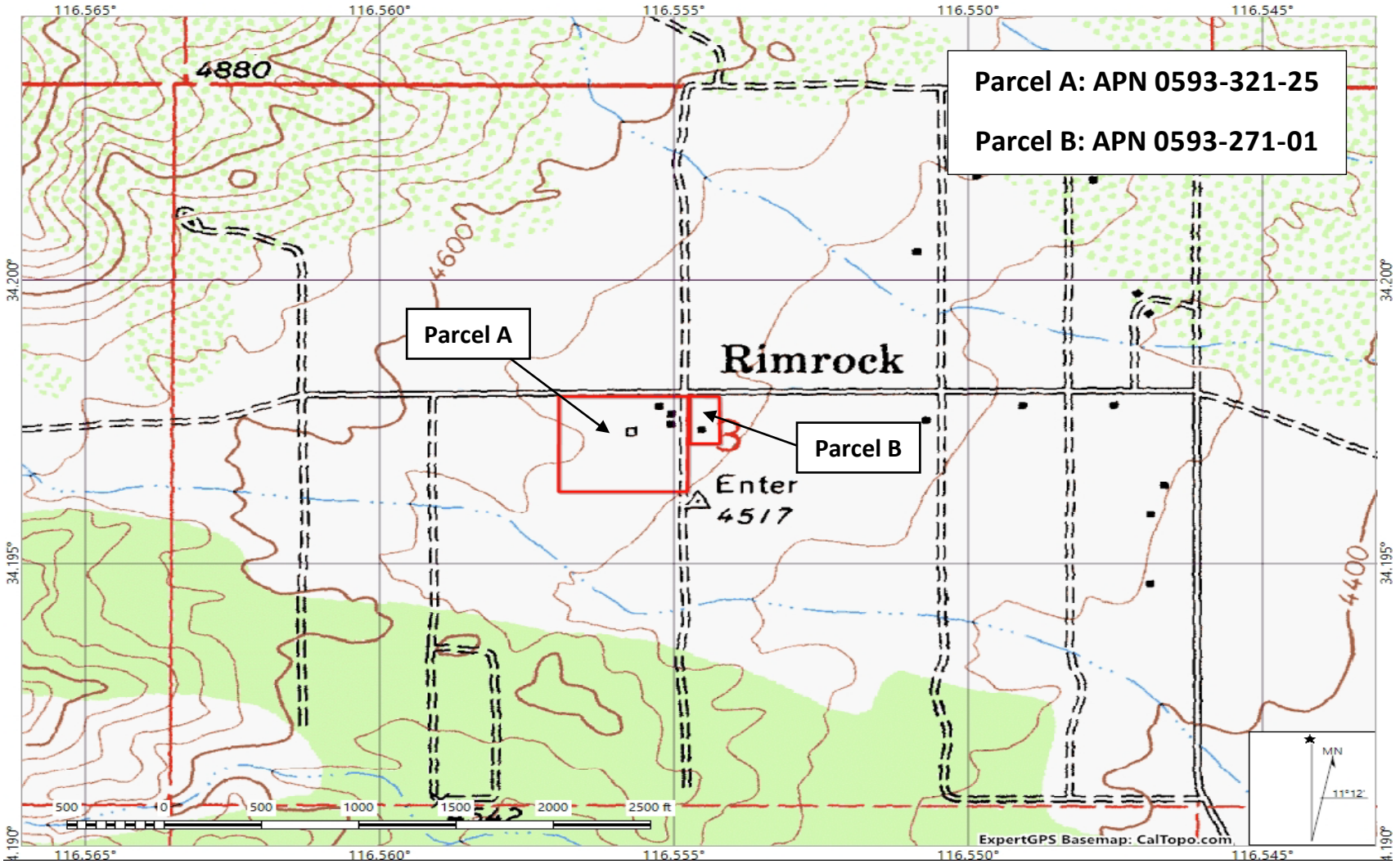


Figure 1. Topographic Map of Rimrock Ranch Project Location (scale 1:6000)

Parcels: A - Outdoor Events, Private Residential, Overnight Cabins, address: 50857 Burns Canyon Rd.

B - Motel and parking, address: 50921 Powderhorn Pass

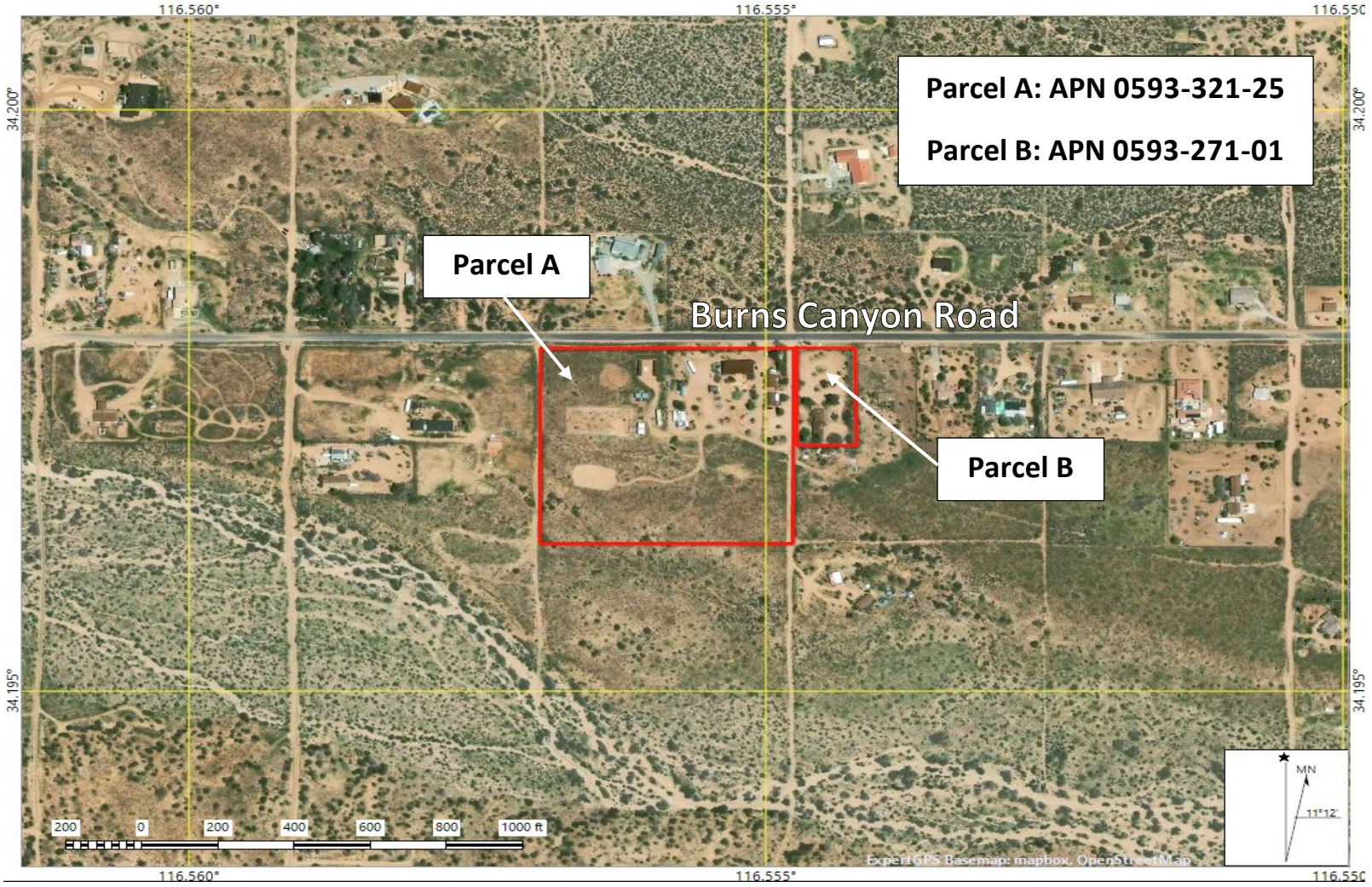


Figure 2. Aerial Map of Rimrock Ranch Project Location

Parcels: A - Outdoor Events, Private Residential, Overnight Cabins, address: 50857 Burns Canyon Rd.
B - Motel and parking, address: 50921 Powderhorn Pass

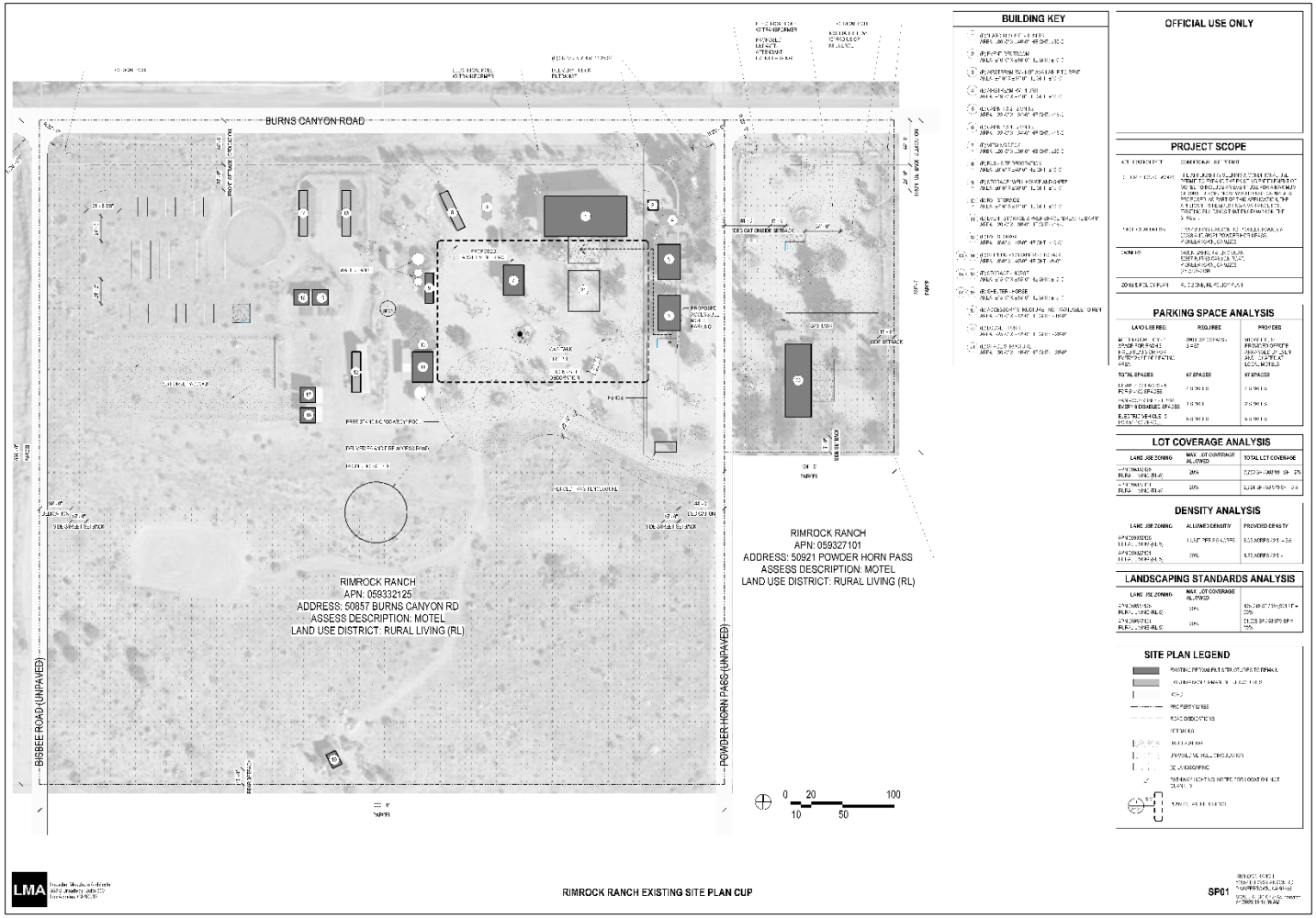


Figure 3. Rimrock Ranch Project – Architect Plans

Street address: 50857 Burns Canyon Road, San Bernardino county, CA

Source: Loescher Meachem Architects

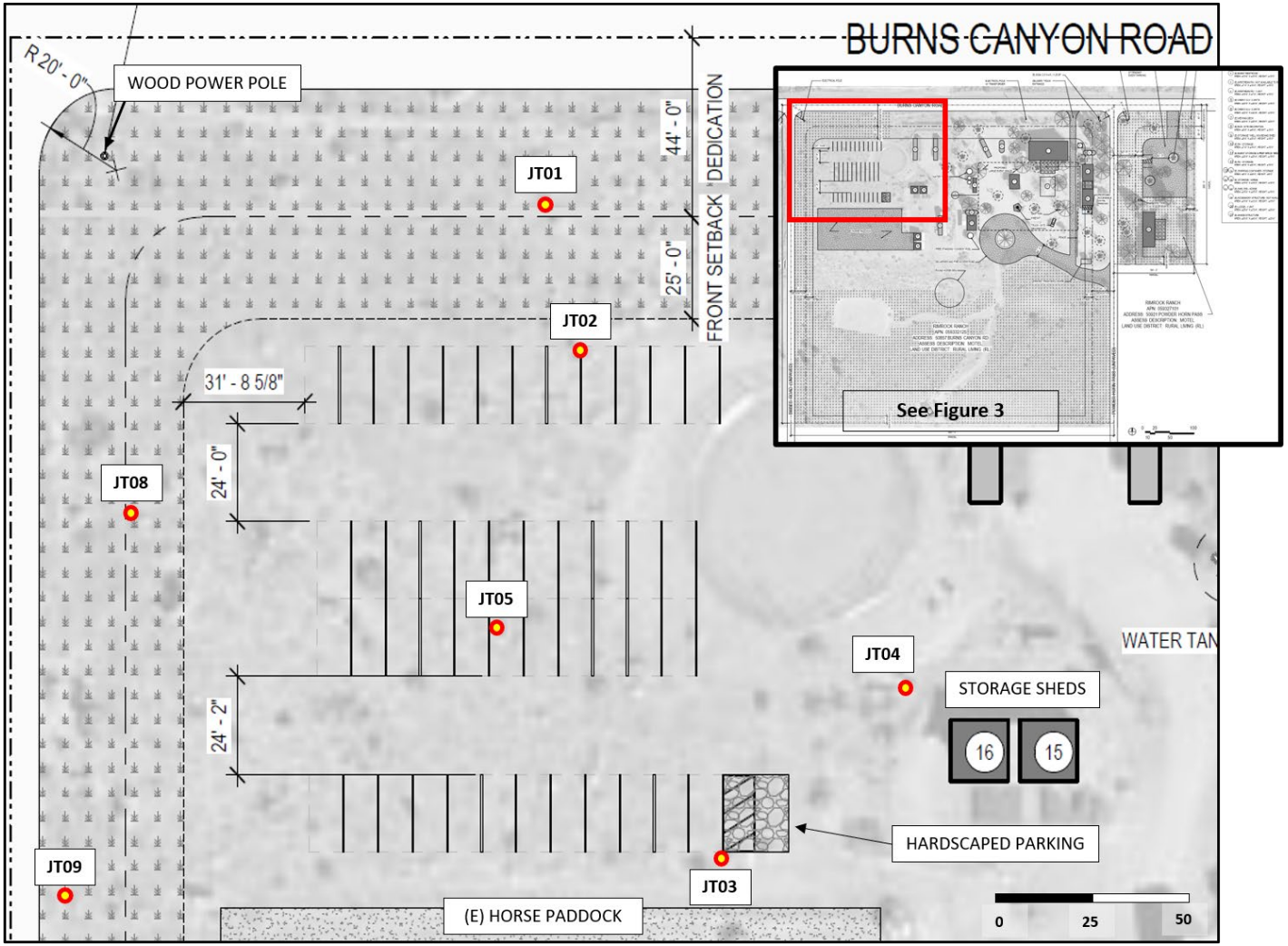


Figure 4. Western Joshua trees in relation to planned parking area on the Rimrock Ranch Project

Street Address: 50857 Burns Canyon Road, San Bernardino County, CA.

Source: Site Plans provided by Loescher Meachem Architects. Locations of plants obtained during site visits on 20th May and 05th June, 2023. See Appendix D for information about individual Joshua trees. JT = Joshua Tree

2.0 LITERATURE REVIEW

2.1 Burrowing Owl

The burrowing owl is a ground-dwelling, diurnally active owl found primarily in arid habitats with open ground and few shrubs (Plumpton and Lutz 1993, Rosenburg et al. 2007). During the breeding season, it makes use of abandoned mammal and tortoise burrows to nest and raise its young (Gervais et al. 2008). Its diet consists of insects and small mammals, and it nests during the spring months in the Mojave Desert region (Rosenburg et al. 2007). In the past half century, burrowing owl populations have declined sharply across much of their range, and although it is not afforded protected status under federal laws, it is listed for special status in 9 of the 18 western states in which in it occurs (Poulin et al. 2020).

In California, the burrowing owl is considered a Species of Special Concern (SSC) by the California Department of Fish and Wildlife (CDFW). Biological surveys for owl presence are recommended before potential habitat is disturbed or developed (CDFG 2012). The nearest burrowing owl sighting in the California Natural Diversity Database (CNDDB) system is approximately 14 miles from the site, to the southeast, however these owls have also been noted during biological assessment surveys of parcels within 5 miles (Circle Mountain Biological Consultants, 2008). In addition, there are verified records uploaded to the eBird citizen science application that indicate the owls are locally resident in the Yucca Valley and Pioneertown areas (Sullivan et al., 2009).

2.2 Desert Tortoise

The Mojave desert tortoise is an herbivorous reptile with a historic range north and west of the Colorado River drainage, throughout the Mojave Desert in portions of Arizona, Utah, Nevada, and southeast California. It is considered a separate species from desert tortoises native elsewhere in Arizona and northern Mexico (Murphy et al. 2011). The tortoise has been recorded in a range of habitats, spanning saltbush (*Atriplex* spp.) communities along dry lake beds at elevations near mean sea level, to gravel and rocky uplands characterized by Joshua trees and junipers. However, the highest densities of Mojave desert tortoise are associated with creosote (*Larrea tridentata*) bush scrub communities between elevations of approximately 1,000-4,000 feet above mean sea level. In these areas, tortoises are typically found to be most abundant on gently sloping alluvial fans of cobble, gravel, and sandy loam, and washes of sandy-gravelly soils (Germano et al. 1994, USFWS 2011).

The desert tortoise was listed under the California Endangered Species Act (CESA) as Threatened by the California Fish and Game Commission (CFGC) in 1989, in response to population declines and trends in habitat degradation throughout the Mojave Desert. In 1990, the desert tortoise was also listed as Threatened under the Federal Endangered Species Act (FESA) by the U.S. Fish and Wildlife Service (USFWS). The FESA prohibits the “take” of a listed species, wherein “take” is defined as to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct” (16 U.S.C. § 1532(19)).

Due to the elevations on the project, the site is considered at the edge of the range for desert tortoise (Nussear et al. 2009, USFWS 2011). However, there are historic desert tortoise observations recorded in 1988 approximately 5.71 miles to the southeast, at elevations of approximately 4,000 feet (CNDDB 2023). More recently, sightings in 2019 and 2022 recorded in the Pipes Wash system between Pioneertown and Rimrock were verified with photographs of live adult tortoises and uploaded to the iNaturalist citizen science application (iNaturalist, 2023). The Pipes Wash system drains the greater Rimrock and Pioneertown plateau areas, and the surrounding landscape is largely undeveloped, open natural habitat that would not preclude tortoise movement. Therefore, it is possible desert tortoise sign could be found on the Rimrock Ranch Project site.

2.3 Western Joshua tree

The western Joshua tree (*Yucca brevifolia*) is a woody, evergreen monocot that can grow to heights of 30' or more, during a lifespan of many decades. These large, iconic desert plants have distinctive leaf clusters and a branching growth pattern that function ecologically as a tree-like overstory in Mojave Desert plant communities where they occur. Joshua tree woodland habitat can be found spanning elevations between approximately 3,000-7,000', and yet the range is limited to the western Mojave Desert (Lenz 2007). On a range-wide basis, the western Joshua tree is undergoing stresses and reductions due to human development, and recently there has been concern that this species may be threatened by ongoing drought, and a corresponding increase in the prevalence and geographic extent of wildfires (DeFalco et al. 2010, Esque et al. 2015).

In 2018 the USFWS conducted a species status assessment of the western Joshua tree, and the state of California completed a similar assessment in 2022 (USFWS 2018, CDFW 2022). These agency review efforts determined that the science did not support a formal listing. However, the western Joshua tree is afforded multi-level protection, at the state (California Food and Agriculture Code, Regulated Native Plants Section 80073), the county (San Bernardino County Development Code, Desert Native Plant Protection Section 88.01.060), and within municipalities in many areas (see for example: Yucca Valley Town Ordinance 291, Section 9.56.090).

2.4 Additional Species

Agency data repositories and pertinent literature were reviewed to generate a list of additional sensitive species with the potential to occur on or near the project site. The following sources were consulted and queried:

- CDFW Biogeographic Information System (BIOS)
- California Natural Diversity Database (CNDDB)
- USFWS Environmental Conservation Online System (ECOS)
- California Native Plant Society Inventory of Rare and Endangered Plants

- CA State Desert Renewable Energy Conservation Plan (DRECP)
- Conservation Biology Institute – Databasin.org
- Publicly available reports and biological assessments generated by consulting biologists

The review of sensitive species yielded several plant and bird species that were indicated as potential residents of the local area, and therefore could be encountered on site. In addition, American badger (*Taxidea taxus*) and desert kit fox (*Vulpes macrotis arsipus*) were indicated by publicly available habitat modeling and historic records as being potential residents in the area.

Due to consistent human activities and land use in the area, most of the sensitive vertebrate species indicated in the literature search would be unlikely to nest or breed on the project site. Several of the sensitive raptor species could be expected to pass through the site during migration or foraging activities, but would be unlikely to perch or roost for appreciable amounts of time, due to lack of suitable substrate and proximity to human activities.

The results of the literature search are detailed in Table 2 below.

Table 2. Sensitive Species with Potential to Occur in the Project Area

Scientific Name	Common Name	Status	Habitat	Likelihood of Occurrence
PLANTS				
Astragalus bernardinus	San Bernardino milk-vetch	CNPS List 1B.2 BLM S USFS S	Pinyon juniper, Joshua tree woodland; rocky granitic or carbonate substrate	Unlikely, given the lack of rocky granitic substrate on site; none observed
Boechera dispar	pinyon rockcress	CNPS List 2B.3	Pinyon juniper woodland, Joshua tree woodland, Mojave Desert scrub; granitic, gravelly slopes & mesas	Unlikely, given the lack of rocky or gravelly slopes on site; none observed
Boechera shockleyi	Shockley's rockcress	CNPS List 1B.2 BLM S USFS S	Pinyon juniper woodland; rocky outcrops and openings on limestone or quartzite	Very unlikely, given the lack of any rocky outcrops on site; none observed
Calochortus palmeri var. palmeri	Palmers' mariposa-lily	CNPS 1B.2 BLM S USFS S	Moist locations in chaparral and lower montane habitats	Extremely unlikely due to lack of suitable moist habitat; none observed
Erigeron parishii	Parish's daisy	Fed threatened CNPS List 1B.1	Pinyon juniper woodland, Mojave Desert scrub; often on carbonate, limestone mountain slopes, often associated with drainages, sometimes on granite	Possible, but site does not contain drainages; none observed
Linanthus bernardinus	Pioneertown linanthus	CNPS List 1B.2	Pinyon juniper woodland, Joshua tree woodland, mixed scrub; in gravelly granitic soils; most observances noted in Sawtooth Mountain range	Possible, but site soils are not granitic gravel; Sawtooth Mountain range is nearby; none observed
Saltugilia latimeri	Latimer's woodland gilia	CNPS 1B.2 BLM S USFS S	Chaparral, Mojave desert scrub, pinyon juniper woodland; rocky or sandy substrate	Possible; none observed
Streptanthus campestris	Southern jewelflower	CNPS List 1B.3 BLM S USFS S	Pinyon juniper woodland, Mojave Desert scrub, chaparral; rocky or sandy substrate, sometimes in washes or limestone	Possible; none observed

INSECTS				
Paranomada californica	California cuckoo bee	CDFW SSC	Not well documented; open grassland and dry scrub	Unlikely due to fragmented native habitat; last seen in year 1971 and none were observed onsite
BIRDS				
Aquila chrysaetos	golden eagle	CDFW FP CDFW WL BLM S USFWS BCC	Nests on cliffs and tall trees near open country; found throughout Mojave Desert region	Very unlikely to nest near human population center; nesting habitat on site is unsuitable. Could pass through while foraging. None observed
Asio otus	long-eared owl	CDFW SSC USFWS BCC	Nest in densely vegetated forests and woodlands, may forage in open woodland	Extremely unlikely due to lack of suitable nesting habitat and proximity to human activity; none were observed
Athene cunicularia	burrowing owl	CDFW SSC BLM S USFWS BCC	Open grasslands, deserts, and scrublands characterized by low-growing vegetation	Possible; none were observed - see details in this report
Baeolophus inornatus	oak titmouse	USFWS BCC	Oak-pine woodland, scrub oak	Possible; none observed
Buteo swainsoni	Swainson's hawk	CA Threatened BLM S USFWS BCC	Migrant through Mojave Desert region; forages in open country	Extremely unlikely to nest; possible migrant through area. None observed
Falco mexicanus	prairie falcon	CDFW WL USFWS BCC	Dry, open country, including arid woodlands; nests in cliffs	Extremely unlikely to nest; no suitable nesting habitat on site. Possible use of site for foraging. None observed
Gymnorhinus cyanocephalus	pinyon jay	USFWS BCC	Pinyon-juniper woodlands, sagebrush, scrub oak, chaparral, and ponderosa pine forests	Possible; none observed
Lanius ludovicianus	loggerhead shrike	CDFW SSC USFWS BCC	Open areas with perches	Unlikely to nest on site due to proximity of human activity; none were observed
Toxostoma lecontei	LeConte's thrasher	CDFW SSC BLM S USFWS BCC	Open desert scrub, including Joshua tree scrub	Unlikely to nest or forage on site due to elevation, plant community, and proximity of human activity; none were observed
Toxostoma redivivum	California thrasher	USFWS BCC	Mixed scrub oak, including Joshua tree scrub	Somewhat likely; one individual recorded on site foraging. Unlikely to nest on site due to proximity to human activity

REPTILES				
Gopherus agassizii	Mojave Desert tortoise	Fed threatened CA threatened	Most Mojave Desert habitats below 5,000 ft.	Unlikely due to elevation; nearest CNDDB occurrence approximately 5.7 miles away; none were observed
Phrynosoma blainvillii	coast horned lizard	CDFW SSC BLM S	Pinyon juniper and Joshua tree woodlands, desert chaparral and washes in areas with loose soils.	Unlikely due to lack of suitable soil structure; single record in Rimrock quad was from Pipes Wash with sand and gravel soils. None were observed
MAMMALS				
Taxidea taxus	American badger	CDFW SSC	Most shrub, forest, and herbaceous habitats; needs sufficient food, friable soil and open, uncultivated ground	Possible; none were observed
Vulpes macrotis arsipus	desert kit fox	Protected furbearer	Most shrub, forest, and herbaceous habitats; needs sufficient food, friable soil and open, uncultivated ground	Possible. Unlikely to inhabit the site due to proximity to human activity, somewhat likely to forage and travel in vicinity. None observed

Data retrieved from:

California Department of Fish and Wildlife (CDFW). Accessed 05/18/2023. *California Natural Diversity Database (CNDDB) RareFind*– version 5.2.14 https://apps.wildlife.ca.gov/rarefind/view/RareFind.aspx

California Native Plant Society, Rare Plant Program. Accessed 05/18/2023. *Inventory of Rare and Endangered Plants of California* (online edition, v8-03 0.39). http://www.rareplants.cnps.org

U.S. Fish and Wildlife Service (USFWS). Accessed 05/18/2023. *USFWS Environmental Conservation Online System (ECOS).* Accessed 05/18/2023. https://ecos.fws.gov/ecp/

Conservation Biology Institute's Databasin.org. Accessed 05/18/2023. https://databasin.org/

Circle Mountain Biological Consultants, Inc. 2008. Annotated Bibliography of CA Sensitive Species Surveys in the Morongo Basin, 1998-2008. Town of Yucca Valley: https://www.yucca-valley.org/home/showpublisheddocument/2608/

Definition of Status from CNDDB web site (2023):

CDFW Status

WL Watch List: This classification is for taxa that were previously SSCs but no longer merit SSC status or which do not meet SSC criteria but for which there is concern and a need for additional information to clarify status.

SSC Species of Special Concern: This classification is for a species, subspecies, or distinct population of an animal native to California that is extirpated from the State, or is listed as Federally-, but not State-, threatened or endangered, or meets the State definition of threatened or endangered but has not formally been listed, or is experiencing serious (noncyclical) population declines or range retractions, or has naturally small populations exhibiting high susceptibility to risk from any factor(s) that could lead to declines that would qualify it for State threatened or endangered status.

FP Fully Protected: This classification was the State's initial effort in the 1960's to identify and provide additional protection to those animals that were rare or faced possible extinction. Please note that most Fully Protected species have also been listed as threatened or endangered species under the more recent endangered species laws and regulations.

OTHER Status

BLM	Bureau of Land Management (S = Sensitive)
USFS	United States Forest Service (S = Sensitive)
USFWS	United States Fish and Wildlife Service (BCC = Bird of Conservation Concern)

California Native Plant Society (CNPS), Rare Plant Rank

4.2 Plants of limited distribution; fairly threatened in California

3.2 Plants about which we need more information; fairly threatened in California

4.3 Plants of limited distribution; not very threatened in California

3.1 Plants about which we need more information; seriously threatened in California

2B.1 Plants rare, threatened, or endangered in California, but more common elsewhere; seriously threatened in California

1B.1 Plants rare, threatened, or endangered in California and elsewhere; seriously threatened in California

1A Plants presumed extinct in California and rare/extinct elsewhere

1B.2 Plants rare, threatened, or endangered in California and elsewhere; fairly threatened in California

2A Plants presumed extirpated in California, but more common elsewhere

2B.2 Plants rare, threatened, or endangered in California, but more common elsewhere; fairly threatened in California

4.1 Plants of limited distribution; seriously threatened in California

1B.3 Plants rare, threatened, or endangered in California and elsewhere; not very threatened in California

2B.3 Plants rare, threatened, or endangered in California, but more common elsewhere; not very threatened in California

3.3 Plants about which we need more information; not very threatened in California

3.0 FIELD SURVEY METHODS

3.1 Biological Surveys

Surveys for this report were conducted by Wilder Ecological biologists Nate Jones and Onkar Singh. Both biologists have over 10 years of experience in Mojave and Great Basin Desert habitats, and extensive direct experience conducting agency protocol surveys for sensitive species in the local area. After an initial site assessment, conducted visually from a public right-of-way (Burns Canyon Road), biological surveys were conducted on May 20, 2023. Additional assessments of some individual Joshua trees were made during a site visit on June 05, 2023.

Surveys were timed to occur during the hours, temperatures and weather conditions that characterize a seasonal active period for the focal species in the existing habitat (Conway et al. 2008, Nussear et al. 2007, Agha et al. 2015).

Surveys were accomplished using protocol belt transects, walking in north-south directions, to gain 100% visual coverage of the landscape. Relevant observations and features were recorded on paper data sheets and locations were marked using a Garmin™ 66i handheld GPS unit, capable of 1-3 meter accuracy. Climatological data were measured for each individual survey, and photos were taken of any relevant sign, as well as overviews of general habitat and landscape characteristics.

Buffer areas surrounding the properties were not surveyed, due to property ownership. Properties to the east, north and west are characterized by residential dwellings, associated outbuildings, parking areas, and unpaved residential streets. Land immediately on the south side of the parcels is privately owned but not developed. These southern properties are part of a larger patchwork of undeveloped private properties that together form nearly continuous open space that connects with extensive protected areas owned by the Wildlands Conservancy Corp. Therefore, the parcels immediately south of the Rimrock Ranch survey area could be considered good quality native habitat.

3.2 Focused Survey for Burrowing Owl

Surveys for burrowing owl were conducted in alignment with CDFW guidance (2012), which is based on the Burrowing Owl Consortium Survey Protocols (California Burrowing Owl Consortium 1993). Following a literature review, Phase I (site assessment) was conducted from the public right of way on May 19, 2023. Phase II protocol surveys for live owls and their sign were conducted during the crepuscular hours of 0530-0700 on May 20, 2023. Weather was 14.8° Celsius, 50% cloud cover, and 0-2 mph winds at the beginning of the survey, and 26° Celsius, 50% cloud cover, and 0-2 mph winds at the end of the survey. Surveys were walked north-south on contiguous belt transects at intervals of 20m to achieve 100% visual coverage of the site. In addition, during the surveys, the ground at the base of all Joshua trees and fence posts was carefully inspected for evidence of use as owl perch sites, and for any passerine nesting bird activity.

3.3 Focused Survey for Desert Tortoise

Surveys were conducted for Mojave Desert tortoise in accordance with USFWS published protocol (USFWS 2019). Contiguous belt transects were walked north-south at intervals of 10m to achieve 100% visual coverage of the site to document any live tortoises or their sign (burrows, scat, tracks, carcasses). Tortoise surveys occurred during the hours of 0700-0900 Weather was 26° Celsius, 50% cloud cover, and 0-2 mph winds at the beginning of the survey, and 28° Celsius, 30% cloud cover, and 0-2 mph winds at the end of the survey.

3.4 Vegetation Survey and Community Assessment

Following the focused burrowing owl and desert tortoise surveys, all plant species occurring on site were documented. Special status plant surveys were accomplished by walking additional belt transects at 10m spacing in the north-south direction, to achieve 100% visual coverage of the site. The surveys occurred near the peak of the reproductive season for annual plants, and the bloom was noted as profuse and widespread after an unusually wet winter.

In addition to the special status plant species indicated in the literature search results, biologists noted the presence of perennial desert plants specifically subject to protection by the state (California Food and Agriculture Code, Regulated Native Plants Section 80073) and county (San Bernardino County Development Code, Desert Native Plant Protection Section 88.01.060). On the Rimrock Ranch site, such species could include Joshua trees, cacti, acacias, other yuccas (*Yucca* spp.), mesquites (*Prosopis* spp.), palo verdes (*Parkinsonia* spp.), and agaves (*Agave* spp.). With the exception of western Joshua trees (see Section 3.5, below), surveyors did not count or assess individual desert native plants, but included them with special notes in Appendices B, E, and F.

3.5 Western Joshua Tree Assessment – Proposed Additional Parking Area

A second site visit was made to conduct a more detailed assessment of the locations and physical condition of western Joshua trees growing in the northwest corner of the Project where an additional parking area is planned (Figures 3, 4). Transects were walked at 10m to cover the footprint of the proposed disturbance, as well as a buffer of approximately 40’ in all directions. Individual Joshua trees were located with GPS, assessed for physical health and characteristics, and photographed (Appendix D). Joshua trees can at times grow clonal shoots that appear as if they are multiple smaller individuals growing beneath a larger tree (Esque et al. 2015, Sweet et al. 2019). Consequently, for this survey, any clusters within a 6-foot diameter were counted as a single plant.

Western Joshua trees growing amidst the landscaped portion of the properties were not tallied or assessed individually, because these plants were healthy in appearance and were not adversely impacted by any current or planned property use. Likewise, Joshua trees growing on the undeveloped southern portion of the Project were not assessed because there are no plans to develop this area.

4.0 RESULTS

4.1 Burrowing Owl

No live burrowing owls or their sign (pellets, whitewash, feathers, or tracks) were observed in the project area. There were some small (< 150mm width) rodent burrows recessed beneath the dense canopy of desert shrubs, and California ground squirrels (*Otospermophilus beecheyi*) were seen entering and exiting these, but there was no owl sign. The biologists inspected the ground surrounding all Joshua trees and fence posts for signs (prey remains, whitewash, pellets, feathers) of owl activity, and found no evidence that owls had recently used these features as perch sites. In addition, a thorough search was conducted of all stacked materials, parked recreational vehicles, outbuildings and storage containers that could present potential anthropogenic habitat for burrowing owls (Rosenburg et al. 2007). No owls or their sign were observed amidst these features.

4.2 Desert Tortoise

No live tortoises or sign (burrows, scat, tracks, or carcasses) were observed during focused protocol desert tortoise surveys.

4.3 Nesting Birds

There were no nesting birds noted during the general biological surveys. A total of 26 species of birds were noted as present or traveling through the site (Appendix A). Attention was given to examining scrub oaks and Joshua trees on the undeveloped portions of the property, however the many trees and shrubs that surrounded the dwellings as decorative landscaping were not assessed thoroughly, due to the presence of guests and catering services. It is extremely unlikely that any sensitive avian species included in Table 2 would nest in such proximity to human activity.

4.4 Plants

A total of 63 species of plants were recorded on site and detailed in Appendix B of this report. The decorative landscaping was comprised of native plants documented elsewhere on the site, as well as several non-native, non-invasive individuals that were not detailed in this assessment.

None of the sensitive plant species in Table 2 were recorded on site. There were many Yuccas, including both Joshua trees and Mojave yuccas (*Yucca schidigera*), and some scattered mesquite, palo verde, chollas, and beavertail cacti that would be covered by San Bernardino County and California State conservation measures. Many of these were likely planted intentionally, and were noted in the decorative landscaping currently surrounding the dwellings and outdoor venue structures.

There were nine small western Joshua trees located in the northwest corner of the Project near the proposed parking area (Appendix D). Three of these individuals were located directly within

the proposed footprint of the additional parking area. These are labeled JT02, JT03, and JT05 on the mapping in Figure 4, and more detail is included in Appendix D. There were also Mojave yuccas and cholla cactus plants in the disturbance footprint of the parking area.

4.5 Additional Vertebrate Animal Species

There were no signs of American badger or desert kit fox anywhere on site. There were several California ground squirrels entering and exiting burrow complexes located under the canopies of scrub oaks and beneath the base of Mojave yuccas. Two desert cottontail rabbits (*Sylvilagus audubonii*) were seen on site. In addition, a small group (2-3) of coyotes (*Canis latrans*) were heard at dawn, vocalizing in the wash system off site to the south. These generalist predators most certainly forage on the Rimrock Ranch properties at night, and more widely throughout the Rimrock residential area. No additional mammals were noted during surveys (Appendix A).

5.0 IMPACTS AND RECOMMENDATIONS

5.1 General Impacts

There are no plans to expand on the current footprint of any structures, and the existing outdoor features will be largely left in place. There are some individual, existing parking spaces on Parcels A and B that will be hardscaped for disabled access. These improvements will have little or no impact on native plants because the physical spaces are in use already for vehicle parking, and are located amidst previously disturbed portions of the property.

There may be additional parking graded into the northwest corner of the Project. The proposed parking area is bounded on the west side by a right-of-way buffer for Bisbee Road (currently unpaved track), to the north by a right-of-way buffer for Rimrock Road, and to the east and south by landscaping, storage sheds, and equestrian facilities. The parking could contain approximately 50 spaces. The architectural plans indicate that the majority (48+) of the spaces will not be paved, and the topography in the area is nearly flat. Therefore, the ground will remain permeable, and the drainage of any precipitation will not impact the surroundings.

The ground disturbance planned for the Project is minimal, and is confined to a corner of the property already bounded on all sides by human disturbance (roads, equestrian facilities, storage sheds). This presents little imposition on natural habitat and sensitive native species.

5.2 Burrowing Owl

No further surveys, and no mitigation for burrowing owl are recommended at present, because only minimal disturbance is planned. In any case, there was no owl sign observed, and there were no suitable burrows noted (CDFG 2012). The ground squirrel burrows that were present were located beneath the canopy of heavy brush, and therefore would not be attractive to burrowing owls. Burrowing owls are highly mobile animals and could possibly occur on the property in the future (Gervais et al. 2003, Catlin et al. 2005, Rosier et al. 2006). However, such occurrence would be unlikely due to a lack of suitable burrows, and because the pedestrian and vehicular traffic that characterize the area are a deterrent to owls. Burrowing owls sometimes

nest in isolated anthropogenic structures such as pipe culverts, piles of rubble, or stacked materials, but there were few such features noted on the properties in this survey, and all were inspected (Rosenburg et al. 2007).

5.3 Desert Tortoise

No further mitigation measures for desert tortoise are recommended at present. Surveys yielded no sign (burrows, scat, tracks, carcasses) that desert tortoises have recently been present in the area. Furthermore, considering the elevation, plant community structure, and human occupation, the site represents low predicted habitat potential for tortoise (Nussear et al. 2009, USFWS 2011). Due to the previously mentioned factors, it is extremely unlikely that desert tortoises would colonize and establish burrows on the site in the future. Therefore, these properties do not present a measurable contribution to the overall range of the species.

Nonetheless, it is important to address two considerations in regards to desert tortoise.

- **NOTE 1:** Focused desert tortoise surveys were conducted on May 20, 2023 and results presented in this report are considered valid for a period of 12 months from date of survey. If construction activities are planned in the future to occur after May 20, 2024, and a consultation with relevant agencies indicates that a biological report is still recommended, then an additional survey should be conducted to ensure compliance with USFWS guidance (USFWS 2019).

- **NOTE 2:** The results of this survey are not an authorization for a future "take" of a desert tortoise, should one appear on the property or in the vicinity. The California Department of Fish and Wildlife and U.S. Fish and Wildlife Service are the only entities with agency to authorize the "take" of a desert tortoise.

5.4 Additional Bird Species

Nesting birds are protected under the Migratory Bird Treaty Act (MBTA), although some non-native species such as starlings (*Sturnus vulgaris*) and house sparrows (*Passer domesticus*) are not subject to MBTA protections. There were 26 bird species noted on site during the biological assessment surveys. The landscape in the disturbance footprint of the planned parking area represents poor to good habitat for some native species, based on the plant community and site proximity to human disturbances. If construction activities commence during the bird nesting season, it is recommended that nesting bird surveys be conducted in the vicinity of the planned parking (disturbance footprint and a 200' buffer surrounding it).

If an active nest is discovered, it is recommended that a disturbance mitigation buffer area of appropriate size should be maintained to exclude construction activities until a qualified biologist has determined the nesting cycle is completed and ascertained the nest fate (fledging or failure). Nesting season in the Mojave Desert region of Southern California is often

considered to be February 01– August 31, but is sometimes more abbreviated or runs later into September at higher elevations. It would be appropriate to contact government agency representatives for current guidance on this specific project site.

Some raptor species such as red-tailed hawks (*Buteo jamaicensis*) nest in Joshua trees, however they would not nest near inhabited structures or human activity, and the Joshua trees on the undeveloped southern portions of the Rimrock Ranch Project do not present growth patterns (size, branching, limb orientations) suitable as nesting substrate for raptor species. Additional avian Species of Special Concern (CDFW) that frequently nest in Joshua tree woodlands include loggerhead shrike (*Lanius ludovicianus)*, and long-eared owl (*Asio otus*). It is unlikely that either of these species would nest on the proposed project site, given the lack of suitable habitat and surrounding human activities.

No additional specific mitigation for sensitive avian species is recommended at present.

5.5 Mammals

Surveys found no sign (tracks, scat, fur, burrows) of any sensitive mammal species, and therefore no mitigation is recommended at this time. Kit fox and badger are unlikely to colonize the project area in the future due to its proximity to human activity in the surrounding landscape.

The development of a small parking area on a portion of the site does not present any significant impact to sensitive mammal species, and no additional mitigation is recommended.

5.6 Plants

The biological assessment surveys were completed during the height of a vigorous spring bloom, and yet none of the sensitive plants listed in Table 2 were found on site. Therefore, it is extremely unlikely that sensitive plants would have gone unnoticed, or that seeds might have been present, but somehow dormant, in local soils. Therefore, no further actions are suggested in regards to the plants listed in Table 2.

The grading needed to create additional parking in the northwest corner of the Project could impact western Joshua trees and other California native desert plants there. Potential impacts to these plants can be mitigated through permitting for their mulch, removal, or transplanting them to adjacent habitat, or by the careful layout of parking spaces to accommodate their preservation in place. There will be some flexibility in the placement of individual parking spaces, because the parking area will not be paved and striped. And, since the parking design indicates that the ground will remain permeable and largely level, drainage will not be altered, therefore any Joshua trees and other desert native plants should tolerate proximity to vehicle parking well.

When preserving Joshua trees in place during construction activities, they should be protected by a temporary ground disturbance exclusion buffer. This buffer should be marked prominently by the installation of metal t-posts and orange construction snow fencing, or methods using

comparable materials and design (Appendix E). All the Joshua trees within the footprint of the proposed parking area are small (< 60” height; Figure 4, Appendix D). Therefore, a reduced buffer radius of 5’ from the base of each plant will be sufficient to ensure the integrity of the root ball and shallow root systems that characterize this species.

If additional desert native plants are to be removed from the parking area and transplanted to other areas of the property, it is recommended that contractors follow protocols included in this report as Appendices E (Joshua Tree Mitigation Measures) and F (Cactus Mitigation Measures).

5.7 Conclusions

Based on design plans and the results of the biological surveys, it can be asserted that the creation of a small dirt parking area on the northwest corner of the Rimrock Ranch properties will have little or no negative impact on sensitive native species. Joshua tree and succulent mitigation protocols are included in this report for reference, if needed (Appendices E, F).

There are no plans for the expansion or alteration of any existing structures on the property. Some existing parking sites within developed areas may be hardscaped for disabled parking access. These spaces have long been in use as parking already, and they are not contiguous, so the hardscaping of the individual sites does not significantly alter drainage patterns. Therefore, these improvements do not represent an impact to sensitive species.

6.0 CERTIFICATION

CERTIFICATION: “I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this biological evaluation, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. Field work conducted for this assessment was performed by me or under my direct supervision. I certify that I have not signed a non-disclosure or consultant confidentiality agreement with the project applicant or applicant’ financial interest in the project.”



_____ DATE: ____14 June, 2023_____

Report Author: Nate Jones
Wilder Ecological Consulting, Inc.

_____Onkar Singh_____ _____Nathan Jones_____

Fieldwork Performed by (above) Fieldwork Performed by (above)

Appendix A
Vertebrates Observed During Biological Surveys of the Rimrock Ranch Site
(May 20, 2023)

BIRDS

Aeronautes saxatalis	White-throated Swift
Amphispiza bilineata	Black-throated Sparrow
Aphelocoma californica	California Scrub Jay
Auriparus flaviceps	Verdin
Callipepla gambelii	Gambel's Quail
Campylorhynchus brunneicapillus	Cactus Wren
Calypte costae	Costa's Hummingbird
Cathartes aura	Turkey Vulture
Corvus corax	Common Raven
Dryobates scalaris	Ladder-backed Woodpecker
Eremophila alpestris	Horned Lark
Euphagus cyanocephalus	Brewer's Blackbird
Haemorhous mexicanus	House Finch
Icterus bullockii	Bullock's Oriole
Mimus polyglottos	Northern Mockingbird
Molothrus ater	Brown-headed Cowbird
Myiarchus cinerascens	Ash-throated Flycatcher
Passer domesticus	House Sparrow
Phainopepla nitens	Phainopepla
Picoides scalaris	Ladder-backed Woodpecker
Sayornis saya	Say's Phoebe
Streptopelia decaocto	Eurasian Collared Dove
Thryomanes bewickii	Bewick's Wren
Toxostoma redivivum	California Thrasher
Tyrannus vociferans	Cassin's Kingbird
Zenaida macroura	Mourning Dove

REPTILES

Aspidoscelis tigris	Western whiptail lizard
Coluber flagellum piceus	Coachwhip red racer snake
Uta stansburiana	Side-blotched lizard

MAMMALS

Canis latrans	Coyote
Otospermophilus beecheyi	California ground squirrel
Sylvilagus audubonii	Desert cottontail

Appendix B
Plants Observed During Biological Surveys of the Rimrock Ranch Site
(May 20 2023)

Family	Scientific Name	Common Name	nativity
Agavaceae (Century-plant family)			
	**Yucca brevifolia*	Joshua tree	Native
	**Yucca schidigera*	Mojave yucca	Native
Alliaceae (Onion family)			
	Allium fimbriatum var. fimbriatum	Fringed onion	Native
Apiaceae (Carrot family)			
	Lomatium mohavense	Mojave desertparsley	Native
Asteraceae (Aster family)			
	Adenophyllum cooperi	Cooper's dogweed	Native
	Ambrosia acanthicarpa	Annual bur-sage	Native
	Ambrosia salsola	Burrobrush	Native
	Chaenactis stevioides	Esteve's pincushion	Native
	Encelia actoni	Acton's brittlebush	Native
	Malacothrix glabrata	Smooth desertdandelion	Native
	Stephanomeria exigua subsp. deanei	Deane's wirelettuce	Native
	Stephanomeria exigua subsp. exigua	Small wirelettuce	Native
	Stephanomeria parryi	Parry's wirelettuce	Native
	Stephanomeria pauciflora	Wire-lettuce	Native
	Syntrichopappus fremontii	Yellowray Fremont's-gold	Native
Bignoniaceae (Trumpet-creeper family)			
	Chilopsis linearis subsp. arcuata	Desert willow	Native
Boraginaceae (Borage family)			
	Amsinckia tessellata	Bristly fiddleneck	Native
	Greeneocharis circumscissa var. circumscissa	Cushion cryptantha	Native
	Emmenanthe penduliflora	Whisperingbells	Native
	Pectocarya penicillata	Sleeping combseed	Native
	Pectocarya setosa	Moth combseed	Native
	Phacelia distans	Distant phacelia	Native
Brassicaceae (Mustard family)			
	Descurainia pinnata	Western tansymustard	Native
	Descurainia sophia	Herb Sophia	Naturalized
	Lepidium fremontii	Desert pepperweed	Native
	Sisymbrium altissimum	Tall tumblemustard	Naturalized
	Sisymbrium orientale	Indian hedgemustard	Naturalized
Cactaceae (Cactus family)			
	**Cylindropuntia echinocarpa*	Silver cholla	Native
	**Opuntia basilaris*	Beavertail cactus	Native
Cleomaceae (Spiderflower family)			
	Peritoma arborea	Bladderpod	Native

Family	Scientific Name	Common Name	Nativity
Cucurbitaceae (Cucumber family)			
	Marah macrocarpa	Cucamonga manroot	Native
Ephedraceae (Mormon-tea family)			
	Ephedra nevadensis	Nevada jointfir	Native
Euphorbiaceae (Spurge family)			
	Chamaesyce albomarginata	Whitemargin sandmat	Native
Fabaceae (Pea family)			
	Acmispon glaber	Common deerweed	Native
	Caesalpinia gilliesii	Bird-of-paradise shrub	Naturalized
	Lupinus concinnus	Bajada lupine	Native
	Parkinsonia aculeata	Jerusalem thorn	Naturalized
	**Prosopis spp*	Mesquite	Native
	Psorothamnus arborescens var. simplicifolius	Mojave indigo bush	Native
Geraniaceae (Geranium family)			
	Erodium cicutarium	Redstem stork's bill	Naturalized
Lamiaceae (Mint family)			
	Salvia columbariae	Chia	Native
	Scutellaria mexicana	Mexican bladdersage	Native
Liliaceae (Lily family)			
	Calochortus kennedyi	Desert mariposa lily	Native
Loasaceae (Loasa family)			
	Mentzelia albicaulis	Whitestem blazingstar	Native
	Petalonyx thurberi	Thurber's sandpaper plant	Native
Malvaceae (Mallow family)			
	Sphaeralcea ambigua	Desert globemallow	Native
Nyctaginaceae (Four o'clock family)			
	Mirabilis laevis	Desert wishbone-bush	Native
Onagraceae (Evening Primrose family)			
	Camissonia campestris subsp. campestris	Mojave suncup	Native
Papaveraceae (Poppy family)			
	Argemone corymbosa	Mojave pricklypoppy	Native
Poaceae (Grass family)			
	Bromus berteroanus	Chilean chess	Native
	Bromus rubens	Red brome	Naturalized
	Bromus tectorum	Cheatgrass	Naturalized
	Elymus elymoides	Squirreltail	Native
	Schismus barbatus	Common Mediterranean grass	Naturalized
	Stipa speciosa	Desert needlegrass	Native
Polemoniaceae (Phlox family)			
	Eriastrum eremicum subsp. eremicum	Desert woolstar	Native
	Leptosiphon chysanthus subsp. chrysanthus	Golden desert trumpets	Native

Family	Scientific Name	Common Name	Nativity
Polygonaceae (Buckwheat family)			
	Centrostegia thurberi	Red triangles	Native
	Eriogonum davidsonii	Davidson's buckwheat	Native
	Eriogonum fasciculatum var. polifolium	Mojave buckwheat	Native
Rosaceae (Rose family)			
	Coleogyne ramosissima	Blackbrush	Native
Solanaceae (Potato family)			
	Lycium cooperi	Peach thorn	Native
Themidaceae (Brodiaea family)			
	Dichelostemma capitatum	Bluedicks	Native

***** Indicating a plant species protected under California Native Desert Plants Act §80071-80075

Appendix C
Site Overview Photos of the Rimrock Ranch Project

PARCEL A – APN# 0593-321-25



Figure 1. Southeast corner of Parcel A, Rimrock Ranch Project. View toward the center of property.



Figure 2. Southwest corner of Parcel A, Rimrock Ranch Project. View toward the center of the property.



Figure 3. Northwest corner of Parcel A, Rimrock Ranch Project. View toward center of the property.



Figure 4. Northeast corner of Parcel A, Rimrock Ranch Project. View toward the center of the property.



Figure 5. Southern property line of Parcel A, Rimrock Ranch Project. View looking toward center of property.



Figure 6. Western property line of Parcel A, Rimrock Ranch Project. View looking toward center of property.



Figure 7. Northern property line of Parcel A, Rimrock Ranch Project. View looking toward center of property.



Figure 8. Eastern property line of Parcel A, Rimrock Ranch Project. View looking toward center of property.



Figure 9. General overview of landscaped portion of Parcel A, Rimrock Ranch.



Figure 10. General overview of landscaped portion of Parcel A, Rimrock Ranch.

PARCEL A – APN# 0593-321-25 - PROPOSED PARKING AREA



Figure 11. Southeast corner of proposed parking area, Parcel A, Rimrock Ranch Project. View looking toward center of parking area.



Figure 12. Southwest corner of proposed parking area, Parcel A, Rimrock Ranch Project. View looking toward center of parking area.



Figure 13. Northwest corner of proposed parking area, Parcel A, Rimrock Ranch Project. View looking toward center of parking area.



Figure 14. Northeast corner of proposed parking area, Parcel A, Rimrock Ranch Project. View looking toward center of parking area.

PARCEL B – APN# 0593-271-01



Figure 15. Southwest corner of Parcel B, Rimrock Ranch Project. View toward center of property.



Figure 16. Northwest corner of Parcel B, Rimrock Ranch Project. View toward center of property.



Figure 17. Northeast corner of Parcel B, Rimrock Ranch Project. View toward center of property.

Appendix D
Joshua Trees Occurring Near the Proposed Parking Area of the Rimrock Ranch Project
(Surveyed May 20th, and June 5th, 2023)



Figure 1. Joshua tree #1 located on the Rimrock Ranch Project. Approximately 44” height, healthy, with 3 clonal shoots at base.

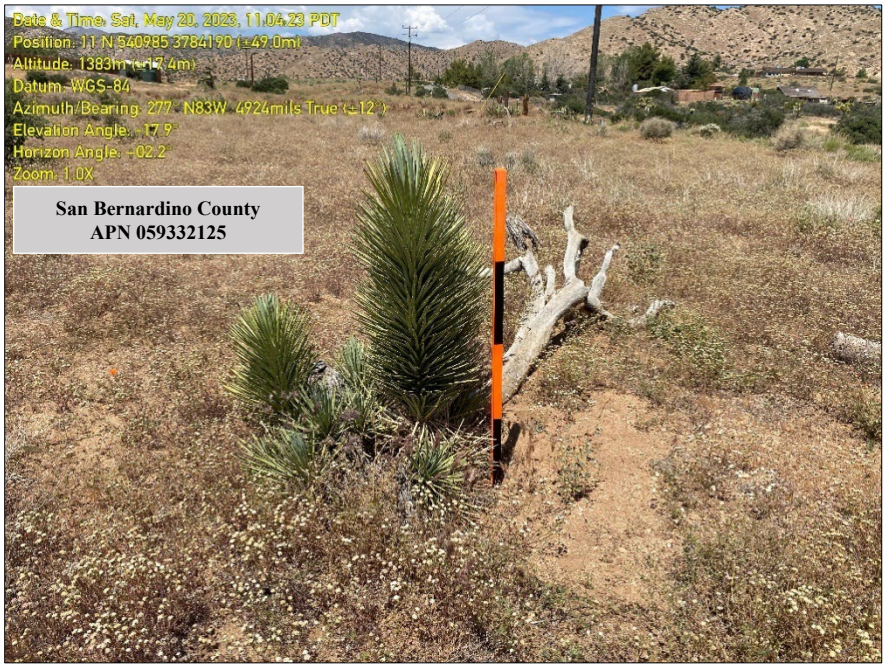


Figure 2. Joshua tree #2 located on the Rimrock Ranch Project. Approximately 54’’ height, healthy, with 8 clonal shoots at base.



Figure 3. Joshua tree #3 located on the Rimrock Ranch Project. Approximately 28'' height, healthy, with 4 clonal shoots at base.



Figure 4. Joshua tree #4 located on the Rimrock Ranch Project. Approximately 72'' height, healthy. One stalk.

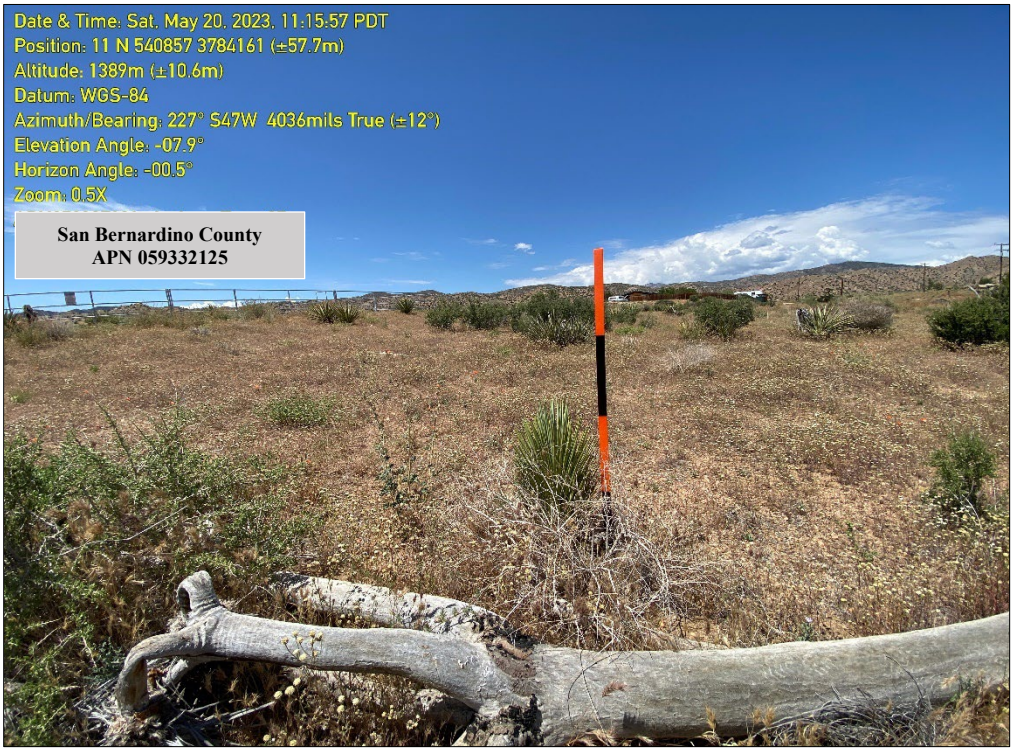


Figure 5. Joshua tree #5 located on the Rimrock Ranch Project. Approximately 26'' height, healthy. One stalk.



Figure 6. Joshua tree #6 located on the Rimrock Ranch Project. Approximately 26'' height, healthy. One stalk.

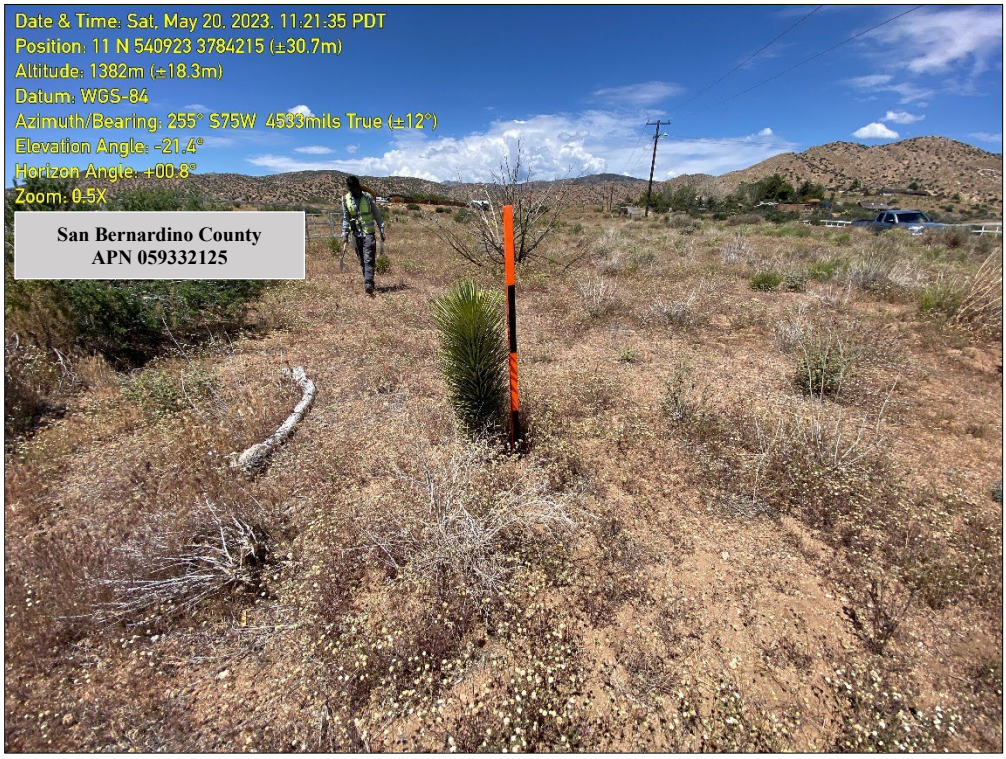


Figure 7. Joshua tree #7 located on the Rimrock Ranch Project. Approximately 37'' height, healthy. One stalk.

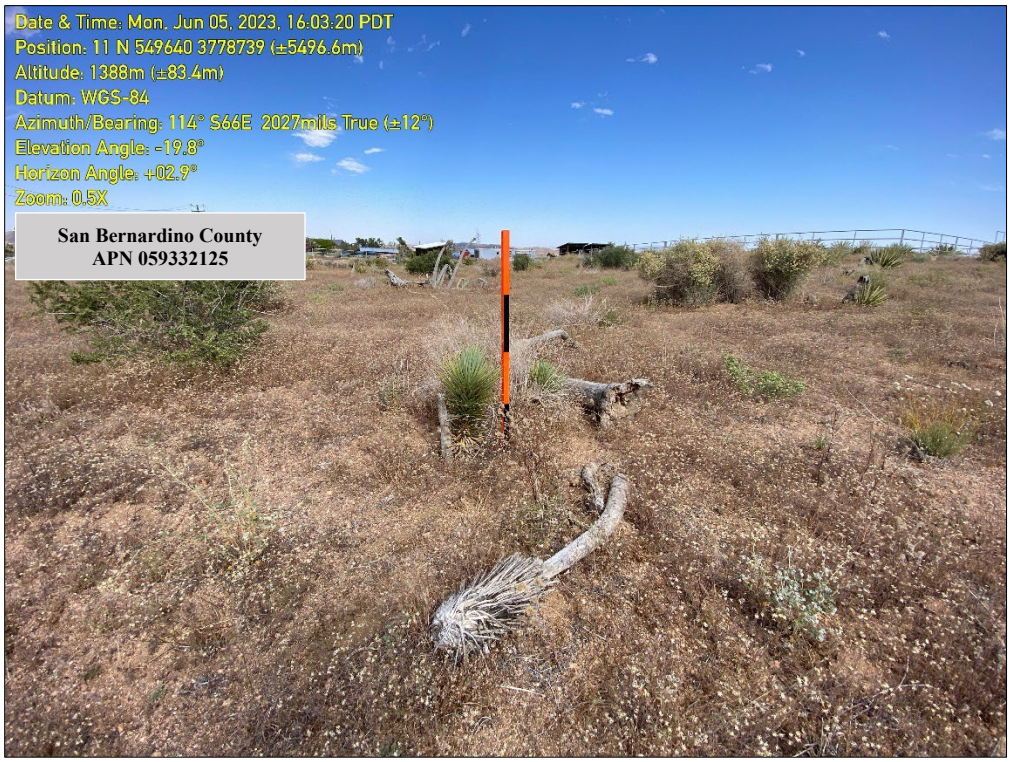


Figure 8. Joshua tree #8 located on the Rimrock Ranch Project. Approximately 27'' height, healthy. Two clonal shoots at base.



Figure 9. Joshua tree #9 located on the Rimrock Ranch Project. Approximately 26'' height, healthy. Four clonal shoots at base.

Appendix E
Joshua Tree Mitigation Measures

Most (or all) of the Joshua trees can be left in place to remain in their native locations. This may be true even for the three plants that appear to fall within the disturbance footprint of current plans, if there is flexibility in the layout of parking spaces to accommodate the Joshua trees.

Alternatively, one or more of the plants may be removed carefully from the project area and transplanted to safe locations with comparable substrate and topography nearby. Joshua trees that are situated within the perimeter setback buffer, and those in areas outside the proposed project boundary, should be avoided. These can remain in place, but could be marked with protective buffer fencing to ensure their physical safety during construction activities if equipment is operating nearby. Determinations can be made on a case-by-case basis in the field, and in coordination with the architect and the grading contractor.

Protecting Joshua Trees that Remain in Place

When protecting plants that will remain in place, a buffer shall be designated around each plant, or around a group of closely growing individuals, to exclude any vehicle traffic and work activities.

Buffer Sizes:

- For small (< 5-foot height) Joshua tree plants with few developed limbs, a protective buffer radius should be approximately five feet from the base of plant(s). The Joshua trees on the Rimrock Ranch parking site disturbance footprint would all be considered small specimens.
- For larger plants (>10-foot height) with developed limbs and canopies, the buffer distance should be a minimum radius of 10 feet, which should be expanded to allow for protection of any longer limbs or unique growth patterns of the plant.
- With very large (>20-foot height), mature plants, the buffer radius should be 10 feet or a minimum width matching the dripline of the canopy, whichever is greater.

Buffer Materials and Construction:

- Temporary metal posts and buffer fencing should be installed, along with signage and reflective markers if the fence borders an area with vehicle traffic, to signal the presence of a sensitive biological resource. Metal T-bar fencing posts and orange “snow fencing” can be wired to the posts to form a fence barrier roughly 4 feet in height.

Buffer Fencing Maintenance and Joshua Tree Monitoring:

- On projects of long duration (>30 days), it is important to periodically check that buffered Joshua trees are still in good health and that fencing/signage is in good condition. The construction contractor is responsible for maintaining the fencing, should it become damaged.

- Excessive water discharge should not occur within the buffer area and water trucks should be careful not to over-water around the buffer. As Joshua trees are adapted to well-drained soils in arid conditions, excessive moisture can cause fungal infections.

Transplanting Joshua Trees

The transplanting of larger individuals over about eight feet tall should be undertaken only by an experienced commercial tree moving contractor, using mechanized equipment for digging and transporting the plant, for example a backhoe and/or hydraulic tree spade. Small and medium sized Joshua trees can be moved from the project disturbance footprint more easily.

Time of Year:

- Joshua trees can be transplanted successfully during any time of year, however it is preferable to undertake the effort during October – April.
- Transplanting during peak summer months is discouraged so as to avoid heat stress. If transplanting must occur between May-September, then strict care must be taken to transplant without delay while shading the exposed root ball. Also, the plants must receive water on a regular schedule until seasonal temperatures cool in fall.

Salvage Site and Transplant Site Conditions:

- Transplant success is enhanced if the original site and the receiving transplant site have similar soil, micro-climate and topographic conditions.
- Avoid transplanting into substrate characterized by very shallow or exposed bedrock, dense cobble, and soils with high clay content.
- Ideal sites will have loamy, sandy, gravelly soils with pH around 8.0, exhibiting low compaction and good drainage.

Plant Selection and Preparation:

- Select plants that are likely to survive (i.e., healthy and vigorous), and are of a size that can be safely managed with available equipment. Plants greater than 8 feet in height are most often excluded from transplant efforts, unless contractors are using specialized equipment and training.
- It is helpful to thoroughly pre-water each plant at the base to promote soil cohesion and root ball stability, and to prevent root desiccation during transport.
- Anti-transpirants are not necessary and have not been shown to have a beneficial effect, possibly because the leaves are naturally resistant to desiccation.
- Before excavation of a plant, mark a compass point cardinal direction to note the original orientation and position of the individual.

Transplant Site Preparation:

- Locate and mark recipient sites for each plant. Focus should be on finding similar substrate and topography.
- Avoid steep rocky slopes and areas with dense cobblestones or impenetrable caliche rock layers. Also avoid deep wash bottoms that typically receive large water flow events and flat basins that can intermittently host standing water. Such “dry lakebed” flats are often characterized by thick layering of silt or clay.

- Dig holes approximately the same size as transplant root ball, and fill with water at least one hour before planting. This is essential to pre-charge the soil moisture, and is a good check on microsite drainage conditions. If water does not drain from the hole within an hour or two, it should be considered unsuitable for Joshua trees. Do not allow pre-watered holes to dry out completely before transplanting.
- There is no need to add fertilizers or soil amendments.

Joshua Tree Removal and Transport:

- Tools and equipment buckets or blades should be cleaned with a sterilizing solution between each transplant event, to prevent the accidental spread of fungal pathogens among the plants.
- Verify that the compass bearing (North side, for example) has been marked on the plant before removing it from its native location.
- Take care in handling during transplant process to avoid scrapes and broken branches.
- Begin by gently trenching deep into the soil around the plant as far from the base as is practical, but no less than approximately 18" to 24". The more of the root ball that can be preserved, the better survival.
- Continue carefully to slice under the base to free the plant. It is better to cut roots free than to pull them apart, so avoid excessive levering of the root ball.
- Keep as much of the soil intact around the root ball as possible. If long roots have been severely damaged, trim them back to an undamaged point. It is not necessary to apply fungicides, sulfur, etc.
- Gently place the plant into a sling or transportation container (back of truck or flatbed trailer will be needed for larger specimens).
- Keep the entire plant moist and shaded with shade cloth during summer months. Do not allow it to sit uncovered in hot summer sun for any length of time, especially with roots exposed. If transporting long distances, keep plant covered to lessen wind desiccation.
- Do not excavate more plants than can transplanted in a single day.

Joshua Tree Transplanting at Recipient Site:

- Verify that recipient holes have been pre-charged with plenty of water. It will not hurt the plant to be set into mud or standing water if the drainage is good.
- When placing plant, align orientation with pre-marked compass bearing mark, to ensure consistency in relation to sun travel and topography.
- Water dry earth as it is added during the backfill.
- It is not necessary to add fertilizer when transplanting Joshua trees.
- As backfill is completed, verify that the base of the plant sits no higher or deeper from the soil surface than it naturally grew in its original location.
- Gently tamp the soil around the base of the plant as backfill is completed.
- Creating a shallow, saucer-shaped depression the same width of the root ball may help channel rainfall on slopes, and keep supplemental water near the plant.
- Verify the plant is stable. Joshua trees greater than approximately 5 feet in height may benefit from the installation of guy lines for the first few days or weeks.
- If guy lines are used, they should be tied to a secure staking system and should be robust enough to withstand high winds. Any line around the trunk of the tree should be

threaded through sections of rubber garden hose or other collar band to avoid abrasive trauma.
- Verify if a metal (or other) ID tag is still present and readable for future reference and monitoring.
- Photo document location, plant ID tag placement, plant orientation, and plant health at time of transplant.

Subsequent Maintenance, Watering, and Fertilization:

- Joshua Trees are very good at surviving under dry conditions, but until roots re-establish, they will need extra water.
- Depending on the time of year, supplemental watering is needed for 90 to 120 days. Frequency and amount of supplemental water depends on seasonal temperatures, humidity, wind, etc.
- During the hottest, driest part of the summer, check soil moisture weekly. Probe down about an inch around the edge of the root ball of a few plants to determine if watering is needed.
- Do NOT water if any moisture is found (especially in the summer when wet, hot conditions favor root rot). Very sandy soils will need more water than other soil types.
- Do not fertilize for at least sixty to ninety days, if at all. Use a slow-release form with low nitrogen, chelated micronutrients, and apply at low rates. Liquids and buried tablets are less likely than granules to be removed from the site by wildlife.

Appendix F
Cactus (Succulents) Mitigation Measures

Cacti can generally be transplanted by hand into comparable substrate and topography. With careful excavation and proper watering, cacti have a good chance of surviving transplanting. Cacti can often grow roots from cuttings, so even if an individual is in fair health, it could still be successful.

Cactus Removal and Transport:

- Designate a recipient location for the transplant.
- Pre-water the base of the plant to a distance of 3 times the width of the growth pattern.
- Cactus plants can successfully be excavated and moved with hand tools.
- Carefully excavate a perimeter at a distance of 1-3 times the width of canopy or growth pattern of the plant, but no less than a minimum 6” from base of plant.
- Excavate inward to base of plant, taking care to preserve soils around any root ball, if one is present.
- Long roots or torn remnants should be cut cleanly with sterilized tools, rather than pulled or ripped from the ground.
- Take care in handling during transplant process to avoid scrapes and broken branches.
- Cactus transport can be facilitated with the use of slings (e.g., sections of a vehicle tow rope or garden hose), tarps, and large containers (e.g., cardboard boxes or plastic bins).

Cactus Temporary Storage:

- Cactus can be stockpiled and stored temporarily for several days, if need be, before transplant.
- If temperatures exceed 90F, cover the plant with shade cloth.
- Dust exposed any root cuts with a fungicide or sulfur powder to discourage infection.

Cactus Transplanting at Recipient Site:

- Excavate an adequate hole to accommodate the remaining root system of the plant.
- It is best practice to apply a dusting of fungicide or sulfur powder to exposed and damaged roots before backfill, if this has not been done during temporary storage.
- Backfill carefully to maintain an upright orientation for the plant, using water for better compaction during backfilling. Fertilizer is not necessary.
- As backfill is completed, verify that the base of the plant sits no higher or deeper from the soil surface than it naturally grew in its original location.
- Creating a shallow, saucer-shaped depression the same width of the root ball may help channel rainfall on slopes, and keep supplemental water near the plant.
- Carefully compact soils around the base of the plant and verify stability.
- Guy lines may be used on larger individuals to help in stabilization.
- Verify that the plant has an ID tag (metal, or otherwise) that can be read easily.
- Photo document the location, orientation, and plant health at time of transplant.

Appendix G
Raw Data Sheets
Biological Assessment and Targeted Protocol Species Surveys:
Desert Tortoise | Burrowing Owl
Field Data Sheets

Page 1 of 1

Burrowing Owl/Nesting Bird Survey Datasheet

APN # 059327101

Project Surveyed: RIMROCK RANCH APN # 059332125 Date: 05/20/2023

Survey Type (spacing/direction): 20 METER BELT TRANSECTS = 100% VISUAL COVERAGE
NORTH ↳ SOUTH

Surveyor(s): NATE JONES

Start Weather: 50% cc / ∅ WIND / 14.8°C Start Time: 0530

End Weather: 50% cc / 0-3mph / 26°C End Time: 0700

County: SAN BERNARDINO Land Owner: HIGH DESERT HOLDINGS LLC Land Use: RESIDENTIAL, COMMERCIAL HOSPITALITY

Elevation: 4585' Topography (bajada, flat, etc): FLAT TO GENTLY SLOPING Datum/Zone: WGS84 11S

Visible Disturbance: ☐ Trash ☒ Roads ☒ Buildings ☐ Ammunition ☒ Other OUTDOOR VENUE - LANDSCAPING DECK, PERGOLA, STRUCTURES

Dominant Vegetation Type: SCRUB OAK, JOSHUA TREE Dominant Soil Type: SANDY LOAM

Sign #	Type (Bird, Nest, BUrrow, Scat, Tracks)	Species	Width (mm) (burrows)	Height (mm) (burrows)	Depth (>1m or < 1m) (burrows)	Easting (UTM WGS 84)	Northing (UTM WGS 84)	Notes
∅	—	—	—	—	—	—	—	NO SIGN FOUND

Page 1 of 1

Desert Tortoise Survey Datasheet

Project Surveyed: RIMROCK RANCH APN 059327101 APN 059332125 Date: 05/20/2023

Survey Type (spacing/direction): 10m BELT TRANSECTS NORTH ↳ SOUTH = 100% VISUAL COVERAGE

Surveyor(s): NATE JONES

Start Weather: 50% cc / 0-2 mph WIND / 26°C Start Time: 0700

End Weather: 30% cc / 0-2 mph WIND / 28°C End Time: 0900

County: SAN BERNARDINO Land Owner: HIGH DESERT HOLDINGS LLC Land Use: RESIDENTIAL, COMMERCIAL HOSPITALITY

Elevation: 4585' Topography (bajada, flat, etc): FLAT TO GENTLY SLOPING Datum/Zone: WGS 84 / 11S

Visible Disturbance: ☐ Trash ☒ Roads ☒ Buildings ☐ Ammunition ☒ Other OUTDOOR VENUE - LANDSCAPING AND STRUCTURES = DECK, PERGOLA, ETC.

Dominant Vegetation Type: SCRUB OAK, JOSHUA TREE Dominant Soil Type: SANDY LOAM

Sign #	Type (Burrow, Tortoise, Carcass, Scat, Tracks)	Class (1-5)	Width (burrows) MCL (mm)	Height (mm) (burrows)	Depth (burrows)	Easting (UTM WGS 84)	Northing (UTM WGS 84)	Excavated?	Notes
Ø	—	—	—	—	—	—	—	—	NO SIGN FOUND

Literature Cited

Agha, M., B. Augustine, J.E. Lovich, D. Delaney, B. Sinervo, M.O. Murphy, J.R. Ennen, J.R. Briggs, R. Cooper, and S.J. Price. 2015. Using motion-sensor camera technology to infer seasonal activity and thermal niche of the Desert Tortoise (*Gopherus agassizii*). *Journal of Thermal Biology* 49-50: 119-126.

California Burrowing Owl Consortium (CBOC). 1993. *Burrowing Owl Survey Protocols and Mitigation Guidelines.* https://wildlife.ca.gov/Conservation/Survey-Protocols

California Department of Fish and Game (CDFG). 2012. *Staff Report on Burrowing Owl Mitigation.* https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843

California Department of Fish and Wildlife (CDFW). 2023. *California Natural Diversity Database (CNDDB) Rare Find*, Version 5.2.14. California Department of Fish & Wildlife, Sacramento, CA. https://apps.wildlife.ca.gov/rarefind/view/RareFind.aspx

California Department of Fish and Wildlife (CDFW). 2022. Report to the Fish and Game Commission, March 2022: Status Review of Western Joshua Tree (*Yucca brevifolia*)

California Native Plant Society, Rare Plant Program. 2023. *Inventory of Rare and Endangered Plants of California* (online ed., v8-03 0.39). http://www.rareplants.cnps.org

Catlin, D. H., D.K. Rosenberg, and K.L Haley. 2005. The effects of nesting success and mate fidelity on breeding dispersal in Burrowing Owls. *Canadian Journal of Zoology* 83:1574–1580.

Circle Mountain Biological Consultants, Inc. 2008. Annotated Bibliography of CA Sensitive Species Surveys in the Morongo Basin, 1998-2008. Town of Yucca Valley: https://www.yucca-valley.org/home/showpublisheddocument/2608/

Conway, C. J., V. Garcia, M. D. Smith, and K. Hughes. 2008. Factors affecting detection of burrowing owl nests during standardized surveys. *Journal of Wildlife Management* 72: 688-696.

DeFalco, L. A., T. C. Esque, S. J. Scoles-Sciulla, and J. Rodgers. 2010. Desert wildfire and severe drought diminish survivorship of the long-lived Joshua tree (*Yucca brevifolia*; Agavaceae). American Journal of Botany 97:243–250.

Esque, T.C., P.A. Medica, D.F. Shryock, L.A. DeFalco, R.H. Webb, and R.B Hunter. 2015. Direct and indirect effects of environmental variability on growth and survivorship of pre-reproductive Joshua trees, *Yucca brevifolia engelm.* (Agavaceae). *American Journal of Botany* 102(1): 85-91. Doi:10.3732/ajb.1400257

Germano, D.J., R.B. Bury, T.C. Esque, T.H. Fritts, and P.A. Medica. 1994. Range and habitats of the desert tortoise. In: R.B. Bury and D.J. Germano (eds.) Biology of North American Tortoises. *Fish and Wildlife Research*, 13:73-84.

Gervais, J. A., D.K. Rosenberg, and R.G Anthony. 2003. Space use and pesticide exposure risk of male Burrowing Owls in an agricultural landscape. *Journal of Wildlife Management* 67: 156–165.

Gervais, J.A., D.K. Rosenberg, and L.A. Comrack. 2008. Burrowing Owl Species Account, in *California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. Studies of Western Birds 1.* In: W.D. Shuford and T. Gardali (eds.) Western Field Ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento.

iNaturalist, available at: https://www.inaturalist.org. Accessed 05/21/2023.

Lenz, L. W. 2007. Reassessment of *Yucca brevifolia* and recognition of *Y. jaegeriana* as a distinct species. Aliso 24:97–104

Murphy, R.W., K.H. Berry, T. Edwards, A.E. Leviton, A. Lathrop, and J.D. Riedle. 2011. The dazed and confused identity of Agassiz's land tortoise, *Gopherus agassizii* (Testudines, Testudinidae) with the description of a new species, and its consequences for conservation. *ZooKeys* 113:39–71.

Nussear, K.E., T.C. Esque, D.F. Haines, and C.R. Tracy. 2007. Desert Tortoise hibernation: temperatures, timing, and environment. *Copeia* 2007: 378-386.

Nussear, K. E., T.C. Esque, R.D. Inman, L. Gass, K.A. Thomas, C.S.A Wallace, J.B Blainey, D.M Miller, and R.H. Webb. 2009. Modeling habitat of the desert tortoise (*Gopherus agassizii*) in the Mojave and parts of the Sonoran Deserts of California, Nevada, Utah, and Arizona. *US Geological Survey Open-File Report 2009-1102*: 1-18.

Plumpton, D.L. and R.S. Lutz. 1993. Nesting habitat use by burrowing owls in Colorado. *Journal of Raptor Research* 27: 175–179.

Poulin, R.G., L.D. Todd, E.A. Haug, B.A. Millsap, and M.S. Martell. 2020. Burrowing Owl (*Athene cunicularia*), version 1.0. In *Birds of the World* (A. F. Poole, ed.) Cornell Lab of Ornithology, Ithaca, NY, USA. *https://doi.org/10.2173/bow.burowl.01*

Rosenberg, D.K., L.A. Trulio, D. Catlin, D. Chromczack, J.A. Gervais, N. Ronan, and K.A. Haley. 2007. *The ecology of the Burrowing Owl in California.* Unpublished Report to Bureau of Land Management. http://www.elkhornsloughctp.org/uploads/files/1439829056Rosenberg%20et%20al%20%202007%20Western%20Burrowing%20Owl.pdf

Rosier, J. R., N.A. Ronan, and D.K. Rosenberg. 2006. Post-breeding dispersal of Burrowing Owls in an extensive California grassland. *American Midland Naturalist* 155: 162–167.

Sullivan, B.L., C.L. Wood, M.J. Iliff, R.E. Bonney, D. Fink, and S. Kelling. 2009. eBird: a citizen-based bird observation network in the biological sciences. *Biological Conservation* 142: 2282-2292.

Sweet, L. C., T. Green, J. G. C. Heintz, N. Frakes, N. Graver, J. S. Rangitsch, J. E. Rodgers, S. Heacox, and C. W. Barrows. 2019. Congruence between future distribution models and empirical data for an iconic species at Joshua Tree National Park. *Ecosphere* 10(6):e02763. 10.1002/ecs2.2763

U.S. Fish and Wildlife Service. 2011. *Revised recovery plan for the Mojave population of the desert tortoise (Gopherus agassizii).* U.S. Fish and Wildlife Service, Pacific Southwest Region, Sacramento, California. https://www.fws.gov/nevada/desert_tortoise/dtro/dtro_recovery_plan.html

U.S. Fish and Wildlife Service (USFWS). 2018. Joshua Tree Status Assessment. Dated October 23, 2018. 113 pp. + Appendices A–C.

U.S. Fish and Wildlife Service (USFWS). 2019. *Preparing for Any Action that May Occur Within the Range of the Mojave Desert Tortoise (Gopherus agassizii).* https://www.fws.gov/nevada/desert_tortoise/documents/manuals/MojaveDesertTortoisePre-projectSurveyProtocol_2019_v2.pdf

U.S. Fish & Wildlife Service (USFWS). 2023. *Environmental Conservation Online System (ECOS)*. https://ecos.fws.gov/ecp/

Appendix C. Cultural Resources Assessment

This page intentionally left blank.

Archaeological Resources Inventory Report for the Rimrock Ranch Project

San Bernardino County, California

Prepared For:

Gwen Barker
Rimrock Ranch
50857 Burns Canyon Road
Pioneertown, California 92268

Prepared By:



215 North 5th Street
Redlands, California 92374

August 2023

MANAGEMENT SUMMARY

Rimrock Ranch retained ECORP Consulting, Inc. in 2023 to conduct an archaeological resources inventory for property in San Bernardino County, California. Rimrock Ranch proposes to construct accessible parking stalls for people with disabilities and life safety improvements that may be required as a result of a land use request to expand the recognized Motel Land Use to include seasonal events up to 200 people. The Project Area is located at Rimrock Ranch at 50857 Burns Canyon Road, south of Burns Canyon Road and adjacent to the eastern and western sides of Powder Horn Pass Road.

The inventory included a records search, literature review, and field survey. The records search results indicated that no previous cultural resources studies have been conducted within the Project Area. Currently, no archaeological resources have previously been recorded within the Project Area.

ECORP conducted a field survey on August 1, 2023. The survey identified six historic-period built environment resources, including five structures used by Rimrock Ranch known as the Breathe Barn, the Hatch House, Cabins 1 & 2, Cabins 3 & 4, and the lodge, as well as one unpaved road, Powder Horn Pass. At the request of the client, ECORP did not document or evaluate these historic-period built environment resources for eligibility for listing on the California Register of Historical Resources or National Register of Historic Places. Because these resources have not been recorded or evaluated, it is not currently known whether or not any of these are considered historical resources under CEQA or historic properties under Section 106 NHPA (if applicable). Recommendations for the management of unanticipated discoveries are provided.

TABLE OF CONTENTS

1.0 INTRODUCTION 1
1.1 Project Location and Description 1
1.2 Area of Potential Effects 1
1.3 Regulatory Context 3
1.3.1 National Environmental Policy Act 3
1.3.2 National Historic Preservation Act 3
1.3.3 California Environmental Quality Act 5
1.4 Report Organization 6
2.0 SETTING 7
2.1 Environmental Setting 7
2.2 Geology and Soils 7
2.3 Vegetation and Wildlife 7
3.0 CULTURAL CONTEXT 7
3.1 California Pre-Contact History 7
3.2 Mojave Pre-Contact History 8
3.2.1 Late Pleistocene/Early Holocene 9
3.3 Ethnohistory 12
3.4 Regional History 13
3.5 Pioneertown History 14
4.0 METHODS 14
4.1 Personnel Qualifications 14
4.2 Records Search Methods 15
4.3 Sacred Lands File Coordination Methods 16
4.4 Field Methods 16
5.0 RESULTS 17
5.1 Records Search 17
5.1.1 Previous Research 17
5.1.2 Records 18
5.1.3 Map Review and Aerial Photographs 19
5.2 Sacred Lands File Results 21
5.3 Field Survey Results 21
5.3.1 Cultural Resources 23
6.0 MANAGEMENT CONSIDERATIONS 24
6.1 Conclusions 24

6.2 Likelihood for Subsurface Cultural Resources 24
6.3 Recommendations 24
6.3.1 Avoidance 24
6.3.2 Post-Review Discoveries 24
7.0 REFERENCES CITED 26

LIST OF FIGURES

Figure 1. Project Location and Vicinity 2
Figure 2. Project Area Overview (view southeast; August 1, 2023). 21
Figure 3. Representative visibility of disturbed areas within the Project Area (view west; August 1, 2023). 22
Figure 4. Representative visibility of undisturbed areas within the Project Area (view north; August 1, 2023). 22

LIST OF TABLES

Table 1. Mojave Desert Chronology 9
Table 2. Previous Cultural Studies within 1 mile of the Project Area 17
Table 3. Previously Recorded Cultural Resources within 1 mile of the Project Area 18

LIST OF APPENDICES

Appendix A – Records Search Confirmation
Appendix B – Sacred Lands File Coordination
Appendix C – Project Area Photographs

LIST OF ACRONYMS AND ABBREVIATIONS

Term	Definition
ACHP	Advisory Council on Historic Preservation
APE	Area of Potential Effect
APN	Assessor Parcel Number
BLM	Bureau of Land Management
BP	years before present
Caltrans	California Department of Transportation
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CHL	California Historical Landmarks
CHRIS	California Historical Resources Information System
CRHR	California Register of Historical Resources
DPR	Department of Parks and Recreation
GLO	General Land Office
NAHC	Native American Heritage Commission
NHPA	National Historic Preservation Act
NPS	National Park Service
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
OHP	California Office of Historic Preservation
PRC	Public Resources Code
Project	Rimrock Ranch Project
RPA	Registered Professional Archaeologist
SCCIC	South Central Coastal Information Center
TCR	Tribal Cultural Resource
USGS	United States Geological Survey

1.0 INTRODUCTION

Rimrock Ranch retained ECORP Consulting, Inc. in 2023 to conduct an archaeological resources inventory of the property on the outskirts of the unincorporated community of Pioneertown in San Bernardino County, California. A survey of the Project Area was required to identify potentially eligible cultural resources (i.e., archaeological sites and historic buildings, structures, and objects) that could be affected by the Project.

1.1 Project Location and Description

The Project Area consists of approximately 11.13 acres of property located in the northeastern quarter of the southwestern quarter of Section 3, the southeastern quarter of the northeastern quarter of Section 3, and the southwestern quarter of the northwestern quarter of Section 3, Township 1 North, Range 4 East, San Bernardino Base and Meridian as depicted on the 1972 U.S. Geological Survey (USGS) Rimrock, California 7.5-minute topographic quadrangle map (Figure 1). The Project Area is located at 50857 Burns Canyon Road and is on the southern side of Burns Canyon Road and the eastern and western sides of the unpaved road, Powder Horn Pass. It is also known as Assessor Parcel Numbers (APNs) 0593-321-25-0000 and 0593-271-01-0000.

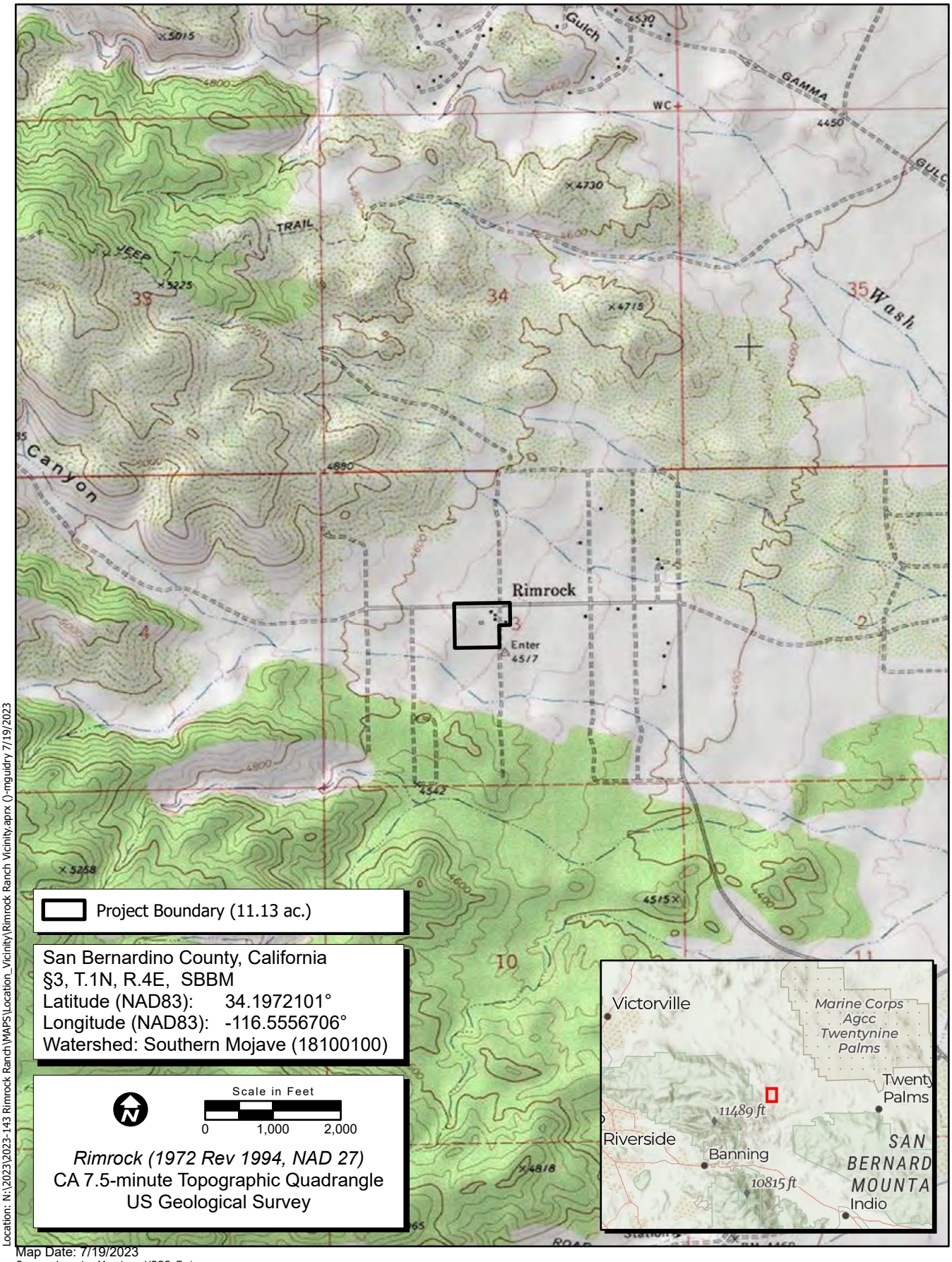
The Proposed Project currently entails the construction of accessible parking stalls for people with disabilities and any additional accommodations that the county may deem necessary for the parcel to be recognized for use as both a motel and seasonal venue for events with capacity to accommodate as many as 200 people.

1.2 Area of Potential Effects

The Area of Potential Effects (APE) consists of the horizontal and vertical limits of a project and includes the area within which significant impacts or adverse effects to Historical Resources or Historic Properties could occur because of the project. The APE is defined for projects subject to regulations implementing Section 106 (federal law and regulations). For projects subject to the California Environmental Quality Act (CEQA) review, the term Project Area is used rather than APE. The terms Project Area and APE are interchangeable for the purpose of this document.

The horizontal APE consists of all areas where activities associated with a project are proposed and, in the case of this Project, equals the Project Area subject to environmental review under the National Environmental Policy Act and CEQA. This includes areas proposed for construction, vegetation removal, grading, trenching, stockpiling, staging, paving, and other elements in the official Project description. The horizontal APE is illustrated in Figure 1 and represents the survey coverage area.

The vertical APE is described as the maximum depth below the surface to which excavations for project foundations and facilities will extend. Therefore, the vertical APE for this Project includes all subsurface areas where archaeological deposits could be affected. The subsurface vertical APE varies across the Project Area but could extend as deep as 4 feet below the current surface; therefore, a review of geologic and soils maps was necessary to determine the potential for buried archaeological sites that cannot be seen on the surface.



Location: N:\2023\2023-143 Rimrock Ranch\MAPS\Location_Vicinity\Rimrock Ranch Vicinity.aprx ()-mguidry 7/19/2023

Map Date: 7/19/2023

Sources: Loescher Meachem, USGS, Esri

Figure 1. Project Location and Vicinity

2023-143 Rimrock Ranch

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

The vertical APE also is described as the maximum height of structures that could impact the physical integrity and integrity of setting of cultural resources, including districts and traditional cultural properties. For this Project, the above-surface vertical APE is assumed to be 30 feet above the surface.

1.3 Regulatory Context

The CEQA lead agency for this Project is San Bernardino County. There is no federal agency involvement in this project.

A review of the regulatory context is provided below; however, the inclusion of any of these laws and regulations in this report does not make a law or regulation apply when it otherwise would not. Similarly, the omission of any other laws and regulations from this section does not mean that they do not apply. Rather, the purpose of this section is to provide context in explaining why the study was carried out in the manner documented herein.

1.3.1 National Environmental Policy Act

NEPA establishes national policy for the protection and enhancement of the environment. Part of the function of the federal government in protecting the environment is to "preserve important historic, cultural, and natural aspects of our national heritage." Cultural resources need not be determined eligible for the National Register of Historic Places (NRHP) through the National Historic Preservation Act (NHPA) of 1966 (as amended) to receive consideration under NEPA. NEPA is implemented by regulations of the Council on Environmental Quality (40 Code of Federal Regulations [CFR] 1500-1508).

The definition of *effects* in the NEPA regulations includes adverse and beneficial effects on historic and cultural resources (40 CFR 1508.8). Therefore, the *Environmental Consequences* section of an Environmental Impact Statement [see 40 CFR 1502.16(f))] must analyze potential effects to historic or cultural resources that could result from the proposed action and each alternative. In considering whether an alternative may "significantly affect the quality of the human environment," a federal agency must consider, among other things:

- Unique characteristics of the geographic area, such as proximity to historic or cultural resources (40 CFR 1508.27(b)(3)), and
- The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP (40 CFR 1508.27(b)(8)).

Therefore, because historic properties are a subset of *cultural resources*, they are one aspect of the *human environment* defined by NEPA regulations.

1.3.2 National Historic Preservation Act

The federal law that covers cultural resources that could be affected by federal undertakings is the National Historic Preservation Act (NHPA) of 1966, as amended. Section 106 of the NHPA requires that federal agencies take into account the effects of a federal undertaking on properties listed in or eligible for the NRHP. The agencies must afford the Advisory Council on Historic Preservation (ACHP) a

reasonable opportunity to comment on the undertaking. A federal undertaking is defined in 36 CFR 800.16(y):

> "A federal undertaking means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a federal agency, including those carried out by or on behalf of a federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license, or approval."

The regulations that stipulate the procedures for complying with Section 106 are in 36 CFR 800. The Section 106 regulations require:

- definition of the APE;
- identification of cultural resources within the APE;
- evaluation of the identified resources in the APE using NRHP eligibility criteria;
- determination of whether the effects of the undertaking or project on eligible resources will be adverse; and
- agreement on and implementation of efforts to resolve adverse effects, if necessary.

The federal agency must seek comment from the State Historic Preservation Officer (SHPO) and, in some cases, the ACHP, for its determinations of eligibility, effects, and proposed mitigation measures. Section 106 procedures for a specific project can be modified by negotiation of a Memorandum of Agreement or Programmatic Agreement between the federal agency, the SHPO, and, in some cases, the project proponent.

Effects to a cultural resource are potentially adverse if the lead federal agency, with the SHPO's concurrence, determines the resource eligible for the NRHP, making it a Historic Property, and if application of the Criteria of Adverse Effects (36 CFR 800.5[a][2] et seq.) results in the conclusion that the effects will be adverse. The NRHP eligibility criteria, contained in 36 CFR 63, are as follows:

> The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects of state and local importance that possess aspects of integrity of location, design, setting, materials, workmanship, feeling, association, and
>
> A. that are associated with events that have made a significant contribution to the broad patterns of our history; or
>
> B. that are associated with the lives of persons significant in our past; or
>
> C. that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
>
> D. that have yielded, or may be likely to yield, information important in prehistory.

In addition, the resource must be at least 50 years old, barring exceptional circumstances (36 CFR 60.4). Resources that are eligible for, or listed on, the NRHP are *historic properties*.

Regulations implementing Section 106 of the NHPA (36 CFR 800.5) require that the federal agency, in consultation with the SHPO, apply the Criteria of Adverse Effect to historic properties within the APE. According to 36 CFR 800.5(a)(1):

> "An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling or association."

1.3.3 California Environmental Quality Act

CEQA is the state law that applies to a project's impacts on cultural resources. A project is an activity that may cause a direct or indirect physical change in the environment and that is undertaken or funded by a state or local agency, or requires a permit, license, or lease from a state or local agency. CEQA requires that impacts to Historical Resources be identified and, if the impacts will be significant, then apply mitigation measures to reduce the impacts.

A Historical Resource is a resource that 1) is listed in or has been determined eligible for listing in the California Register of Historical Resources (CRHR) by the State Historical Resources Commission, or has been determined historically significant by the CEQA lead agency because it meets the eligibility criteria for the CRHR, 2) is included in a local register of historical resources, as defined in Public Resources Code (PRC) 5020.1(k), or 3), and has been identified as significant in a historical resources survey, as defined in PRC 5024.1(g) (California Code of Regulations [CCR] Title 14, Section 15064.5(a)).

The eligibility criteria for the CRHR are as follows (CCR Title 14, Section 4852(b)):

(1) It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;

(2) It is associated with the lives of persons important to local, California, or national history;

(3) It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or

(4) It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition, the resource must retain integrity, which is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association (CCR Title 14, Section 4852(c)). Resources that have been determined eligible for the National Register of Historic Places (NRHP) are automatically eligible for the CRHR.

Impacts to a Historical Resource, as defined by CEQA (listed in an official historic inventory or survey or eligible for the CRHR), are significant if the resource is demolished or destroyed or if the characteristics that made the resource eligible are materially impaired (CCR Title 14, Section 15064.5(b)). Demolition or

alteration of eligible buildings, structures, and features that they would no longer be eligible would result in a significant impact. Whole or partial destruction of eligible archaeological sites would result in a significant impact. In addition to impacts from construction resulting in destruction or physical alteration of an eligible resource, impacts to the integrity of setting (sometimes termed *visual impacts*) of physical features in the Project Area could also result in significant impacts.

Tribal cultural resources (TCRs) are defined in Section 21074 of the California PRC as sites, features, places, cultural landscapes (geographically defined in terms of the size and scope), sacred places, and objects with cultural value to a California Native American tribe that are either included in or determined to be eligible for inclusion in the CRHR, or are included in a local register of historical resources as defined in subdivision (k) of Section 5020.1, or are a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. Section 1(b)(4) of Assembly Bill 52 established that only California Native American tribes, as defined in Section 21073 of the California PRC, are experts in the identification of TCRs and impacts thereto. Because ECORP does not meet the definition of a California Native American tribe, it only addresses information in this report for which it is qualified to identify and evaluate, and that which is needed to inform the cultural resources section of CEQA documents. This report, therefore, does not identify or evaluate TCRs. Should California Native American tribes ascribe additional importance to or interpretation of archaeological resources described herein, or provide information about non-archeological TCRs, that information is documented separately in the Assembly Bill 52 tribal consultation record between the tribe(s) and lead agency and summarized in the TCRs section of the CEQA document, if applicable.

1.4 Report Organization

The following report documents the study and its findings and was prepared in conformance with the California Office of Historic Preservation's (OHP) *Archaeological Resource Management Reports: Recommended Contents and Format*. Appendix A includes a confirmation of the records search with the California Historical Resources Information System (CHRIS). Appendix B contains documentation of a search of the Sacred Lands File. Appendix C presents photographs of the Project Area.

Sections 6253, 6254, and 6254.10 of the California Code authorize state agencies to exclude archaeological site information from public disclosure under the Public Records Act. In addition, the California Public Records Act (Government Code § 6250 et seq.) and California's open meeting laws (The Brown Act, Government Code § 54950 et seq.) protect the confidentiality of Native American cultural place information. Because the disclosure of information about the location of cultural resources is prohibited by the Archaeological Resources Protection Act of 1979 (16 U.S. Code 552 470hh) and Section 307103 of the NHPA, it is exempted from disclosure under Exemption 3 of the federal Freedom of Information Act (5 U.S. Code 552). Likewise, the Information Centers of the CHRIS maintained by the OHP prohibit public dissemination of records search information.

2.0 SETTING

2.1 Environmental Setting

Elevations within the Project Area range from 4,480 to 4,520 feet above mean sea level.

The Project Area is located on an east-facing slope in the foothills of Bowden Flat and is between two ephemeral drainages. The ephemeral drainage to the south originates from Burns Canyon. The ephemeral drainage to the north has no name associated with it, nor does the draw from which it originates. Bowden Flat is located between the Bighorn Mountain Wilderness and the San Gorgonio Wilderness.

2.2 Geology and Soils

Soil data for the Project Area is not available. This data falls within the Mohave Desert Area, West Central Part, which has not been digitally compiled (Natural Resources Conservation Service 2023).

Geological maps of the Project Area (Dibblee and Minch 2028) indicate that the Project Area is composed of Quaternary Alluvial Silt, sand, and gravel floodplains flowing through Burns Canyon. These sediments are unconsolidated and undissected and derive from quartz diorite igneous rocks that were first solidified between the late Jurassic to the early Cretaceous.

There exists the potential for buried pre-contact archaeological sites within the Project Area due to the presence of quaternary alluvium along Burns Canyon (within the Project Area) and the likelihood of pre-contact archaeological sites located along perennial waterways.

2.3 Vegetation and Wildlife

The dominant plant community within the northeastern portion of the Project Area is disturbed and intentionally planted. This area consists mainly of Joshua trees and plantings of oleander, pine, fir, juniper with mistletoe, Italian cypress, agave, aloe vera, acacia, and various cacti. Undisturbed areas to the south and west consist mainly of Joshua trees, sage brush, desert oak, California buckwheat, and cheat grass.

Wildlife species that may occur within the Project Area include alligator lizards, desert iguana, whiptails, jackrabbits, and various rodents.

3.0 CULTURAL CONTEXT

3.1 California Pre-Contact History

It is generally believed that human occupation of California began at least 10,000 years before present (BP). The archaeological record indicates that between approximately 10,000 and 8,000 BP, a predominantly hunting economy existed, characterized by archaeological sites containing numerous projectile points and butchered large animal bones. Animals that were hunted probably consisted mostly of large species still alive today. Bones of extinct species have been found but cannot definitively be associated with human artifacts. Although small animal bones and plant grinding tools are rarely found within archaeological sites of this period, small game and floral foods were probably exploited on a

limited basis. A lack of deep cultural deposits from this period suggests that groups included only small numbers of individuals who did not often stay in one place for extended periods (Wallace 1978).

Around 8,000 BP, there was a shift in focus from hunting toward a greater reliance on plant resources. Archaeological evidence of this trend consists of a much greater number of milling tools (e.g., metates and manos) for processing seeds and other vegetable matter. This period, which extended until around 5,000 BP, is sometimes referred to as the Millingstone Horizon (Wallace 1978). Projectile points are found in archaeological sites from this period, but they are far fewer in number than from sites dating to 8,000 BP. An increase in the size of groups and the stability of settlements is indicated by deep, extensive middens at some sites from this period (Wallace 1978).

Archaeological evidence indicates that reliance on both plant gathering and hunting continued as in the previous period, with more specialized adaptation to particular environments in sites dating to after about 5,000 BP. Mortars and pestles were added to metates and manos for grinding seeds and other vegetable material. Flaked-stone tools became more refined and specialized, and bone tools were more common. New peoples from the Great Basin began entering Southern California during this period. These immigrants, who spoke a language of the Uto-Aztecan linguistic stock, seem to have displaced or absorbed the earlier population of Hokan-speaking peoples. During this period, known as the Late Horizon, population densities were higher than before, and settlement became concentrated in villages and communities along the coast and interior valleys (Erlandson 1994; McCawley 1996). Regional subcultures also started to develop, each with its own geographical territory and language or dialect (Kroeber 1925; McCawley 1996; Moratto 1984). These were most likely the basis for the groups that the first Europeans encountered during the 18th century (Wallace 1978). Despite the regional differences, many material culture traits were shared among groups, indicating a great deal of interaction (Erlandson 1994). The presence of small projectile points indicates the introduction of the bow and arrow into the region sometime around 2,000 BP (Wallace 1978; Moratto 1984).

3.2 Mojave Pre-Contact History

The Mojave Desert chronology is based on studies by Earle et al. 1997, Sutton et al. 2007, and Warren 1984. The temporal units used by Sutton et al. (2007) for the Mojave Desert were termed complexes because it was thought each complex represented a specific cultural adaptation or even a cultural group. However, cultural characteristics may vary within a temporal unit, both temporally and spatially. In the greater Mojave Desert region, the juxtaposition of different foothill- and desert-based adaptive systems and, apparently, of different cultural groups, makes the identification of a single complex as being characteristic of a temporal unit problematic. The temporal units used here are periods based on shifts in projectile point types. Such projectile point changes are used to mark temporal units, since this class of artifacts is the only one that can be said to be characteristic of each temporal unit (period) from the Pleistocene to Spanish contact (Sutton 2017). Dates for the periods are from Sutton (2016). The Mojave Desert chronology is shown in Table 1, and each period is discussed below.

Table 1. Mojave Desert Chronology	
Period	**Years**
Clovis Period	12000 to 9500 BC
Lake Mojave Period	9500 to 7000 BC
Pinto Period	8250 to 2500 BC
Gypsum Period	2500 BC to AD 225
Rose Spring Period	AD 225 to 1100
Late Prehistoric Period	AD 1100 to 1769
Mission Period	AD 1769 to 1835

Although there is archaeological evidence for human occupation before 12000 BC elsewhere in the Americas, no cultural material dating to the time before the Clovis Period has been found in the Mojave Desert.

3.2.1 Late Pleistocene/Early Holocene

3.2.1.1 Clovis Period (Fluted Point Complex) (12000 to 9500 BC)

The Clovis Period was an era of environmental transition between the late Pleistocene and early Holocene. The Clovis Period within the Mojave Desert is represented by fluted projectile points that were used by big game hunters. Fluted projectile points, including both Clovis points and Great Basin Corner-Notched points, were hafted to the end of a throwing spear. Fluted points have been discovered along the shores of former pluvial lakes at China Lake Naval Weapons Station and Edwards Air Force Base. There are two sites at China Lake with Clovis points, as well as Lake Mojave points. Thus, it is not known if other artifacts at these sites are associated with Clovis Period or Lake Mojave Period, or both. All other Clovis points in the Mojave Desert occur as isolated surface finds (Sutton 2018). It is thought that the Clovis groups consisted of small bands of hunters who followed big game herds.

3.2.1.2 Early and Middle Holocene

The people who occupied the Mojave Desert during the Early and Middle Holocene are thought to be descended from the Clovis megafauna hunters, who adapted to warming and drying conditions after the ice age ended. During the Early Holocene, the focus was on hunting artiodactyls around the remnant lakes. During the warm arid conditions of the Middle Holocene, these groups became more generalized foragers, who hunted and trapped large, medium, and small mammals and added plant foods to the diet.

3.2.1.3 Lake Mojave Period (9500 to 7000 BC)

During the Early Holocene, the climate became warmer and drier, resulting in a changing distribution of floral and faunal communities. However, there were still remnant pluvial lakes at this time. Lake Mojave Period sites are typically (but not exclusively) found around the margins of ancient lakes. The Lake Mojave

tool assemblages include Great Basin Stemmed series projectile points, including Lake Mojave and Silver Lake points. The shift from fluted points to stemmed points may indicate a shift from hunting megafauna to hunting artiodactyls (deer and mountain sheep). Sutton (2018) says that the fluted points were used on thrusting spears in an intercept hunting strategy, while the stemmed points of the Lake Mojave period were likely used on smaller spears launched with a spear-thrower (atlatl). Other flaked-stone tools include crescents (eccentrics), leaf-shaped bifaces (cutting and piercing tools), formed unifaces including large-domed scrapers and small beaked engravers, and cores from which flakes could be removed as needed. The cores were also used as tools (Sutton 2018). Ground stone implements occur in small numbers during this time (Warren 2002) and indicate the addition of hard seeds in the diet. It appears that Lake Mojave groups gradually adapted to a desiccating environment, resulting in shifts in technology and subsistence, with exploitation of additional ecozones.

3.2.1.4 Pinto Period (8250 to 2500 BC)

Pinto points first appear about 8250 BC. The Pinto Period overlaps in time with the Lake Mojave Period because both Great Basin Stemmed points and Pinto points occur during the overlapping period of time (8250 to 7000 BC). The Pinto Period was a time of increasing aridity culminating in the Mid-Holocene Warm Period, circa 5500-2500 BC. The disappearance of lakes was followed by a great reduction in streams and springs. By the end of the period, water could be obtained only at a small number of springs. The desert vegetation community similar to that of today developed during this period. Sites associated with this era are usually found in open settings, in relatively well-watered locales representing isolated oases of high productivity, such as fossil stream channels and springs. Increasing amounts of ground stone tools suggest increasing use of small seeds. Artiodactyl hunting continued, but increasing aridity reduced the number of deer available. Small animals such as rabbit, rodent, reptile, and fresh water mussel resources are present in significant quantities. The artifact assemblage is similar to the Lake Mojave assemblage. Pinto projectile points replaced Lake Mojave points and Silver Lake points, and crescents and engravers were no longer used. Drills were added to the assemblage and the number of ground stone tools increased (Warren 2002). Warren (2002) sees the shift in projectile point types and the increasing use of plant foods during the Pinto Complex as resulting from decreasing numbers of artiodactyls (deer and mountain sheep) during this warm, dry period. Pinto points may have been more efficient in taking artiodactyls because the shouldered Pinto points stayed inside the animal after it was shot (Warren 2010).

3.2.1.5 Late Holocene

Annual rainfall increased, and resource productivity improved significantly at the beginning of the Late Holocene after about 4,500 BP (circa 2500 BC). During the Late Holocene, there was an increase in population, along with increasing sedentism and intensification of resource use in and around the Mojave Desert. Three periods were defined within the Late Holocene in the Mojave Desert: the Gypsum Period (ca. 2500 BC to AD 225), the Rose Spring Period (roughly equivalent to Warren's Saratoga Springs Period, ca. AD 225 to 1100), and the Late Prehistoric Period (ca. AD 1100 to 1769) (Sutton 2016; Sutton et al. 2007; Warren 1984). Each period has characteristic projectile point types. The settlement system seen in the

Mission Period with permanent villages, especially along the valley margins, and temporary camps for collecting resources within the village's territory likely began to develop during the Gypsum Period.

3.2.1.6 Gypsum Period (ca. 2500 BC to AD 225)

During the Gypsum Period, the artifact assemblage included Elko and Gypsum dart points and bifaces. Ground stone milling tools became relatively commonplace. The subsistence pattern, based on material found in temporary camps in the desert, included generalized hunting activities (large, medium, and small mammals and desert tortoise), and seed processing, indicated by more numerous milling stones than in previous periods. Mesquite, located in high water table areas, may have been an important resource during Gypsum times. Quartz crystals, paint, and rock art indicate ritual activities (Sutton 2017).

3.2.1.7 Rose Spring Period (ca. AD 225 to 1100)

The Rose Spring Period is also known as the Saratoga Spring Period. The bow and arrow were introduced in the Mojave Desert at the beginning of the Rose Spring Period circa AD 225. Rose Spring and Eastgate arrow points were used, along with Cottonwood Triangular points beginning around AD 900. Other artifacts include stone knives and drills, bone awls, and ground stone tools.

3.2.1.8 Late Prehistoric Period (ca. AD 1100 to AD 1769)

Desert Side-Notched and Cottonwood Triangular arrow points were used during the Late Prehistoric Period. The rest of the Rose Spring artifact assemblage continued into the Late Prehistoric period with the addition of pottery. Bedrock mortars, indicating intensive acorn use, may have been used earlier in the late Holocene, but were numerous in the residential bases and villages in the desert margin. Some desert floor sites also featured bedrock mortars or portable mortars and pestles.

3.2.1.9 Mission Period (AD 1769 to AD 1835)

The Mission Period begins with the Portolá Expedition in AD 1769, which established the first permanent Spanish presence in California. Franciscan friars established missions at San Gabriel (AD 1771) and San Fernando (AD 1797) (Castillo 1978). The first written historical information about Native Americans in the Mojave Desert region dates from the 1770s, during the Mission Period. Ethnohistorical documentation from this period includes mission records and the accounts of Spanish friars and soldiers.

3.2.1.10 Other Temporal Units

Sutton (2018) recently proposed new temporal units consisting of patterns and phases with dating based on BP, rather than BC, for the Late Pleistocene through the Middle Holocene. In Sutton's new scheme, the Clovis Period is now the Lakebed Pattern, which is divided into Lakebed I (11,600 to 11,000 BP) Phase and Lakebed II (11,000 to 10,200 BP) Phase. The Lake Mojave Period is the Lake Mojave Pattern with Lake Mojave I (10,200 to 9,300 BP) and Lake Mojave II (9,300 to 8,500 BP) Phases. The Pinto Period is the Pinto Pattern with Pinto I (8,500 to 7,500 BP), Pinto II (7,500 to 5,000 BP), and Pinto III (5,000 to 4,000 BP) Phases. Note that in this new chronology, the Lake Mojave Pattern does not overlap in time with the Pinto

Pattern. Sutton's new chronology is not used in this research design since it has not yet been evaluated by other archaeologists who specialize in the Late Pleistocene and Early Holocene of the Mojave Desert.

3.3 Ethnohistory

The Project Area is located within the territory known to have been occupied by the Serrano group of Native Americans at the time of contact with Europeans, around 1769 C.E. The Serrano occupied an area in and around the San Bernardino Mountains and northward into the Mojave Desert. Their territory also extended west along the north slope of the San Gabriel Mountains, east as far as Twentynine Palms, north into the Victorville and Lucerne Valley areas, and south to the Yucaipa Valley and San Jacinto Valley (Cultural Systems Research 2005). The Serrano speakers in the Mojave Desert who lived along the Mojave River were known as Vanyume. Serrano is a language within the Takic family of the Uto-Aztecan language stock.

The Serrano were mainly hunters and gatherers who occasionally fished. Game hunted included mountain sheep, deer, antelope, rabbits, small rodents, and various birds, particularly quail. Vegetable staples consisted of acorns, pinyon nuts, bulbs and tubers, shoots and roots, juniper berries, mesquite, barrel cacti, and Joshua tree (Bean and Smith 1978).

A variety of materials were used for hunting, gathering, and processing food, as well as for shelter, clothing, and luxury items. Shells, wood, bone, stone, plant materials, and animal skins and feathers were used for making baskets, pottery, blankets, mats, nets, bags and pouches, cordage, awls, bows, arrows, drills, stone pipes, musical instruments, and clothing (Bean and Smith 1978).

Settlement locations were determined by water availability, and most Serrano lived in villages near water sources. Houses and ramadas were round and constructed of poles covered with bark and tule mats (Kroeber 1925). Most Serrano villages also had a ceremonial house used as a religious center. Other structures within the village might include granaries and sweathouses (Bean and Smith 1978).

Serrano social and political units were clans, patrilineal exogamous territorial groups. Each clan was led by a chief who had both political and ceremonial roles. The chief lived in a principal village within the clan's territory. The clans were part of a moiety system such that each clan was either a wildcat or coyote clan and marriages could only occur between members of opposite moieties (Earle 2004). On the north side of the San Bernardino Mountains, clan villages were located along the desert-mountain interface on Deep Creek, on the upper Mojave River, in Summit Valley, and in Cajon Pass. The principal plant food available near these villages was juniper berries. These villages also had access to mountain resources, such as acorns and pinyon nuts.

Partly due to their mountainous and desert inland territory, contact between Serrano and Euro-Americans was minimal prior to the early 1800s. In 1819, an *Asistencia* (mission outpost) was established near present-day Redlands and was used to help relocate many Serrano to Mission San Gabriel. However, small groups of Serrano remained in the area northeast of the San Gorgonio Pass and were able to preserve some of their native culture. Today, most Serrano live either on the Morongo or San Manuel reservations (Bean and Smith 1978).

3.4 Regional History

Colonization of California by Euro-Americans began with the Spanish Portolá land expedition. The expedition, led by Captain Gaspar de Portolá of the Spanish army and Father Junipero Serra, a Franciscan missionary, explored the California coast from San Diego to the Monterrey Bay Area in 1769. As a result of this expedition, Spanish missions to convert the native population, *presidios* (forts), and towns were established. The Franciscan missionary friars established 21 missions in Alta California (the area north of Baja California) beginning with Mission San Diego in 1769 and ending with the mission in Sonoma established in 1823. The purpose of the missions and presidios was to establish Spanish economic, military, political, and religious control over the Alta California territory. Mission San Gabriel Archangel was founded in 1771 east of what is now Los Angeles to convert the *Tongva* or Gabrielino. Mission San Luis Rey was established in 1798 on the San Luis Rey River (in what is now northern San Diego County) to convert the Luiseño (Castillo 1978). Some missions later established outposts in inland areas. An *Asistencia* (mission outpost) of Mission San Luis Rey, known as San Antonio de Pala, was built in Luiseño territory along the upper San Luis Rey River near Mount Palomar in 1810 (Pourade 1961). A chapel administered by Mission San Gabriel Archangel was established in the San Bernardino area in 1819 (Bean and Smith 1978a). The present *Asistencia* within the western outskirts of present-day Redlands was built circa 1830 (Haenszel and Reynolds 1975).

The missions sustained themselves through cattle ranching and traded hides and tallow for supplies brought by ship. Large cattle ranches were established by Mission San Luis Rey at Temecula and San Jacinto (Gunther 1984). The Spanish also constructed *presidios*, or forts, at San Diego and Santa Barbara, and a *pueblo*, or town, was established at Los Angeles. The Spanish period in California began in 1769 with the Portolá expedition and ended in 1821 with Mexican independence.

After Mexico became independent from Spain in 1821, what is now California became the Mexican province of Alta California. The Mexican government closed the missions in the 1830s and former mission lands were granted to retired soldiers and other Mexican citizens for use as cattle ranches. Much of the land along the coast and in the interior valleys became part of Mexican land grants or "ranchos" (Robinson 1948). The rancho owners lived in an adobe house on the rancho. The Mexican Period includes the years 1821 to 1848.

The American period began when the Treaty of Guadalupe Hidalgo, which ended the Mexican-American War, was signed between Mexico and the United States in 1848. As a result of the treaty, Alta California became part of the United States as the territory of California. Rapid population increase occasioned by the Gold Rush of 1849 allowed California to become a state in 1850. Most Mexican land grants were confirmed to the grantees by U.S. courts, but usually with more restricted boundaries which were surveyed by the U.S. Surveyor General's office. Land that was not part of a land grant was owned by the U.S. government until it was acquired by individuals through purchase or homesteading. Floods and drought in the 1860s greatly reduced the cattle herds on the ranchos, making it difficult to pay the new American taxes on the thousands of acres they owned. Many Mexican-American cattle ranchers borrowed money at usurious rates from newly arrived Anglo-Americans. The resulting foreclosures and land sales transferred most of the land grants into the hands of Anglo-Americans (Cleland 1941).

3.5 Pioneertown History

In 1946, Dick Curtis and other Hollywood inventors set out the goal to establish a "Living Breathing Movie Set". This goal was to make the land now known as Pioneertown to serve as a fully functional 1880s themed town for filming western movies, a good home for horse enthusiasts, and a destination for tourists interested in the era. Several investors formed a corporation to build their planned community (Visit Pioneertown & Pioneertown, USA 2021).

The town was originally intended to be called *Rogersville*, in honor of Roy Rogers. However, a promotional song called *Out in Pioneertown* became very popular and that name stuck. Groundbreaking began on September 1, 1946, and advertisements to visit were published on March 25, 1947 (Visit Pioneertown & Pioneertown, USA 2021). Most businesses and movie sets were centered around Mane Street, a roadway that allowed only horse and pedestrian traffic. Ranch sites with utilities and road access were offered for as low as $900 an acre (Pappy and Harriet's n.d.; Visit Pioneertown & Pioneertown, USA 2021). In 1949, with a working town, and plans for expansion, the Pioneertown corporation decided to slow community development and focus on catering to film producing companies; numerous films were produced here into the 1950s (Visit Pioneertown & Pioneertown, USA 2021).

On May 26, 2020, Pioneertown's central road, Mane Street was listed on the National Register of Historic Places, with investors like the Friends of Pioneertown and the Curtis Miller Foundation helping the process of historic designation. Most of the structures were original to the 1940s (Clisby 2020). Mane Street allows "Hoof -N- Foot Only" traffic, and includes tourist shops as well as a saddle shop and a mercantile store. Mane Street also features several false front buildings, including a bank, a barn, a bath house, a jail, a mining company, and a saloon, which all function only as movie sets. Aside from changes to some business names, Pioneertown appears much as it did when it first opened (Visit Pioneertown & Pioneertown, USA 2021).

4.0 METHODS

4.1 Personnel Qualifications

Registered Professional Archaeologist (RPA) Sonia Sifuentes, who meets the Secretary of the Interior's Professional Qualifications Standards for prehistoric and historical archaeology, supervised this archaeological resource investigation. Staff Archaeologist Robert Cunningham conducted the CHRIS records search. Associate Archaeologist Steve Wintergerst performed the field work. Mr. Wintergerst and Staff Archaeologist Michael DeGiovine, RPA prepared the technical report. Lisa Westwood, RPA provided technical report review and quality assurance.

Sonia Sifuentes, RPA is a Senior Archaeologist and the Southern California Cultural Resources Manager at ECORP and has more than 15 years of experience in cultural resources management, primarily in southern California. Ms. Sifuentes holds an M.S. in Archaeology of the North. She has participated in and supervised numerous surveys, test programs, and data recovery excavations for both prehistoric and historical sites; and has cataloged, identified, and curated thousands of artifacts. She has conducted evaluations of cultural resources for eligibility for the NRHP and CRHR. Ms. Sifuentes is experienced in the organization

and execution of field projects in compliance with Section 106 of the NHPA and CEQA. She has contributed to and authored numerous cultural resources technical reports, research designs, and cultural resources management plans.

Rob Cunningham has 17 years of experience in cultural resources management, with an emphasis on the recording, analysis, and evaluation of historic-period resources. He has participated in all aspects of archaeological fieldwork, including survey, test excavation, and construction monitoring. He has served as Field Director for archaeological inventories and site evaluation projects. He has recorded and mapped numerous prehistoric and historic-period archaeological sites and has identified and documented hundreds of prehistoric and historic artifacts. Mr. Cunningham has prepared numerous archaeological site records and has authored and contributed to a variety of cultural resources technical reports.

Steve Wintergerst is an Associate Archaeologist with 15 years of experience in cultural resources management. He holds a B.A. in Anthropology. Mr. Wintergerst has participated in all aspects of archaeological fieldwork and laboratory process, with extensive experience throughout California and western Arizona. His experience has involved working as an archaeological crew chief, archaeological technician, archaeological monitor, paleontological monitor, and paleontological preparator. He is experienced in the organization and execution of field projects in compliance with CEQA and Section 106 of the NHPA.

Michael M. DeGiovine, RPA is a Staff Archaeologist with over 17 years of experience in cultural resources management. He meets the Secretary of the Interior's Professional Qualifications Standards for prehistoric and historic archaeology. Mr. DeGiovine holds an M.A. in Anthropology from California State University, Fullerton in addition to a B.A in Anthropology from the University of California-San Diego. He has prepared or contributed to environmental documents, such as Environmental Impact Reports/Environmental Impact Statements or Cultural Resource studies that deal with CEQA and NHPA Sections 106 and 110. Mr. DeGiovine has coordinated and cooperated with primary contractors, clients, and other environmental stakeholders to ensure that projects meet environmental compliance and are completed expeditiously.

Lisa Westwood, RPA has 28 years of experience and meets the Secretary of the Interior's Professional Qualifications Standards for prehistoric and historical archaeology. She holds a B.A. in Anthropology and an M.A. in Anthropology (Archaeology). She is the Director of Cultural Resources for ECORP.

4.2 Records Search Methods

ECORP conducted a records search for the Project Area at the South Central Coastal Information Center (SCCIC) of the CHRIS at California State University, Fullerton on July 20, 2023 (Appendix A). The purpose of the records search was to determine the extent of previous surveys within a 1-mile (1,600-meter) radius of the Proposed Project Area and whether previously documented pre-contact or historic archaeological sites, architectural resources, or traditional cultural properties exist within this area.

In addition to the official records and maps for archaeological sites and surveys in San Bernardino County, the following historic references were also reviewed: Built Environment Resource Directory (OHP 2023a); Historic Property Data File for San Bernardino County (OHP 2012); the National Register Information

System (National Park Service [NPS] 2023); Office of Historic Preservation, California Historical Landmarks (CHL; OHP 2023b); CHL (OHP 1996 and updates); California Points of Historical Interest (OHP 1992 and updates); Directory of Properties in the Historical Resources Inventory (1999); Caltrans Local Bridge Survey (California Department of Transportation [Caltrans] 2022); Caltrans State Bridge Survey (Caltrans 2023); and *Historic Spots in California* (Kyle 2002).

Other references examined include a RealQuest Property Search and historic General Land Office (GLO) land patent records (Bureau of Land Management [BLM] 2023). Historic maps reviewed include:

- 1901 USGS San Bernardino, California topographic quadrangle map (1:250,000 scale);
- 1902 USGS San Gorgonio, California topographic quadrangle map (1:25,000 scale);
- 1906 BLM GLO Plat Map for Township 1 North, Range 4 East on the San Bernardino Meridian;
- 1953 USGS San Bernardino, California topographic quadrangle map (1:250,000 scale);
- 1955 USGS Morongo Valley, California topographic quadrangle map (1:62,500 scale);
- 1972 USGS Rimrock, California topographic quadrangle map (1:24,000 scale); and
- 2012 USGS Rimrock, California topographic quadrangle map (1:24,000 scale).

ECORP reviewed historic aerial photographs taken in 1970, 1983, 1994, 2005, 2009, 2010, 2012, 2014, 2016, 2018, and 2020 for any indications of property usage and built environment.

4.3 Sacred Lands File Coordination Methods

In addition to the records search, ECORP contacted the California Native American Heritage Commission (NAHC) on July 24, 2023 to request a search of the Sacred Lands File for the Project Area (Appendix B). This search determines whether the California Native American tribes within the Project Area have recorded Sacred Lands, because the Sacred Lands File is populated by members of the Native American community with knowledge about the locations of tribal resources. In requesting a search of the Sacred Lands File, ECORP solicited information from the Native American community regarding TCRs, but the responsibility to formally consult with the Native American community lies exclusively with the federal and local agencies under applicable state and federal laws. The lead agencies do not delegate government-to-government authority to any private entity to conduct tribal consultation.

4.4 Field Methods

ECORP subjected the Project Area to an intensive pedestrian survey on August 1, 2023 under the guidance of the *Secretary of the Interior's Standards for the Identification of Historic Properties* (NPS 1983) using 15-meter-spaced transects. ECORP expended 6 person-hours in the field. ECORP examined the ground surface for indications of surface or subsurface cultural resources and inspected the general morphological characteristics of the ground surface for indications of subsurface deposits that may be manifested on the surface, such as circular depressions or ditches. Whenever possible, ECORP examined the locations of subsurface exposures caused by such factors as rodent activity, water or soil erosion, or

vegetation disturbances for artifacts or for indications of buried deposits. ECORP did not conduct any subsurface investigations or artifact collections during the pedestrian survey.

Standard professional practice requires that all cultural resources encountered during the survey be recorded using Department of Parks and Recreation (DPR) 523-series forms approved by the California OHP. The resources are usually photographed, mapped using a handheld Global Positioning System receiver, and sketched as necessary to document their presence using appropriate DPR forms. At the direction of the client, any potential resources of historic age were not recorded or evaluated.

5.0 RESULTS

5.1 Records Search

The records search consisted of a review of previous research and literature, records on file with the SCCIC for previously recorded resources, and historical aerial photographs and maps of the vicinity.

5.1.1 Previous Research

Three previous cultural resource investigations have been conducted within 1 mile of the Project Area, covering approximately 15 percent of the total area surrounding the Project Area within the records search radius (Table 2). None of the three studies were conducted within the Project Area. These studies revealed the presence of pre-contact sites, including grinding stones, lithic scatters, potsherds, rock shelters, and trails; as well as a historic-period site consisting of a road (Table 3). The previous studies were conducted in 1987 and 1988 and vary in size from 320 to 1,120 acres.

Table 2. Previous Cultural Studies within 1 mile of the Project Area

Report Number SB-	Author(s)	Report Title	Year
1727	Singer, Clay. A., and John E. Atwood.	Cultural Resources Survey and Impact Assessment for Section 33, T2N R4E, near Rimrock, San Bernardino County, California	1987
1805	Singer, Clay A., and John E. Atwood.	Cultural Resources Survey and Impact Assessment for the Eastern Half of Section 4, T1N R4E, Near Rimrock, San Bernardino County, California	1988
1822	Macko, Michael E., Patricia Singer, Richard Osborne, and Charles Mcmanis	Final Report of an Archaeological Survey for an 1120-Acre Minor Subdivision Northeast of Rimrock, San Bernardino County, California	1988

Table 3. Previously Recorded Cultural Resources within 1 mile of the Project Area				
Site Number CA-SBR-	**Primary Number P-36-**	**Recorder(s) and Year**	**Age/ Period**	**Site Description**
1958	1958	Britt W. Wilson 2009	Pre-contact	Rock shelter with basketry, ceramics, and rock art
6146	6416	Singer and Associates 1988	Pre-contact	Lithic Scatter
–	20940	Britt W. Wilson 2009	Pre-contact	Milling Site
–	20941	Britt W. Wilson 2009	Pre-contact	Milling Site
–	20942	Britt W. Wilson 2009	Pre-contact	Milling Site
16378H	25902	Jeanette McKenna 2013	Historic	"Approximate Trail" and Pioneertown Road
–	60159	Clay A. Singer and John E. Atwood 1988	Pre-contact	Isolated potsherd

The results of the records search indicate that none of the property has been previously surveyed for cultural resources, and therefore, a pedestrian survey of the Project Area was warranted.

5.1.2 Records

The OHP's Built Environment Resource Directory for San Bernardino County (dated March 3, 2020) did not include any resources within 1 mile of the Project Area (OHP 2023a) and does not contain any properties in the unincorporated community of Pioneertown. The nearest built environment resources are in Yucca Valley, approximately 9 miles southeast of the Project Area.

The National Register Information System (NPS 2023) indicates that the nearest listed property is the Pioneertown Mane Street Historical District, which consists of 25 structures. The Pioneertown Mane Street Historical District is located 4.2 miles southeast of the Project Area.

ECORP reviewed resources listed as *California Historical Landmarks* (OHP 1996) by the OHP (2023b) on July 14, 2023. The nearest listed landmark is #775 Old Bear Valley Dam; the plaque is located 22 miles northwest of the Project Area.

ECORP reviewed resources listed as *California Historical Resources* by the OHP (2023c) on July 13, 2023. The nearest listed resources are Baldwin Lake and Bairdstown, both of which are located in the City of Big Bear Lake, approximately 22 miles northwest of the Project Area.

A review of *Historic Spots in California* (Kyle 2002) did not identify any mention of Pioneertown or Rimrock.

Historic GLO land patent records from the BLM's patent information database revealed that both the southern and northern halves of the southern half of Section 3 were patented to the Southern Pacific Railroad on March 13, 1935 as part of a grant containing approximately 5,844 acres in California. The federal government granted public land to the railroads, which the railroads could then sell to finance railroad construction.

A RealQuest online property search for the address 50857 Burns Canyon Road, Pioneertown, California reveals that it is connected to APN 0593-321-25-0000. This property consists of 8.93 acres belonging to High Desert Holding Company, LLC. It was sold in 2016 by Jim Austin to a private party through Fidelity National Title Company. Prior to that, a grant deed was issued for this property in 2004. The property includes a structure built from wood in 2007 that has 3,520 square feet of living space. Water is sourced from a well and the property has an individual sewer. The property is classified for use as a motel. No other information was available for this property.

A RealQuest Online property search for APN 0593-271-01-0000 revealed that it consists of 1.23 acres of property belonging to High Desert Holding Company, LLC. It was sold in 2016 by Jim Austin to a private party through Fidelity National Title Company. Prior to that, a grant deed was issued for the property in 2008. The property includes a structure with 2,592 square feet of living space and an attached 660-square-foot three-car garage. It is of frame construction with a furnace, porch, spa, evaporative cooler, and composition shingle roof. It was built in 1950 and includes one fireplace. It is classified as a single-family residence with a well.

The Caltrans Bridge Local and State Inventories (Caltrans 2022, 2023) did not list any historic bridges within 1 mile of the Project Area. The nearest local bridge is Art Hospital Wash in Yucca Valley, 9.17 miles southeast of the Project Area.

The *Handbook of North American Indians* (Bean and Smith 1978) shows the Project Area to be in Serrano territory but does not list any Serrano Native American villages. The nearest listed Native American village is the Cahuilla village *Pál Téwat*, approximately 17 miles south of the Project Area (Bean 1978).

5.1.3 Map Review and Aerial Photographs

The review of historical aerial photographs and maps of the Project Area provides information on the past land uses of the Project Area and potential for buried archaeological sites. This information shows the Project Area was initially used for trails. Following is a summary of the review of historical maps and photographs.

- The 1901 USGS San Bernardino, California topographic quadrangle map (1:250,000 scale) depicts a winding road coming out of Burns Canyon in a roughly eastward direction; the road is in a slightly different and more southern alignment compared to the present-day Burns Canyon Road. Due to the map's large scale and the imperfect mapmaking technology of the time, ECORP could not verify whether this road is within or outside of the Project Area.
- The 1902 USGS San Gorgonio, California topographic quadrangle map (1:250,000 scale) depicts improved roadways and an ephemeral drainage coming out of Burns Canyon outside and to the south of the Project Area. The Project Area itself shows no new development.
- The 1906 BLM GLO Plat Map for Township 1 North, Range 4 East depicts an ephemeral drainage in Burns Canyon and a trail marked "Wagon Road from Warren's Wells to Bear Valley" running through the southwestern and southeastern quarters of Section 3. Due to the map's large scale and the difficulty of comparing older maps with newer maps, ECORP could not verify whether this road is within or outside of the Project Area.

- The 1953 USGS San Bernardino, California topographic quadrangle map (1:250,000 scale) depicts an unimproved road running near the northern edge of the Project Area and forming a gentle curve; although exact positions are unclear at this scale, this may also indicate a previous alignment of Burns Canyon Road. The map does not show any developments within the Project Area.
- The 1955 USGS Morongo Valley, California topographic quadrangle map (1:62,500 scale) depicts an improved, straight east–west section of Burns Canyon Road following its present-day alignment, along with some unimproved north–south roads that match the alignments of some present-day roads outside of the Project Area. This is the earliest map of a scale where structures were regularly included in topographical maps. The map depicts three structures within the Project Area that likely correspond to the Hatch House, Cabins 1 & 2, and Cabins 3 & 4.
- Aerial photographs from 1970 indicate the presence of the Hatch House, Cabins 1 & 2, Cabins 3 & 4, and the Breathe Barn. Some disturbances are visible at the location of the present-day lodge, but it is unclear whether this is caused by a structure or some other disturbance.
- The 1972 USGS Rimrock, California topographic quadrangle map (1:24,000 scale) depicts the Project Area containing five structures that correspond to the Hatch House, Cabins 1 & 2, Cabins 3 & 4, the Breathe Barn, and the lodge. This map also depicts an unnamed dirt road that follows the current Powder Horn Pass alignment through the Project Area. A triangular icon with a dot inside it is depicted and labeled "Enter 45/7" near the southern end of the Project Area and on the eastern side of the dirt road. This symbol typically indicates a Horizontal Control Station, which may have a corresponding brass USGS survey marker on the ground.
- Aerial photographs from 1983 show the Hatch House, the Breathe Barn, Cabins 1 & 2, Cabins 3 & 4, the lodge, and Powder Horn Pass within the Project Area.
- Aerial photographs from 1994, 2005, and 2009 do not show any changes within the Project Area compared to the 1983 aerial photograph.
- Aerial photographs from 2010 and 2012 show the addition of Structure 9. The previous aerial photograph from 2009 does not show Structure 9 and the 2010 photograph is unclear; however, the 2012 photograph shows that Structure 9 is now present.
- The 2012 USGS Rimrock, California topographic quadrangle map (1:24,000 scale) and all subsequent topographical maps do not depict structures but now identify Rimrock Road and Powder Horn Pass by name.
- Aerial photographs from 2018 show the addition of Structures 8, 13, and 14.
- Aerial photographs from 2020 show the Project Area in its present-day configuration, indicating that Structures 15, 16, 17, and 18, which are not present in the 2018 aerial photographs, are the most recent additions.

In sum, the Project Area has been developed with one road and at least three structures since 1957 and is located on the outskirts of the unincorporated community of Pioneertown.

5.2 Sacred Lands File Results

The results of the NAHC search of the Sacred Lands File are still pending. A record of all correspondence to date is provided in Appendix B.

5.3 Field Survey Results

ECORP surveyed the Project Area for archaeological resources on August 1, 2023. The northeastern portion of the Project Area consisted of developed dirt pathways, landscaping, and the majority of the structures, with ground visibility of 80 to 99 percent in the unpaved areas (Figures 2 and 3). The southern and western portions of the Project Area are largely undeveloped and contain a few clearings for horse-related activities, in addition to Structure 19 near the southern edge of the Project Area; however, due to sparse desert vegetation, visibility in these portions of the Project Area ranged from 80 to 90 percent (Figure 4).



Figure 2. Project Area Overview (view southeast; August 1, 2023).



Figure 3. Representative visibility of disturbed areas within the Project Area (view west; August 1, 2023).



Figure 4. Representative visibility of undisturbed areas within the Project Area (view north; August 1, 2023).

5.3.1 Cultural Resources

No previously recorded sites or isolates have been recorded within the Project Area. During the 2023 survey, ECORP observed five historic structures and one historic roadway within the Project Area: the Breathe Barn, the Hatch House, the lodge, Cabins 1 & 2, Cabins 3 & 4, and Powder Horn Pass. Aerial photographs and historic topographic maps show that these structures and the roadway were completed after 1953 and before 1972. At the request of the client, ECORP did not map, record, or evaluate any of these structures or the roadway. No additional cultural resources were observed within the Project Area.

6.0 MANAGEMENT CONSIDERATIONS

6.1 Conclusions

The Breathe Barn, the Hatch House, the lodge, Cabins 1 & 2, Cabins 3 & 4, and Powder Horn Pass have not been recorded or evaluated using NRHP and CRHR eligibility criteria; therefore, it is not currently known whether any of these are considered historical resources under CEQA or historic properties under NHPA Section 106 (if applicable). Until the lead agency makes a final determination, no ground disturbing activity or demolition can occur.

6.2 Likelihood for Subsurface Cultural Resources

Due to the presence of alluvium throughout Burns Canyon and given the likelihood of pre-contact archaeological sites located along ephemeral waterways, there exists a moderate potential for buried pre-contact archaeological sites within the Project Area.

6.3 Recommendations

6.3.1 Avoidance

Five historic structures and one historic roadway were observed and noted within the Project Area: the Breathe Barn, the Hatch House, the lodge, Cabins 1 & 2, Cabins 3 & 4, and Powder Horn Pass. Project-related activities will avoid these resources, and therefore, these were not recorded or evaluated. ECORP recommends that these be treated as eligible for the purpose of this project and a fencing plan be developed to ensure that these resources are excluded from all work areas during construction.

6.3.2 Post-Review Discoveries

There always remains the potential for ground-disturbing activities to expose previously unrecorded cultural resources. Both CEQA and Section 106 of the NHPA require the lead agency to address any unanticipated cultural resource discoveries during Project construction. Therefore, ECORP recommends the lead agency adopt and implement the following mitigation measures to reduce potential adverse impacts to Less than Significant:

- If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:
    - If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and no agency notifications are required.
    - If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, the archaeologist shall immediately

notify the lead agencies. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines or a historic property under Section 106 NHPA, if applicable. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Historical Resource under CEQA or a Historic Property under Section 106; or 2) that the treatment measures have been completed to their satisfaction.

- If the find includes human remains, or remains that are potentially human, they shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the San Bernardino County Medical Examiner (per Section 7050.5 of the Health and Safety Code). The provisions of Section 7050.5 of the California Health and Safety Code, Section 5097.98 of the California PRC, and AB 2641 will be implemented. If the coroner determines the remains are Native American and not the result of a crime scene, the coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the Project (Section 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (Section 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (Section 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

The Lead Agency is responsible for ensuring compliance with these mitigation measures. Section 15097 of Title 14, Chapter 3, Article 7 of CEQA, *Mitigation Monitoring or Reporting*, "The public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program."

7.0 REFERENCES CITED

Bean, L. J. 1978. Cahuilla. In *Handbook of North American Indians, Volume 8: California*, edited by Robert F. Heizer, pp. 575-587. Smithsonian Institution, Washington, D.C.

Bean, L. J. and C. R. Smith. 1978. Serrano. In *Handbook of North American Indians, Volume 8: California*, edited by Robert F. Heizer, pp. 570-574. Smithsonian Institution, Washington, D.C.

Bureau of Land Management (BLM). 2023 Bureau of Land Management, General Land Office Records, Records Automation website, http://www.glorecords.blm.gov. Accessed August 4, 2023.

California Department of Transportation (Caltrans). 2023. Caltrans Geographic Information Systems data. State Highway Bridges. Data updated February 13, 2023, https://gisdata-caltrans.opendata.arcgis.com/datasets/ea685fd702f840a7a751b12373d6249c_0/explore?location=34.217483%2C-116.564195%2C12.12. Accessed August 4, 2023.

_____. 2022. Caltrans Geographic Information Systems data. Local Bridges. Data updated June 21, 2022, https://gisdata-caltrans.opendata.arcgis.com/datasets/989216729fdd41b3beb73029e000deda_0/explore?location=37.076435%2C-119.289783%2C7.00. Accessed August 4, 2023.

Castillo, Edward D. 1978. The Impact of Euro-American Exploration and Settlement. In *Handbook of North American Indians, Volume 8: California,* edited by Robert F. Heizer, pp. 99-127. Smithsonian Institution, Washington D.C.

Cleland, Robert G. 1941. *The Cattle on a Thousand Hills: Southern California, 1850-1870*. Huntington Library, San Marino, California.

Clisby, Heather. June 11, 2020. Z 107.7 FM. Pioneertown Now Listed on National Register of Historic Places, http://z1077fm.com/pioneertown-now-listed-on-national-register-of-historic-places/. Accessed August 4, 2023.

Cultural Systems Research. 2005. *Inland Feeder Proct: Final Report, Native American Ethnography and Ethnohistory*. Prepared for Metropolitan Water District of Southern California, Los Angeles. Report #RI-5088 on file at the Eastern Information Center, University of California, Riverside. Menlo Park, California.

Dibblee, T. W. and J. A. Minch. 2008. Geologic Map of the San Gorgonio Mountain & Morongo Valley 15 Minute Quadrangles, San Bernardino & Riverside Counties, California, Dibble Geological Foundation, Dibblee Foundation Map DF-381, 1:62,500. https://ngmdb.usgs.gov/mapview/?center=-116.545,34.199&zoom=15. Accessed August 4, 2023.

Earle, D. D. 2004. Native Population and Settlement in the Western Mojave Desert in the Eighteenth and Nineteenth Centuries. In *Proceedings of the Millennium Conference: the Human Journey and Ancient Life in California's Deserts, May 9-12, 2001*. Maturango Museum Press, Ridgecrest, California.

Earle, D. D., K. A. Lark, C. J. Parker, M. R. Ronning, and J. Underwood. 1997. Cultural Resources Overview and Management Plan for Edwards Air Force Base, California. Volume 1: Overview of Prehistoric Cultural Resources. Edwards Air Force Base, California: Environmental Management Office.

Erlandson, J. M. 1994. *Early Hunter-Gatherers of the California Coast*. Plenum Press, New York.

Gunther, Jane Davies. 1984. *Riverside County, California, Place Names: Their Origins and Their Stories.* Rubidoux Printing Company, Riverside.

Haenszel, Arda M. and Jennifer Reynolds. 1975. *The Historic San Bernardino Mission District*. San Bernardino County Museum Association, Redlands, California.

Kroeber, A. L. 1925. Handbook of the Indians of California. Bureau of American Ethnology Bulletin 78. Washington.

Kyle, Douglas. 2002. *Historic Spots in California*. Stanford University Press. Stanford, California.

McCawley, William. 1996.*The First Angelinos: the Gabrielino Indians of Los Angeles.* Malki Museum Press, Banning.

Moratto, Michael. 1984. *California Archaeology*. Academic Press, Orlando.

National Park Service (NPS). 2023 National Register of Historic Places, Digital Archive search on NPGallery, https://npgallery.nps.gov/NRHP. Accessed August 4, 2023.

_____. 1983. Archaeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines. 48 Federal Register 44716-68.

Natural Resources Conservation Service. 2023. Natural Resources Conservation Service Web Soil Survey, http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm. Accessed July 7, 2023.

Office of Historic Preservation (OHP). 2023a. *Office of Historic Preservation.* Built Environment Resource Directory (BERD), dated July 7, 2023. https://ohp.parks.ca.gov/?page_id=30338. Accessed July 14, 2023.

_____. 2023b. *Office of Historic Preservation California Historical Landmarks Website*, http://ohp.parks.ca.gov/?page_id=21387. Accessed July 14, 2023.

_____. 2023c. *Office of Historic Preservation California Historical Resources Website*, https://ohp.parks.ca.gov/listedresources/. Accessed July 14, 2023.

_____. 1999. Directory of Properties in the Historical Resources Inventory.

_____. 1996. California Historical Landmarks. California Department of Parks and Recreation, Sacramento, California.

_____. 1992. California Points of Historical Interest. California Department of Parks and Recreation, Sacramento, California.

Pappy and Harriet's. n.d. How it all Began, https://pappyandharriets.com/history/. Accessed August 4, 2023.

Pourade, Richard. 1961. *The History of San Diego: Time of the Bells*. San Diego Historical Society. https://web.archive.org/web/20020221082220/http:/www.sandiegohistory.org/books/pourade/time/timechapter9.htm. Accessed July 14, 2023.

Robinson, W. W. 1948. *Land in California: The Story of Mission Lands, Ranchos, Squatters, Mining Claims, Railroad Grants, Land Scrip, Homesteads*. University of California Press, Berkeley.

Sutton, M. Q. 2018. From the Late Pleistocene to the Middle Archaic in the Mojave Desert: A Past Evolving. In: *The Archaic Southwest: Foragers in an Arid Land*. Vierra Bradley J., editor. p. 31-51. Published by University of Utah Press, Salt Lake City, Utah.

_____. 2017. Chasing Ghosts? Rethinking the Prehistory of the Late Holocene Mojave Desert. *Pacific Coast Archaeological Society Quarterly* 53(1):2-78.

_____. 2016. Evolving Patterns of Villages in the Southwestern Mojave Desert, California. In: *Late Holocene Research on Foragers and Farmers in the Desert West*. Barbara J. Roth, McBrinn Maxine E., editors. p. 265-284. Published by University of Utah Press, Salt Lake City, Utah.

Sutton, M. Q., M. E. Basgall, J. K. Gardner, and M. W. Allen. 2007. Advances in Understanding Mojave Desert Prehistory. In: *California Prehistory: Colonization, Culture, and Complexity* edited by Terry L. Jones and Kathryn A. Klar, pp. 229-245. Altamira Press, Lanham, Maryland.

Visit Pioneertown & Pioneertown, USA. 2021. The Story of Pioneertown, https://visitpioneertown.com/the-story. Accessed August 4, 2023.

Wallace, William J. 1978. Post-Pleistocene Archeology, 9000 to 2000 BC. In *Handbook of North American Indians, Vol. 8: California*, edited by Robert F. Heizer, pp. 25-36. Smithsonian Institution, Washington, D.C.

Warren, C. N. 2010. Subsistence Strategies, Focusing, and Women in Prehistory. *SAA Archaeological Record* 10(2):20-22,30.

_____. 2002. Time, Form and Variability: Lake Mojave and Pinto Periods in Mojave Desert Prehistory. In *Essays in California Archaeology: A Memorial to Franklin Fenenga*, edited by William J. Wallaceand Francis A. Riddell, pp. 129-141. Published by Contributions of the University of California Archaeological Research Facility, No. 60, Berkeley, California.

_____. 1984. The Desert Region. In *California Archaeology,* edited by Michael J. Moratto, pp. 339-430. Academic Press, Orlando, Florida.

LIST OF APPENDICES

Appendix A – Records Search Confirmation

Appendix B – Sacred Lands File Coordination

Appendix C – Project Area Photographs

APPENDIX A

Records Search Confirmation

California Historical Resources Information System

CHRIS Data Request Form

ACCESS AND USE AGREEMENT NO.: 34.00 **IC FILE NO.:** _____

To: Information Center

Print Name: _____ Date: _____

Affiliation: ECORP Consulting, Inc.

Address: 2525 Warren Drive

City: Rocklin State: CA Zip: 95677

Phone: (916) 782-9100 Fax: (916) 782-9134 Email: _____

Billing Address (if different than above): _____

Billing Email: _____ Billing Phone: (916) 782-9100

Project Name / Reference: _____

Project Street Address: _____

County or Counties: _____

Township/Range/UTMs: _____

USGS 7.5' Quad(s): _____

PRIORITY RESPONSE (Additional Fee): yes ☐ / no ■

TOTAL FEE NOT TO EXCEED: $ 1,000.00
(If blank, the Information Center will contact you if the fee is expected to exceed $1,000.00)

Special Instructions:

Please let us know if fee is expected to exceed $1,000. Please do not include pdf copies of the ECORP reports. We would like them listed on the database printout. Please include the shapefiles in *.shp or *.gdb format. Please do not spend extra time making the maps look "pretty".
Thank you.

Information Center Use Only

Date of CHRIS Data Provided for this Request: _____

Confidential Data Included in Response: yes ☐ / no ☐

Notes: _____

_____

CHRIS Data Request Form

Mark the request form as needed. Attach a PDF of your project area (with the radius if applicable) mapped on a 7.5' USGS topographic quadrangle to scale 1:24000 ratio 1:1 neither enlarged nor reduced and include a shapefile of your project area, if available. Shapefiles are the current CHRIS standard for submitting digital spatial data for your project area or radius. **Check with the appropriate IC for current availability of digital data products.**

- Documents will be provided in PDF format. Paper copies will only be provided if PDFs are not available at the time of the request or under specially arranged circumstances.
- Location information will be provided as a digital map product (Custom Maps or GIS data) unless the area has not yet been digitized. In such circumstances, the IC may provide hand drawn maps.
- In addition to the $150/hr. staff time fee, client will be charged the Custom Map fee when GIS is required to complete the request [e.g., a map printout or map image/PDF is requested and no GIS Data is requested, or an electronic product is requested (derived from GIS data) but no mapping is requested].

For product fees, see the CHRIS IC Fee Structure on the OHP website.

1. Map Format Choice:

Select One: Custom GIS Maps ☐ GIS Data ☐ Custom GIS Maps **and** GIS Data ☒ No Maps ☐

Any selection below left unmarked will be considered a "no. "

Location Information:

	Within project area	Within .5 mi. radius
ARCHAEOLOGICAL Resource Locations[1]	yes ☒ / no ☐	yes ☒ / no ☐
NON-ARCHAEOLOGICAL Resource Locations	yes ☒ / no ☐	yes ☒ / no ☐
Report Locations[1]	yes ☒ / no ☐	yes ☒ / no ☐
"Other" Report Locations[2]	yes ☐ / no ☒	yes ☐ / no ☒

3. Database Information:
(contact the IC for product examples, or visit the SSJVIC website for examples)

	Within project area	Within .5 mi. radius
ARCHAEOLOGICAL Resource Database[1]		
List (PDF format)	yes ☒ / no ☐	yes ☒ / no ☐
Detail (PDF format)	yes ☐ / no ☒	yes ☐ / no ☒
Excel Spreadsheet	yes ☒ / no ☐	yes ☒ / no ☐
NON-ARCHAEOLOGICAL Resource Database		
List (PDF format)	yes ☒ / no ☐	yes ☒ / no ☐
Detail (PDF format)	yes ☐ / no ☒	yes ☐ / no ☒
Excel Spreadsheet	yes ☒ / no ☐	yes ☒ / no ☐
Report Database[1]		
List (PDF format)	yes ☒ / no ☐	yes ☒ / no ☐
Detail (PDF format)	yes ☐ / no ☒	yes ☐ / no ☒
Excel Spreadsheet	yes ☒ / no ☐	yes ☒ / no ☐
Include "Other" Reports [2]	yes ☐ / no ☒	yes ☐ / no ☒

4. Document PDFs (paper copy only upon request)**:**

	Within project area	Within .5 mi. radius
ARCHAEOLOGICAL Resource Records[1]	yes ☒ / no ☐	yes ☒ / no ☐
NON-ARCHAEOLOGICAL Resource Records	yes ☒ / no ☐	yes ☒ / no ☐
Reports[1]	yes ☒ / no ☐	yes ☐ / no ☒
"Other" Reports[2]	yes ☐ / no ☒	yes ☐ / no ☒

CHRIS Data Request Form

5. Eligibility Listings and Documentation:

	Within project area	Within .5 mi. radius
OHP Built Environment Resources Directory[3]:		
Directory listing only (Excel format)	yes ☐ / no ☒	yes ☐ / no ☒
Associated documentation[4]	yes ☐ / no ☒	yes ☐ / no ☒
OHP Archaeological Resources Directory[1,5]:		
Directory listing only (Excel format)	yes ☒ / no ☐	yes ☐ / no ☒
Associated documentation[4]	yes ☒ / no ☐	yes ☐ / no ☒
***California Inventory of Historic Resources* (1976):**		
Directory listing only (PDF format)	yes ☒ / no ☐	yes ☐ / no ☒
Associated documentation[4]	yes ☒ / no ☐	yes ☐ / no ☒

6. Additional Information:

The following sources of information may be available through the Information Center. However, several of these sources are now available on the OHP website and can be accessed directly. The Office of Historic Preservation makes no guarantees about the availability, completeness, or accuracy of the information provided through these sources. Indicate below if the Information Center should review and provide documentation (if available) of any of the following sources as part of this request.

Caltrans Bridge Survey	yes ☐ / no ☒
Ethnographic Information	yes ☐ / no ☒
Historical Literature	yes ☐ / no ☒
Historical Maps	yes ☐ / no ☒
Local Inventories	yes ☒ / no ☐
GLO and/or Rancho Plat Maps	yes ☐ / no ☒
Shipwreck Inventory	yes ☐ / no ☒
Soil Survey Maps	yes ☐ / no ☒

---

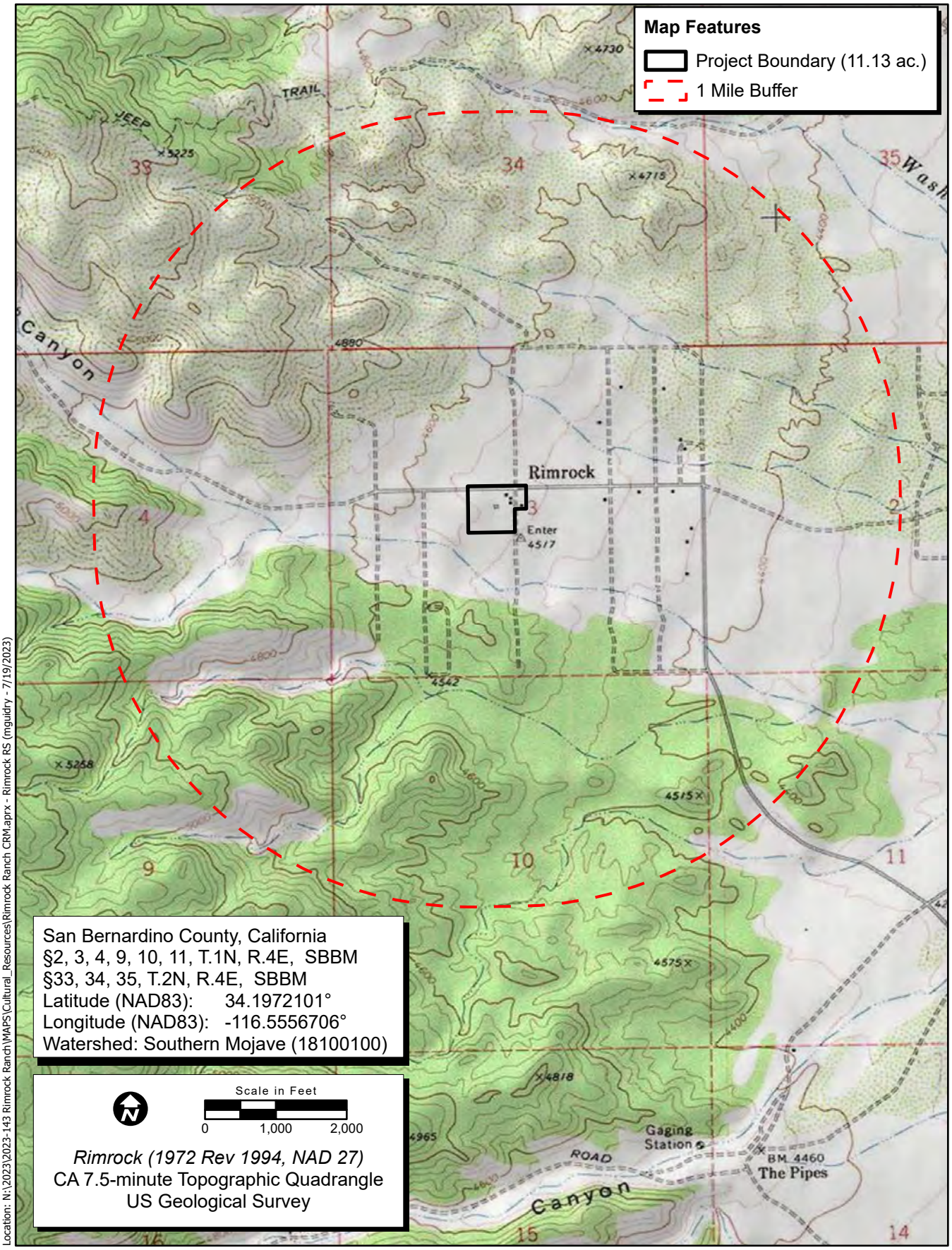
[1] In order to receive archaeological information, requestor must meet qualifications as specified in Section III of the current version of the California Historical Resources Information System Information Center Rules of Operation Manual and be identified as an Authorized User or Conditional User under an active CHRIS Access and Use Agreement.

[2] "Other" Reports GIS layer consists of report study areas for which the report content is almost entirely non-fieldwork related (e.g., local/regional history, or overview) and/or for which the presentation of the study area boundary may or may not add value to a record search.

[3] Provided as Excel spreadsheets with no cost for the rows; the only cost for this component is IC staff time. Includes, but not limited to, information regarding National Register of Historic Places, California Register of Historical Resources, California State Historical Landmarks, California State Points of Historical Interest, and historic building surveys. Previously known as the HRI and then as the HPD, it is now known as the Built Environment Resources Directory (BERD). The Office of Historic Preservation compiles this documentation and it is the source of the official status codes for evaluated resources.

[4] Associated documentation will vary by resource. Contact the IC for further details.

[5] Provided as Excel spreadsheets with no cost for the rows; the only cost for this component is IC staff time. Previously known as the Archaeological Determinations of Eligibility, now it is known as the Archaeological Resources Directory (ARD). The Office of Historic Preservation compiles this documentation and it is the source of the official status codes for evaluated resources.



Location: N:\2023\2023-143 Rimrock Ranch\MAPS\Cultural_Resources\Rimrock Ranch CRM.aprx - Rimrock RS (mguidry - 7/19/2023)

Map Date: 7/19/2023

Sources: ESRI, USGS

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

Records Search

2023-143 Rimrock Ranch

APPENDIX B

Sacred Lands File Coordination

Sacred Lands File & Native American Contacts List Request

Native American Heritage Commission
1550 Harbor Blvd, Suite 100
West Sacramento, CA 95691
916-373-3710
916-373-5471 – Fax
nahc@nahc.ca.gov

Information Below is Required for a Sacred Lands File Search

Project: Rimrock Ranch Project

County:

USGS Quadrangle Name: Rimrock, CA 1972,

Township: 1 North **Range:** 4 East **Section(s):** 3

Company/Firm/Agency: ECORP Consulting

Street Address: 215 North 5th. Street

City: Rocklin **Zip:** 95677

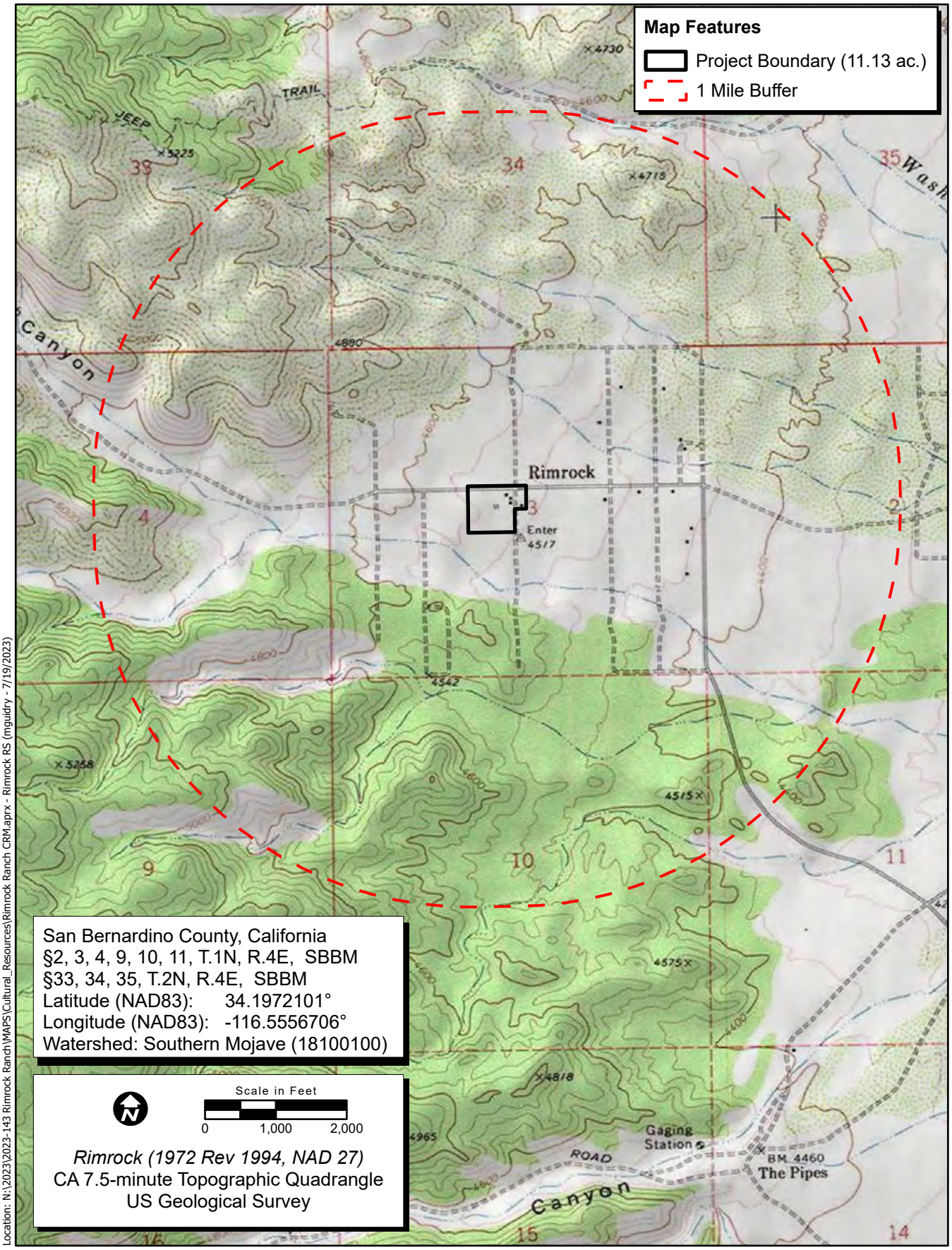
Phone: (916) 782-9100

Fax: (916) 782-9134

Email:

Project Description:

Proposed rezoning of an 11.13-acre Parcel at 5087 Burns Canyon Road Pioneertown, CA, Project area is on Assessor's Parcel Numbers 059332125 and 059327101



Location: N:\2023\2023-143 Rimrock Ranch\MAPS\Cultural_Resources\Rimrock Ranch CRM.aprx - Rimrock RS (mguidry - 7/19/2023)

Map Date: 7/19/2023

Sources: ESRI, USGS

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

Records Search

2023-143 Rimrock Ranch

RE: Rimrock Ranch 2023-143

NAHC@NAHC <NAHC@nahc.ca.gov>
Wed 7/26/2023 1:27 PM

To:Steven Wintergerst <swintergerst@ecorpconsulting.com>

Cc:Robert Cunningham <rjcunningham@ecorpconsulting.com>;Sonia Sifuentes <ssifuentes@ecorpconsulting.com>;Vela, Cameron@NAHC <Cameron.Vela@nahc.ca.gov>

2 attachments (2 MB)
ECORP 2023-143 Sacred-Lands-File-NA-Contact-Form.pdf; Rimrock RS (draft01).pdf;

Hello,

Thank you for your message. We're in receipt of your request. We have recently hired new staff, and this change in our office is creating some delays. We estimate a turn-around time of 4 weeks and don't anticipate responding sooner than the end of that time frame. Please let us know if you have any questions.

Kind regards,

Native American Heritage Commission
1550 Harbor Blvd, Suite 100
West Sacramento, CA 95691
(916) 373-3710

STATE OF CALIFORNIA
NATIVE AMERICAN
HERITAGE COMMISSION

From: Steven Wintergerst <swintergerst@ecorpconsulting.com>
Sent: Monday, July 24, 2023 10:32 AM
To: NAHC@NAHC <NAHC@nahc.ca.gov>
Cc: Robert Cunningham <rjcunningham@ecorpconsulting.com>; Sonia Sifuentes <ssifuentes@ecorpconsulting.com>
Subject: Rimrock Ranch 2023-143

Hello, Ecorp Consulting Inc. is requesting a sacred lands search for a proposed Rezoning on an 11.13-acre parcel at 5087 Burns Canyon Road, Pioneertown, CA. Attached are the request form and map of the project Area. Please let me know if you have any questions. Thanks.

Robert J. Cunningham
Staff Archaeologist/Staff Coordinator
ECORP Consulting, Inc.

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

California Small Business for Public Works (SB-PW)
215 North 5th Street, Redlands, California 92374
Ph: 909.255.7587 ♦ Cell: 909.747.4679 ♦ Fax: 909.307.0056
rjcunning@ecorpconsulting.com♦ www.ecorpconsulting.com
Rocklin ♦ Redlands ♦ Santa Ana ♦ San Diego ♦ Chico ♦ Flagstaff, AZ ♦ Santa Fe, NM

APPENDIX C

Project Area Photographs

State of California — The Resources Agency **Primary #**
DEPARTMENT OF PARKS AND RECREATION **HRI#**

PHOTOGRAPH RECORD

Trinomial

Page of **Resource/Project Name:** **Year** 2023
Camera: Lens Size: 35mm
Film Type and Speed: Digital Negatives Kept at: ECORP Consulting, Inc.

#	Mo.	Day	Time	Subject/Description	View Toward	INITIALS
091056	8	1		Typical Ground Vegetation	SW	saw
091450	8	1		Overview NW Corner	E	saw
091453	8	1		Overview NE Corner	S	saw
092038	8	1		Overview NE Corner	W	saw
092042	8	1		Overview NE Corner	S	saw
092509	8	1		Overview Se Corner East Parcel	N	saw
092518	8	1		Overview SE Corner E Parcel	W	saw
093205	8	1		Overview SE corner W parcel	w	saw
093208	8	1		Overview SE corner W parcel	N	saw
093217	8	1		Power Poles from Pass Road	n	saw
093329	8	1		Power Poles from Pass Road	s	saw
093939	8	1		Overview SW corner	e	saw
093945	8	1		Overview SW corner	n	saw
094246	8	1		Typical Ground Visibility	se	saw
094547	8	1		Modern Utility Pole	n	saw
102603	8	1		Barn RR1	se	saw
102738	8	1		Barn RR1	w	saw
103558	8	1		Hatch House RR2	se	saw
104958	8	1		Hatch House RR2	n	saw
105528	8	1		Cabin ½ RR3	e	saw
105547	8	1		Cabin ¾ RR4	E	saw
110202	8	1		Lodge RR 5	NE	saw
110235	8	1		Lodge RR5	SE	saw
110254	8	1		Lodge and Fire Place	SE	saw
110524	8	1		Joshua Tree Can Ring	SW	saw
110828	8	1		Hitching Post	Se	saw


20230801_091056


20230801_091450


20230801_091453


20230801_092038


20230801_092042


20230801_092509


20230801_092518


20230801_093205


20230801_093208


20230801_093217


20230801_093329


20230801_093939


20230801_093945


20230801_094246


20230801_094547


20230801_102603



20230801_102738


20230801_103558


20230801_104958


20230801_105528


20230801_105547


20230801_110202


20230801_110235


20230801_110254


20230801_110524


20230801_110828






































REMEMBER TO
BREATHE















Appendix D. Noise Memo

This page intentionally left blank.

Harris & Associates

June 13, 2025

San Bernardino County
Land Use Services Department
385 North Arrowhead Avenue, First Floor
San Bernardino, CA 92415-0187

Subject: Review of Applicant-Provided Noise Data for Noise Ordinance Compliance

Harris & Associates (Harris) conducted a review of the applicant-provided noise data for the Rimrock Ranch Conditional Use (CUP) Project in support of the California Environmental Quality Act (CEQA) Guidelines Section 15183 Checklist for the project. This memorandum summarizes the project and operation assumptions, applicable sections of the County's Noise Ordinance, and collected noise data.

Project Description

Rimrock Ranch is located at 50857 Burn Canyon Road, Pioneertown, in unincorporated San Bernardino County, California 92268. The CUP would allow an event use in addition to the existing legal non-conforming motel use within the RL-5 (Rural Living) zoning designation, which is surrounded by RL-5 land uses. No expansion of structures or uses is proposed. Only fire access and parking surface improvements are planned to address safety hazards. Maximum event capacity of 150 guests would remain unchanged. As such, it is assumed that noise conditions at future events would be similar to past events. It is assumed that the applicant would continue to conduct noise modeling during events, and prohibit amplified music after 10:00 p.m.

County of San Bernardino Noise Ordinance

Section 83.01.080 of the County's Municipal Code, Noise, establishes noise standards for noise sources that affect adjacent properties. In residential areas, no person shall operate or cause to be operated a source of sound at a location or allow the creation of noise on property owned, leased, occupied, or otherwise controlled by the person, which causes the noise level, when measured on another property, either incorporated or unincorporated, to exceed 55 dBA for a cumulative period of more than 30 minutes in any hour between 7:00 a.m. and 10:00 p.m. Between 10:00 p.m. and 7:00 a.m., the standard is 45 dBA.

Collected Noise Data

Noise monitoring is currently part of standard operating procedures at Rimrock Ranch. Monitoring is conducted using the Decibel X app developed by SkyPaw Co., Limited. Noise monitoring was conducted for informational purposes and the app is not an American National Standards Institute (ANSI) rated sound meter. However, the app does include audio and video along with sound level. Harris has reviewed the noise levels, accompanying video clips, and monitoring notes from the device operator. Based on the provided data, the Decibel X app provides consistent results across events and consistent with reasonably expected noise levels. Monitoring is conducted at the northeast corner of the site, and the Rimrock Ranch sign, approximately 135 feet from the outdoor event area, unless otherwise noted. The property line of the nearest offsite sensitive receptor, the residence located east of the site, is approximately 100 feet from the event area. However, the residential structure is approximately 165 feet from the event area. As such, the measurement location is conservatively representative of noise exposure at the residence. Table 1 summarizes event noise monitoring results between

2018 and 2025 for events sizes up to the maximum 150 attendees during event priors (up to 10:00 p.m.). Table 2 summarizes noise levels after 10:00 p.m., during event closing and cleanup.

Summary

As shown in Table 1, average noise levels generally do not exceed the applicable 55 dBA average noise threshold prior to 10:00 p.m., when amplified noise is allowed on-site. Noise levels do periodically exceed 55 dBA; however, noise levels indicate that the threshold is generally not exceeded for more than 30 minutes in a given hour. The provided event videos confirm that amplified noise consistently ceases within a few minutes of 10:00 p.m., and noise levels do no exceed 45 dBA during nighttime hours. As such, continued operation of the event center, including implementation of monitoring and standard event rules, would not exceed applicable County of San Bernardino Noise Ordinance noise level limits.

Table 1. Measured Event Noise Levels

Date	Time	Average Noise Level (dBA Leq)	Maximum Noise Level (dBA)	Minimum Noise Level (dBA)	Duration (min:sec)	Notes
3/24/2018	7:55 p.m.	50	59	--	--	
3/24/2018	7:56 p.m.	45	49	--	--	
3/24/2018	7:56 p.m.	45	56	--	--	
4/7/2018	7:49 p.m.	47	51	--	--	
4/7/2018	10:30 p.m.	47	61	--	--	
4/14/2018	8:12 p.m.	57	63	--	--	
4/14/2018	8:13 p.m.	52	54	--	--	
4/14/2018	9:14 p.m.	48	50	--	--	
4/20/2018	9:25 p.m.	49	56	--	--	
4/20/2018	6:55 p.m.	41	45	--	--	
4/22/2018	7:37 p.m.	45	50	--	--	
4/22/2018	8:38 p.m.	42	43	--	--	
4/28/25	9:03 p.m.	40	43	--	--	
5/5/2018	8:32 p.m.	49	50	--	--	
5/5/2018	9:34 p.m.	53	55	--	--	
5/12/2018	8:43 p.m.	50	52	--	--	
5/19/2018	8:29 p.m.	53	55	--	--	
5/26/2018	8:30 p.m.	47	49	--	--	
5/26/2018	9:01 p.m.	59	67	--	--	
6/2/2018	7:50 p.m.	51	51	--	--	
6/2/2018	7:51 p.m.	52	55	--	--	
6/9/2018	7:53 p.m.	46	47	--	--	
6/16/2018	9:02 p.m.	48	51	--	--	
8/18/2018	8:02 p.m.	50	53	--	--	
8/18/2018	8:03 p.m.	51	54	--	--	
8/18/2018	9:25 p.m.	53	59	--	--	
8/25/2018	8:46 p.m.	45	55	--	--	
9/1/2018	8:22 p.m.	51	58	--	--	
9/1/2018	8:23 p.m.	48	51	--	--	
9/6/2018	9:54 p.m.	47	48	--	--	
9/8/2018	6:48 p.m.	45	46	--	--	
9/8/2018	9:20 p.m.	50	56	--	--	

9/15/2018	7:04 p.m.	47	49	--	--	
9/15/2018	8:25 p.m.	48	50	--	--	
9/22/2018	6:53 p.m.	55	59	--	--	
9/22/2018	6:54 p.m.	47	48	--	--	
9/22/2018	7:17 p.m.	58	59	--	--	
9/22/2018	9:26 p.m.	56	58	--	--	
9/22/2018	9:44 p.m.	54	59	--	--	
9/22/2018	9:46 p.m.	55	57	--	--	
9/29/2018	8:02 p.m.	50	53	--	--	
9/29/2018	9:20 p.m.	52	54	--	--	
10/3/2018	7:14 p.m.	49	53	--	--	
10/3/2018	8:37 p.m.	48	49	--	--	
10/6/2018	8:46 p.m.	52	55	--	--	
10/8/2018	9:10 p.m.	50	52	--	--	
10/13/2018	7:37 p.m.	45.7	48.0	35.0	00:04	
10/13/2018	7:47 p.m.	48.2	56.3	35.0	00:28	
10/20/2018	8:41 p.m.	48.1	52.5	40.2	00:07	
10/20/2018	8:42 p.m.	51.5	58.8	44.4	00:16	
10/27/2018	6:59 p.m.	48.8	55.5	40.3	00:26	
10/27/2018	7:00 p.m.	46.4	77.3	38.5	00:05	
10/27/2018	8:57 p.m.	52.3	56.3	44.9	00:10	
11/3/2018	6:49 p.m.	43.7	40.5	31.8	00:05	
11/10/2018	8:16 p.m.	43.4	46.0	39.4	00:06	
11/16/2018	8:31 p.m.	42.8	50.2	28.6	00:04	
11/17/2018	4:59 p.m.	51.9	57.1	43.4	00:09	Measurement taken at edge of parking area
11/17/2018	5:01 p.m.	53.0	54.4	44.5	00:15	Measurement taken at edge of parking area
11/17/2018	6:23 p.m.	50.5	55.4	39.6	00:13	Measurement taken at edge of event area
11/17/2018	7:16 p.m.	44.2	46.2	41.8	00:03	
11/17/2018	7:44 p.m.	47.3	54.8	40.0	00:06	
1/9/2019	4:34 p.m.	46.4	52.4	38.7	00:02	
1/19/2019	6:32 p.m.	42.1	48.3	38.0	00:04	
1/19/2019	8:39 p.m.	59.9	64.0	54.7	00:07	
1/19/2019	8:53 p.m.	52.9	57.6	50.9	00:04	
3/2/2019	8:54 p.m.	45.9	49.6	42.3	00:09	
3/16/2019	8:13 p.m.	44.1	48.3	37.1	00:15	
3/16/2019	8:14 p.m.	45.0	48.0	41.6	00:06	
3/29/2019	6:00 p.m.	59.1	61.9	54.8	00:03	Measurement taken at event area
3/29/2019	6:01 p.m.	56.5	58.7	54.7	00:04	Measurement taken at event area
3/29/2019	7:50 p.m.	58.7	60.6	53.8	00:05	
3/29/2019	8:38 p.m.	57.9	68.9	49.2	00:44	
3/29/2019	9:49 p.m.	42.8	44.3	41.2	00:02	Measurement taken at event area

3/30/2019	8:00 p.m.	54.5	58.5	47.0	00:13	Measurement taken at event area
3/30/2019	9:30 p.m.	55.6	65.7	42.0	00:07	Measurement taken at event area
4/18/2019	7:46 p.m.	60.9	68.5	53.8	00:06	Measurement taken at event area
4/18/2019	7:46 p.m.	55.5	57.1	54.6	00:02	Measurement taken at event area
4/18/2019	7:47 p.m.	56.0	58.1	53.9	00:20	Measurement taken at event area
4/18/2019	7:48 p.m.	55.2	57.0	53.5	00:04	Measurement taken at event area
4/18/2019	8:35 p.m.	51.3	56.5	47.2	00:14	
4/18/2019	8:36 p.m.	49.0	56.8	--	00:02	
4/18/2019	8:40 p.m.	57.7	67.1	52.4	01:01	Measurement taken at event area
4/18/2019	9:15 p.m.	57.1	68.3	50.1	00:09	Measurement taken at event area
4/18/2019	9:16 p.m.	57.0	62.6	53.6	00:02	Measurement taken at event area
4/18/2019	9:18 p.m.	53.1	65.5	36.8	00:29	
4/20/2019	8:41 p.m.	60.1	67.5	54.1	00:16	
4/20/2019	8:44 p.m.	59.7	67.5	45.9	01:13	
4/20/2019	8:44 p.m.	51.4	53.6	35.4	00:18	
4/26/2019	9:52 p.m.	58.6	56.8	51.3	00:07	Measurement taken at event area
6/1/2019	8:23 p.m.	45.6	49.6	38.5	00:04	
6/1/2019	9:21 p.m.	44.5	46.2	42.4	00:08	
8/17/2019	8:32 p.m.	49.1	52.1	43.1	00:18	
8/17/2019	8:37 p.m.	54.2	56.6	50.1	00:18	Measurement taken at event area
8/24/2019	8:49 p.m.	48.1	53.2	41.4	00:32	
8/31/2019	8:23 p.m.	36.6	72.4	21.5	00:01	Measurement taken at event area
8/31/2019	8:24 p.m.	49.1	56.4	64.0	00:20	Measurement taken at event area
8/31/2019	9:31 p.m.	59.2	61.6	56.1	00:15	
8/31/2019	9:38 p.m.	54.7	61.7	47.7	00:10	
8/31/2019	9:39 p.m.	53.4	57.5	49.1	00:15	
8/31/2019	9:41 p.m.	54.3	58.0	50.6	00:09	
8/31/2019	9:58 p.m.	52.8	55.4	48.1	00:12	Measurement taken at event area
9/7/2019	7:23 p.m.	42.9	45.7	40.7	00:13	
9/7/2019	8:34 p.m.	51.0	55.6	46.4	00:12	
9/7/2019	9:39 p.m.	50.6	54.8	45.1	00:15	
9/14/2019	7:53 p.m.	49.1	51.5	44.5	00:11	
9/21/2019	7:40 p.m.	39.9	41.9	38.0	00:16	
9/21/2019	9:31 p.m.	49.9	55.6	46.4	00:20	
9/26/2019	9:57 p.m.	30.1	30.9	29.1	00:04	

9/28/2019	7:38 p.m.	73.4	70.6	37.0	00:30	
9/28/2019	7:38 p.m.	41.4	46.4	41.4	00:16	
9/28/2019	7:40 p.m.	47.2	51.0	39.2	00:27	
9/28/2019	9:15 p.m.	45.6	50.9	42.4	00:10	
10/5/2019	7:51 p.m.	45.5	48.4	43.3	00:10	
10/5/2019	9:36 p.m.	43.6	48.8	40.5	00:17	
10/12/2019	8:02 p.m.	53.6	57.1	50.2	00:15	
10/12/2019	9:15 p.m.	53.4	57.5	47.2	00:33	
2/22/2020	7:25 p.m.	44.6	46.9	40.2	00:02	Measurement taken at event area
2/22/2020	7:27 p.m.	34.7	42.3	31.0	00:06	
2/22/2020	7:28 p.m.	33.6	38.3	28.4	00:10	
9/11/2021	9:03 p.m.	36.6	72.4	21.5	00:02	
9/11/2021	9:04 p.m.	51.2	63.6	42.6	00:03	
9/11/2021	9:06 p.m.	47.4	72.4	42.0	00:04	
9/11/2021	9:07 p.m.	43.2	50.5	39.6	00:10	
9/11/2021	9:08 p.m.	43.1	49.7	40.7	00:10	
9/18/2021	8:32 p.m.	57.4	60.5	45.2	00:08	
9/18/2021	8:33 p.m.	48.2	54.0	42.7	00:04	
9/18/2021	8:33 p.m.	56.8	67.5	42.7	00:25	
11/6/2021	9:54 p.m.	48.1	56.0	35.7	00:10	
11/6/2021	9:55 p.m.	46.5	59.0	35.7	00:19	
11/6/2021	9:57 p.m.	39.4	43.9	34.1	00:03	Measurement taken at event area
11/6/2021	9:58 p.m.	55.7	71.7	35.6	00:11	Measurement taken at event area
11/7/2019	7:22 p.m.	40.6	47.9	37.6	00:16	Measurement taken at event area
3/14/2020	7:36 p.m.	53.9	56.7	47.2	00:16	
3/14/2020	7:37 p.m.	53.5	55.8	48.2	00:13	
3/14/2020	9:53 p.m.	46.8	52.4	41.4	00:07	
3/14/2020	9:57 p.m.	39.2	42.2	36.6	00:12	
4/16/2022	9:33 p.m.	49.1	72.4	21.5	00:07	
4/16/2022	9:34 p.m.	47.0	53.9	40.3	00:14	
4/16/2022	9:35 p.m.	49.7	61.1	42.3	00:23	
5/21/2022	7:21 p.m.	57.8	63.6	49.9	00:21	
5/21/2022	7:21 p.m.	56.4	63.0	48.4	00:11	
5/21/2022	7:22 p.m.	58.4	59.3	52.2	00:41	
5/21/2022	7:23 p.m.	56.3	59.6	48.2	00:04	
5/21/2022	7:23 p.m.	54.5	65.5	42.4	00:12	
8/27/2022	7:28 p.m.	66.6	70.4	62.2	00:13	Measurement taken at event area
10/8/2022	8:02 p.m.	50.5	54.5	47.7	00:06	
10/8/2022	8:03 p.m.	48.8	52.1	45.6	00:05	
11/4/2022	7:39 p.m.	56.7	59.8	49.8	00:06	
11/4/2022	7:40 p.m.	57.1	61.6	48.4	00:25	
6/17/2023	9:05 p.m.	54.8	58.5	47.0	00:19	
5/4/24	8:25 p.m.	54.8	59.4	50.0	00:07	
5/25/24	9:09 p.m.	54.4	56.0	51.0	00:03	

5/25/24	9:10 p.m.	53.7	56.6	47.8	00:03	
5/25/24	9:11 p.m.	54.3	55.4	51.9	00:02	
5/25/24	9:12 p.m.	54.4	60.3	44.8	00:16	
5/3/2025	8:47 p.m.	50.9	54.8	44.3	00:09	
5/3/2025	9:44 p.m.	47.8	52.9	40.5	00:14	80-guest event
5/25/25	9:12 p.m.	54.4	60.3	44.8	00:16	150-guest event

Notes: Data provided as screenshots of monitoring results, or recordings taken using the app. Not all data is available for all measurements due to app version.

Table 2. Measured Post-Event Noise Levels

Date	Time	Average Noise Level (dBA Leq)	Maximum Noise Level (dBA)	Minimum Noise Level (dBA)	Duration (min:sec)	Notes
5/5/2018	11:50 p.m.	45	50	--	--	
5/5/2018	11:51 p.m.	34	37	--	--	
5/20/2018	12:05 a.m.	35	37	--	--	
9/22/2018	10:12 p.m.	43	46	--	--	
8/18/2018	11:32 p.m.	47	50	--	--	
11/17/2018	10:01 p.m.	50.9	72.4	38.2	00:01	Measurement taken at edge of event area
11/17/2018	10:01 p.m.	44.1	67.3	29.6	00:02	
11/17/2018	10:03 p.m.	37.7	73.5	22.6	00:01	
11/17/2018	10:04 p.m.	43.0	47.1	32.0	00:08	
11/17/2018	10:04 p.m.	47.9	72.4	34.8	00:03	
11/17/2018	10:04 p.m.	47.2	59.9	34.8	00:29	
11/17/2018	11:01 p.m.	41.8	47.0	33.4	00:05	
11/17/2018	11:02 p.m.	35.3	74.8	26.3	00:01	
11/17/2018	11:03 p.m.	37.6	43.8	29.8	00:04	
1/19/2019	10:06 p.m.	52.6	62.8	34.3	00:06	
3/16/2019	10:03 p.m.	44.7	46.6	41.7	00:03	
3/16/2019	10:17 p.m.	53.5	65.3	33.9	00:08	Measurement taken in event area
3/23/2019	10:15 p.m.	43.6	46.3	35.9	00:04	Measurement taken in event area
4/6/2019	10:04 p.m.	58.6	72.1	42.6	00:02	Measurement taken in event area
4/6/2019	10:04 p.m.	39.0	74.8	23.9	00:01	Measurement taken in event area
4/6/2019	10:20 p.m.	42.9	51.0	34.6	00:04	
4/18/2019	10:32 p.m.	55.4	56.8	--	00:09	Measurement taken in event area
9/28/2019	10:03 p.m.	39.6	43.9	37.4	00:11	
10/5/2019	10:20 p.m.	41.6	46.7	35.0	00:16	
10/5/2019	11:14	40.3	43.6	38.8	00:12	Measurement taken in event area
10/26/2019	10:00 p.m.	41.4	50.4	30.4	00:04	Measurement taken in event area

10/26/2019	10:00 p.m.	34.0	37.1	31.8	00:05	Measurement taken in event area
3/14/2020	10:52 p.m.	40.7	49.9	29.6	00:03	Measurement taken in event area
9/11/2021	11:13 p.m.	41.9	56.3	36.5	00:13	
9/11/2021	11:15 p.m.	39.0	42.5	37.3	00:55	

Notes: Data provided as screenshots of monitoring results, or recordings taken using the app. Not all data is available for all measurements due to app version.

EXHIBIT B

Findings for Conditional Use Permit

FINDINGS: CONDITIONAL USE PERMIT. Conditional Use Permit to establish and operate a meeting facility for up to thirty (30) seasonal outdoor events per calendar year for up to 150 persons per event, including fire safety and site access improvements on Burns Canyon Road and Powder Horn Pass, and parking lot improvements with fifty (50) parking spaces on 11.25 acres (Project). The following are the required findings per the San Bernardino County Development Code Section 85.06.040 and supporting facts for approval of the Conditional Use Permits:

1. **The site for the proposed use is adequate in terms of shape and size to accommodate the proposed use and all landscaping, loading areas, open spaces, parking areas, setbacks, walls and fences, yards, and other required features pertaining to the application**.

   The 11.25-acre Project site is adequate in terms of shape and size to accommodate the proposed meeting facility for seasonal outdoor events with the required fire safety and site access improvements, and parking lot improvements. The Project site size is able to accommodate adequate vehicular access onto the fifty (50) off-street parking spaces in accordance with the San Bernardino Development Code. The submitted Project plans demonstrate adequate design, parking, and circulation and access as shown on the Project site plan.

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.**

   Access to the Project site will be provided via a new driveway on Powder Horn Pass. The Project's site plan has also been reviewed and accepted by the County's Land Use Services Department and the Department of Public Works, as well as the San Bernardino County Fire Protection District. On-site fire safety and site access via Burns Canyon Road and Powder Horn Pass also meet the San Bernardino County Fire Protection District standards.

3. **The proposed use will not have a substantial adverse effect on abutting properties or the allowed use of the abutting properties, which means that the use will not generate excessive noise, traffic, vibration, lighting, glare, or other disturbance. In addition, the use will not substantially interfere with the present or future ability to use solar energy systems.**

   The Project has been designed, and the existing improvements have been maintained, to comply with all applicable requirements of the County Development Code. The Conditions of Approval for the Project will ensure that the use will not become a nuisance relating to noise, lighting, or have a substantial adverse effect on abutting properties.

4. **The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the County General Plan and any applicable community or specific plan.**

   Policy LU-2.1 Compatibility with Existing Uses
   We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhood.

   Consistency: Considering features of the site design with the existing improvements, the establishment and operation of the seasonal outdoor events consistent with the County Development Code, along with implementing the Conditions of Approval, the Project minimizes negative impacts on the surrounding land uses and adjacent neighborhoods.

   Policy LU-2.4 Land Use Map Consistency.
   We consider the proposed development that is consistent with the Land Use Map (i.e., it does not require a change in Land Use Category), to be generally compatible and consistent with surrounding land uses and a community's identity. Additional site, building, and landscape design treatment, per other policies in the Policy Plan and development standards in the Development Code, may be required to maximize compatibility with surrounding land uses and community identity.

   Consistency: The existing improvements associated with the Project conform with the performance standards that are identified in the County Development Code. A Meeting Facility for seasonal outdoor events is an allowed use within the Rural Living, 5-Acre Minimum Lot Size (RL-5) zoning district, subject to the approval of a Conditional Use Permit. Additionally, the Project site plan identifies compliance with the County Development Code.

5. **There is supporting infrastructure, existing or available, consistent with the intensity of the development, to accommodate the proposed Project without significantly lowering service levels.**

   The applicant will be required to continue to provide adequate utilities, including water and sewer services, to the property in accordance with the Conditions of Approval.

6. **The lawful conditions stated in the approval are deemed reasonable and necessary to protect the public health, safety and general welfare**.

   The Conditions of Approval ensure that the intended use of the Project is appropriate, and that the overall public health, safety, and general welfare are not impacted by the Project.

7. **The design of the Project site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities.**

   The orientation and design of the Project include adequate building setbacks and the future ability to construct rooftop solar facilities.

ENVIRONMENTAL FINDINGS:

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

Pursuant to the requirements of the California Environmental Quality Act (CEQA) and CEQA Guidelines, the Planning Division conducted an environmental evaluation in connection with the proposed Conditional Use Permit (PROJ-2023-00010) with the preparation of an exemption checklist and concluded that the Project is exempt from CEQA pursuant to CEQA Guidelines Section 15183. The Lead Agency finds that the Project would not result in: 1) a peculiar impact that was not identified as a significant impact under the Countywide Plan PEIR; 2) a significant impact that was not analyzed as significant in the prior PEIR; 3) a potentially significant off-site impact or cumulative impact not discussed in the prior PEIR; or 4) a more severe impact due to substantial new information that was not known at the time the prior PEIR. Further, the Lead Agency finds that the Project is required to comply with applicable uniformly applied development policies or standards and mitigation measures specified in the checklist. Feasible mitigation measures that were identified in the PEIR and that will be undertaken include MM BIO-1 and MM CUL-2. The exemption adopted for the Project reflects the Lead Agency's independent judgment in making this determination.

END OF FINDINGS

EXHIBIT C

Conditions of Approval

Conditions of Approval

Record:	PROJ-2023-00010	**System Date:**	06/17/2025
Record Type:	Project Application	**Primary APN:**	0593321250000
Record Status:	In Review	**Application Name:**	CUP
Effective Date:		**Expiration Date:**	

Description: CONDITIONAL USE PERMIT TO ESTABLISH AND OPERATE A MEETING FACILITY FOR UP TO THIRTY (30) SEASONAL OUTDOOR EVENTS PER CALENDAR YEAR FOR UP TO 150 PERSONS PER EVENT, INCLUDING FIRE SAFETY AND SITE ACCESS IMPROVEMENTS ON BURNS CANYON ROAD AND POWDER HORN PASS, AND PARKING LOT IMPROVEMENTS WITH FIFTY (50) PARKING SPACES ON TWO (2) PARCELS TOTALING 11.25 ACRES LOCATED AT 50857 BURNS CANYON ROAD AND 50921 POWDER HORN PASS WITHIN THE RURAL LIVING, 5-ACRE MINIMUM (RL-5) ZONING DISTRICT; APNS: 0593- 321-25 AND 0593-271-01; 3RD SUPERVISORIAL DISTRICT; PROJECT NUMBER: PROJ-2023-00010.

This document does not signify project approval.

If the project has been approved, then an effective date and an expiration date for these conditions can be found below. This content reflects County records as at the System Date and time below.

The following conditions of approval have been imposed for the project identified below. The applicant/developer shall complete all conditions of approval stipulated in the approval letter.

Conditions of Approval are organized by project phase, then by status, and finally by department imposing the condition.

On-going conditions must be complied with at all times. For assistance interpreting the content of this document, please contact the Land Use Services Department Planning Division.

Contact information is provided at the end of this document for follow-up on individual conditions.

ON-GOING

Land Use Services - Planning

1 **Project Approval Description (CUP/MUP)** - Status: Outstanding
This Conditional Use Permit is conditionally approved to establish and operate a meeting facility for up to thirty (30) seasonal outdoor events per calendar year for up to 150 persons per event, including fire safety and site access improvements on Burns Canyon Road and Powder Horn Pass, and parking lot improvements with fifty (50) parking spaces on 11.25 acres 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 required and approved reports and displays. The developer shall provide a copy of the approved conditions and the approved 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.

2 **Project Location** - Status: Outstanding
The Project site is located at 50857 Burns Canyon Road (APN: 0593-321-25) and 50921 Powder Horn Pass (APN: 0593-271- 01).

3 **Revisions** - Status: Outstanding
Any proposed change to the approved Project and/or conditions of approval shall require that an additional land use application (e.g. Revision to an Approved Action) be submitted to County Land Use Services for review and approval.

4 **Mitigation Measures** – Status Outstanding
The Project shall comply with the following Mitigation Measures of the Program Environmental Impact Report of the Countywide Plan:

BIO-1: For each development project that would disturb special status vegetation on vacant land, or that might impact a wildlife movement corridor or jurisdictional waters pursuant to the Countywide Plan and subject to CEQA, a qualified biologist shall determine the potential for a significant biological resource impact and determine whether a field survey of the project site is warranted. If warranted, a qualified biologist shall prepare a biological resources technical report meeting current requirements of CEQA, and addressing applicable County goals and policies, applicable Habitat Conservation Plans and Natural Community Conservation Plans, and applicable federal, state, and local regulatory requirements. The report shall include documentation of biological resources present or potentially present (including special-status species, special-status vegetation communities, jurisdictional waters, and wildlife movement corridors), an impacts analysis, avoidance measures, and mitigation measures to reduce significant impacts to less than significant if applicable and feasible.

CUL-2 In areas of documented or inferred archaeological resource presence, archaeological resource assessments shall be required prior to ground disturbance related to a development project. To determine the archaeological sensitivity of a proposed project area, the County may rely on an expert opinion from the County Museum staff, or on the results of a CHRIS records search at the SCCIC [South Central Coastal Information Center] or the Sacred Lands File maintained by the NAHC. Archaeological resources assessments shall be performed under the supervision of an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards (PQS) in either prehistoric or historic archaeology. The archaeological resources assessment shall include a Phase I pedestrian survey, undertaken to locate any surface cultural materials that may be present.

5 **Indemnification** - Status: Outstanding
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.

6 **Additional Permits** - Status: Outstanding
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 are not limited to: a. FEDERAL: b. STATE: c. COUNTY: d. LOCAL.

7 **Expiration** - Status: Outstanding
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.

8 **Continuous Effect/Revocation** - Status: Outstanding
All of the conditions of this project's 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.

9 **Extension of Time** - Status: Outstanding
Extensions of time to the expiration date (listed above or as otherwise extended) may be granted in increments each not to exceed an additional three years beyond the current expiration date. An application to request consideration of an extension of time may be filed with the appropriate fees no less than thirty days before the expiration date. Extensions of time may be granted based on a review of the application, which includes a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications. (SBCC §86.06.060)

10 **Project Account** - Status: Outstanding
The Project account number is PROJ-2023-00010. 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.

11 **Development Impact Fees** - Status: Outstanding
Additional fees may be required prior to the issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.

12 **Condition Compliance** - Status: Outstanding
Operational Standards:
a. Due to seasonality, events occur Mid-March to Mid-June and September to November.
b. Thirty (30) seasonal outdoor events per year.
c. Events are limited to a maximum of 150 guests.
d. Amplified music off no later than 10:00 p.m.
e. Bar closes no later than 10:30 pm.
f. Event lights no later than 11:00 p.m.
g. Non-registered guests must vacate by 11:00 p.m.
h. All outdoor activity by registered Motel guests (23 max) is prohibited after 12:00 a.m.
i. All event guests are required to be off premises by 11:00 p.m.
j. All event staff are required to be off premises by 12:00 a.m.
k. Alcohol for events is available exclusively through pre-purchased event catering packages offered by the facility under an ABC Type 70 License (On-Sale General Restrictive Services) and served exclusively by certified bartenders.
l. Registered guests may purchase alcohol via Controlled Access Cabinets located exclusively within guestrooms under an ABC Type 66 Licenses (Controlled Access Cabinet Permit).
m. If a temporary bar is provided it shall be closed by 10:30 p.m. with last the call at 10:00 p.m.
n. On-site parking is limited to the existing parking area on the east parcel, north and east of the "Lodge," and accessible stall accessed from Powder Horn Pass.
o. All cars are to be valet on the easterly parcel by one (1) to two (2) parking attendants.
p. No street parking is available or allowed.

13 **Performance Standards** - Status: Outstanding
The approved land uses shall operate in compliance with the general performance standards listed in the County Development Code Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration, and the disposal of liquid waste.

14 **Continuous Maintenance** - Status: Outstanding
The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to: a) Annual maintenance and repair: The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety. b) Graffiti and debris: The developer shall remove graffiti and debris immediately through weekly maintenance. c) Landscaping: The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying. d) Dust control: The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided. e) Erosion control: The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability. f) External Storage: The developer shall maintain external storage,

loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls. g) Metal Storage Containers: The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals. h) Screening: The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view. i) Signage: The developer shall maintain all on-site signs, including posted area signs (e.g. "No Trespassing") in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan. j) Lighting: The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules. k) Parking and on-site circulation: The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires the Planning Division review and approval. The markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled space and access path of travel, directional designations and signs, stop signs, pedestrian crossing, speed humps and "No Parking", "Carpool", and "Fire Lane" designations. l) Fire Lanes: The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including "No Parking" designations and "Fire Lane" designations.

15 **Clear Sight Triangle** - Status: Outstanding
Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90-degree angle intersections of public rights-of-way and private driveways. All signs, structures and landscaping located within any clear sight triangle shall comply with the height and location requirements specified by County Development Code (SBCC§ 83.02.030) or as otherwise required by County Traffic.

16 **Lighting** - Status: Outstanding
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 **Construction Hours** - Status: Outstanding
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.

18 **Construction Noise** - Status: Outstanding
The following measures shall be adhered to during the construction phase of the project: - All construction equipment shall be muffled in accordance with the 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.

Public Health– Environmental Health Services

19 **Noise Levels** - Status: Outstanding
Noise level shall be maintained at or below County Standards, Development Code Section 83.01.080.

20 **OWTS Maintenance** - Status: Outstanding
The onsite wastewater treatment system shall be maintained so as not to create a public nuisance and shall be serviced by an EHS permitted pumper.

21 **Refuse Storage and Disposal** - Status: Outstanding
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.

INFORMATIONAL

County Fire - Community Safety

22 **F01 Jurisdiction** - Status: Outstanding
The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein "Fire Department". Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.

23 **F04 Fire Permit Expiration** - Status: Outstanding
Construction permits shall automatically expire and become invalid unless the work authorized 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 with 180 days of any previous inspection. After a construction permit 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 permit may be made in writing PRIOR TO the expiration date justifying the reason that the permit should be extended.

24 **F15 Access – 30% slope** - Status: Outstanding
Where the natural grade between the access road and building is in excess of thirty percent (30%), an access road shall be provided within one hundred and fifty (150) feet of all buildings. Where such access cannot be provided, a fire protection system shall be installed. Plans shall be submitted to and approved by the Fire Department.

25 **F20 Access – 150+ feet** - Status: Outstanding
Roadways exceeding one hundred fifty (150) feet in length shall be approved by the Fire Department. Roadways shall be extended to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building.

26 **F70 Additional Requirements** - Status: Outstanding
In addition to the Fire requirements stated herein, other onsite and off-site improvements may be required which cannot be determined at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

Land Use Services - Land Development

27 **Erosion Control Installation** - Status: Outstanding
Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.

28 **Joshua Trees** - Status: Outstanding
Any land disturbance shall be kept at least 40 feet away from any Joshua tree in order for the design to be acceptable. If the proposed land disturbance is within 40 feet of a Joshua tree, then the applicant will need to submit a survey by a licensed arborist to verify that the proposed design will not detrimentally affect the tree. For all applications, plot plans must show the location of all Joshua trees on a parcel. http://www.sbcounty.gov/Uploads/LUS/BandS/Handouts/IB-0016.pdf

29 **Tributary Drainage** - Status: Outstanding
Adequate provisions should be made to intercept and conduct the tributary off-site and on-site 100-year drainage flows around and through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed. The project site shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage areas, outlet points and outlet conditions.

30 **Drainage Improvements Note** - Status: Outstanding
Adequate drainage improvements should be considered to intercept and conduct the tributary off-site and on-site drainage flows around and through the site in a safe manner that will not adversely affect adjacent or downstream properties.

Public Works - Solid Waste Management

31 **Demolition Debris** - Status: Outstanding
San Bernardino County owned and operated sanitary landfills and transfer stations are not permitted to accept asbestos contaminated wastes, therefore any debris generated by the demolition of structures are subject to asbestos clearance prior to disposal at any San Bernardino County disposal sites. Applicants are required to have a Certified Asbestos Consultant perform testing of all materials to be disposed. Upon receipt of the Consultant's report, indicating that the debris is not contaminated, Solid Waste Management Operations Section will provide applicant with disposal authorization. For more information on Certified Asbestos Consultants please visit http://www.dir.ca.gov/databases/doshacru/acruList.asp, or for information on County requirements please contact Solid Waste Operations at 909-386-8701 or solid.wastemail@dpw.sbcounty.gov.

32 **Franchise Hauler Service Area** - Status: Outstanding
This project falls within a County Franchise Area. If subscribing for the collection and removal of construction and demolition waste from the project site, all developers, contractors, and subcontractors shall be required to receive services through the grantee holding a franchise agreement in the corresponding County Franchise Area (Burrtec Waste and Recycling).

33 **Mandatory Commercial Organics Recycling** - Status: Outstanding
California Assembly Bill (AB) 1826 requires businesses that generate two (2) cubic yards or more of solid waste per week to recycle their organic waste (includes green waste and food waste). 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; however, they are not required to arrange for recycling services specifically for food waste. Applicant will be required to report to the County or contract waste hauler on efforts to recycle organics materials once operational.

34 **Mandatory Commercial Recycling** - Status: Outstanding
California Assembly Bill (AB) 341 requires businesses that generate 4 or more cubic yards of solid waste per 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. Applicant will be required to report to the County or contract waste hauler on recycling efforts once operational.

35 **Recycling and Organic Waste Collection Container Information** - Status: Outstanding
California Assembly Bill (AB) 827 and Senate Bill (SB) 1383 require businesses that sell products meant for immediate consumption and currently provide trash collection containers for their customers to provide recycling and/or organics collection containers adjacent to trash containers at front-of-house, except in restrooms. Full-service restaurants are exempt from these requirements as long as they provide containers for employees to separate post-consumer recyclables and organic waste purchased on the premise for customers.

36 **Recycling Storage Capacity** - Status: Outstanding
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 California Assembly Bill (AB) 2176.

Public Works – Traffic Division

37 **General** - Status: Outstanding
Project vehicles shall not back up into the project site nor shall they back out into the public roadway.

38 **Access** - Status: Outstanding
The access point to the facility shall remain unobstructed at all times, except a driveway access gate which may be closed after normal working hours.

39 **Directional Sign Maintenance** - Status: Outstanding
All required directional signage for traffic entering and exiting the site shall be installed and continuously maintained outside the Public road right-of-way in good condition for both day and nighttime visibility.

PRIOR TO LAND DISTURBANCE

Land Use Services - Planning

40 **Joshua Tree Relocation Plan** - Status: Outstanding
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 a certified 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.

Land Use Services - Land Development

41 **FEMA Flood Zone** - Status: Outstanding
The project is located within Flood Zone D according to FEMA Panel Number 06071C8100H dated 8/28/2008. Flood hazards are undetermined in this area, but they are still possible.

42 **State Construction Stormwater General Permit** - Status: Outstanding
Notice of Intent (NOI) and WDID # are required on all land disturbance of one (1) acre or more prior to issuance of a grading/construction permit. For questions regarding the State Construction Stormwater General Permit, please contact: https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html

43 **Grading Plans** - Status: Outstanding
Grading and erosion control plans shall be prepared in accordance with the County's guidance documents (which can be found here: https://lus.sbcounty.gov/land-development-home/grading-and-erosion-control/) and submitted for review with approval obtained prior to construction. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.

44 **On-site Flows** - Status: Outstanding
On-site flows need to be directed to the nearest County maintained road or drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.

Public Health– Environmental Health Services

45 **Vector Control Requirement** - Status: Outstanding
The project area has a high probability of containing vectors. A vector survey shall be conducted to determine the need for any required control programs. A vector clearance application shall be submitted to the appropriate Mosquito & Vector Control Program. For information, contact EHS Mosquito & Vector Control Program at (800) 442-2283 or West Valley Mosquito & Vector at (909) 635-0307.

Public Works - Surveyor

46 **Monument Disturbed by Grading** - Status: Outstanding
If any activity on this project will disturb ANY land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying PRIOR to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.

PRIOR TO BUILDING PERMIT ISSUANCE

County Fire - Community Safety

47 **F02 Fire Fee** - Status: Outstanding
The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division.

48 **F09 Building Plans** - Status: Outstanding
Building Plans shall be submitted to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.

49 **F10 Combustible Protection** - Status: Outstanding
Prior to combustibles being placed on the project site an approved all-weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy.

50 **F19 Surface** - Status: Outstanding
Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Road surface shall meet the approval of the Fire Chief prior to installation. All roads shall be designed to 85% compaction and/or paving and hold the weight of Fire Apparatus at a minimum of 80K pounds.

51 **F21 Turnaround** - Status: Outstanding
An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of forty-five (45) foot radius for all turns. In the Fire Safety Overlay District cul-de-sac length shall not exceed three hundred fifty (350) feet.

52 **F22 Primary Access Paved** - Status: Outstanding
Prior to building permits being issued to any new structure, the primary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions including width, vertical clearance and turnouts.

53 **F26 Fire Flow Test** - Status: Outstanding
Please provide a fire flow test report from your water purveyor that has been completed in the last six months demonstrating that the fire flow demand is satisfied.

54 **F27 Water System** - Status: Outstanding
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 California Fire Code. The Fire Flow for this project shall be: 1500 GPM for a 2-hour duration at 20 psi residual operating pressure.

55 **F69 Haz-Mat Approval** - Status: Outstanding
The applicant shall contact the San Bernardino County Fire Department/Hazardous Materials Division (909) 386-8401 for review and approval of building plans, where the planned use of such buildings will or may use hazardous materials or generate hazardous waste materials.

Land Use Services - Building and Safety

56 **Construction Plans** - Status: Outstanding
Any building, sign, or structure to be added to, altered (including change of occupancy/use), constructed, or located on site, will require professionally prepared plans based on the most current adopted County and California Building Codes, submitted for review and approval by the Building and Safety Division.

Land Use Services - Land Development

57 **Encroachment Permits** - Status: Outstanding
Prior to installation of driveways, sidewalks, etc., an encroachment permit is required from the County Department of Public Works, Permits/Operations Support Division, Transportation Permits Section (909) 387-1863 as well as other agencies prior to work within their jurisdiction.

58 **Road Dedication/Improvements** - Status: Outstanding
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: Burns Canyon Road (Collector Street – 66 feet) Parcel 0593-271-01 • Road Dedication. A 33-foot grant of easement is required to provide a half-width right-of-way of 33 feet, and a 35-foot radius return grant of easement is required at the intersection of the Burns Canyon Road and Powder Horn Pass. • Driveway Approach. Design driveway approach per County Standard 129C and located per County Standard 130. Powder Horn Pass (Quarter Section Line– 88 feet) Parcel 0593-271-01 • Road Dedication. A 44-foot irrevocable offer of dedication is required to provide a half-width right-of-way of 44 feet. • Driveway Approach. Design driveway approach per County Standard 129C and located per County Standard 130. Parcel 0593-321-25 • Road Dedication. A 44-foot irrevocable offer of dedication is required to provide a half- width right-of-way of 44 feet along the south half of the parcel. • Driveway Approach. Design driveway approach per County Standard 129C and located per County Standard 130. • Paved Access Road. This project is required to have a minimum 26-foot-wide paved or stabilized material access road designed to County Standard 114 that ties into a maintained paved public road.

59 **Road Standards and Design** - Status: Outstanding
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 Valley Mountain 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.

60 **Slope Easements** - Status: Outstanding
Slope rights shall be dedicated where necessary.

61 **Slope Tests** - Status: Outstanding
Slope stability tests are required for road cuts or road fills per recommendations of the Geotechnical Engineer to the satisfaction of the County Department of Public Works.

62 **Soils Testing** - Status: Outstanding
Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to the County and a written report shall be submitted to the Permits/Operations Support Division, Transportation Permits Section of the County Department of Public Works prior to any placement of base materials and/or paving.

63 **Street Gradients** - Status: Outstanding
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 the County Department of Public Works confirming the adequacy of the grade.

64 **Street Type Entrance** - Status: Outstanding
Street type entrance(s) with curb returns shall be constructed at the entrance(s) to the development.

65 **Transitional Improvements** - Status: Outstanding
Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing sections shall be required as necessary.

66 **Utilities.** - Status: Outstanding
Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction, and any such utility shall be relocated as necessary without cost to the County.

Public Health– Environmental Health Services

67 **California Regional Water Quality Control Board Clearance** - Status: Outstanding
Written clearance shall be obtained from the designated California Regional Water Quality Control Board (listed below) and a copy forwarded to the Division of Environmental Health Services for projects with design flows greater than 10,000 gallons per day. Colorado River Basin Region, 73-720 Fred Waring Dr., Suite 100, Palm Desert, CA 92260, 760-346-7491.

68 **Existing OWTS** - Status: Outstanding
Existing onsite wastewater treatment system can be used if applicant provides an EHS approved certification that indicates the system functions properly, meets code, has the capacity required for the proposed project, and meets LAMP requirements.

69 **Existing Wells** - Status: Outstanding
If wells are found on-site, evidence shall be provided that all wells are: (1) properly destroyed, by an approved C57 contractor and under permit from the County OR (2) constructed to EHS standards, properly sealed and certified as inactive OR (3) constructed to EHS standards and meet the quality standards for the proposed use of the water (industrial and/or domestic). Evidence, such as a well certification, shall be submitted to EHS for approval.

70 **New OWTS** - Status: Outstanding
If sewer connection and/or service are unavailable, onsite wastewater treatment system(s) may then be allowed under the following conditions: a. A soil percolation report shall be submitted to EHS for review and approval. For information, please contact the Wastewater Section at (800) 442-2283. b. An Alternative Treatment System, if applicable, shall be required.

71 **Construction Waste Management Plan (CWMP) Part 1** - Status: Outstanding
The developer shall prepare, submit, and obtain approval from SWMD of a CDWMP Part 1 for each phase of the project. The CWMP shall list the types and weights of solid waste materials expected to be generated from construction. The CWMP shall include options to divert waste materials from landfill disposal, materials for reuse or recycling by a minimum of 65% of total weight or volume. More information can be found on the San Bernardino County Solid Waste Management Division (SWMD) website at https://dpw.sbcounty.gov/solid-waste-management/construction-waste-management/. An approved CDWMP Part 1 is required before a permit can be issued. There is a one-time fee of $150.00 for residential projects/$530.00 for commercial/non-residential projects.

Public Works – Traffic Division

72 **Improvements** - Status: Outstanding
The Applicant shall design their street improvement plans to include the following:

- Burn Canyon Road Driveway
  - The driveway shall be emergency vehicles only with an "Emergency Vehicles Only" sign. The sign shall be placed within the property line at the driveway and the owner is responsible for maintaining the sign.

PRIOR TO OCCUPANCY

Land Use Services - Planning

73 **Fees Paid** - Status: Outstanding
Prior to final inspection by Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, the applicant shall pay in full all fees required under actual cost job number PROJ-2023-00010.

74 **Installation of Improvements** - Status: Outstanding
All required on-site improvements shall be installed per approved plans.

75 **Reciprocal Parking Agreement** - Status: Outstanding
Prior to occupancy/use, a Reciprocal Parking Agreement between APN: 0593-321-25 and APN: 0593-271-01 shall be recorded.

76 **Condition Compliance** - Status: Outstanding
Prior to occupancy/use, all conditions shall be completed to the satisfaction of County Planning with appropriate authorizing approvals from each reviewing agency.

County Fire - Community Safety

77 **F06 Inspection by Fire Department** - Status: Outstanding
Permission to occupy or use the building (Certification of Occupancy or Shell Release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for "fire final".

Land Use Services - Land Development

78 **LDD Requirements** - Status: Outstanding
All LDD requirements shall be completed by the applicant prior to occupancy.

79 **Road Improvements** - Status: Outstanding
All required on-site and off-site improvements shall be completed by the applicant and inspected/approved by the County Department of Public Works.

80 **Structural Section Testing** - Status: Outstanding
A thorough evaluation of the structural road section, to also include parkway improvements, from a qualified materials engineer shall be submitted to the County Department of Public Works.

81 **Construction Waste Management Plan (CDWMP) Part 2** - Status: Outstanding
The developer shall complete SWMD's CDWMP Part 2 for construction and demolition. The CDWMP Part 2 shall provide evidence to the satisfaction of SWMD that demonstrates that the project has diverted from landfill disposal, material for reuse or recycling by a minimum of 65% of total weight or volume of all construction waste. The developer MUST provide ALL receipts and/or backup documentation for actual disposal/diversion of project waste. More information can be found on the San Bernardino County Solid Waste Management Division (SWMD) website at https://dpw.sbcounty.gov/solid-waste-management/construction-waste-management/.

County Fire - Community Safety

82 **F16 Access** - Status: Outstanding
The development shall have a minimum of two points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. a. Single Story Road Access Width. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. b. Multi-Story Road Access Width. Fire apparatus access roadways serving buildings that are three (3) or more stories or thirty (30) feet or more in height shall be a minimum of thirty (30) feet in unobstructed width and vertically to fourteen (14) feet six (6) inches in height. 1. See site plan approved by fire for more clarification.

Public Health– Environmental Health Services

83 **Individual Wells** - Status: Outstanding
If an approved water company cannot serve the project, individual wells are authorized for each daughter parcel providing that County Development Code infrastructure requirements can be met. Conceptual plans, showing that wells and septic system locations meet setback requirements, may be required (§ 83.09.060). If wells are approved, the following notes shall be placed on the Composite Development Plan (CDP), "An individual well shall be utilized as the domestic water source for each lot. The well shall be installed and approved by EHS prior to the issuance of building permits for each lot."

County Fire - Community Safety

84 **F11 Combustible Vegetation** - Status: Outstanding
Combustible vegetation shall be removed as follows: a. 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. b. 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

85 **F24 Fire Lanes** - Status: Outstanding
The applicant shall submit a fire lane plan with the building construction plans to the Fire Department for review and approval. Fire lane curbs shall be painted red. "No Parking, Fire Lane" signs shall be installed on public/private roads in accordance with the approved plan.

86 **F45 Fire Extinguishers** - Status: Outstanding
Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.

87 **F51 Commercial Addressing** - Status: Outstanding
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 eight (8) inches in height and with a one (1) 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 address identification shall be displayed on a monument, sign or other approved means with numbers that are a minimum of six (6) inches in height and three-quarter (¾) inch stroke.

88 **F55 Key Box** - Status: Outstanding
An approved Fire Department key box is required. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Lock (Knox ®).

Public Works – Traffic Division

89 **Directional Sign Maintenance** - Status: Outstanding
All required directional signage for traffic entering and exiting the site shall be installed.

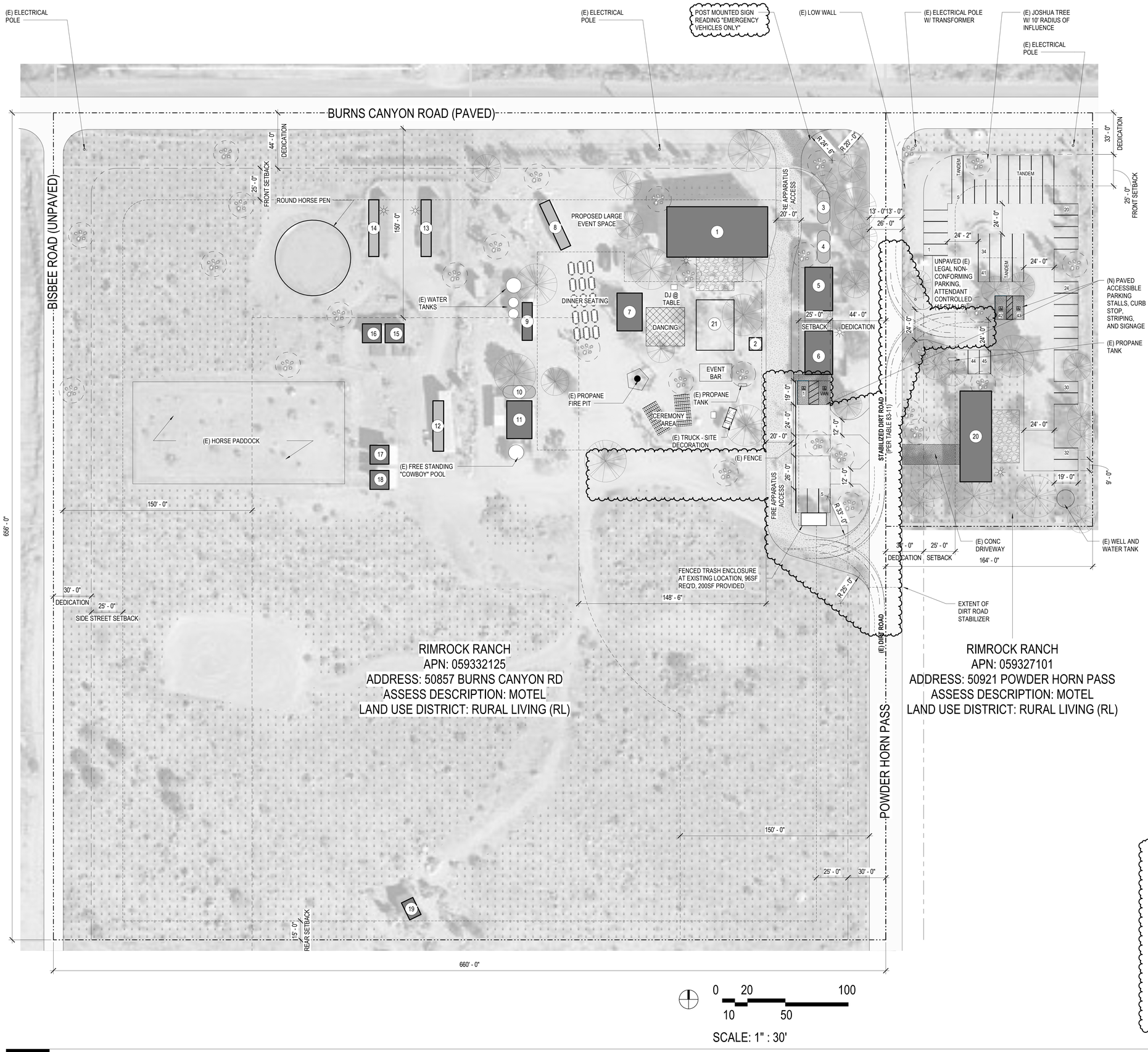
90 **General** - Status: Outstanding
The applicant shall construct, at 100% cost to the applicant all roadway improvements as shown on their approved street improvement plans.

If you would like additional information regarding any of the conditions in this document, please contact the department responsible for applying the condition and be prepared to provide the Record number above for reference. Department contact information has been provided below.

Department/Agency	**Office/Division**	**Phone Number**
Land Use Services Dept.	San Bernardino Govt. Center	(909) 387-8311
(All Divisions)	High Desert Govt. Center	(760) 995-8140
Web Site	https://lus.sbcounty.gov/	
County Fire	San Bernardino Govt. Center	(909) 387-8400
(Community Safety)	High Desert Govt. Center	(760) 995-8190
Web Site	https://www.sbcfire.org/	
County Fire	Hazardous Materials	(909) 386-8401
	Flood Control	(909) 387-7995
Dept. of Public Works	Solid Waste Management	(909) 386-8701
	Surveyor	(909) 387-8149
	Traffic	(909) 387-8186
Web Site	https://dpw.sbcounty.gov/	
Dept. of Public Health	Environmental Health Services	(800) 442-2283
Web Site	https://ehs.sbcounty.gov	
Local Agency Formation Commission (LAFCO)		(909) 388-0480
Web Site	http://www.sbclafco.org/	
	Water and Sanitation	(760) 955-9885
	Administration,	
	Park and Recreation,	
Special Districts	Roads, Streetlights,	(909) 386-8800
	Television Districts, and Other	
External Agencies (Caltrans, U.S. Army, etc.)		*See condition text for contact information...*

EXHIBIT D

Site Plan



BUILDING KEY

1. (E) "HATCH HOUSE" - 1 GUEST ROOM AREA: ±80'-0" X ±40'-0" (3,200sf), HEIGHT: ±30'-0"
2. (E) EVENT RESTROOM AREA: ±10'-0" X ±10'-0" (100sf), HEIGHT: ±10'-0"
3. (E) AIRSTREAM RV - NOT AVAILABLE TO RENT AREA: ±7'-0" X ±14'-0" (98sf), HEIGHT: ±10'-0"
4. (E) AIRSTREAM RV - 1 GUEST ROOM AREA: ±19'-0" X ±7'-0" (133sf), HEIGHT: ±10'-0"
5. (E) CABIN 1 & 2 - 2 GUEST ROOMS AREA: ±22'-0" X ±34'-6" (759sf), HEIGHT: ±15'-0"
6. (E) CABIN 3 & 4 - 2 GUEST ROOMS AREA: ±22'-0" X ±34'-6" (759sf), HEIGHT: ±15'-0"
7. (E) VIEWING DECK AREA: ±20'-0" X ±30'-0" (600sf), HEIGHT: ±20'-0"
8. (E) BUS - SITE DECORATION AREA: ±8'-6" X ±40'-0" (340sf), HEIGHT: ±10'-0"
9. (E) STORAGE "WELL HOUSE AND SHED" AREA: ±8'-0" X ±30'-0" (240sf), HEIGHT: ±15'-0"
10. (E) RV - STORAGE AREA: ±7'-0" X ±14'-0" (98sf), HEIGHT: ±10'-0"
11. (E) EVENT STORAGE & PREP SPACE "BREATHE BARN" AREA: ±20'-0" X ±30'-0" (600sf), HEIGHT: ±15'-0"
12. (E) RV - STORAGE AREA: ±8'-6" X ±40'-0" (340sf), HEIGHT: ±10'-0"
13. 14. (E) SHIPPING CONTAINER - STORAGE AREA: ±8'-0" X ±45'-0" (320sf), HEIGHT: ±9'-0"
15. 16. (E) STORAGE - HORSE AREA: ±15'-0" X ±15'-0" (225sf), HEIGHT: ±15'-0"
17. 18. (E) SHELTER - HORSE AREA: ±15'-0" X ±15'-0" (225sf), HEIGHT: ±15'-0"
19. (E) ACCESSORY STRUCTURE - NOT AVAILABLE TO RENT AREA: ±10'-0" X ±12'-0" (120sf), HEIGHT: ±15'-0"
20. (E) LODGE - 1 GUEST ROOM AREA: ±25'-0" X ±72'-0" (1,800sf), HEIGHT: ±20'-0"
21. (E) SHADE STRUCTURE AREA: ±30'-0" X ±40'-0" (1,200sf), HEIGHT: ±20'-0"

TOTAL PERMANENT STRUCTURE COVERAGE: 10,486SF
TOTAL NON-PERMANENT STRUCTURE COVERAGE: 671SF

ADJACENT USES

NORTH: RL-5, SINGLE FAMILY RESIDENTIAL

SOUTH: RL-5, VACANT LAND

EAST: RL-5, VACANT LAND

WEST: RL-5, SINGLE FAMILY RESIDENTIAL

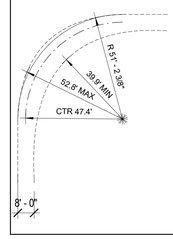
PLAN NOTES

1. NO GRADING IS PROPOSED WITH THE EXCEPTION OF THE ACCESSIBLE PARKING STALLS.

AERIAL VIEW



TRUCK TURN RADIUS



TRUCK TURNING RADIUS BASED ON AASHTO FIGURE 2-12. MINIMUM TURNING PATH FOR SINGLE-UNIT TRUCK (SU-40 [SU-12]) DESIGN VEHICLE

OFFICIAL USE ONLY

PROJECT SCOPE

APPLICATION TYPE	CONDITIONAL USE PERMIT
DESCRIPTION OF WORK	THE APPLICANT IS SEEKING A CONDITIONAL USE PERMIT TO REVISE THE EXISTING ENTITLEMENT OF MOTEL TO INCLUDE AN EVENT USE FOR A MAXIMUM OF 150 PERSONS. NO NEW BUILDINGS OR AREA IS PROPOSED.
PROJECT ADDRESS	50857 BURNS CANYON RD, PIONEERTOWN, CA 92268 AND 50921 POWDER HORN PASS, PIONEERTOWN, CA 92268
OWNERS	GWEN BARKER & ERIC DEAN 50857 BURNS CANYON ROAD PIONEERTOWN, CA 92268 (760)228-0130
ZONE & POLICY PLAN	RL-5 ZONE, RL POLICY PLAN

PARKING SPACE ANALYSIS

LAND USE REQ.	REQUIRED	PROVIDED
MEETING FACILITY - 1 SPACE FOR EACH 3 FIXED SEATS OR FOR EVERY 25 SF OF SEATING AREA	150 SEATS / 3 = 50	50 SPACES
TOTAL SPACES	**50 SPACES**	**50 SPACES**
DISABLED SPACE	4 PER SBC FOR (E) NON-CONFORMING PARKING	4 SPACES
VAN ACCESSIBLE - 1 PER EVERY 6 DISABLED SPACES	1 SPACE	1 SPACE
PARKING AREAS TO RECEIVE DUSTPROOFING PER 83.11.090(e), ACCESSIBLE STALLS TO RECEIVE CONCRETE SLAB		

LOT COVERAGE ANALYSIS

LAND USE ZONING	MAX. LOT COVERAGE ALLOWED	TOTAL LOT COVERAGE
APN 059332125: RURAL LIVING (RL-5)	20%	7,750 SF / 388,991 SF = 2%
APN 059327101: RURAL LIVING (RL-5)	20%	2,724 SF / 53,579 SF = 5%

DENSITY ANALYSIS

LAND USE ZONING	ALLOWED DENSITIY	PROVIDED DENSITY
APN 059332125: RURAL LIVING (RL-5)	1 UNIT PER 2.5 ACRES	8.93 ACRES / 2.5 = 3.6
APN 059327101: RURAL LIVING (RL-5)	20%	1.23 ACRES / 2.5 = 1

LANDSCAPING STANDARDS ANALYSIS

LAND USE ZONING	MIN. AREA REQUIRED	AREA PROVIDED
APN 059332125: RURAL LIVING (RL-5)	20%	229,016 SF / 425,210 SF = 54%
APN 059327101: RURAL LIVING (RL-5)	20%	16,361 SF / 53,579 SF = 31%

SITE PLAN LEGEND

- EXISTING PERMANENT STRUCTURES TO REMAIN
- EXISTING NONPERMANENT STRUCTURES
- ROAD
- PROPERTY LINES
- ROAD DEDICATIONS
- SETBACKS
- HARDSCAPING
- UNPAVED VEHICLE CIRCULATION
- CONCRETE PAVING
- (E) LANDSCAPING
- PATHWAY LIGHTING, NOTED FOR LOCATION, NOT QUANTITY
- 1 / A101 SIM — PLAN DETAIL REFERENCE

LMA
Loescher Meachem Architects
353 S Broadway, Suite 300
Los Angeles, CA 90013

RIMROCK RANCH SITE PLAN
EXHIBIT A

EXHIBIT E

Rimrock Ranch Overview

RIMROCK RANCH

SAN BERNARDINO COUNTY OVERVIEW 2024



Hello,

We have prepared a high level introduction to who we are, what Rimrock Ranch is, and how we currently operate. It is our utmost wish that that the county would reconsider the requirement of a CUP in order for us to continue our business as a licensed motel with a seasonal outdoor wedding business. We would hope instead for a point of view that a minor use permit, expanded approved use, or even better—acknowledging our entitlements to have events based on historical precedent would suffice instead of a CUP.

In the event that the position of the county does not waiver, and finds we must continue with our CUP application process that we began in early 2023, we would like to seek waivers on the road improvements and parking requirements that have been proposed by the county. We believe our contractual guidelines regarding parking/shuttles are adequate given the seasonal nature of our business, and if the county were to examine where Powerhorn Pass (a road with proposed improvements) leads, they would find that the the road terminates in a Wildlife conservancy and has no future as a thoroughfare.

Please note that we are happy to formalize our business practices within our letter of intent, so that our operations are binding to entitling the property.

RIMROCK RANCH

50857 BURNS CANYON RD. PIONEERTOWN, CA 92268
WWW.RIMROCKRANCHPIONEERTOWN.COM

For more information contact
Gwen Barker or Eric Dean
howdy@rimrockranchpioneertown.com
415-316-6599

Rimrock Ranch is a historic 36-acre motel and event venue nestled in the high desert near Joshua Tree National Park in Pioneertown, California. Built in 1947 by Dan Pekarovich and his family, the motel originally served as a cozy retreat for western movie stars like Roy Rogers, Gene Autry, and Dick Curtis while they filmed in Pioneertown.
The property features four rustic cabins, a welcoming lodge, and the renowned Hatch House, celebrated worldwide for its unique architectural design. Today, Rimrock Ranch is a beloved getaway for families, couples, and solo adventurers, offering a unique setting for weddings, retreats, film and photography shoots, and all kinds of celebrations.

In 2016, Gwen Barker and Eric Dean left their San Francisco careers to become the fourth owners in the ranch's 77 year history, embracing their role as its dedicated caretakers.















We’re not looking to expand beyond our historical usage or build anything new.

We simply want to legitimize our business with the county. Rimrock Ranch has been hosting celebrations since 1947, well before destination weddings became popular. From the legendary Fourth of July BBQs in the 1940s that served all of Pioneertown to musical performances and the Pioneertown Chili Cook-off in the 90s and 2000s, our ranch has always been a hub for both private and public events. It was also a well-established wedding venue long before we took over in 2016.



1947 → Present

RIMROCK RANCH

Our events business is seasonal due to the high desert's extreme weather, so our exclusively outdoor weddings are limited to less than half the weekends of the year (April to June and September to November). While we specialize in private weddings with fewer than 100 guests, we occasionally host larger events, capping the guest list at 180. Typically, the bride, groom and a select group of their guests (we sleep 22) check in on Friday afternoon and check out on Sunday morning.

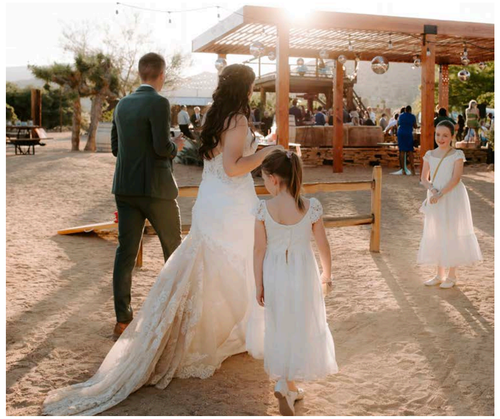
Here's what a typical event looks like...







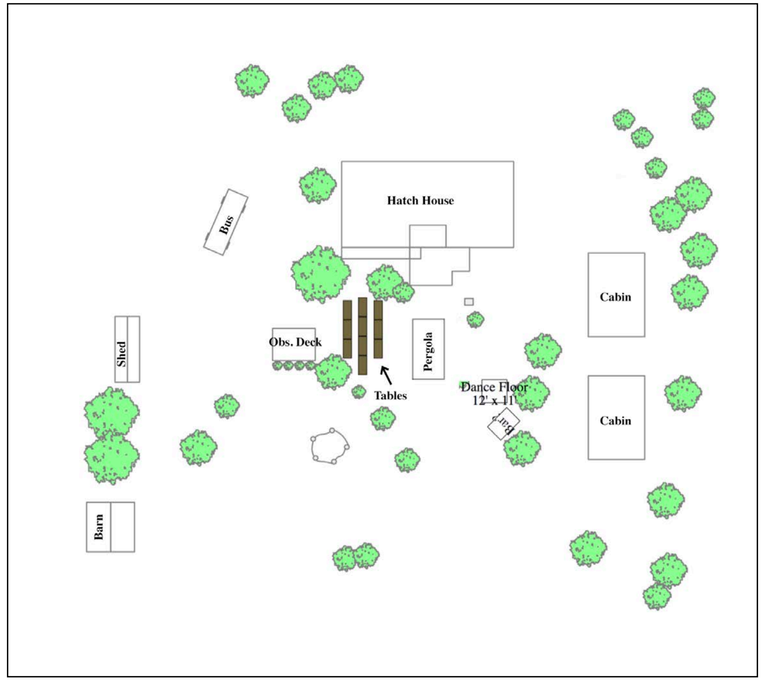




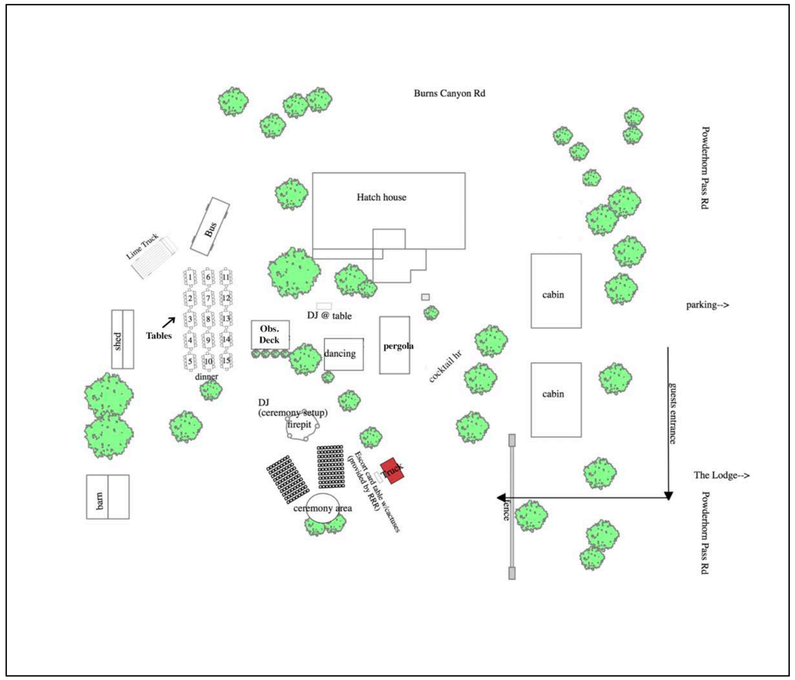
RIMROCK RANCH

EVENT FLOOR PLANS

UNDER 120 GUESTS
(Most Common)



Under 180 GUESTS



UNDER 50 GUESTS



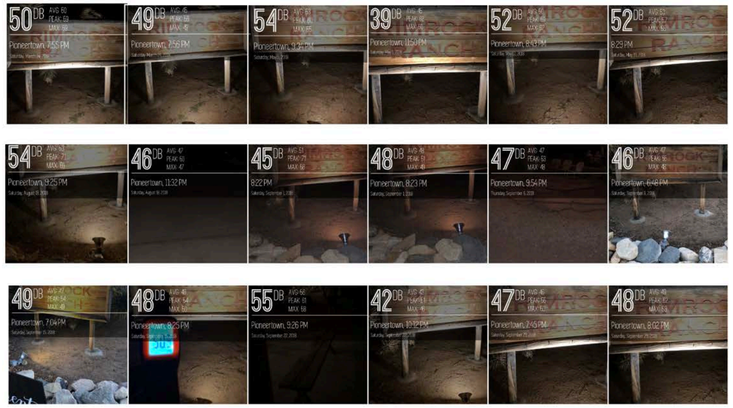
RIMROCK RANCH

Rimrock Ranch is more than just a business; it’s our home. We live here and are deeply connected to our community. We employ locals and collaborate with nearby photographers, caterers, florists, and wedding planners, fostering a local economy in what has been the first and only physical business in Rimrock for over 75 years.

We ensure our guests respect important county ordinances, like sound limitations and preserving dark skies. To minimize traffic impact, we require shuttles when events exceed our 40-car parking capacity. We’ve partnered with Pioneertown Land Co. so our guests can utilize the ample parking in Pioneertown proper. We’ve conducted ecological and cultural surveys to protect the land we cherish and love to share. Additionally, we donate our time and financial resources to support local conservation efforts.



Supporting the local high-desert community.



Decibel readings are taken throughout each event and amplified music is cut at 10 PM on weekends and 9 PM during the week.



Educating out-of-town guests and giving back.

RIMROCK RANCH

EXHIBITS

MOTEL BUSINESS LICENSE

SAN BERNARDINO COUNTY

San Bernardino County
Land Use Services Department
Code Enforcement

HOTEL/MOTEL BUSINESS LICENSE
NON-TRANSFERABLE
POST IN PUBLIC VIEW

Rimrock Ranch
50857 Burns Canyon Rd.
Pioneertown, CA 92268

Barker Dean Properties

License #: CEHMLP-2021-00002
Type of License: HOTEL/MOTEL BUSINESS LICENSE
Application Description: Hotel/Motel
Issue Date: 8/28/2023
Expiration Date: 10/18/2024

This license may be suspended or revoked by the County Land Use Services Department Code Enforcement for cause. This license is granted on condition that the person named on the license will comply with the laws, ordinances and regulations that are now or may hereafter be in force by the United States Government, the State of California, the County of San Bernardino, and/or applicable cities pertaining to the above mentioned business. Penalty fees are assessed on licenses renewed 30 days or more after the expiration date indicated above or for failure to obtain a new permit in case of change of ownership or location. Issuance of this license does not eliminate the necessity for applicant to obtain any other required permits.

San Bernardino County Code Enforcement – 385 N Arrowhead Avenue, San Bernardino CA 92415 Version: #{DeploymentVersion}#

ABC LICENSE
Note: No disciplinary action on record

CALIFORNIA DEPARTMENT OF
Alcoholic Beverage Control

Report Date: Friday, May 31, 2024

LICENSE INFORMATION

License Number: 625857

Primary Owner: BARKER DEAN PROPERTIES LLC

Office of Application: 08 - PALM DESERT

BUSINESS NAME
RIMROCK RANCH

BUSINESS ADDRESS
50857 BURNS CANYON RD , PIONEERTOWN, CA, 92268

County: SAN BERNARDINO

Census Tract: 0114.04

LICENSEE INFORMATION

Licensee: BARKER DEAN PROPERTIES LLC

https://www.abc.ca.gov/licensing/license-lookup/single-license/?RPTTYPE=12&LICENSE=625857 Page 1 of 4

MOTEL USE DESIGNATION

San Bernardino County Assessor

Property Information

Property Address (Main Situs) Protected per CA. Govt. Code Sect. 6254.21
Protected per CA. Govt. Code Sect. 6254.21

Owner and Mailing Address HIGH DESERT HOLDING COMPANY LLC
Protected per CA. Govt. Code Sect. 6254.21
Protected per CA. Govt. Code Sect. 6254.21

Effective Date 05/10/2016

Parcel 0593321240000
Parcel Status ACTIVE
Parcel Type REAL PROPERTY
Property ID
Tax Status ASSESSED BY COUNTY
Use Code MOTEL
Land Access PUBLIC PAVED
Size 3.501 TO 7.000 ACRES
Land Type SINGLE FAMILY RESIDENTIAL
District JOSHUA TREE
Resp Group REAL PROPERTY
Resp Unit COMMERCIAL ZONE OR USE

Current Owners

Name	Document Numbers
HIGH DESERT HOLDING COMPANY LLC	20160166683

R/I SOLE OWNER
% Int 100.0000000
Type BILLED OWNER
Acquisition Date 04/29/2016
Document Date 04/29/2016
Inactive Date NONE

Legal Parcel Map

Parcel Map	Parcel Nbr	Unit	Book	Page
	0593321240000			

Legal Description
ASSESSORS MAP NO 12 LOT 160 EX RDS

RIMROCK RANCH

EXHIBITS

ECOLOGICAL SURVEY

Executive Summary

The proponent, High Desert Holdings LLC, in retaining Loescher Meachem Architects, Inc., has requested a biological survey and associated report to submit in support of conditional use permitting for a hospitality business on the properties collectively known as Rimrock Ranch. The Rimrock Ranch is located at 50857 Burns Canyon Road, in unincorporated San Bernardino county, state of California. The area surveyed for this report is comprised of two parcels, which together total approximately 10.16 acres. Both parcels contain inhabited structures, mature landscaping, outdoor hosting areas, and existing parking, with vehicle access from the Burns Canyon Road right of way. The southern 5.8 acres is lightly disturbed natural habitat, and contains no permanently inhabited structures. The land surrounding the parcels to the west, north, and east, is characterized by rural residential and outbuilding structures on large lots. The land to the south is mostly undeveloped and supports a native juniper and scrub oak plant community in a late stage of recovery from a wildfire that occurred in 2006 (the Sawtooth Fire).

The properties are located within potential range of burrowing owl (*Athene cunicularia*) and desert tortoise (*Gopherus agassizii*). Burrowing owl is listed as a Species of Special Concern by the California Department of Fish and Wildlife (CDFW). Desert tortoise is listed as Threatened under the Federal Endangered Species Act (FESA) and as Threatened by the California Endangered Species Act (CESA). In addition, the property supports scattered western Joshua trees, which are currently protected by the county of San Bernardino and the state of California. General Biological Surveys, and agency protocol focused surveys for burrowing owl and desert tortoise, were conducted on May 20, 2023. An additional site visit was conducted on June 05, 2023 to assess the northwest corner of the project where additional (unpaved) parking areas are proposed.

The focused protocol surveys did not detect any signs of burrowing owl or desert tortoise. The protocol surveys indicate that neither species are currently present on the site and there is no evidence of their recent occupation. Given the dominant plant community structure, and the elevation of the site, the properties do not represent favorable habitat for desert tortoise.

Existing western Joshua trees within the developed portions of the parcels have been incorporated into the landscaping and are not adversely impacted by current activities. There are no plans to substantially alter the footprint of any buildings on site, however additional parking spaces are proposed in the northwest corner of the site where several small Joshua trees are located. Three specific Joshua trees may be impacted by the proposed earthwork, and these plants will need to be accounted for in the design of the parking area. The parking area will not be paved, so the locations of individual spaces could be modified to incorporate the plants into the landscaping. Alternatively, the plants could be transplanted to other locations on the property or removed, upon the approval of relevant permit applications.

No other sensitive plants or animals, or their sign, were observed on-site. The surveys were conducted during the active season for high desert plants and animals. The plant bloom was widespread and profuse after an exceptionally wet winter season.

ARCHAEOLOGICAL SURVEY

MANAGEMENT SUMMARY

Rimrock Ranch retained ECORP Consulting, Inc. in 2023 to conduct an archaeological resources inventory for property in San Bernardino County, California. Rimrock Ranch proposes to construct accessible parking stalls for people with disabilities and life safety improvements that may be required as a result of a land use request to expand the recognized Motel Land Use to include seasonal events up to 200 people. The Project Area is located at Rimrock Ranch at 50857 Burns Canyon Road, south of Burns Canyon Road and adjacent to the eastern and western sides of Powder Horn Pass Road.

The inventory included a records search, literature review, and field survey. The records search results indicated that no previous cultural resources studies have been conducted within the Project Area. Currently, no archaeological resources have previously been recorded within the Project Area.

ECORP conducted a field survey on August 1, 2023. The survey identified six historic-period built environment resources, including five structures used by Rimrock Ranch known as the Breathe Barn, the Hatch House, Cabins 1 & 2, Cabins 3 & 4, and the lodge, as well as one unpaved road, Powder Horn Pass. At the request of the client, ECORP did not document or evaluate these historic-period built environment resources for eligibility for listing on the California Register of Historical Resources or National Register of Historic Places. Because these resources have not been recorded or evaluated, it is not currently known whether or not any of these are considered historical resources under CEQA or historic properties under Section 106 NHPA (if applicable). Recommendations for the management of unanticipated discoveries are provided.

EXHIBITS

LETTERS OF SUPPORT FROM OUR NEIGHBORS

RIMROCK RANCH TESTIMONIAL

Rimrock is a unique part of the High Desert and as such it is a special group that resides here. As one of the original residents (32 years), I have seen this area grow, however we still maintain a private, quiet community. As a long term resident one of the staples that I have enjoyed is the Rimrock Ranch. In fact, when I first purchased my property I actually lived at one of the bungalows while my home was being built. I was grateful to have such a convenient place to stay as my wife and I were expecting our first child.

An important part of living in a remote area like Rimrock is maintaining a strong bond with one's neighbors as well as businesses. I am one of the few residents that has had privy to witness how the Rimrock Ranch has been a positive presence and staple in this neighborhood. Although, there have been various owners over the years, the one constant is that every owner is passionate and has always maintained the quiet beauty of this property.

Like any small community, we are hyper sensitive to change and newcomers. As such, naturally when the Rimrock Ranch changed ownership we were curious. However, our curiosity was short-lived as the new owners were extremely proactive in introducing themselves and promoting inclusivity. Not only do they have the highest integrity, they are vigilant in their awareness as to how their business affects the neighborhood. For example: Not only do they live onsite, but also we know they personally supervise every event. Additionally, in the rare case where they are unable to, they hire a fellow neighbor to supervise for the evening.

The Rimrock Ranch seems to be thoughtfully laid out and ideally located. I say this because I never experience traffic issues such as cars or vendor trucks parked on the street. They have a large lot so that there is never an issue with the inflow or outflow of vehicles. Additionally, they are incredibly conscientious with regard to abiding by noise, light and indoor rules. Event lights are out at 11pm, music stops at 10pm. They even measure the decibel readings prior to each event. Due to the unique nature of this venue, it is reassuring to know that Eric and Gwen are extremely selective as to the types of client's they invite to their property.

The Owner's of the Rimrock Ranch not only run an honorable business, below is a short list of things they have generously contributed outside of their duties and obligations:

- Consistently organize and participate in cleanup activities
- Always maintain an open door policy in order to create an open flow of communication
- Continuously donate various promotional items to non-profit events
- Created, printed and distributed high quality posters depicting "Desert Awareness"
- Continually volunteer their time, energy and ideas in order to maintain the idyllic lifestyle of the Desert.

Eric and Gwen are not only the faces of Rimrock Ranch they are also our neighbor's and friend's that are an integral part of this community.

Sincerely,
Norman Erickson and Laurie McVay
Pioneertown, MA (Rimrock)

To Whom It May Concern,

Please let this letter serve as a testimony of support for Rimrock Ranch in regard to it being an establishment that is run responsibly and delivers great benefits to our neighborhood.

I moved 3 doors down from Rimrock Ranch with my family in April of 2013, and quickly came to know how the Ranch was established as a motel back before Rimrock was even a neighborhood. As I understand it, the original founders of Pioneertown back in the 40's would shoot movies in town during the day and stay at Rimrock Ranch Motel after filming completed. Weddings, chili-cook-offs, and other similar celebratory events have also always been a part of Rimrock Ranch's role in the neighborhood.

Cut to present day, current owners Gwen Barker and Eric Dean are perhaps the most responsible stewards Rimrock Ranch has ever had. The events they hold at their property are strictly managed and monitored so as to impact the neighborhood as minimally as possible. This includes limiting the size of their events, not allowing on-street parking, measuring and limiting sound levels with a decibel reader, turning off all amplified music by 10pm, outdoor lights by 11pm, and having all guests either indoors or off of the property by midnight. I've witnessed this responsible management firsthand.

Additionally, Rimrock Ranch proactively benefits the neighborhood in numerous ways. A cottage-industry of AirBnb's - my family's own among them - are thriving in large part due to Rimrock Ranch wedding guests needing additional lodging during events season. Gwen and Eric also offer invaluable employment to a host of neighbors and locals through helping staff events, house-keeping, catering, general maintenance of the property, etc. Furthermore, their charity work with the Mojave Desert Land Trust and their organization of regular litter pick-up days in the neighborhood serve as testaments to their deep care for the place they live in and its people.

Simply, I love, appreciate and are so grateful for Rimrock Ranch and owners Gwen and Eric. I believe any change in Rimrock Ranch operating as it always has would send ripples of disruption that would impact the neighborhood for the worse.

Thank you for your time and attention.

Sincerely,
Chris Barker
50989 Burns Canyon Rd.
Pioneertown, CA

EXHIBITS

LETTERS OF SUPPORT FROM OUR NEIGHBORS

To whom it may concern,

I am a property owner in Rimrock and neighbor of The Rimrock Ranch. As a person who is most concerned about my own quality of life and property value I can wholeheartedly say that I am delighted with the manner in which the co-owners Eric and Gwen run their business. I have witnessed firsthand the efforts they make to ensure that the enjoyment of their guest do not impede on the quality of life of the Rimrock residents. A brief example of this is the following:

1. They monitor the noise level using decibel meters.
2. The music is always stopped punctually at 10pm.
3. Outdoor lights are never on past 11pm.
4. They have ample parking and there is never any issue with guests or delivery vehicles on the road.
5. They do not have excessively large gatherings and they are always present and properly managing their events.

I have personally met many of the lovely guests that they have had as visitors and the type of person they attract is always the same. These are visitors who are enchanted with all the high desert has to offer. They bring enthusiasm for the desert surroundings and they spend their vacation dollars at our parks, our restaurants and our local retail shops. They are a vital part of the tourism industry that we all benefit from.

I am strongly in favor of businesses like The Rimrock Ranch being able to thrive and add to the very specialized local economy that we all depend on here in the high desert. Eric and Gwen are wonderful neighbors, conscientious business owners, and a asset to the Pioneertown community.

Brad Torum
51010 Burns Canyon Road
Pioneer town, CA 92268

To whom it may concern,

My name is Todd Blubuagh. I live at 51153 Burns canyon rd – 4 houses down the street from Rimrock Ranch were I have been employed off and on for the last two years. It has come to my attention that the county is evaluating the legitimacy of Air B and B's in the area, which I feel should be done, but not at the cost of losing our motel in Rimrock. Please know this business has employed a number of us living in Rimrock and Pipes Canyon and has always been considerate of its neighbors… All event noise (including voices) and lights are always extinguished at a respectful hour… Parking has never flooded onto the street… and I would like to note that Gwen and Eric have been generous with their time and resources in organizing a number of neighborhood litter pickups along Pioneertown and Pipes Canyon rd. I personally take great pride in the rich history of this motel and feel it should be considered a landmark of Mohave history. Please help us keep this business alive here in Rimrock… It is all we have to keep us on the map. Thank you.

-Todd Blubaugh-
51153 Burns Canyon rd



Thank you.

We hope we've conveyed our desire to continue operating the ranch as it has always been, without continuing the burden of a conditional use permit on our small business. Thank you for your time and consideration.

Respectfully,
Gwen Barker and Eric Dean

RIMROCK RANCH

50857 BURNS CANYON RD. PIONEERTOWN, CA 92268
WWW.RIMROCKRANCHPIONEERTOWN.COM

For more information contact
Gwen Barker or Eric Dean
howdy@rimrockranchpioneertown.com
415-316-6599

EXHIBIT F

Public Comments

Mujica, Oliver

From: Sherbanenko family G <sherbanenkofamily@gmail.com>
Sent: Wednesday, June 11, 2025 12:41 PM
To: Mujica, Oliver
Cc: Gwen@rimrockranchpioneertown.com
Subject: Support Rimrock Ranch : Project PROJ-2023-00010

[You don't often get email from sherbanenkofamily@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Dear Mr. Mujica,

We are writing in full support of Rimrock Ranch and their continued operation under PROJECT NUMBER: PROJ-2023-00010 ASSESSOR PARCEL NO:0593-321-25 and 0593-271-01

As a fellow resident, community member and business owner in the Rimrock/Pioneertown area, I've witnessed firsthand how responsibly and respectfully the Rimrock Ranch team operates. Their events are professionally managed, with clear consideration for the surrounding neighborhood:

- All guest vehicles are parked within the property, not on the street.
- Music is kept at a reasonable level and always ends by 10pm.
- Outdoor lighting is subtle and string lights are shut off by 11pm.
- Guests are indoors and respectfully supervised by midnight.
- Their events are seasonal and thoughtfully scheduled.

Our family also runs an Airbnb nearby, and I can confidently say that Rimrock Ranch plays a vital role in supporting our business. Many of our guests stay with us specifically because of weddings or gatherings at Rimrock. Without their presence, our income would be significantly impacted — and with that, our ability to sustainably live and work in this area.

Beyond economics, Rimrock Ranch contributes to the heart and character of this community. They care deeply about their impact, and it shows. They are not a faceless commercial operation — they are our neighbors, running an intentional, artful, and well-regulated business.
We strongly urge the County to allow Rimrock Ranch to continue serving our community. Their presence is a benefit to local residents and a model of how to do things right.

Sincerely,
Austin & Karli Sherbanenko
& The Bell Family Trust

Mujica, Oliver

From: Bryan Becker <beckerb11@gmail.com>
Sent: Wednesday, June 18, 2025 1:25 PM
To: Mujica, Oliver
Cc: gwen@rimrockranchpioneertown.com
Subject: Support for PROJECT NUMBER: PROJ-2023-00010 | APNs 0593-321-25 and 0593-271-01

You don't often get email from beckerb11@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Dear Mr. Mujica,

My name is Bryan Becker, my wife and I live at 2865 Powderhorn Pass in Pioneertown, directly adjacent to Rimrock Ranch. We have lived here for nearly five years, and I'm writing in strong support of the conditional use permit application for Rimrock Ranch (Project No. PROJ-2023-00010).

We are the closest neighbors to the property, and if there had ever been any issues; noise, traffic, lighting, or any type of disruption, we would have been the first and most immediately affected. **I can say with complete confidence that in all the years we've lived next door, and through dozens of events, we have never had a single concern.** The events are consistently respectful of the surrounding area, well-managed, and end at appropriate times. Music stops promptly at 10pm, lights go off by 11 (or earlier), and guests are inside and supervised well before midnight. Traffic is a non-factor, parking is handled smoothly, and cars are kept off the road.

We have witnessed firsthand how the owners of Rimrock Ranch manage the property as a truly seasonal, small-scale venue that blends beautifully into our desert community. Gwen and Eric have been thoughtful, reliable neighbors who take care to ensure their business never negatively impacts those around them, including us, who would certainly know if it did.

I urge the county to approve this permit. Rimrock Ranch is exactly the kind of business that enhances our area while maintaining the peaceful, respectful spirit that makes Rimrock special.

Sincerely,

Bryan Becker
2865 Powderhorn Pass
Pioneertown, CA 92268

June 15, 2025

Cara Hall
53227 Cielito Trail
Pioneertown CA 92268

TO: Oliver Mujica, contract planner
San Bernardino County

Cc: Gwen Barker, Rimrock Ranch

RE: Rimrock Ranch Project
Project Number PROJ-202300010
Assessor Parcel No: 0593-321-25 & 0593-271-01

I am writing to convey my support for the San Bernardino County Planning Dept to approve Rimrock Ranch's application for a conditional use permit to establish and operate seasonal outdoor events, and fire safety and site access improvements.

I am very familiar with Rimrock Ranch both as a repeat customer who has stayed there multiple times and planned a big event there; as well as being a homeowner nearby.

The owners and staff provide to guests very clear directions and education regarding noise, vehicle and safety restrictions so that the property operations, guests and surrounding community all co-exist well together. Also, as we planned an event there, we were provided very clear direction and advisement ahead of time regarding parking, vehicle traffic limitations, strict speed limits, sound/noise ordinances and specific times when our events had to start and end.

As a neighbor, there has been minimal disruption that would be expected from such a venue, and there are no guest/event cars parked on the streets, nor do we hear music or guest noise after hours or early mornings. We truly feel that the business owners, Eric and Gwen, fully respect, value and support our neighborhood, our quality of life and the desert ecosystem. They're exactly the kind of neighbors we appreciate here.

Sincerely,

Cara Hal

Mujica, Oliver

From: Christe White <cwhite@radlerwhite.com>
Sent: Tuesday, June 17, 2025 2:48 PM
To: Mujica, Oliver
Subject: Letter of Support for Rimrock Ranch Conditional Use: PROJ-2023-00010; APN 271-01

You don't often get email from cwhite@radlerwhite.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Good afternoon Oliver. I am a neighbor to Rimrock Ranch with a home at 2676 Orange Trail and am writing to share my strong support for its continued operation. For locational perspective, I can see Rimrock Ranch out my front window and I walk, drive, bike, or hike by the property regularly. Rimrock Ranch is not just part of the Rimrock neighborhood; it is an historic icon in this community. The Ranch has always been a retreat, a gathering place, since its inception with Gene Autry and Roy Rogers gathering their friends, fellow cowboys and family to enjoy the high desert landscape. Gwenn and Eric have continued this tradition in complete harmony with our neighborhood.

I understand that part of your criteria is to evaluate whether the use has unmitigated adverse impacts on surrounding properties. I can unequivocally state that there are no impacts; none at all, and to the contrary, the events at Rimrock Ranch add to the character of our Rimrock community.

No Noise Impact

In terms of noise, when an event is occurring and the music is presumably playing, we do not hear it. We have also driven or walked by when an event is occurring, and the music is set at low, respectable levels. And the property has always observed an evening curfew on music that respects the tranquility of the high desert. Guests are also not disruptive. We have never heard "crowd noise" and guests are also off site or indoors at reasonable hours.

No Light Impact

We sit above Rimrock Ranch and see the entire Burns Canyon corridor at night. Rimrock's lights are no more apparent than lights on surrounding houses. For the most part, one can see string lights, which are also found on other houses in the area. I have also noticed that the Ranch actually turns its string lights off by 11:00 pm. Many properties in the area do not turn their lights off or down by 11:00 pm. In my view, this means Rimrock Ranch has less light impact than several other residential properties in the area. Even when we pass by at night, the lights are located towards the center of the large property and screened on each side by either wide open space, their own horse corrals, or their own buildings. There does not seem to be any light spill from the site onto adjacent properties owned by others. The large size of the site mitigates any light impacts.

Parking

In my nearly 7 years of living near Rimrock Ranch I have not witnessed a single car parked on the street. Parking is well managed on site in an off street parking area and the egress and ingress to and from the lot, first enters a side street and then enters Burns Canyon. Circulation is efficient and in a forward motion with no reverse egress or ingress onto Burns Canyon. The Powderhorn access also allows delivery vehicles to enter and exit the site with no impact on Burns Canyon. With no spill over parking on the street and convenient and efficient access to the site from Powderhorn, we can attest to no parking or transportation impacts in the neighborhood.

This is a use that truly had its origin 40 or more years ago. When you are reviewing a new conditional use permit, with no current use, you have to project and speculate on how the use will fit into the community or how the applicant will manage the use with conditions of approval. That is not the case here. We have documentary evidence of how this property has been run over the years. We know it has been managed in a manner that is respectful of the community, that adds great social value to our community, and has consistently observed parameters that protect our neighborhood livability. This is the singular commercial use in Rimrock. It is historic and it fits in, without impact to the fabric of this community.

I strongly support the continuation of Rimrock Ranch and ask that you approve this iconic use. Thank you.

Christe Carlson White

Mujica, Oliver

From: Christopher Barker <cjbclassic@gmail.com>
Sent: Monday, June 16, 2025 6:04 PM
To: Mujica, Oliver
Cc: Gwen Barker
Subject: Rimrock Ranch Project: PROJ-2023-00010

You don't often get email from cjbclassic@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Rimrock Ranch
Project #: PROJ-2023-00010
APNs: 0593-321-25 and 0593-271-01

To Whom it May Concern:

Please consider this letter an endorsement for Rimrock Ranch to continue operations as is and be granted whatever permitting is necessary to secure and continue its place in our neighborhood's history. My family and I have lived three doors down from Rimrock Ranch since 2013, back before Gwen Barker (no relation) and Eric Dean took ownership, and they have shown responsible stewardship. They employ their neighbors. They continue to operate the venue as it was intended from its beginnings 75-odd years ago: a place for guests to spend the night and a place to host small gatherings where people celebrate.

We have managed Rimrock Ranch occasionally when the owners have been out of town, and so we know how they run the place in general and during events. The grounds, buildings, and infrastructure are meticulously maintained. Lighting is designed with dark skies in mind, and any event lighting is kept discrete, hidden from neighboring views, and off by 11pm. Their business is seasonal, weddings are in the spring and fall, and any off-season guests are quiet and low-key. During an event, cars are parked on-site, never on the public streets, and are managed by parking assistants for arrivals and departures. The majority of guests arrive around 2pm and leave at 10pm. Event music is monitored by decibel-reading devices, and bands/DJs abide by the dictate that sound levels be kept down to reasonable neighborhood levels. Music is off by 10pm, and guests are always supervised until a midnight grounds curfew.

Rimrock Ranch established the neighborhood of Rimrock. Gwen and Eric have made the place flourish. They love and respect the community, and ourselves and many other neighbors are grateful to have them here. We support whatever it takes to legitimize Rimrock Ranch in present day SB County terms.

Thank you,

Chris Barker and Karen Willey and daughter Zia

June 16, 2025

Colleen Haggerty
53227 Cielito Trail
Pioneertown CA 92268

TO: Oliver Mujica, contract planner
San Bernardino County

Cc: Gwen Barker, Rimrock Ranch

RE: Rimrock Ranch Project
Project Number PROJ-202300010
Assessor Parcel No: 0593-321-25 & 0593-271-01

I am writing both as a past, repeat customer of Rimrock Ranch and as a fulltime homeowner neighbor to voice my support for Rimrock Ranch and the positive impact the business and its owners maintain in the community.

As a hotel customer, I have always been impressed with the clear direction and education that the owners and staff provide its guests around noise, vehicle and safety restrictions so that the property operations, guests and surrounding community all co-exist together in supportive ways. Also, as we planned for our wedding weekend to be held at Rimrock Ranch, we were provided very clear direction and advisement ahead of time regarding parking, vehicle traffic limitations, strict speed limits, sound/noise ordinances and specific times when our events had to start and end.

Today, as a fulltime homeowner neighbor, I can attest to the minimal disruption that such a hotel and event venue maintains in respect of the community. I do not experience guest/event cars parked on the streets, nor hear music or guest noises after hours or early mornings. Also, I get the strong sense that the business owners fully respect and work to support our quality of life and the desert surroundings.

It's also always a joy to run into Rimrock Ranch guests while out and about – they shop and eat locally, contributing our economy and job sustainability, and become positive / informed ambassadors for both Pioneertown and the Morongo Basin.

All these reasons are why I gladly encourage San Bernardino County Planning Dept to approve Rimrock Ranch's application for a conditional use permit to establish and operate seasonal outdoor events, and fire safety and site access improvements.

Sincerely,

Colleen Haggerty

Mujica, Oliver

From: Dan & Lisa <pooeydog@aol.com>
Sent: Sunday, June 15, 2025 8:53 AM
To: Mujica, Oliver
Cc: Gwen@rimrockranchpioneertown.com
Subject: PROJECT NUMBER: PROJ-2023-00010

You don't often get email from pooeydog@aol.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

PROJECT NUMBER: PROJ-2023-00010
ASSESSOR PARCEL NO:0593-321-25 and 0593-271-01

Oliver,

I am writing this letter in strong support of Rimrock Ranch, owned and operated by Eric and Gwen, as they seek a work permit to facilitate their seasonal wedding events. As someone familiar with their operations and their significant contributions to the local community, I can wholeheartedly recommend their continued success.

Rimrock Ranch, nestled just outside Joshua Tree National Park in Pioneertown, California, is a truly exceptional and unique venue. Eric and Gwen have poured their passion and dedication into transforming this historic property into a premier destination for weddings and events. Their vision has not only preserved the distinctive character of the ranch but has also elevated it into a highly sought-after location that attracts visitors and business to our region.

The seasonal wedding industry is a vital component of the local economy in Pioneertown and the surrounding high desert. Rimrock Ranch plays a pivotal role in this, drawing in couples and their guests from across the country and even internationally. These events generate substantial revenue for local businesses, including caterers, florists, rental companies, accommodations, and transportation services. Eric and Gwen's meticulous planning and commitment to excellence ensure that these events run smoothly, providing a positive experience for all involved and reflecting positively on our community as a whole.

Beyond the economic impact, Eric and Gwen are responsible and engaged members of the community. They operate Rimrock Ranch with the utmost professionalism, respecting local regulations and fostering a positive environment for their staff, clients, and neighbors. Their dedication to creating memorable experiences for couples is evident in the overwhelmingly positive feedback they receive, and their reputation for hospitality is well-deserved.

Granting Rimrock Ranch the necessary work permit for their seasonal weddings would not only allow Eric and Gwen to continue their invaluable contributions to our local economy but also ensure the ongoing vibrancy of the high desert's unique event landscape. Their operation provides essential employment opportunities and supports a network of small businesses that rely on the success of venues like theirs.

I urge you to give their application your most favorable consideration. Eric and Gwen, through Rimrock Ranch, are an asset to our community, and their work permit will enable them to continue their positive impact.

Sincerely,

Dan & Lisa Gauthier

Community member of Pioneertown California since 2013

Mujica, Oliver

From: Dante Marshall <dante@theartdirection.com>
Sent: Friday, June 13, 2025 3:16 PM
To: Mujica, Oliver
Cc: Gwen@rimrockranchpioneertown.com
Subject: Community Support for Rimrock Ranch

[You don't often get email from dante@theartdirection.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Dear Mr. Mujica,

I hope this email finds you in good spirits.

We are writing in full support of Rimrock Ranch and their application for Project No. PROJ-2023-00010 (APNs: 0593-321-25 and 0593-271-01).

We are the neighbors who live directly across the street from Rimrock Ranch, and over the years we've found them to be an incredibly respectful, peaceful, and positive presence in the community.

Their events are always well-organized and thoughtfully managed. Cars are never parked in the street or blocking access, there is never any trash left behind, and everything runs smoothly. Music ends on time at 10pm, the string lights are turned off by 11pm, and guests are always indoors and supervised by midnight. Honestly, it feels quiet most of the year, with only seasonal activity that brings a bit of fun and warmth to the area without being disruptive.

We truly value having Rimrock Ranch as neighbors and wholeheartedly support their efforts to continue operating as they always have, with care, respect, and intention.

Sincerely,

The Marshalls
50830 Burns Canyon Rd.

Mujica, Oliver

From: Elliott <elliot.vanfleet@gmail.com>
Sent: Thursday, June 12, 2025 9:29 AM
To: Mujica, Oliver; Gwen@rimrockranchpioneertown.com
Subject: PROJECT NUMBER: PROJ-2023-00010

You don't often get email from elliot.vanfleet@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

I wanted to email about project number PROJ-2023-00010 on parcel number NO:0593-321-25 and 0593-271-01.

As a Rimrock resident who has been here for about 5 years Rimrock Ranch has had no impact on living here. Cars are never parked in the street, I don't notice an increase in traffic, and any music played stops early. The airbnb next door has more light pollution than Rimrock Ranch ever does, and Rimrock Ranch actually shuts theirs off at night. The music they play is always a welcome sound because it lets me know summer is here and makes the area feel more alive during the day. I couldn't imagine the neighborhood without them.

Elliott Van Fleet
2808 Ox Yoke Pass, Pioneertown, CA 92268

Mujica, Oliver

From: Emily Haynes <mlehaynes@gmail.com>
Sent: Friday, June 13, 2025 2:22 PM
To: Mujica, Oliver
Cc: gwen@rimrockranchpioneertown.com
Subject: Project # PROJ-2023-00010 Comment

You don't often get email from mlehaynes@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Good Afternoon,

This is in regards to project number PROJ-2023-00010, Assessor parcel no: 0593-321-25 and 0593-271-01

I reside on Ox Yoke Pass and I am a member of the Rimrock neighborhood. I wanted to reach out to say that Gwen and Eric at Rimrock Ranch are valuable members of this community who have my full trust and support on this project.

I have lived here for over 3 years and have never experienced any level of disturbance from the ranch or the events held there. Not once have I observed any vehicles parked on the street nor have I ever encountered any issues with traffic in the neighborhood. All events operate during reasonable and controlled times. The music is always kept to a responsible level and it always ends by 10PM. As a dark community lighting can an important factor and I can say that the lighting at the ranch has never been an issue. It is managed in such a way that the neighboring properties are not affected at all. Additionally the event guests have never been a nuisance and are supervised. Finally, the events at the ranch are absolutley seasonal and truly nondisruptive to the community. I frequently have no idea an event is even going on unless I am walking by or I see it on social media.

The ranch is operated with the utmost care and concern for the community and that high level of care displayed by Gwen and Eric truly shows in everything they do and every interaction they engage in with their neighbors.

Thank you fo your time.

Emily Haynes
mlehaynes@gmail.com
831.252.7549
2808 Ox Yoke Pass
Pioneertown, CA 92268

Mujica, Oliver

From: Emily Rogers <emilygrace951@gmail.com>
Sent: Wednesday, June 18, 2025 7:56 AM
To: gwen@rimrockranchpioneertown.com; Mujica, Oliver
Subject: Rimrock Ranch Pioneertown

You don't often get email from emilygrace951@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

In Support of project number: PROJ-2023-00010
ASSESSOR PARCEL NO: 0593-321-25 and 0593-271-01

To whom it may concern I am writing in support of Rimrock Ranch in Pioneertown. Gwen and Eric have been contributing and supporting members of their community for years. Their business has always been responsible, and considerate of Rimrock. They have always set a curfew for their guests, created ample parking on *their* property for their people, and kept their events contained on their property as well. Besides bringing positive attention to the Rimrock neighborhood and positive attention to Pioneertown; I truly can't think of any negative aspects of having them in the neighborhood.
- Emily Rogers

Mujica, Oliver

From: Forrest Minchinton <fminchinton@yahoo.com>
Sent: Tuesday, June 17, 2025 1:26 PM
To: Mujica, Oliver
Cc: Gwen@rimrockranchpioneertown.com
Subject: PROJECT NUMBER: PROJ-2023-00010

You don't often get email from fminchinton@yahoo.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Dear Mr. Mujica,

Writing today about our neighbors at the Rimrock Ranch.

PROJECT NUMBER: PROJ-2023-00010
ASSESSOR PARCEL NO:0593-321-25 and 0593-271-01

Gwen and Eric have been nothing but amazing neighbors. In fact their property is what lead me to purchase my property directly across the street. It's an amazing venue and location that in my opinion has brought so much value to the neighborhood.

The business has been a welcomed part of the neighborhood and they run a tight operation. I have never been disrupted by noise, lights or traffic congestion from any of their events. They also maintain the street free of any of their guests cars parking.

They have my support.

Kind Regards,

Forrest Minchinton
fminchinton@yahoo.com
+17143621854

Mujica, Oliver

From: Greg Herring <gregherring59@gmail.com>
Sent: Tuesday, June 17, 2025 9:46 AM
To: Mujica, Oliver
Cc: Gwen@Rimrockranchpioneertown.com; susaneherring59@gmail.com
Subject: Public Comment - PROJECT NUMBER: PROJ-2023-00010 - ASSESSOR PARCEL NO:0593-321-25 and 0593-271-01

You don't often get email from gregherring59@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Public Comment for the Rimrock Ranch Conditional Use Permit Application: Project Number - PROJ-2023-00010, ASSESSOR PARCEL NO:0593-321-25 and 0593-271-01

My wife and I fully support this historic and treasured community minded venture. Although the Rimrock community of Pioneertown is only a one mile long residentially (RL) zoned neighborhood the Rimrock Ranch has been a beloved part of this community for many years. It is an incredibly cherished part of this small neighborhood and many of us neighbors feel it is the pride of the area. Rimrock would not be Rimrock without this historic venue. It is our one and only business-related enterprise and has been fully accepted by all of us neighbors. The owners take pride in being community oriented and respectful of our pristine residential corner of paradise. During events at Rimrock Ranch the music is always turned off no later than 10PM. Their outdoor lighting is designed to not be disruptive of our beautiful night skies and has never been left on past 11pm. Their guests at the Ranch are well indoctrinated to the rules of the venue and surrounding vicinity. There has never been any issue with their guests. The Ranch has plenty of parking for their guests; we have never seen any street parking. This seasonal business is not intrusive to our way of rural living. Continuing to have this one business in our small community presents no issues. We fully support granting approval of the Conditional Use Permit for this ONE AND ONLY business within the Rimrock area of Pioneertown. Rimrock can support just one CUP business, and we are happy to continue to offer our backing of the Rimrock Ranch.

James Gregory and Susan Herring
2685 Orange Trail
Rimrock
Pioneertown, CA 92268
760-401-0636

Mujica, Oliver

From: Jennifer Byrd <jenniferbyrdrd@yahoo.com>
Sent: Tuesday, June 17, 2025 10:36 AM
To: Mujica, Oliver
Cc: gwen@rimrockranchpioneertown.com
Subject: Rim rock ranch project

You don't often get email from jenniferbyrdrd@yahoo.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Mr Mujica,
I am writing to provide support for the approval of the conditional use permit for Rim Rock Ranch. Project number: PROJ-2023-00010, parcel number: 0593-321-25 and 0593-271-01.
I have lived less than a mile from Rim Rock ranch for 17 years. I have never had any issues with the events held there. The cars are never parked on the street and traffic has never been disrupted. Music is never excessively loud and is always turned off at 10pm. I have not had any issue with excessive lights at any time and those too are turned off at an appropriate time. I have never experienced any guests of Rim Rock Ranch engaging in behavior that disrupts neighbors or the landscape and they remain on the property during events. Rim Rock Ranch has been a part of the community for a long time and the current owners have made it a priority to conduct the business in a way that respects the surrounding neighbors.

Best,
Jennifer Byrd, RD
jbrdandassociates.com
phone: 818.445.0098
fax: 818.301.2274

Privileged and Confidential Communication. This electronic transmission and any documents attached hereto, (a) are protected by the Electronic Communications Privacy Act (18 USC §§ 2510-2521), (b) are for the sole use of the intended recipient(s) named above, and (c) is confidential and may contain legally privileged information. If you are not the intended addressee or the person responsible for delivering it to the intended addressee, you are hereby notified that reading, disseminating, distributing or copying this message is strictly prohibited. If you have received this electronic message in error, please notify the sender at (818)-445-0098 and delete the electronic message and any copies thereof

Jennifer Williams
PO Box 56
Pioneertown, CA 92268

Oliver Mujica
PROJECT NUMBER: PROJ-2023-00010
ASSESSOR PARCEL NO: 0593-321-25 and 0593-271-01

My name is Jennifer Williams. I have lived on this Mojave Desert for 42 years, spending the last 13 years of that time in Pipes Canyon. I am 74 years old and met Gwen through a mutual love of horses. We became fast friends, despite our age difference, and I developed a wonderful friendship with Eric as well.

I have had the honor and pleasure of knowing Gwen and Eric for about 8 years now. Not only are they dear friends, I think of them as family. I am continually impressed by the way they conduct themselves, their business and the courteous and respectful way they have always been with me and any other folks I have ever seen them spend time with. I am enormously proud and honored that they both call me their friend and Desert Aunt.

I admire their tremendous work ethic, total honesty, transparency with their business and desire to keep all as it should be which is why they are going through this process.

Their property and buildings are immaculate. Their staff is amazing, professional and caring. Their desire to make every wedding *the* wedding that every bride dreams of, has earned them the distinction of the most popular wedding venue in the valley. I have personally known of many times our unpredictable desert weather could have destroyed the day, but Gwen, Eric and their staff went above and beyond to secure the proper equipment, buildings and whatever else necessary to save the day.

This is a seasonal business that is operated with the entire neighborhood in mind as well as the bride and groom. All guests are monitored. They can enjoy themselves as much as they like without getting out of hand. The outdoor lights are off by 11pm and any band or other music is off by 10 pm. I have known Gwen to check the noise level with a decibel reader to make sure the celebration stays at a suitable level. I have never seen cars on the street, but always in their adequate, on-site parking area. They have also provided shuttles for guests who have been staying in Pioneertown for example, to ensure that there are no intoxicated people driving on our winding road.

There have been a few times where I have been on the back part of the property working with Gwen's horses and have been able to see for myself the ways in which they support a safe and enjoyable environment for all involved. I am comfortable making all these statements.

This business is a superb example of how a venue like this should be handled. I cannot see a single reason for the county to not allow Eric and Gwen to have whatever is necessary to continue to conduct their business in the same manner they always have. Believe me, there have been several other event properties in the area that I have openly opposed, but Rimrock Ranch I heartily support, and would, whether I knew them or not. I have tremendous respect for anyone who works as hard as they do and takes every possible measure to stay within guidelines. They and their ranch are stellar examples for our community.

Sincerely,

Jennifer Williams

Jennifer Williams

Mujica, Oliver

From: Jerry Broyles <jerrybro@verizon.net>
Sent: Saturday, June 14, 2025 10:27 AM
To: Mujica, Oliver
Cc: Gwen@rimrockranchpioneertown.com; Jen Williams
Subject: Rimrock Ranch Project

[You don't often get email from jerrybro@verizon.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

PROJECT NUMBER: PROJ-2023-00010
ASSESSOR PARCEL NO:0593-321-25 and 0593-271-01

I SUPPORT the issuance of a permit regarding the Subject project.

The Rimrock Ranch is a stellar example of how venues in this area should be run. For years they have been considerate of the people who live in the area and, unlike the numerous illegal venues in the area, have always made the effort to operate in compliance with San Bernardino County LUS rules and regulations.

Please permit this project.

Jerry Broyles
53230 Chia Trail
PO Box 56
Pioneertown, CA 92268
(951) 313-7856
jerrybro@verizon.net

Mujica, Oliver

From: JESSE CARMICHAEL <carmichael.jesse@gmail.com>
Sent: Wednesday, June 18, 2025 6:41 PM
To: Mujica, Oliver
Subject: hello! - Rimrock Ranch

You don't often get email from carmichael.jesse@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

hey there Oliver! my wife and i own a house across the street from Rimrock Ranch and i just wanted to pass along my full support for them as they work on this new permitting process.

they are extremely responsible and go out of their way to be thoughtful and respectful to their neighbors. i have never once seen a car for their events parked on the street or cause any traffic. any and all noise from their events ends promptly at 10pm and isn't disruptive in the slightest when it's going on. all the guests at their events are very respectful of the peace and quiet in our neighborhood and i know that they work very hard to monitor and supervise to make that happen.

Rimrock Ranch is a huge part of the community that makes Rimrock such a special place and i look forward to them continuing to do what they do for a very long time.

thanks so much Oliver...please don't hesitate to reach out with any questions.

--
jesse carmichael
805.300.4017
carmichael.jesse@gmail.com

Mujica, Oliver

From:	Jonathan Sandler <jrsandler@mac.com>
Sent:	Sunday, June 15, 2025 1:08 PM
To:	Mujica, Oliver
Cc:	Gwen@rimrockranchpioneertown.com; Joseph Corella
Subject:	Comment In Support of PROJ-2023-00010 | AP Nos. 0593-321-25 and 0593-271-01
Attachments:	Comment ISO PROJ-2023-00010.pdf

You don't often get email from jrsandler@mac.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Mr. Mujica,

We write in support of the County **granting** the requested Special Use Permit (**Project PROJ-2023-00010**) to **parcels 0593-321-25 and 0593-271-01**, known to those in the community as Rimrock Ranch (**"RR"**).

I'd like to think that our support of RR is meaningful, given our close proximity to the property. Our home is less than half a mile away, just across Burns Canyon Road on Powder Horn Pass. After 8 years as a close neighbor to RR, we can attest that RR is consistently run with the utmost professionalism and care for the community in which it sits. It is important to note that RR's owners/operators, Gwen Barker & Eric Dean, not only run their seasonal business at RR, they are also full-time residents here in Rimrock. We point this out, because we feel it is important for the County to understand that they, and RR, are part of our community. They operate their seasonal business in the respectful way that they do, not just because they are good, ethical business people, but because they are also neighbors and friends of all of us in Rimrock. Indeed, they regularly open their home to us as a place of gathering and community in the off-season, having folks over for a barbecue or community dinner.

In the time that we have lived adjacent to RR, we have never experienced any of the potential issues that one might imagine could arise from having an event space nearby. There is never any excessive noise, never any traffic issues, never any light pollution, etc. Honestly, we have experienced more "disruption" from neighbors simply enjoying/living on their properties (or out-of-towners driving parades of jeeps up to Big Bear) than we ever have from RR. The music from weddings is barely audible from our house when we stand outside, and, frankly, we enjoy the free live music. In any event, it is always silent by 10 pm at latest. They have ample parking, so there are literally never cars parked on Burns Canyon Road, and they proactively bring in private security (whenever they deem it necessary) to help insulate their guests and the community from any potential disruption to one another. They are model neighbors.

More than not detracting from our community with their business, they actually add to it. I don't have graphs and charts showing revenue streams, but I am confident all data analysis would show that RR generates additional revenue for Pioneertown's local businesses and creates jobs for locals. When there is a RR event, those guests come discover our beautiful town (often for the first time), and then spend considerable time and money in Pioneertown. Guests from RR events are always at Pappy & Harriet's and/or Red Dog for drinks, entertainment and meals, and they buy locally sourced merchandise from the shops in Pioneertown to remember their unique experiences in the beautiful high desert

RR guests also regularly order wedding cakes from a talented local baker who runs her business from her home right here in Rimrock. And when people want a place to spend the night when attending events, they opt to stay at Rimrock AirBnBs, helping support those of us who rent out our homes part time to help afford our mortgages—as we now do seasonally. As an Airbnb host, we can tell you that the clientele that have events at RR and rent our home are precisely the type of responsible, well meaning people who any of us out here want staying in our homes when we cannot be there ourselves.

Without RR here in our community, it would not be the same. It would be a considerable loss if this vital part of our neighborhood were no longer here. If you have any questions, please do not hesitate to reach out to us. We have also attac

We respectfully request that the County please approve RR's request for a special use permit.

Kind Regards,

Jonathan Sandler & Joseph Corella

2525 Powder Horn Pass, Pioneertown, CA 90028

Mujica, Oliver

From: Joni Carter <jonicarter56@gmail.com>
Sent: Tuesday, June 17, 2025 3:03 PM
To: Mujica, Oliver
Cc: gwen@rimrockranchpioneertown.com
Subject: Project Number-PROJ-2023-00010 assessor parcel NO:0593-321-25 and 0593-271-01

You don't often get email from jonicarter56@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

I'm writing to you in support of Rimrock Ranch receiving approval of the conditional use permit. As permanent residents here in Rimrock we have never had any complaints regarding any events happening at Rimrock Ranch. The owners are very considerate of the residents. They have parking at the property so there are never any problems on our road and we have never run into any problems with traffic. I know that they have very strict rules as far as the music goes and the noise level and have even walked the neighborhood during an event to determine if the level of music is too high. We have never had a problem with any guests wandering the neighborhood and the owners have always had everything buttoned down with music stopped by 10:00 and lights off by 11:00. The property seems to be seasonal with just a few days a month having events with some months it seems only one or two events that month. The owners have always been kind, considerate, open and available to the community if anyone would have concerns which I've never heard anything negative from other property owners. They have our full support going forward and hope they will be given the proper permits they are requesting.
Sincerely
Joni Carter

Mujica, Oliver

From: Jules Gehring <julesgehring@gmail.com>
Sent: Wednesday, June 18, 2025 1:35 PM
To: Mujica, Oliver
Cc: gwen@rimrockranchpioneertown.com
Subject: Project #Proj-2023-00010

You don't often get email from julesgehring@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Assessor Parcel
#: 0593-321-25 and 0593-271-01

To whom it may concern,
Rimrock Ranch Rocks! Gwen and Eric are extremely well supported by the neighborhood. They are kind, considerate and extremely good at what they do. They have only added value to our living experience in the high desert. I have been in the hospitality business for over 40 years and they do things right!
Any questions or concerns, please let me know.
Regards,

Jules Gehring
612.770.2272

Mujica, Oliver

From: Kathy Lusk <kathy92268@yahoo.com>
Sent: Thursday, June 19, 2025 1:01 PM
To: Mujica, Oliver; Gwen@Rimrockranchpioneertown.com
Subject: Project Number: Proj-2023-00010 Assessor Parcel #0593-321-25 and 0593-271-01

You don't often get email from kathy92268@yahoo.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

I have lived at 2729 Powder Horn Pass, Pioneertown, CA 92268 for almost 23 years.

When Gwen and Eric moved into Rimrock Ranch, we were initially concerned that there would be a lot of noise from the events that they
were having, mainly on weekends.
Gwen introduced herself and proceeded to tell us that she was going to be hyper-sensitive to the noise levels and traffic that would happen with her events. She would walk over a decibel meter during her events to gauge the noise level in the surrounding area.
Music could run all day, but was promptly stopped at 10pm. Lights out at 11 and all quiet. We have never seen any lingering guests in the area and have not had any concerns with them.
Traffic parking stays in their lot and never on the surrounding streets.

They have been optimum neighbors and fine people to get to know. They protect the peacefulness of our desert neighborhood and for that we are grateful.

Please contact me if you have any other questions or concerns.

Sincerely,
Kathy and John Lusk
PO Box 212
Pioneertown, CA 92268
760.832.5617

Mujica, Oliver

From: Katie Becker <mrskatiebecker@gmail.com>

Sent: Wednesday, June 18, 2025 2:49 PM
To: Mujica, Oliver
Cc: Gwen@Rimrockranchpioneertown.com
Subject: Support for PROJECT NUMBER: PROJ-2023-00010 | APNs 0593-321-25 and 0593-271-01

You don't often get email from mrskatiebecker@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Dear Mr. Mujica,

My name is Katie Becker, and I live at 2865 Powderhorn Pass in Pioneertown, immediately next door to Rimrock Ranch. I am writing to express my full support for their conditional use permit application (Project No. PROJ-2023-00010).

As the closest neighbors to the venue, we are in the most direct position to be impacted by its operations. Had there been any issues at all ,whether with noise, parking, traffic, or lighting , they would have affected our household first and most significantly. Over the last five years we have witnessed numerous events held next door at Rimrock Ranch and have never once had a complaint or concern about the business or our neighbors. Events end at reasonable hours, music is turned off by 10pm, lights are managed respectfully, and guests behave considerately. Cars are kept off the street, and there's never been any disruption to our home or our quiet neighborhood.

Gwen and Eric run their business with integrity and genuine care for those around them. Their events bring joy and life to the community while maintaining the peace and natural beauty that drew us all to this part of the desert. They have been kind and generous neighbors and our community wouldn't be the same without their business and presence.

Please approve this permit and allow this responsible, respectful business to continue operating in a way that already benefits our community. They've earned our full trust and support.

Warm regards,

Katie Becker
2865 Powderhorn Pass
Pioneertown, CA
401-932-7504

Mujica, Oliver

From: Linda Krantz <krantzy@gmail.com>
Sent: Monday, June 23, 2025 2:08 PM
To: Mujica, Oliver
Cc: Gwen Barker
Subject: Project # PROJ-2023-00010

You don't often get email from krantzy@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Hello Oliver,

My name is Linda Krantz. My partner, Robyn Celia, and I owned and operated Pappy & Harriet's in Pioneertown, CA from 2003 to 2021. I wanted to write in support of the above project, and of the owners and operators, Gwen Barker and Eric Dean. Rimrock Ranch is one of the most important historical properties in the entire high desert and particularly Pioneertown. Gwen and Eric have lovingly cared for this property for nearly 10 years. Their event business allows them the ability to keep and continue to upgrade this very important property. Without these events, Rimrock Ranch would not be able to sustain itself.

There is a difference between the individuals who move to this area (or worse are absentee Airbnb owners) solely to take advantage of its popularity, and reap the monetary benefits, and those who come here to become part of a community and enjoy the magic of our desert. Gwen and Eric are thoughtful and responsible business owners. They care about their neighbors. Their neighbors and friends and family. They respect nightly curfews and music levels. They and their staff are present for every single event. These are the type of operators we want in our community.

I am in full support of the operations at Rimrock Ranch and I hope that you will recognize that this business is a boon to Pioneertown and the entire high desert.

Thank you for your time and consideration.

Linda Krantz
PO Box 595
Pioneertown, CA 92268
917 797 2866 cell

Mujica, Oliver

From: Lindsay Thompson <lthompson8000@gmail.com>
Sent: Tuesday, June 17, 2025 3:43 PM
To: Mujica, Oliver; Gwen Barker
Subject: PROJECT NUMBER: PROJ-2023-00010 - Letter of support

You don't often get email from lthompson8000@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

To whom it may concern,

My name is Lindsay Thompson. I'm writing to you on behalf of our friends and neighbors Gwen Barker and Eric Dean who are the owners of Rimrock Ranch.

I am in the unique position of having had my wedding at Rimrock Ranch and also being a neighboring homeowner at 2545 Apache Pass Road, in addition to undeveloped land on Bisbee Rd. As a guest of their space, they were very clear on rules and restrictions put in place for the comfort and safety of the neighborhood. Music was turned off by 10pm and lights off by 11pm. They are so organized and experienced and everything went off without a hitch. They put the community first in the best way possible.

Being a neighbor and homeowner, we have never been disturbed by an event, and have never noticed excessive cars, lights or noise. We love the community they bring to the neighborhood and their deep respect for the residents and environment. We fully support their continued use of the space as lodging and event space.

Thank you so much!

-Lindsay Thompson
Homeowner at 2545 Apache Pass Road, Rimrock, CA 92268

Re:
PROJECT NUMBER: PROJ-2023-00010
ASSESSOR PARCEL NO:0593-321-25 and 0593-271-01

Mujica, Oliver

From: Mark Lipson <sparkfoto@mac.com>
Sent: Monday, June 16, 2025 4:15 PM
To: Mujica, Oliver
Cc: Gwen Barker
Subject: Fwd: regarding the Rimrock Ranch Project

You don't often get email from sparkfoto@mac.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Dear Mr. Mujica,

It has come to my attention that you are currently considering an application from Rimrock Ranch for a permit to

operate seasonal outdoor events.

As such I want to let you know that I reside at 51195 Geronimo Trail, Rimrock 92268.

My house is less than a half mile away and a pleasant 15 minute walk.

For the last 3 years it has been a pleasure having Rimrock Ranch as a neighbor.

At no time have a found a cause for a complaint of any sort. The Ranch is a positive influence

in our small desert community. Their guests are respectful.. Cars are parked on the grounds of the

Ranch and not sprawling onto Burns Canyon Rd. As you must know sound travels very clearly out here

and from my deck I would be very aware of any late night music or light works.. So to make a precise point,

not once in the 3 years I have lived in Rimrock have their guests or festivities carried on past the allowable hours.

I would be more than happy to attest to this matter formally if you so request.

All the best

Mujica, Oliver

From: Merritt Lear <merrittlear@me.com>
Sent: Wednesday, June 18, 2025 3:15 PM
To: Mujica, Oliver; Gwen@rimrockranchpioneertown.com; Christophe (Chris) Beck
Subject: Rimrock Ranch Project

[You don't often get email from merrittlear@me.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Hi,

I'm writing in support of approval for the Rimrock Ranch Project. We share a property line with them and they've always been great neighbors. Their business is seasonal and they always turn the music off by 10pm. They are not only conscientious with their business but also are involved in the community in an important way and keep an eye on the safety and happiness of everyone around in Rimrock.

PROJECT NUMBER: PROJ-2023-00010
ASSESSOR PARCEL NO:0593-321-25 and 0593-271-01

Thanks!
Merritt and Christophe Beck
2923 Powderhorn Pass
Pioneertown, CA
773-412-4301

Mujica, Oliver

From: Nicola Collie <nicola.l.collie@gmail.com>
Sent: Sunday, June 15, 2025 6:09 PM
To: Mujica, Oliver
Cc: Gwen Barker
Subject: Project no. PROJ-2023-00010 // Assessor Parcel no. 0593-321-25 and 0593-271-01

You don't often get email from nicola.l.collie@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Hi Oliver,

I am writing in support of Gwen Barker and Eric Dean of Rimrock Ranch and their events business. I have known Gwen and Eric as neighbors in Rimrock for upwards of seven years, both personally and professionally. For your ease, this is for: **PROJECT NUMBER: PROJ-2023-00010 // ASSESSOR PARCEL NO:0593-321-25 and 0593-271-01**

During this time, my husband Todd and I have lived four properties down the street full time for five and a half years. As you can imagine with an event operation in the desert, noise travels very easily. I can say without any embellishment, that *every single event* during this time (and knowing Gwen and Eric, also outside of this time period) has promptly had the music shut off by 10pm or earlier. The music is always kept at respectful levels, in compliance with county ordinance rules (yes, they regularly check the decibel reader, I have witnessed this on multiple occasions.) The yard lights, string lights are also always off without fail, at 11pm or earlier. Guests are inside and supervised no later than midnight. I truthfully have never heard guests after 10pm.

As someone who also relies on the events industry for their livelihood, I can genuinely say that the wedding business out here is *truly seasonal*. May and October are utterly slammed. Spring and Fall in general are busy seasons. Summer is dead, and Winter is pretty quiet. I mention this, because it's important to recognize that Rimrock Ranch's business is very much not an every-single-weekend events space. It has rest periods. Which means that when things are in-season, it's very important to be able to do business as efficiently as possible to *"make hay while the sun shines"* as it were. It means that it's of the utmost importance to have all the necessary business allowing requirements in place, so money can be made during peak season, so there's enough to get you through the off peak season.

Given how frequently I work with their business as a wedding venue, I can attest to the finesse, level of organization, and professionalism both Gwen and Eric exude in running Rimrock Ranch. I look forward to weddings there because of this. It's a far cry from the countless AirBnB "wedding venues" that are not equipped to run weddings but seem to anyway. These other "venues" often have little to no parking space, very limited fridge space (I work in food), and no rules around when music and lights turn off. On the contrary, Rimrock Ranch has strict rules that are *always* adhered to around all of these factors. They also have an allocated parking lot for guests, and if that is full they require clients to organize a passenger van so vehicle traffic and parking isn't an issue on Burns Canyon Rd.

I can say without a doubt that the only frequently disruptive places in the neighborhood are the onslaught of AirBnBs that have recently been issued permits. We have had issues having to call police and noise control and file complaints with the country for trash violations, noise violations and light pollution. In general what is displayed is a disrespect of the beautiful environment that we feel privileged to live in. Gwen and Eric both fundamentally understand this as they have created their lives, and business here, and run Rimrock Ranch accordingly. They respect this community, and don't take this special environment for granted. Not only that, they go above and beyond to ensure their immediate neighbors are informed, heard and taken care of in regards to their events. And just generally speaking, they are both wonderfully kind, thoughtful, resourceful people who we want to see stay in this community because they enrich it. They can only do this with Rimrock Ranch as a running events business.

I sincerely hope you will take this into consideration during the rest of this process. Our lives and this community would not be the same without this very special and historic event space and the people who run it, continuing its legacy.

Thank you for your time,
Nicola Collie
(646) 864 8883
--
NICCOLLIE.COM
@niccollie

Mujica, Oliver

From: Randy Torres <randytorres@me.com>
Sent: Thursday, June 12, 2025 10:33 AM
To: Mujica, Oliver
Cc: Gwen@rimrockranchpioneertown.com
Subject: PROJECT NUMBER: PROJ-2023-00010 ASSESSOR PARCEL NO:0593-321-25 and 0593-271-01

You don't often get email from randytorres@me.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Dear Mr Mujica,

I'm writing to express my full support for Rimrock Ranch and the responsible way it is operated within our community.

As a neighbor and community member, I've seen firsthand how the owners have gone out of their way to be respectful, thoughtful, and in full consideration of their surroundings. They have built a business that adds character and charm to the area, while maintaining high standards for conduct and compliance.

Key points that highlight their responsible approach:

- **Parking and traffic are well-managed.** Event vehicles are kept on the property and never parked on public streets. Traffic is minimal and limited to specific, controlled times—never late at night or too early in the morning.
- **Noise is kept within respectful limits.** Music is always turned off promptly at 10pm, and during events, volume levels are managed with care to avoid disturbing neighbors.
- **Lighting is modest and mindful.** Event lighting does not spill into adjacent properties, and string lights are turned off by 11pm.
- **Evening hours are strictly observed.** By midnight, guests are indoors and monitored to ensure peace and quiet throughout the night.
- **The business operates seasonally.** Activity is not year-round, and there are long stretches of quiet time without any events at all.

Rimrock Ranch is an asset to this community. The care, intention, and integrity they bring to their operations make it a model of how a rural business should coexist with its surroundings.

I hope the County will continue to support their presence here. They've earned the trust and appreciation of those of us who live nearby, and we value what they contribute.

Sincerely,
Randy Torres

Mujica, Oliver

From: Renee D'Amour <renee.damour@gmail.com>
Sent: Wednesday, June 18, 2025 7:31 PM
To: Mujica, Oliver
Subject: Neighborly Support for Rimrock Ranch

You don't often get email from renee.damour@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Hi there,

I'm writing as a neighbor who lives across the street from Rimrock Ranch. I just wanted to share a few thoughts as they go through this new permitting process.

Over the years, I've consistently been impressed by how responsible and community-minded they are. Events are always managed with care — there's never been an issue with street parking or traffic, and any noise wraps up right at 10pm. Even when something is going on, it never feels disruptive. Their guests are always respectful, and it's clear that the Rimrock team puts a lot of effort into making sure everything runs smoothly and quietly. That kind of attention to detail really shows. It's been a real pleasure having them as neighbors. They bring a thoughtful, positive energy to the area, and I genuinely enjoy living near them.

The first time I ever visited Rimrock was to attend a wedding at Rimrock Ranch, and it was there we fell in love with the neighborhood. You could say we live here because of the ranch.

In addition, I want to highlight my past experience working closely with Santa Barbara County on disaster response efforts, which gives me a strong appreciation for the importance of local infrastructure in times of crisis. From the perspective of San Bernardino County's emergency preparedness and community resilience, Rimrock Ranch plays a vital role.

As I'm sure you know, effective disaster response hinges on trusted relationships, many of which are anchored by long-standing local organizations. Whether it's a fire watch, poor air quality from a distant blaze, flooding, extreme weather, or a public health emergency, timely, life-saving information and much-needed emotional support are most often delivered through these community pillars.

Rimrock Ranch—under the stewardship of Gwen and Eric—serves as exactly that kind of anchor. Their deep care for the community and their commitment to its well-being enhance the safety and preparedness of not only Pioneertown but the wider area as well.

I urge you to take this into consideration as you deliberate. Undermining this essential local institution and the cascading effects would be a significant loss to the community's resilience and overall well-being.

Best,

Mujica, Oliver

From: Steven Johnson <filmfactory@me.com>
Sent: Tuesday, June 17, 2025 7:36 PM
To: Mujica, Oliver
Cc: gwen@rimrockranchpioneertown.com

Subject: PROJECT NUMBER: PROJ-2023-00010

You don't often get email from filmfactory@me.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

PROJECT NUMBER: PROJ-2023-00010

ASSESSOR PARCEL NO:0593-321-25 and 0593-271-01

To The County of San Bernardino and Oliver Mujica,

We are writing this letter on behalf of our ongoing support for **Rimrock Ranch**. We believe it is vitally important for small businesses like Rimrock Ranch to operate and flourish in our local community instead of large commercial interests and property management companies who don't value and respect their neighbors.

Rimrock Ranch is a seasonal business that has never disrupted our lifestyle out in Rimrock. They're responsible owners who properly supervise their guests.They obey sound ordinances and turn their music offpromptly at 10pm, making sure they monitor the volume levels throughout the evening. Lights from the property don't pollute night sky or inhibit other properties in the neighborhood, and their guests are always indoors by midnight. Cars are never parked on the street, and traffic has never been an issue.

First and foremost Rimrock is a small community where we know our neighbors and we would like to keep it that way. Gwen Barker and Eric Dean are leaders in our community and have done everything to *add* value to Rimrock and the surrounding area by growing their business without selling out to corporate entities in the spirit of public interests and decency.

We strongly urge the County to please understand that we proudly support the continuation of **Rimrock Ranch** in our community as an anchor and a piece of this beautiful deserts culture.

Thanks so much for your time.

Sincerely,

Steven Johnson & Melissa Fleis

2618 Rimrock Road

Rimrock CA 92268

Mujica, Oliver

From: Todd Blubaugh <bluetoddproductions@gmail.com>
Sent: Tuesday, June 17, 2025 10:02 PM
To: Mujica, Oliver; gwen@rimrockranchpioneertown.com
Subject: Rimrock Ranch Recommendation.

You don't often get email from bluetoddproductions@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Hello Oliver,
My name is Todd Blubaugh. I own 51153 Burns Canyon Road just down the street from RR ranch. It's come to my attention that their business is in need of a letter recommendation and I would like to offer 110% of my support for their business. I've lived here for over 10 years and want to tell you that the neighborhood changed for the better with the arrival of Gwen and Eric (owner operators). Please make note that as new community members they immediately opened their doors and resources to all of us living here. Beyond their personal generosity they have always been respectful in the way they operate their business. Never have they parked any vehicles on side of the road or disrupted traffic. Noise is never a problem and any music is always turned off by 10pm. Their guests have always been respectful and outdoor lighting has never been a problem. So please consider this letter of support for: **PROJECT NUMBER: PROJ-2023-00010 // ASSESSOR PARCEL NO:0593-321-25 and 0593-271-01**

Thanks,
Todd Blubaugh

Mujica, Oliver

From: Wendy Hadley <wendyhadley@icloud.com>
Sent: Sunday, June 15, 2025 8:44 PM
To: Mujica, Oliver
Cc: Gwen Barker; paul Hadley
Subject: Letter of Support for Rimrock Ranch - PROJECT NUMBER: PROJ-2023-00010; ASSESSOR PARCEL NO:0593-321-25 and 0593-271-01

You don't often get email from wendyhadley@icloud.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

RE: PROJECT NUMBER: PROJ-2023-00010
ASSESSOR PARCEL NO:0593-321-25 and 0593-271-01

Dear Oliver Mujica/San Bernardino County:

We understand that Rimrock Ranch, located in the Rimrock neighborhood of Pioneertown (project number and parcel numbers noted above), and its owners Gwen Barker and Eric Dean, are in the process of seeking a conditional use permit from the county. We are local landowners and have been full-time residents in Pioneertown since 2012 and we are writing this letter of support for Rimrock Ranch and Gwen and Eric because they are the kind of business and business owners that we want to have in our community. We hope that the County will grant them this permit.

We appreciate the long history of the Ranch and the purpose it has served in our community as a special and unique event venue. From day one of ownership, Gwen and Eric have been very responsible and thoughtful business owners and managers, as well as good neighbors. They and the Ranch have been a great asset to our community. We know that they have worked very hard to run a respectful and responsible business. We've seen it first hand in their disciplined and strict operations. They really do an excellent job of managing their events and guests. They are hands on, responsive, and they maintain strict curfews for music, lights and guest noise in general. We never hear any complaints about the business from neighbors. We appreciate having this business in our community.

Thank you for considering our support. We sincerely hope the county will grant the Ranch the permit they need to continue serving our community. We are happy to answer any questions you might have, or assist in any way we can to help Rimrock Ranch secure the permit it deserves.

Regards,

Wendy and Paul Hadley

Mail: P.O.Box 345, Pioneertown, CA 92268