

**SAN BERNARDINO COUNTY
MITIGATED NEGATIVE DECLARATION ENVIRONMENTAL
CHECKLIST FORM**

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

PROJECT LABEL:

APNs:	3066-251-18	USGS Quad:	Phelan 7.5-minute USGS Topographic Quadrangle
Applicant:	Phelan Piñon Hills Community Services District	T, R, Section:	T4N, R7W, Section 24
Location	Sheep Creek Road Between Warbler Road and Brawley Road	Thomas Bros	Page 4473; Grid A7; San Bernardino and Riverside Counties (2013)
Project No:		Community	Phelan/Piñon Hills
Rep	Mr. George Cardenas	LUC: Zone:	Commercial Phelan/Piñon Hills/ General Commercial
Proposal:	Approval of a Change of Zone, Conditional Use Permit, and Lot Merger to develop a community park	Overlays:	None

PROJECT CONTACT INFORMATION:

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

Contact person: Jim Morrissey, Contract Planner
Phone No: (909) 387-4234 Fax (909) 387-3223
No:
E-mail: jim.morrissey@lus.sbcounty.gov

PROJECT DESCRIPTION:

Summary

The proposed Project is the development of the 14-acre Phelan Community Park with connection to the previously approved Phelan Civic Center (Administration Building and Multi-Purpose Building) on the westerly adjacent 5-acre parcel (Conditional Use Permit-2013-00092 and PRAA-2021-00040). Sharing of infrastructure (roadways and utilities), and balancing cut and fill grading tie the proposed Project and the approved Phelan Civic Center together. The Project Site is part of the unincorporated Phelan Piñon Hills community in San Bernardino County (see Figure 1 – Regional Location). The Project Site is located east of Sheep Creek Road, at the end of Warbler

Road (see Figure 2 – Project Vicinity). The Proponent of the proposed Project and the CEQA Lead Agency is the County of San Bernardino. The Phelan Piñon Hills Community Services District (PPHCSD) is seeking State grant funding for the 14-acre Community Park.

The Community Park (see Figure 3 – Site Plan) is designed to include the following uses:

- Pump Track and Skate Park (32,310 SF)
- Shared Multi-Purpose/Softball Field (39,600 SF)
- Multi-Purpose Field (39,600 SF)
- Equestrian Arena (16,145)
- Large Dog Park (10,608 SF)
- Small Dog Park (7,150 SF)
- Landscaped area – includes multi-purpose field/event lawn area (272,718 SF)
- Parking lots
 - o 163 (9'x19') parking stalls
 - o 9 Horse Trailer/RV Parking
 - o 8 Accessible (9'x19' with 8' unloading zone) parking stalls
- Retention area (20,875 SF)
- Restroom building and Concession (1,760 SF)
- Children's Playground-ages 2-5 (3,392 SF)
- Children's Playground-ages 5-12 (3,988 SF)

The proposed Project requires approval of the Change of Zone to Rural Commercial (CR), a Conditional Use Permit, and a Lot Merger to allow for the construction and operation of a community park on the Project Site. The Project Site is within the San Bernardino Countywide Policy Plan and is currently designated with the zoning of Phelan/Piñon Hills/General Commercial (PH/CG), under which the Proposed project is not an allowable use. The proposed Project, therefore, requires a Zone Change to Rural Commercial (PH/CR), which allows a park, subject to approval of a Conditional Use Permit. Access is proposed along Warbler Road past the entry drive of the existing community park to the west. To access the north end of the site by way of Sheep Creek Road, the entry drive of the planned Civic Center project would be extended.

Surrounding Land Uses and Setting

The Project Site is within the Phelan Piñon Hills community in San Bernardino County. As shown on the County of San Bernardino Land Use Map, the Project Site has a zoning of Phelan/Piñon Hills/General Commercial and is within the Land Use Category of Commercial. The Project Site is located in an area with scattered residential and commercial uses. The following table lists the existing adjacent land uses and zoning.

Existing Land Use and Land Use Category			
Location	Existing Land Use	Land Use Category	Zoning
Project Site	Vacant	Commercial	Phelan/Piñon Hills/ General Commercial
North	School; Vacant	Public Facility; Commercial	Phelan/Piñon Hills/Institutional; Phelan/Piñon Hills/General Commercial
South	Residential	Commercial	Phelan/Piñon Hills/General Commercial
East	Residential; Vacant	LDR: Low Density Res. 2-5 du/ac max	Phelan/Piñon Hills/Multiple Residential 20 du/ac max; Phelan/Piñon Hills/Single Residential 14,000 sf min
West	Vacant (future Civic Center); Community Park	Commercial	Phelan/Piñon Hills/General Commercial

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Federal: None.

State of California: California Department of Fish and Wildlife

San Bernardino County: SB County Land Use Services, Planning Division (Zone Change); CUP

Regional: Mojave Desert Air Quality Management District.

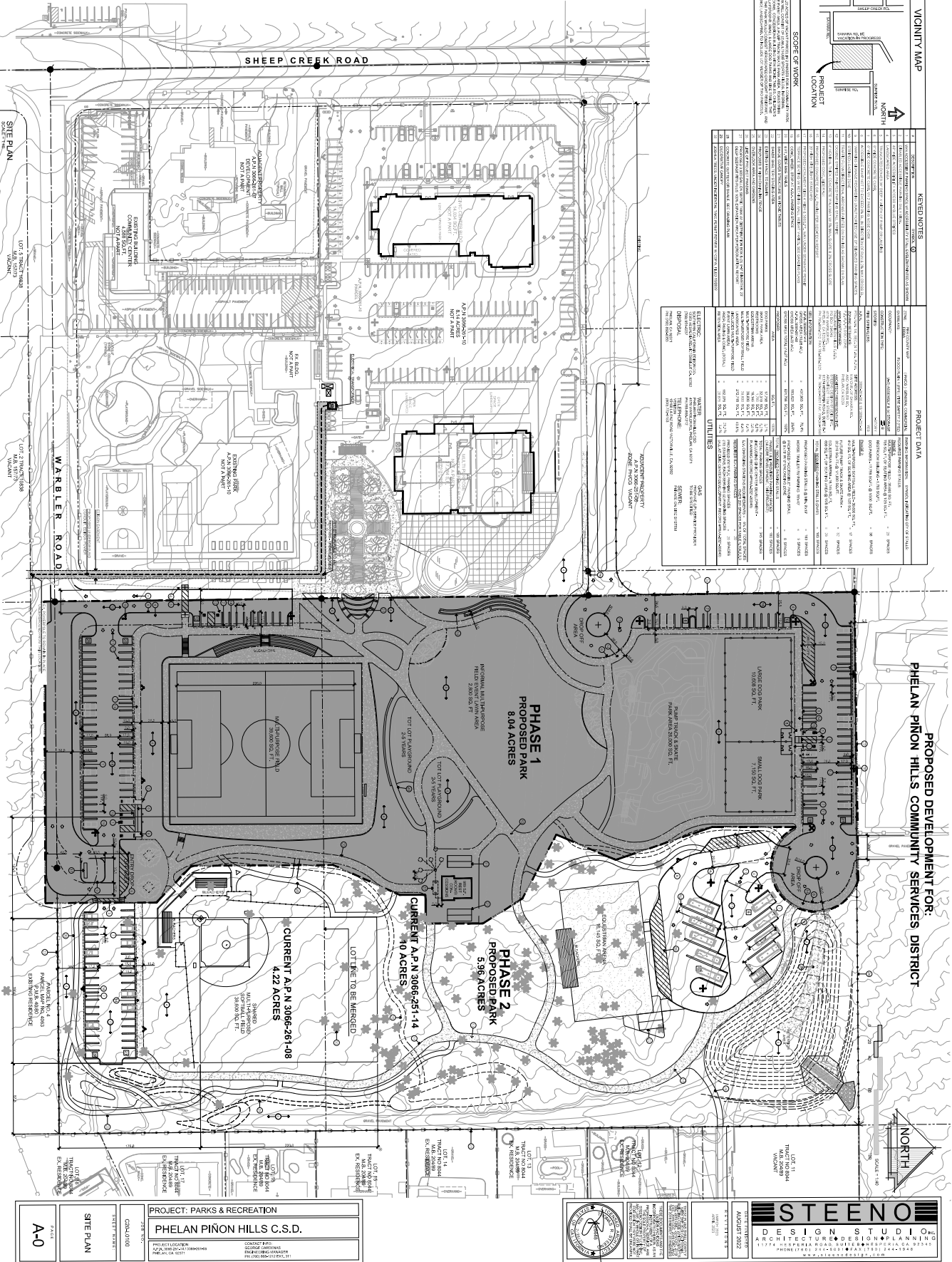
Local: None



REGIONAL LOCATION
Phelan Community Park
Phelan, California

FIGURE 1





CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

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.?

On June 14, 2023, the County mailed notification of the Proposed Project, pursuant to AB52 to the following tribes: Morongo, San Manuel, and Fort Mojave. Requests for consultations are due to the County by July 14, 2023. Mitigation measures from the May 12, 2022 San Manuel Band of Mission Indians regarding the adjacent Civic Center Project are provided herein. Any additional responses received will be addressed prior to consideration of adopting a Mitigated Negative Declaration.

AB 52 Consultation

Tribe	Comment Letter Received	Summary of Response	Conclusion
Morongo Band of Mission Indians			
San Manuel Band of Mission Indians	6/29/23	Requested additional documentation, which was provided on 7/1/23.	No further comments received.
Fort Mojave Indian Tribe			

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

EVALUATION FORMAT

This Initial Study is prepared in compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of an Initial Study is guided by Section 15063 of the State CEQA Guidelines. This format of the study is presented as follows. The project is evaluated based on its effect on 20 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. Technical studies and data were summarized herein to provide analyses of various environmental factors (e.g. air quality model results, biological resources assessment, cultural resources investigation, traffic study); these are cited herein where appropriate and included in the list of references.

The effect of the project is categorized into one of the following four categories of possible determinations:

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

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

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

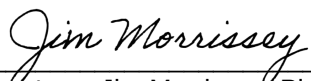
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

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


Signature: Jim Morrissey, Planner

7/14/23
Date


Signature: Chris Warrick, Supervisory Planner

7/17/2023
Date

Issues		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:					
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
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 a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d)	Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?	☐	☐	☒	☐

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

San Bernardino Countywide Plan, approved October 27, 2020, adopted November 27, 2020; San Bernardino County Development Code

a) Have a substantial adverse effect on a scenic vista?

The proposed Project is development of a community park on vacant land. The Project Site is part of the Phelan Piñon Hills community. The property is located in an area with views of the San Bernardino Mountains. The Project Site is surrounded by existing development, such as single-family residences, a school, a proposed civic center, and a community park. The proposed Project consists of outdoor, recreational uses and a one-story, 1,760 square-foot (SF) restroom and concession building. Therefore, obstruction of views of the San Bernardino Mountains are not anticipated. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- b) *Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?*

The Project Site is located just east of Warbler Road, and near Sheep Creek Road. These roads are not designated or eligible Scenic Routes.¹ The proposed Project would be accessed from Sheep Creek Road via Warbler Road and an access road immediately north of the civic center. Although scenic resources such as Joshua trees are present on-site, the proposed Project would not be viewable from any state scenic highway. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Phelan Piñon Hills community is defined by its rural natural environment. The property is currently surrounded by single-family residences and vacant land to the east; a school and vacant land to the north; a community park and planned civic center to the west; and vacant land to the south. As stated previously, the proposed Project would not be viewable from any major highway. The Project Site currently includes 162 Joshua Trees. The proposed Project would preserve 28 Joshua Trees that will be transplanted and incorporated into the Landscape Plan (see Figure 4), thereby maintaining the aesthetics of the desert environment as well as avoid impacts to sensitive species. Furthermore, the proposed Project would be an extension to the existing community park and planned Civic Center to the west. The proposed community park would be visually compatible with these uses. The proposed Project would provide recreational uses for local residents that are intended to be aesthetically pleasing, rather than degrading. In addition, the proposed community park would be maintained on a regular basis. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- d) *Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?*

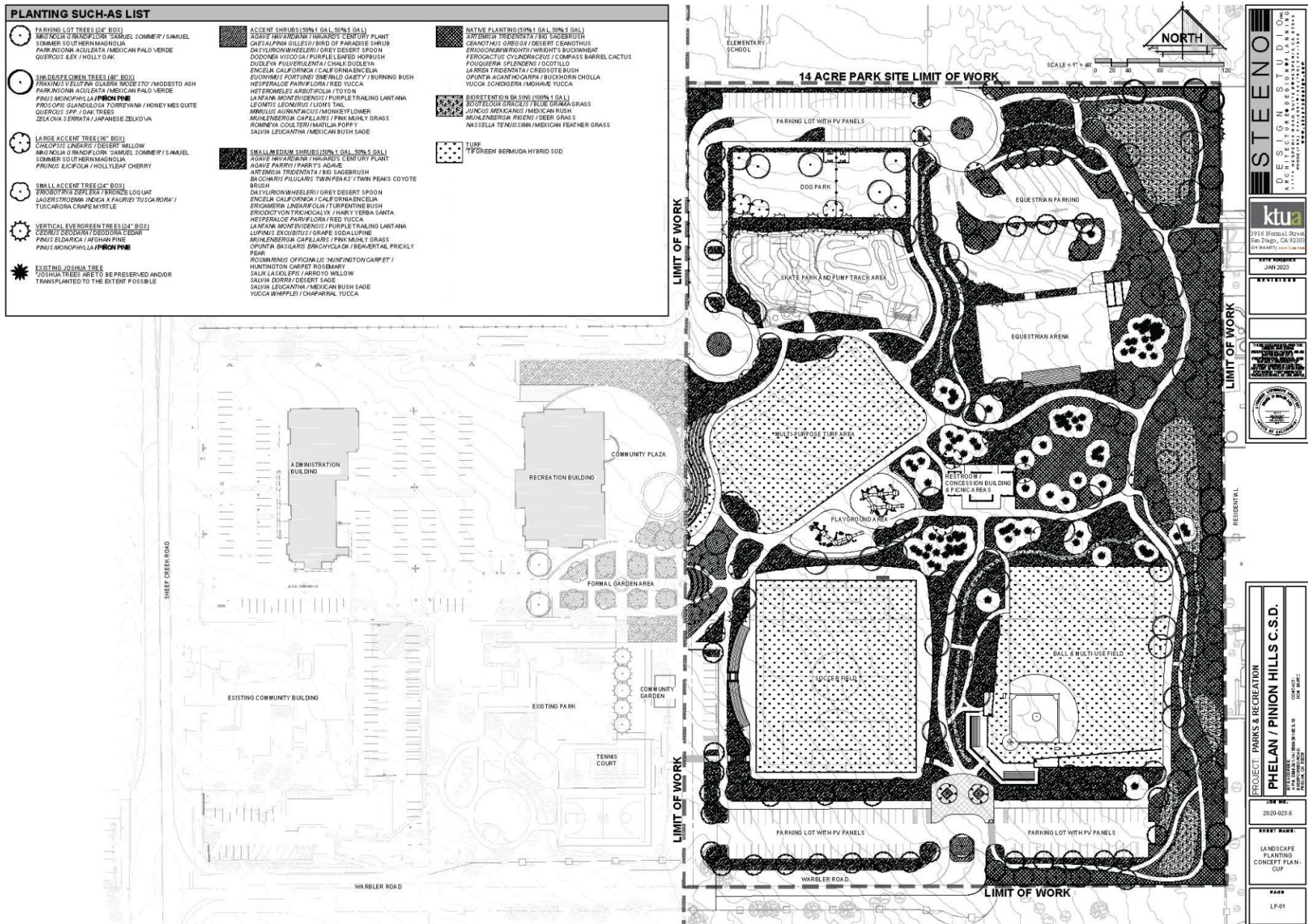
The proposed Project would develop the currently vacant 14-acre site into a community park. Therefore, there would be a new source of lights in the local area, especially during nighttime. The lighting proposed in the park would be primarily security lighting, and trail or pathway lighting that would not spillover to adjacent properties. The proposed community park would be operational from 7 A.M. to 10 P.M. According to the San Bernardino County Development Code, Section 83.07.040(a) Glare and Outdoor

¹ San Bernardino County. San Bernardino Countywide Policy Plan Draft EIR. Figure 5.1-1 "County Designated Scenic Routes."

Lighting – Mountain and Desert Regions, permitted lighting for new construction, unless exempt, shall be shielded in compliance with the requirements outlined in Table 83-7 of the Development Code. The purpose is to preclude light pollution or light trespass on an abutting residential land use zoning district, a residential parcel, or public right-of-way. Proposed pole lighting shall not exceed 12 feet in height. The current Photometric Plan proposes LED light fixtures at a height of 20 feet around the parking lots. Led fixtures on 12-foot-tall poles would light the proposed on-site multi-use walks. Sports lights on 50-foot poles would light the equestrian arena, and sports lights on 60-foot poles would illuminate the multi-purpose fields. A final Photometric Plan will be submitted to the County for review prior to issuance of a Building permit. Recreational facility lighting shall be turned off no later than 10:00 p.m. or one hour after the termination of the event and/or use, whichever occurs last. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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



	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
II.	AGRICULTURE AND FORESTRY RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
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?	☐	☐	☐	☒
SUBSTANTIATION: (Check ☐ if project is located in the Important Farmlands Overlay):					
Countywide Plan					

- 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?*

The Project Site is not located within a Farmland Mapping and Monitoring Program Significant Farmland.² Therefore, the proposed Project would not convert farmland to a non-agricultural use. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

The Project Site is not under or adjacent to any lands under a Williamson Contract.³ The Project Site has a current zoning of Phelan/Piñon Hills/General Commercial. The proposed Project would not conflict with existing zoning for agricultural uses or a Williamson Contract. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

- 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))?*

The Project Site is currently zoned Phelan/Piñon Hills/General Commercial. Implementation of the proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned for Timberland Production. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

- d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

The Project Site is located in the desert region of San Bernardino County; it does not support forest land. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

² San Bernardino County. County Policy Plan web maps: NR-5 Agricultural Resources. Accessed March 17, 2022.

³ San Bernardino County. County Policy Plan web maps: NR-5 Agricultural Resources. Accessed March 17, 2022.

- 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?*

Implementation of the proposed Project would not involve other changes in the existing environment that could result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management district or air pollution control district might be relied upon to make the following determinations. Would the project:					
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

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

Countywide Plan; CalEEMod Output

- a) *Conflict with or obstruct implementation of the applicable air quality plan?*

The Project Site is within the Mojave Desert Air Basin (MDAB) and under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The MDAB encompasses the desert portion of San Bernardino County. The MDAQMD has jurisdiction over air quality issues and regulations within the MDAB. To assist local agencies in determining if a project's emissions could pose a significant threat to air quality, the

MDAQMD has adopted the California Environmental Quality Act (CEQA) and Federal Conformity Guideline (February 2020) which is a policy document intended to assist preparers of environmental analysis or review documents for projects within the jurisdiction of the MDAQMD by providing background information and guidance on the preferred analysis approach. The air and dust emissions from the construction and operational use of the Proposed Project were evaluated and compared to the MDAQMD air quality thresholds to determine significance.

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

An evaluation of potential air quality impacts related to a potential development type under the current commercial zoning (e.g. strip mall) and the proposed zoning (proposed Project) was prepared. Operational emissions for the proposed Project and a strip mall were estimated using the California Emissions Estimator Model (CalEEMod) version 2022.1 (CalEEMod outputs for proposed Project and strip mall available at County offices for review). Table 1 and Table 2 illustrate operational emissions associated with the current Countywide Plan zoning and the proposed Project.

As shown in Table 1, operational impacts resulting from a strip mall would exceed MDAQMD thresholds. The proposed Project would not exceed MDAQMD thresholds. As shown in Table 2, a strip mall would generate greenhouse gas emissions that would exceed the County threshold of 3,000 MTCO₂e. However, greenhouse gas emissions generated by the proposed Project would not exceed the County's screening threshold of 3,000 MTCO₂e per year (Refer to Section VIII: GHG for additional information).

Table 1
Operational Emissions
(Pounds per Day)

Source	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Strip Mall	105	98.9	949	2.3	79.0	15.3
Proposed Project	5.24	5.06	48.2	0.12	4.07	0.78
MDAQMD Threshold	137	137	548	137	82	65

Source: CalEEMod.2022.1 Summer Emissions

Table 2
Greenhouse Gas Operational Emissions
(Metric Tons per Year)

Source/Phase	CO ₂	CH ₄	N ₂ O	R ¹
Strip Mall	33,956	6.31	1.54	48.3
MTCO ₂ e ²	34,620			
Proposed Project	1,915	0.07	0.09	2.70
MTCO ₂ e ²	1,945			

Source: CalEEMod.2022.1

- 1) Common refrigerant GHGs used in air conditioning and refrigeration equipment.
- 2) Excludes construction emissions amortization.

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

Less Than Significant Impact

- 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?*

The proposed Project's construction and operational emissions were estimated using CalEEMod version 2022.1. The criteria pollutants estimated are: reactive organic gases (ROG), nitrogen oxides (NO_x), carbon monoxide (CO), sulfur dioxide (SO₂), and fugitive particulates (PM₁₀ and PM_{2.5}). Two of the analyzed pollutants, ROG and NO_x, are ozone precursors. Both summer and winter season emission levels were estimated.

Construction Emissions

Construction emissions are considered short-term, temporary emissions and were modeled with the following construction parameters: Site preparation, grading (fine and mass grading), building construction, paving, and architectural coating. Construction is anticipated to begin in 2023 and be completed in 2025. The resulting emissions generated by construction of the proposed Project are shown in Table 3 and Table 4, which represent summer and winter construction emissions, respectively.

Table 3
Maximum Summer Construction Emissions
(Pounds per Day)

Source/Phase	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
2023	0.36	13.0	4.77	0.07	19.9	10.2
2024	0.00	0.00	0.00	0.00	0.00	0.00
MDAQMD Threshold	137	137	548	137	82	65
Significant	No	No	No	No	No	No

Source: CalEEMod.2022.1 Summer Emissions.

Table 4
Maximum Winter Construction Emissions
(Pounds per Day)

Source/Phase	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
2023	0.32	13.7	4.20	0.07	12.6	4.68
2024	0.62	0.09	0.91	0.00	0.20	0.05
2025	2.94	0.08	0.84	0.00	0.20	0.05
MDAQMD Threshold	137	137	548	137	82	65
Significant	No	No	No	No	No	No

Source: CalEEMod.2022.1 Winter Emissions.

As shown in Table 3 and Table 4, construction emissions during either summer or winter seasonal conditions would not exceed the MDAQMD thresholds. Although the proposed Project does not exceed MDAQMD thresholds for construction emissions, the Project Proponent would be required to comply with all applicable MDAQMD rules and regulations as the MDAB is in non-attainment status for ozone and suspended particulates (PM₁₀ and PM_{2.5}).

Operational Emissions

The operational mobile source emissions were calculated using the Traffic Impact Analysis, dated January 31, 2022, prepared by Ganddini Group Inc. (Ganddini) (report available at the County office for review). Ganddini determined that the proposed Project would generate approximately 994 daily trips. The proposed Project's long-term operational emissions have been calculated and are summarized below in Table 5 and Table 6.

Table 5
Summer Operational Emissions Summary
(Pounds per Day)

Source	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Mobile	4.94	5.06	48.2	0.12	4.07	0.78
Area	0.30	0.00	0.00	0.00	0.00	0.00
Energy	0.00	0.00	0.00	0.00	0.00	0.00
Totals	5.24	5.06	48.2	0.12	4.07	0.78
MDAQMD Threshold	137	137	548	137	82	65
Significant	No	No	No	No	No	No

Source: CalEEMod.2022.1 Summer Emissions.
Emissions represent the daily maximum emissions.

Table 6
Winter Operational Emissions Summary
(Pounds per Day)

Source	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Mobile	4.40	5.47	36.8	0.11	4.07	0.78
Area	0.30	--	--	--	--	--
Energy	0.00	0.00	0.00	0.00	0.00	0.00
Totals	4.70	5.47	36.8	0.11	4.07	0.78
MDAQMD Threshold	137	137	548	137	82	65
Significant	No	No	No	No	No	No

Source: CalEEMod.2022.1 Winter Emissions.
Emissions represent the daily maximum emissions.

As shown, both summer and winter season operational emissions are below MDAQMD thresholds. The proposed Project does not exceed applicable MDAQMD regional thresholds either during construction or operational activities. Therefore, less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

c) Expose sensitive receptors to substantial pollutant concentrations?

The MDAQMD CEQA and Federal Conformity Guidelines (February 2020) describes sensitive receptors as being residences, schools, daycare centers, playgrounds and medical facilities. The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor land use must be evaluated using MDAQMD significance thresholds:

- Any industrial project within 1000 feet;
- A distribution center (40 or more trucks per day) within 1000 feet;
- A major transportation project (50,000) or more vehicles per day) within 1000 feet;
- A dry cleaner using perchloroethylene within 500 feet;
- A gasoline dispensing facility within 300 feet.

The nearest sensitive receptors to the Project Site are the single-family residences located immediately east of the Project Site and the school immediately north. The proposed Project is development of a community park on a 14-acre vacant property. As such, the proposed Project does not meet the criteria for a project type which is subject to sensitive receptor significance threshold evaluation. Furthermore, the modeling results shown previously indicate that development of the proposed Project is not anticipated to exceed MDAQMD emissions thresholds. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?

Potential odor sources associated with the proposed Project may result from construction equipment exhaust, and the application of asphalt and architectural coatings during construction activities as well as the temporary storage of domestic solid waste associated with the proposed Project's long-term operational uses. Standard construction requirements would minimize odor impacts resulting from construction activity. It should be noted that any construction odor emissions generated would be temporary, short-term, and intermittent in nature, and would cease upon completion of the respective phase of construction activity. Any animal droppings from the equestrian or dog park areas would be disposed of daily either by park visitors or a maintenance crew. 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. The proposed Project would also be required to comply with MDAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
IV. BIOLOGICAL RESOURCES - Would the project:				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☒	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
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?	☐	☐	☐	☒

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

Countywide Plan; General Biological Resources Assessment, July 13, 2021, RCA Associates, Inc.

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

A General Biological Resources Assessment (BRA), dated July 13, 2021, was prepared for the Project Site and adjacent western property (approximately 5 acres) by RCA Associates, Inc. (report available at the County office for review). The Project Site and adjacent properties will be collectively known as "survey area" for this section of the Initial Study.

As part of the environmental process, California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) data sources were reviewed. Following the data review, surveys were performed on the site on June 28, 2021, during which the biological resources on the site and in the surrounding areas were documented by biologists from RCA Associates, Inc. As part of the surveys, the survey area and adjoining areas were evaluated for the presence of native habitats which may support populations of sensitive wildlife species.

Vegetation community on the survey area is Mojave desert scrub, encompassing mainly native plants, non-native mustard, and some ornamental trees. Vegetation occurring on the survey area includes Joshua trees (*Yucca brevifolia*), beavertail cactus (*Opuntia basilaris*), Arizona cypress (*Cupressus arizonica*), Asian mustard (*Brassica tournefortii*), desert woollystar (*Erastrum eremicum*), rubber rabbitbrush (*Ericameria nauseosa*), fiddleneck (*Amsinckia tessellata*), and Nevada jointfir (*Ephedra nevadensis*).

Federal and State Listed Species

The Crotch's bumble bee is a state candidate endangered species. The survey area lacks suitable habitat for the Crotch's bumble bee to occur on-site in the foreseeable future.

Species of Special Concern

There are two plant species that are species of special concern in the Phelan quadrangle: The short-joint beavertail and white pygmy-poppy. Both species occur on Joshua tree woodland, and desert scrub habitat with sandy surface substrate. These species are not anticipated to occur on the survey area due to lack of suitable habitat. In addition, none were observed during the June 28, 2021 survey.

There are two wildlife species that are species of special concern in the Phelan quadrangle: the Le Conte's thrasher and coast horned lizard. There is no suitable habitat for the Le Conte's thrasher. There is some suitable habitat for the coast horned lizard. Both species were not observed during the June 28, 2021 survey.

Protected Plants

A Protected Plant Preservation Plan, dated July 13, 2021, was prepared for the proposed Project by RCA (report available at the County office for review) for protected desert plants located within the survey area. A Joshua Tree Protected Plant Survey was performed on June 24, 2021 and June 28, 2021 as there were no other County protected desert plants located within the survey area. The purpose of the survey was to evaluate the Joshua Trees present on the site and determine which trees were suitable for relocation and which trees could be discarded prior to site clearing activities. Field investigations resulted in the findings of 162 Joshua trees observed and tagged on the Project Site. 134 Joshua trees (82.7%) were determined to be unsuitable for transplanting due to a variety of factors such as size, condition, damage, dying, excessive leaning, possibly disease, clonal, etc. Based on the evaluation and analysis of each tree, it was determined that 28 of the 162 Joshua trees (17.3%) are suitable for transplanting. These 28 trees will be transplanted to undisturbed areas and incorporated into the Landscape Plan.

An application for an Incidental Take Permit (ITP) has been submitted to the CDFW. An ITP establishes a performance standard requiring that the impacts be “minimized and fully mitigated” with “measures that are roughly proportional in extent to the impact of the authorized taking on the species.”⁴ Therefore, additional mitigation measures, such as the purchase of credits from a conservation or mitigation bank or entry into a conservation easement, will be determined in consultation with CDFW to meet ITP requirements. Because the western Joshua tree was designated as a candidate species in October 2020 and is still subject to a status review by the CDFW, it is impractical to determine the specific details of mitigation, beyond compliance with the ITP.

Birds

Nesting birds are protected under the Migratory Bird Treaty Act and Section 3503 of the California Fish and Wildlife Code. Some birds observed during the field investigations included ravens (*Corvus corax*), house finch (*Haemorhous mexicanus*), brown-headed cowbird (*Molothrus ater*), Cooper's hawk (*Accipiter cooperii*), Bewick's wren (*Thryomanes bewickii*), Say's phoebe (*Sayornis saya*), cactus wren (*Campylorhynchus brunneicapillus*), California quail (*Callipepla californica*), and mourning dove (*Zenaida macroura*). Mitigation Measures BIO-1 and BIO-2 shall be implemented to ensure no impacts to nesting birds occur.

Desert Tortoise

A habitat assessment was conducted on June 28, 2021, for the desert tortoises and a survey was also performed for the presence of any potential desert tortoise burrows. The survey area is not expected to support populations of the desert tortoise based on the absence of any tortoise sign (e.g., burrows, scats, tracks, etc.). Although suitable habitat is present within the survey area, the probability of the species inhabiting the survey area is very low, given the lack of suitable burrows and disturbance of the site. Implementation of Mitigation Measures BIO-1 and BIO-3 would ensure no impacts to desert tortoise occur with project development.

⁴ Fish & G. Code § 2081(b); Cal. Code Regs., tit. 14, §§ 783.2-783.8

Burrowing Owl

A habitat assessment was conducted for the burrowing owl in conjunction with the general biological surveys to determine if the survey area supports suitable habitat for the species. Following completion of the habitat assessment, it was determined that the survey area supports suitable foraging habitat for the burrowing owl. After the field investigations, it was determined that there are no suitable burrows for burrowing owls and no burrowing was observed. Implementation of Mitigation Measures BIO-1 and BIO-2 would ensure no impacts to burrowing owls occur with project development.

Mitigation Measure BIO-1:

A qualified biologist shall develop a Worker Environmental Awareness Program (WEAP) that will include information on general and special status species within the Project Site, identification of these species and their habitats, techniques being implemented during construction to avoid impacts to species, consequences of killing or injuring an individual of a listed species, and reporting procedures when encountering listed or sensitive species. Construction crews, foremen, and other personnel potentially working on site will attend this education program and place their name on a sign-in sheet. The WEAP shall be submitted to the County for review prior to initiation of construction and upon completion of the Program. It shall include provisions of any requirements required for the project. The WEAP training will be implemented on the first day of work and periodically throughout construction as needed; verification will be as noted in the Mitigation Monitoring and Reporting Program.

Mitigation Measure BIO-2:

Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. In general, Projects should be constructed outside of this time to avoid impacts to nesting birds. If a Project cannot be constructed outside of nesting season, the Project Site shall be surveyed for nesting birds by a qualified avian biologist within three (3) days prior to initiating the construction activities. If active nests are found during the pre-construction nesting bird surveys, a Nesting Bird Plan (NBP) will be prepared and implemented. At a minimum, the NBP will include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The NBP will include a copy of maps showing the location of all nests and an appropriate buffer zone around each nest sufficient to protect the nest from direct and indirect impact. The size and location of all buffer zones, if required, shall be determined by the biologist, and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist has determined the young birds have successfully fledged.

Mitigation Measure BIO-3:

Preconstruction surveys for BUOW and Desert Tortoise shall be conducted at least 30 days prior to new ground disturbance and documentation indicating such a survey has occurred is to be provided to the County. Regardless of the survey results,

tortoises cannot be subject to take per the requirements of state and federal law. Handling or other inappropriate treatment of tortoises must be avoided until authorization is obtained from the USFWS and CDFW.

The surveys will be conducted by a qualified biologist, who shall be approved by the County and CDFW prior to the start of the surveys. Wildlife found on the site will be allowed to leave the site under their own power or relocated, where possible, to the nearest suitable habitat in the surrounding area. If any listed or special status wildlife species are found on the site during pre-construction surveys, an Authorized Permitted Biologist will relocate the species to suitable habitat outside the impact area, once CDFW has approved the proposed relocation activities. In addition, if any nesting birds are observed within the boundaries of the site, the appropriate buffers will be placed around the nest, where necessary.

If any listed species (e.g., desert tortoise, Mohave ground squirrel, etc.) are observed on the site during ground disturbance activities, the project biologist shall have the right to halt all activities which may impact the species. Work shall proceed only after hazards to the State or federal listed species or other special-status species are removed by an Authorized Permitted Biologist and the species is no longer at risk. The project biologist and the Authorized Permitted Biologist will have copies of all of the compliance measures in their possession while work is being conducted onsite. During all on-site activities, project personnel will strictly adhere to the WEAP, BMPs, and additional impact and avoidance or minimization measures described in the permit issued for the project. Project personnel will respond to special status species encounters as directed in the Environmental Awareness Training Program.

With implementation of Mitigation Measures BIO-1 to BIO- 3, the proposed Project would not have a substantial adverse effect on any species identified as a candidate, sensitive or special status species.

Less than Significant with Mitigation

- b, *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? Have a*
- c) *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?*

The survey area was evaluated for the presence of sensitive habitats including wetlands, vernal pools, riparian habitats, and jurisdictional areas. None were observed during the field investigations. According to the CNDDDB (2021), no sensitive habitats (e.g., sensitive species critical habitats, vernal pools, etc.) have been documented in the immediate area.

The United States Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into waters of the United States, and the State of California also regulates waters of the State and streambeds under the purview of regional water quality boards and CDFW jurisdiction. These waters include wetlands and non-wetland bodies of water

that meet specific criteria. After performing the field surveys on June 28, 2021, biologists from RCA Associates, Inc. determined that there are no drainages or channels occurring on the survey area. Therefore, the survey area does not meet federal or state jurisdictional requirements because no navigable water, interstate waters, nor waters, including wetlands, are present on the survey area. No riparian habitat was observed on the survey area, nor any riparian flora besides the Fremont cottonwood located on the southwest corner of the survey area.

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

Less Than Significant Impact

- 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?*

The Project Site is not located within a modeled habitat linkage.⁵ Moreover, the Project Site is located in an area with scattered development and existing barriers to wildlife movement. The Project Site is currently surrounded by existing development, such as single-family residences to the east, a school to the north, and a community park and proposed civic center to the west. Therefore, development of the proposed Project would not interfere substantially with movement of wildlife species relative to existing conditions. Moreover, the Project Site is located in an area with scattered, vacant land. As such, wildlife moving through the area would be able to pass through the currently vacant parcels surrounding the property. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

A number of desert plants are protected under specific sections of the Code of Regulations for the San Bernardino County.

- All species of the genus *Prosopis* (mesquites) with stems two (2) inches or greater in diameter or six (6) feet or greater in height.
- All species of yuccas. Those commonly found in Yucca Valley:
 - o Mohave Yucca (*Yucca schidigera*)
- Our Lord's Candle (*Hesperoyucca whipplei*) Creosote Rings, ten (10) feet or greater in diameter.
- All Joshua Trees.

Joshua Trees are the only County-protected desert plants occurring within the Project Site. As stated previously, there are 162 Joshua Trees on the Project Site. Based on the

⁵ San Bernardino County. Policy Plan web maps: NR-2 "Parks and Open Space Resources." Accessed April 21, 2022.

evaluation and analysis of each tree, it was determined that 28 of the 162 Joshua trees (17.3%) are suitable for transplanting. The 28 trees which are suitable for relocation will be placed in boxes and temporarily stored on-site. The health of the trees will be monitored by the project biologist or arborist on a regular basis and will be watered as needed. Once construction of the park has been completed, the Joshua trees will be utilized for on-site landscaping (e.g., along internal roads, adjacent to parking areas, etc.) and will be planted in areas of the development where they will remain in perpetuity. Once the Joshua trees have been relocated the Mitigation and Monitoring Plan (Mitigation Measure BIO-4 below) will be implemented and a final report will be prepared for submittal to CDFW.

The remaining 134 Joshua trees (82.7%) were determined to be unsuitable for transplanting due to a variety of factors such as size, condition, damage, dying, excessive leaning, possibly disease, clonal, etc. They would be removed and disposed off-site at a location to be specified by the County and with the approval of CDFW.

An application for an Incidental Take Permit (ITP) has been submitted to the CDFW (application available at the Community Services District office for review). An ITP establishes a performance standard requiring that the impacts be “minimized and fully mitigated” with “measures that are roughly proportional in extent to the impact of the authorized taking on the species.”⁶ As stated in the ITP, construction activities will result in incidental take of individuals of the Covered Species in the form of either mortality (i.e., discarding 134 trees not suitable for transplanting) or relocation and utilizing 28 Joshua trees on-site as part of the landscaping plan. In addition, there are three Joshua trees in adjacent areas within 300-feet of the property boundaries which could be indirectly impacted.

Therefore, additional mitigation measures will be determined in consultation with CDFW to meet ITP requirements. Because the western Joshua tree was designated as a candidate species in October 2020 and is still subject to a status review by the CDFW, it is impractical to determine the specific details of mitigation, beyond compliance with the ITP mitigation measures (BIO-4 through BIO-9) detailed below:

Mitigation Measure BIO-4:

Implementation of the Mitigation and Monitoring Plan as detailed in the ITP.

Mitigation Measure BIO-5:

Western Joshua Tree Avoidance and Minimization Measures: The Applicant will implement protection measures to address invasive species, fugitive dust, and erosion that may affect western Joshua trees that are retained on the site and those trees in the surrounding area. These measures will include:

- Invasive Species Control. Invasive species will be controlled in accordance with accepted practices and will include the regular trimming of weeds during the proposed development activities.

⁶ Fish & G. Code § 2081(b); Cal. Code Regs., tit. 14, §§ 783.2-783.8

- Fugitive Dust Control. Dust suppression during ground disturbance activities will include frequent watering of the site during the construction phase.
- Erosion Control. Appropriate erosion and sedimentation control measures will be installed and maintained throughout the duration of the ground disturbance activities as required by the County.
- Joshua Tree Relocation. The 28 Joshua trees which are suitable for transplanting will be boxed until they can be utilized for on-site landscaping and planted in an area of the property approved by CDFW where they will remain in perpetuity. In the event some of the trees need to be relocated off-site, CDFW will be notified before any relocation activities occur. All relocation and transplanting activities will be conducted by a CDFW approved biologist or arborist, and a mitigation and monitoring plan is outlined below.

Mitigation Measure BIO-6:

The Project Proponent shall coordinate with CDFW to estimate the compensatory cost required to provide adequate compensation for impacts to Joshua trees. The final total monetary mitigation fees will be determined through discussions with CDFW.

Mitigation Measure BIO-7:

All Joshua tree relocation and removal activities will be conducted by an authorized biologist or arborist. Records of those trees relocated or removed will be documented and upon completion CDFW will be notified. If any Joshua trees in adjacent areas are destroyed or damaged during ground clearing or construction activities, the specifics of the impacts will be reported to CDFW within 24-hours.

Mitigation Measure BIO-8:

The Applicant will implement any and all mitigation measures, monitoring requirements, and reporting requirements deemed necessary by the County and CDFW in order to demonstrate compliance and effectiveness of the mitigation measures presented in this Incidental Take Permit application.

Mitigation Measure BIO-9:

The Applicant will ensure that adequate funding is available to implement the minimization and mitigation measures described in this ITP application, as well as funding for any monitoring compliance required. The project proponent has provided an ITP CESA fee of \$34,585.25 as required by CDFW to process the application and based on a project cost greater than \$500,000. The Phelan Piñon Hills Community Services District will provide a statement declaring that it has set aside funds and will be willing to provide the funds for all required mitigation, long-term management and all associated mitigation measures described in this ITP.

Less than Significant with Mitigation

- 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?*

The Project Site is not located within the planning area of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan. The Town of Apple Valley Multiple Species Habitat Conservation Plan (MSHCP) is the only natural community conservation plan currently being planned in the County.⁷ No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

Therefore, no significant adverse impacts are identified or anticipated with the implementation of Mitigation Measures BIO-1 to BIO-9.

Issues		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
V. CULTURAL RESOURCES - Would the project:					
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 outside of formal cemeteries?	☐	☒	☐	☐

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

Tierra Environmental Services, Cultural Resources Study, September 3, 2021

- a) *Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

A Cultural Resources Study, dated September 3, 2021, was prepared for the Project Site and adjacent western property (approximately 5 acres) by Tierra Environmental

⁷ San Bernardino Countywide Policy Plan Draft EIR. Biological Resources. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline>. Accessed April 13, 2021.

Services (Tierra). The Project Site and adjacent property will be collectively known as "Area of Potential Effect (APE)" for this section of the Initial Study.

Tierra conducted an archaeological inventory in support of a larger project which encompasses the APE and a one-mile radius. In addition to Tierra's field survey, the archaeological inventory included archival and other background studies. A records search was procured from the South Central Coastal Information Center (SCCIC) to identify any previously recorded archaeological and historic-era resources within the APE and to determine the types of resources that might occur. The records search provided by the SCCIC revealed that six investigations have been previously conducted within a one-mile radius of the APE. None of the previous studies involved the APE for the Proposed Project. Two cultural resources or historic properties have been previously identified within one-mile radius of the APE. Both of the previously recorded resources are historic in age. Both these resources are mapped, and are within $\frac{1}{4}$ mile of the APE, but neither occur within the APE.

A pedestrian survey of the APE was conducted on July 15, 2021. The Project Site has been heavily disturbed with modern push piles of soil and trash. Current views and historic photographs show the property to have been disturbed, grubbed and otherwise disturbed by grading. The intensive archaeological survey did not result in the identification or recordation of any historic properties within the APE.

No historical resources were identified or recorded within the current APE. Due to the absence of intact resources within the APE, and the anticipation that potential subsurface components would not hold sufficient integrity, an archaeological monitor is not recommended for the proposed Project.

Less Than Significant Impact

- b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

Tierra submitted a letter to the Native American Heritage Commission (NAHC) in May 2021 to request a review of their Sacred Lands File (SLF) as well as a list of Native American representatives to be contacted for information regarding resources and to update interested parties on changes made to the APE. The response received from the NAHC on August 27, 2021 indicated that no sensitive resources or traditional cultural places were identified within the project boundaries. Tierra contacted each of the ten Native American representatives provided by the NAHC with a request for additional input and to inform them of the proposed Project. One response was from the San Manuel Band of Mission Indians stating that the proposed Project is not located near any known Serrano village sites, SLFs, or archaeological sites.

The intensive archaeological survey did not result in the identification or recordation of any cultural resources or historic properties within the APE. Due to disturbances and a lack of food or shelter resources or parent lithic material conducive for tool production, intact cultural deposits are unlikely to be present. Due to disturbances and a lack of food or shelter resources or parent lithic material conducive for tool production, intact cultural deposits are unlikely to be present. In addition, a cultural and paleontological study was

conducted for the APE by Duke CRM (April 12, 2021). No cultural resources were identified in the APE by that study. Due to the absence of intact cultural resources within the APE, and the anticipation that potential subsurface components would not hold sufficient integrity, an archaeological monitor is not recommended for the project as described. However, resources have the potential to occur anywhere. With implementation of Mitigation Measure CR-1 as detailed below, the proposed Project would not cause a substantial adverse change in the significance of an archaeological resource.

Mitigation Measure CR-1:

Should unanticipated or inadvertent surface and/or subsurface prehistoric or historic archaeological resources, built environment, and/or tribal cultural resources, appear to be encountered during construction or maintenance activity associated with this project, then all work must halt within a 100-foot radius of the discovery until a qualified professional can evaluate the discovery. If the finds are archaeological or historic in nature, then an archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and/or historic archaeology have evaluated the significance of the find. This archaeologist shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following shall apply, depending on the nature of the find:

- A. If the professional archaeologist determines that the find *does not* represent a cultural resource, then work may resume immediately, and no agency notifications are required.
- B. If the professional archaeologist determines that the find *does* represent a cultural resource from any time or cultural affiliation then, depending on the nature of the discovery, appropriate treatment measures shall be developed.
- C. If the find represents a Native American or potentially Native American resource that does not include human remains, which may or may not include a Tribal Cultural Resource, then the archaeologist shall consult with appropriate Tribe[s] on whether or not the resource represents either a Tribal Cultural Resource or a Historical Resource, or both, and, if so, consult on appropriate treatment measures. Preservation in place is the preferred treatment, if feasible. Work cannot resume within the no-work radius until the County, through consultation as appropriate, determines that the site either: 1) is not a Tribal Cultural Resource or Historical Resource; or 2) that the treatment measures for the Tribal Cultural Resource or Historical Resource have been completed.

Less than Significant with Mitigation

- c) *Disturb any human remains, including those outside of formal cemeteries?*

California state law (California Health & Safety Code 7050.5) and federal law and regulations ([Archaeological Resources Protection Act (ARPA) 16 USC 470 & 43 CFR 7], [Native American Graves Protection & Repatriation Act (NAGPRA) 25 USC 3001 & 43 CFR 10] and [Public Lands, Interior 43 CFR 8365.1-7]) require a defined protocol if

human remains are discovered in the State of California regardless if the remains are modern or archaeological. Construction activities, particularly grading, could potentially disturb human remains interred outside of a formal cemetery. To ensure adequate and compliant management of any buried remains that may be identified during project development, the following mitigation measure is required as a condition of project approval to reduce any potential impacts to a less than significant level.

Mitigation Measure CR-2:

If, at any time, evidence of human remains (or suspected human remains) are uncovered, the County Coroner must be contacted immediately and permitted to examine the find in situ. A buffer must be established around the find (minimum of 50 feet) and the consulting archaeologist must also be notified.

If the remains are determined to be of Native American origin, the Coroner will contact the Native American Heritage Commission and the Most Likely Descendant (MLD) will be named. In consultation with the MLD, the County, project proponent, and consulting archaeologist, the disposition of the remains will be determined. Any costs incurred will be the responsibility of the project proponent/property owner.

If the remains are determined to be archaeological, but non-Native American, the consulting archaeologist will oversee the removal, analysis, and disposition of the remains. Any costs incurred will be the responsibility of the project proponent/property owner.

If the remains are determined to be of forensic value, the County Coroner will arrange for their removal, analysis, and disposition. The Coroner's activities will not involve any costs to the project proponent/property owner.

With implementation of Mitigation Measure CR-2, the proposed Project would not have a significant impact on human remains.

Less than Significant with Mitigation

Therefore, no significant adverse impacts are identified or anticipated with the implementation of mitigation measures.

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

SUBSTANTIATION: California Energy Consumption Database; Title 24 Building Energy Efficiency Standards; CalEEMod Output

- a) *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Construction

The energy associated with project construction includes electricity use associated with water utilized for dust control, diesel fuel from on-road hauling trips, vendor trips, and off-road construction diesel equipment, as well as gasoline fuel from on-road worker commute trips.

Electricity

Electricity would be required during construction for lighting and equipment. The proposed Project would be serviced by Southern California Edison (SCE). Based on the 2017 National Construction Estimator, Richard Pray (2017), the typical power cost per 1,000 square feet of building construction per month is estimated to be \$2.32. Construction is anticipated to be 18 months. As the restroom building is the only structure proposed, this analysis assumes the construction of all proposed recreational facilities as “building construction” and is therefore conservative. As shown in Table 7, the total power cost of the on-site electricity usage during construction of the proposed Project is estimated to be \$6,145.94.

Table 7
Construction Electricity Cost

Land Use	Power Cost (per 1000 SF of construction per month) ¹	Size (in 1000 SF)	Construction Duration (months) ²	Construction Power Cost
Park	\$2.32	147.17	18	\$6,145.94

- 1) Pray, Richard. 2017 National Construction Estimator. Carlsbad, Craftsman Book Company, 2017.
2) CalEEMod Outputs. Estimated duration of Building Construction phase.

Assuming the cost of electricity is \$0.08 per kWh⁸, construction is anticipated to consume approximately 76,824.31 kWh of electricity.

Fuel

During construction of the Proposed Project, transportation energy consumption is dependent on the type of vehicles used, number of vehicle trips, vehicle miles traveled, fuel efficiency of vehicles, and travel mode. Temporary transportation fuel use such as gasoline and diesel during construction would result from the use of delivery vehicles and trucks, construction equipment, and construction employee vehicles. Additionally, most construction equipment during grading would be powered by gas or diesel. Based on output from CalEEMod v. 2022.1.0 the proposed Project construction activities would consume an estimated 36,598.20 gallons of diesel fuel for operation of heavy-duty equipment. Tables 8 through 10 show the modeled fuel consumption for all construction activities.

Table 8
Construction Equipment Fuel Consumption Estimates

Construction Equipment	#	Hours per Day	Construction Phase	Fuel Used (gallons)	Total Gallons
Rubber Tired Dozer	3	8	Site Prep	621.26	1863.77
Tractors/Loaders/Back hoes	4	8	Site Prep	146.20	584.80
Scrapers	2	8	Grading	1718.53	3437.06
Graders	1	8	Grading	513.60	513.60
Excavators	2	8	Grading	115.79	231.58
Rubber Tired Dozer	1	8	Grading	1242.52	1242.52
Tractors/Loaders/Back hoes	2	8	Grading	292.40	584.80
Cranes	1	7	Building Con.	9064.54	9064.54
Forklifts	3	8	Building Con.	1774.35	5323.05

⁸ As of January 1, 2020, SCE's general service rate is \$0.08 per kilowatt hours (kWh) of electricity for industrial services https://library.sce.com/content/dam/sce-doclub/public/regulatory/tariff/electric/schedules/general-service-&-industrial-rates/ELECTRIC_SCHEDULES_GS-1.pdf

Construction Equipment	#	Hours per Day	Construction Phase	Fuel Used (gallons)	Total Gallons
Generator Sets	1	8	Building Con.	1120.87	1120.87
Tractors/Loaders/Back hoes	3	7	Building Con.	2942.28	8826.84
Welders	1	8	Building Con.	2239.57	2239.57
Pavers	2	8	Paving	320.06	640.12
Paving Equipment	2	8	Paving	271.19	542.37
Rollers	2	8	Paving	128.70	257.40
Air Compressors	1	6	Architectural Coat.	125.31	125.31
			Total Fuel Used	22637.16	36598.20

Source: CalEEMod 2022.1.0

United States Environmental Protection Agency. 2018. Exhaust and Crankcase Emission Factors for Nonroad Compression-Ignition Engines in MOVES2014b. July 2018. Available at: <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P100UXEN.pdf>.

Table 9
Construction Worker Fuel Consumption Estimates

Phase	Number of Days	Worker Trips/Day	Trip Length (miles)	Fuel Consumption (gallons) ¹
Site Preparation	10	17.5	18.5	134.89583
Grading	30	20	18.5	462.5
Building Construction	300	0	18.5	0
Paving	20	15	18.5	231.25
Architectural Coating	20	0	18.5	0
Total Construction Worker Fuel Consumption				828.6

Source: Assumptions for the vendor trip length and vehicle miles traveled are consistent with CalEEMod 2022.1.0 defaults.

- (1) United States Department of Transportation, Bureau of Transportation Statistics. 2018. National Transportation Statistics 2018. Available at: <https://www.bts.gov/sites/bts.dot.gov/files/docs/browse-statistical-products-and-data/national-transportation-statistics/223001/ntentire2018q4.pdf>.

Table 10
Construction Vendor Fuel Consumption Estimates

Phase	Number of Days	Worker Trips/Day	Trip Length (miles)	Fuel Used (gallons)	Estimated Fuel Consumption (gallons)
Site Preparation	10	0	10.2	0.00	0
Grading	30	0	10.2	0.00	0
Building Construction	300	0	10.2	0.00	0
Paving	20	0	10.2	0.00	0
Architectural Coating	20	0	10.2	0.00	0
Total Construction Vendor Fuel Consumption					0

Source: Assumptions for the vendor trip length and vehicle miles traveled are consistent with CalEEMod 2022.1.0 defaults.

United States Department of Transportation, Bureau of Transportation Statistics. 2018. National Transportation Statistics. Available at: <https://www.bts.gov/sites/bts.dot.gov/files/docs/browse-statistical-products-and-data/national-transportation-statistics/223001/ntentire2018q4.pdf>.

All construction worker trips are from light duty autos. As shown in Table 9, it is estimated 828.6 gallons of fuel will be consumed from worker trips. No fuel consumption from construction vendor (material deliver) trips is anticipated, as shown on Table 10. Construction worker and vendor fuel consumption are based on CalEEMod's default data for vehicles miles traveled (VMT). Construction would represent a "single-event" diesel and gasoline fuel demand and would not require continuous or permanent commitment of these fuel resources. Impacts related to transportation energy use during construction would be temporary and would not require the use of additional use of energy supplies or the construction of new infrastructure.

Operations

Electricity: Southern California Edison (SCE) provides electricity to the Project Site. According to the California Energy Commission, the commercial building sector of the Southern California Edison planning area consumed 34,087.02 GWh of electricity in 2021.⁹ The Project Site is currently vacant and does not use electricity. The implementation of the proposed Project would result in an increase in electricity demand. Operational use of the EV spaces¹⁰ would require approximately 292,000 kWh per year. Refer to Table 11 for electricity demand from the EV spaces and assumptions. The estimated electricity demand for the proposed Project is 0.451 GWh per year.¹¹¹² The proposed Project's estimated annual electricity consumption compared to the 2021 annual electricity consumption of the overall commercial building sector in the SCE

⁹California Energy Commission. <https://ecdms.energy.ca.gov/Default.aspx>. Accessed December 29, 2022.

¹⁰ Shared EV spaces located in the Civic Center parcel.

¹¹ CalEEMod.2022.1 Output for proposed Project.

¹² Includes energy consumption from EV spaces.

Planning Area would account for approximately 0.0013 percent of total electricity consumption. The increase in electricity demand from the proposed Project is insignificant compared to the electricity demand for SCE's commercial building sector.

Table 11
Energy Consumption from EV Spaces

Consumption per Recharge ¹	Daily Demand per EV space ²	Total Daily Demand ³	Total Annual Consumption ⁴
40kWh	40kWh	800kWh	292,000 kWh

- 1) <https://driveclean.ca.gov/electric-car-charging>. A Nissan Leaf has a 40-kWh battery with a 150-mile range.
- 2) <https://www.energy.sage.com/electric-vehicles/charging-your-ev/charging-nissan-leaf/>. A Nissan Leaf would take 4-8 hours to charge with a Level 2 charger level. In this estimate, a charging time of 8 hours was applied.
- 3) Assume all 20 spaces are being operated at the same time.
- 4) 365-day operation (worst case assumption).

Natural Gas: The proposed Project is the development of a community park and would not require natural gas.

Fuel

During operations of the proposed Project, fuel consumption would result from employee vehicle trips and visitor vehicle trips. As a worst-case analysis, half the miles were modeled with an automobile fuel efficiency of 24 miles per gallon and half were modeled at 7 miles per gallon.¹³ As shown on Table 12, the proposed Project would result in an estimated 487,121.4¹⁴ gallons of fuel consumption per year based on 5,279,767 miles driven.

Trip generation and VMT generated by the proposed Project were considered less than significant. The proposed Project does not include uses or operations that would inherently result in excessive or wasteful vehicle trips and VMT, or associated wasteful vehicle energy consumption. It is not expected to result in a substantial demand for energy that would require expanded supplies or the construction of other infrastructure or expansion of existing facilities.

Table 12
Estimated Vehicle Operations Fuel Consumption

Operational Trips			
Land Use	Annual Miles	MPG	Gallons
Community Park	5,279,767	24	109,995.1
Community Park	5,279,767	7	377,126.2
Grand Total			487,121.4

Source: CalEEMod output based on trips generated; represents modeled estimation, not actual consumption.
United State Department of Transportation, Bureau of Transportation Statistics. 2018. National Transportation Statistics 2018. Available at: <https://www.bts.gov/sites/bts.dot.gov/files/docs/browse-statistical-products-and-data/national-transportation-statistics/223001/ntentire2018q4.pdf>.

¹³ United States Department of Transportation, Bureau of Transportation Statistics. 2018. National Transportation Statistics 2018. Available at: <https://www.bts.gov/sites/bts.dot.gov/files/docs/browse-statistical-products-and-data/national-transportation-statistics/223001/ntentire2018q4.pdf>.

¹⁴ CalEEMod output based on trips generated; represents modeled estimation, not actual consumption.

The proposed restroom building would be designed to comply with the latest Building Energy Efficiency Standards. The County of San Bernardino would review and verify that the proposed Project plans would be in compliance with the most current version of the California Energy Commission's Building and Energy Efficiency Standards prior to issuance of the CUP and Occupancy permit. The proposed Project would also be required adhere to CALGreen, which establishes planning and design standards for sustainable developments and energy efficiency. The proposed Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The only structure proposed is the restroom building, which would be designed to comply with the current Building Energy Efficiency Standards. In addition, electricity is required for lighting and electric vehicle charging stations. As summarized above, the proposed Project's electricity demand would not be significant. The proposed Project would not have a demand for natural gas. Therefore, the proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. No significant impacts are identified or anticipated, and no mitigation measures are recommended.

Less Than Significant Impact

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

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

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

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

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| iii. Seismic-related ground failure, including liquefaction? | ☐ | ☐ | ☒ | ☐ |
| iv. Landslides? | ☐ | ☐ | ☐ | ☒ |
| b) Result in substantial soil erosion or the loss of topsoil? | ☐ | ☐ | ☒ | ☐ |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse? | ☐ | ☐ | ☒ | ☐ |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | ☐ | ☐ | ☒ | ☐ |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | ☐ | ☐ | ☒ | ☐ |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | ☐ | ☒ | ☐ | ☐ |

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

Countywide Plan; Geotechnical Investigation Report, April 29, 2022, Merrell Johnson Geotechnical; Percolation Test Report for Onsite Wastewater Treatment System, April 21, 2022, Merrell Johnson; Cultural and Paleontological Resources Assessment, April 16, 2021, Duke Cultural Resource Management, LLC

- 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

The Project Site does not occur within an Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zone.¹⁵ The nearest fault zone is the San Andreas Fault Zone, which is approximately 6 miles southwest of the Project Site. A Geotechnical

¹⁵ San Bernardino County. County Policy Plan web maps: HZ-1 Earthquake Fault Zones. Accessed July 13, 2022.

Investigation Report, dated April 29, 2022, was prepared for the phase of proposed Project that involves construction of the restroom building as that is the only proposed structure (report available at the County office for review). The proposed Project would be required to comply with the California Building Code requirements and the Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Compliance with these codes and standards would address potential impacts resulting from an earthquake event. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

ii) Strong seismic ground shaking?

As is the case for most areas of Southern California, ground shaking resulting from earthquakes associated with nearby and more distant faults may occur at the Project Site. The design of the restroom building would incorporate measures to accommodate projected seismic ground shaking in accordance with the California Building Code (CBC) and local building regulations. The CBC is designed to preclude significant adverse effects associated with strong seismic ground shaking. Compliance can ensure that the proposed Project would not expose people or structures to substantial adverse effects, including loss, injury or death, involving seismic ground shaking. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

iii) Seismic-related ground failure, including liquefaction?

Liquefaction is a process in which cohesion-less, saturated, fine-grained sand and silt soils lose shear strength due to ground shaking and behave as fluid. Areas overlying groundwater within 30 to 50 feet of the surface are considered susceptible to liquefaction hazards. Ground failure associated with liquefaction can result in severe damage to structures. The Project Site is not located in an area susceptible to liquefaction.¹⁶ Merrell Johnson's report concluded that the liquefaction potential is very low. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

iv) Landslides?

Seismically induced landslides and other slope failures are common occurrences during or soon after earthquakes. The Project Site is not located within an area susceptible to landslides.¹⁷ Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

¹⁶ San Bernardino County. County Policy Plan web maps: HZ-2 Liquefaction & Landslides. Accessed July 13, 2022.

¹⁷ San Bernardino County. County Policy Plan web maps: HZ-2 Liquefaction & Landslides. Accessed July 13, 2022.

No Impact

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

The Project Site is currently undeveloped. The proposed Project includes approximately 20,875 SF of retention area; 182,076 SF of hardscape; and 272,718 SF of landscape. An Erosion Control Plan will be prepared for the proposed Project. Implementation of the Proposed Project would disturb more than one acre of soil. Therefore, the Proposed Project is subject to requirements of the State Water Resources Control Boards General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-2009-DWQ). Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling or excavation. The Construction General Permit requires the development and implementation of a Storm Water Pollution and Prevention Plan (SWPPP). The SWPPP must list Best Management Practices (BMPs) to avoid and minimize soil erosion. Adherence to BMPs would ensure that the Proposed Project does not result in substantial soil erosion or the loss of topsoil. . Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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?

The Project Site is relatively flat with no prominent geologic features. The Project Site is not within an area susceptible to landslides.¹⁸ As stated above, the potential for liquefaction at the Project Site is very low. Because of the site's relatively flat topography and low liquefaction potential, it would not be susceptible to lateral spreading. In addition, the proposed Project would be required to comply with the California Building Code. As concluded in the geotechnical investigation report, the potential for dynamically induced settlement of the granular soils is also very low. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Expansive soils (shrink-swell) are fine-grained clay silts subject to swelling and contracting in relation to the amount of moisture present in the soil. Structures built on expansive soils may incur damage due to differential settlement of the soil as expansion and contraction takes place. A high shrink-swell potential indicates a hazard to structures built on or with material having this rating. The Project Site consists of Tujunga sand.¹⁹ Sandy soils are usually very stable soil that shows little change with

¹⁸San Bernardino County. County Policy Plan web maps: HZ-2 Liquefaction & Landslides. Accessed July 13, 2022.

¹⁹ California Natural Resources Conservation Service. Web Soil Survey. Accessed July 13, 2022.

the amount of moisture. Moreover, the geotechnical investigation concluded that the soils on-site have very low potential for expansion due to changes in moisture content. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

The proposed Project would utilize an onsite wastewater treatment system (OWTS) that consists of a septic tank and seepage pits. Subsurface wastewater disposal would be subject to approval of the County's Environmental Health Services Division. A Percolation Test report, dated April 21, 2022, was prepared for the proposed OWTS by Merrell Johnson Geotechnical (report available at the County office for review). With implementation of the recommendations listed in the Percolation Test report, the Project Site soils would be adequate in supporting the use of the proposed OWTS. Therefore, no significant adverse impact is identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

A Cultural and Paleontological Resources Assessment, dated April 16, 2021, was prepared for the Project Site and adjacent western property (approximately 5 acres) by Duke Cultural Resource Management, LLC (Duke CRM). The Project Site and adjacent properties will be collectively known as "Area of Potential Effect (APE)" for this section of the Initial Study.

On March 25, 2021, DUKE CRM received the results of a paleontological resource records search conducted by the San Bernardino County Museum (SBCM), Division of Earth Science. Review of geologic mapping of the region done by Dibblee and Minch (2002) indicates the APE is located on Quaternary alluvial gravel and canyon flood plains of Holocene age (Qa). Due to their young age (<11,700 years old), these sediments are considered low sensitivity for containing paleontological resources but have the potential to overlie high sensitivity deposits of Pleistocene age (2.5 million years ago to 11,700 years ago). Older Pleistocene deposits in the area have been found to be highly fossiliferous yielding the remains of ground sloths, bison, and horse. The nearest fossil locality is approximately 2.25 miles south of the APE, where localities SBCM 1.103.179, 1.103.180, and 1.103.181, yielded fossil remains of *Scincidae* (skink), *Sylvilagus* (cottontail rabbit), and *Leporidae* (rabbits and hares). A review of on-line and published literature on documented fossils localities in southern California did not produce any additional fossil localities within 3 miles of the APE.

DUKE CRM concludes that the proposed Project has a low potential to impact paleontological resources. DUKE CRM does not recommend any additional work regarding paleontological resources.

However paleontological resources may occur anywhere and therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level below significant.

Mitigation Measure GEO-1:

If any inadvertent or unanticipated finds during construction activity appear to be paleontological in nature, then a qualified paleontological Principal Investigator shall evaluate the finds and prepare a Paleontological Mitigation and Monitoring Plan (PMMP). The PMMP shall be prepared in accordance with all appropriate California Environmental Quality Act (CEQA) and San Bernardino County guidelines. The PMMP shall then be adhered to for the remainder of any land disturbing activities for the project.

Implementation of Mitigation Measure GEO-1 would prevent potential impacts on significant paleontological resources or reduce such impacts to a level less than significant.

Less than Significant with Mitigation

Therefore, potential impacts can be reduced to less than significant level with implementation of the Mitigation Measure above.

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

SUBSTANTIATION:

Countywide Plan; CalEEMod Output

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

The County of San Bernardino adopted its "Greenhouse Gas Emissions Reduction Plan" (GHG Reduction Plan) in December 2011. The GHG Reduction Plan was updated

in June 2021 (GHGRP Update).²⁰ A review standard of 3,000 metric tons of carbon dioxide equivalents (MTCO₂e) per year will be used to identify projects that require the use of the Screening Tables or a project-specific technical analysis to quantify and mitigate project emissions. Screening tables are a menu of options of energy efficiency improvements, renewable energy options, water conservation measures, and other options that provide predictable GHG reductions. Projects that result in GHG emissions exceeding the County's screening threshold of 3,000 MTCO₂e per year would require the use of the Screening Tables for emission reduction. Each option within the Screening Tables includes point values based upon the GHG reduction that option would provide to a development project. Developers that choose options from the Screening Tables totaling 100 points or more will be determined to have provided a fair-share contribution of GHG reductions and, therefore, are considered consistent with the GHGRP Update.

The levels of GHG reductions designed into the Screening Tables are consistent with the State goal of achieving 40 percent below 1990 levels of emissions by 2030.

Construction

The proposed Project's GHG emissions were estimated using CalEEMod version 2022.1. Construction is anticipated to begin in 2023 and be completed in 2025. Other parameters which are used to estimate construction emissions such as those associated with worker and vendor trips, and trip lengths were based on the CalEEMod defaults. The greenhouse gas emissions from project construction equipment and worker vehicles are shown in Table 13. The emissions are from all phases of construction. The total construction emissions amortized over a period of 30 years are estimated at 5.6 metric tons of CO₂e (MTCO₂e) per year.

Table 13
Greenhouse Gas Construction Emissions
(Metric Tons per Year)

Source/Phase	CO ₂	CH ₄	N ₂ O	R ¹
2023	158	0.00	0.02	0.15
2024	0.86	0.00	0.00	0.00
2025	1.03	0.00	0.00	0.00
Total (MTCO₂e)	167.9			
Construction Amortized 30 Years	5.6			

Source: CalEEMod.2022.1 Annual Emissions.

1) Common refrigerant GHGs used in air conditioning and refrigeration equipment.

Operations

The operational mobile source emissions were calculated using the Traffic Impact Analysis, dated January 31, 2022, prepared by Ganddini. Ganddini determined that the proposed Project would generate approximately 994 daily trips. Operational emissions occur over the life of the project.

²⁰ LSA Associates, Inc. County of San Bernardino Greenhouse Gas Reduction Plan Update. Adopted September 21, 2021. http://www.sbcounty.gov/uploads/LUS/GreenhouseGas/GHG_2021/GHG%20Reduction%20Plan%20Update-Greenhouse%20Gas%20Reduction%20Plan%20Update%20-%20Adopted%209-21-2021.pdf.

Table 14
Greenhouse Gas Operational Emissions
(Metric Tons per Year)

Source/Phase	CO ₂	CH ₄	N ₂ O	R ¹
Mobile	1,856	0.06	0.08	2.70
Area	0.00	0.00	0.00	0.00
Energy	38.5	0.00	0.00	--
Water	20.5	0.00	0.00	--
Waste	0.08	0.01	0.00	--
Refrigeration	--	--	--	0.00
Construction Amortized 30 Years	5.6			
Total (MTCO ₂ e)	1,950.6			
County Screening Threshold	3,000			
Significant	No			

Source: CalEEMod.2022.1 Annual Emissions.

1) Common refrigerant GHGs used in air conditioning and refrigeration equipment.

The project's total net operational GHG emissions do not exceed the County's screening threshold of 3,000 MTCO₂e per year. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- b) *Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?*

According to the County of San Bernardino GHG Reduction Plan, all development projects, including those otherwise determined to be exempt from CEQA, will be subject to applicable Development Code provisions, including the GHG performance standards, and state requirements, such as the California Building Code requirements for energy efficiency. With the application of the GHG performance standards, projects that are exempt from CEQA and small projects that do not exceed 3,000 MTCO₂e per year will be considered consistent with the GHG Reduction Plan and determined to have a less than significant individual and cumulative impact for GHG emissions. The GHG Reduction Plan also states that "the 3,000 MTCO₂e per year value was chosen as the medial value and is used in defining small projects that must include the Performance Standards but do not need to use the Screening Tables or alternative GHG mitigation analysis."

The project's total net operational GHG emissions do not exceed the County's screening threshold of 3,000 MTCO₂e per year. Therefore, the proposed Project does not need to accrue points using the Screening Tables and is consistent with the GHG Reduction Plan. The proposed Project is expected to comply with the performance standards for commercial uses as detailed in the GHG Reduction Plan. The proposed Project will not result in substantial emissions of greenhouse gases and will not conflict with the GHG Reduction Plan. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

SUBSTANTIATION:

EnviroStor Database; San Bernardino Countywide Plan Draft EIR: Hazards and Hazardous Materials

- 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?*

The proposed Project is the development of a community park. Construction of the proposed Project would require the routine transport, use, storage, and disposal of limited quantities of common hazardous materials such as gasoline, diesel fuel, oils, solvents, paint, fertilizers, pesticides, and other similar materials. Operations would include standard maintenance (i.e., landscape upkeep, exterior painting and similar activities) involving the use of commercially available products (e.g., pesticides, herbicides, gas, oil, paint, etc.) the use of which would not create a significant hazard to the public. All materials required during construction would be kept in compliance with State and local regulations and Best Management Practices.

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

Less Than Significant 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?*

Phelan Elementary School is located immediately north of the Project Site. The proposed Project consists of recreational uses. It is not anticipated to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- 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?*

The Project Site was not found on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system.²¹ EnviroStor tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. No hazardous materials sites are located within or in the immediate vicinity of the Project Site. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

²¹California Department of Toxic Substances Control. EnviroStor. Accessed March 17, 2022.

No Impact

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

The Project Site is not within an airport safety review area or Airport Runaway Protection Zone.²² The Project Site is not located within the vicinity of a private or public airstrip. The nearest airports to the Project Site are Southern Logistics Airport, approximately 14 miles northeast, and Hesperia Airport, approximately 14 miles southeast. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

- f) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The Project Site is undeveloped and does not contain any emergency facilities. The Project Site is adjacent to Warbler Road, which is not an evacuation route within the County.²³ To access the north end of the site by way of Sheep Creek Road, the entry drive of the planned Civic Center project would be extended. A secondary access is proposed along the Warbler Road past the entry drive of the existing community park to the west. Adequate on-site access for emergency vehicles would be verified during the County's plan review process. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. The proposed Project would provide 180 parking stalls, which is more than the 143 spaces required. Therefore, project employees and visitors are not anticipated to park off-site and interfere with the use of major roads. No significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

The Project Site is not located within a High or Very High Fire Hazard Severity Zone.²⁴ The Project Site is located within Fire Safety Overlay (FS1).²⁵ Therefore, the proposed Project would need to comply with Chapter 7A "Materials and Construction Methods for Exterior Wildfire Exposure" of the California Building Code (CBC). The proposed Project

²² San Bernardino County. County Policy Plan web maps: HZ-9 "Airport Safety and Planning." Accessed June 21, 2021.

²³ San Bernardino County. County Policy Plan web maps: PP-2 "Evacuation Routes." <https://www.arcgis.com/apps/webappviewer/index.html?id=fcb9bc427d2a4c5a981f97547a0e3688>. Accessed May 7, 2021.

²⁴ San Bernardino County. County Policy Plan web maps: HZ-5 "Fire Hazard Severity Zones." <https://www.arcgis.com/apps/webappviewer/index.html?id=fcb9bc427d2a4c5a981f97547a0e3688>. Accessed March 17, 2022.

²⁵ San Bernardino County. County Policy Plan web maps: HZ-5 "Fire Hazard Severity Zones." <https://www.arcgis.com/apps/webappviewer/index.html?id=fcb9bc427d2a4c5a981f97547a0e3688>. Accessed March 17, 2022.

shall comply with all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
X. HYDROLOGY AND WATER QUALITY - Would the project:					
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
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 runoff; or	☐	☐	☒	☐
iv.	impede or redirect flood flows?	☐	☐	☒	☐
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

SUBSTANTIATION:

Countywide Plan; Preliminary Water Quality Management Plan, October 6, 2021, Red Brick Solution, LLC; Preliminary on-site Hydrology Study, March 6, 2023, Red Brick Solution, LLC; Draft 2020 Urban Water Management Plan for Phelan Piñon Hills Community Service District, May 5, 2021, Infrastructure Engineering Corporation

- a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

The proposed Project would disturb more than one-acre and would, therefore, be subject to the National Pollutant Discharge Elimination System (NPDES) permit. The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State's General Construction permit include the removal of vegetation, grading, excavating, or any other activity that causes the disturbance of one acre or more. The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into stormwater systems, and to develop and implement a SWPPP. The SWPPP is based on the principles of Best Management Practices (BMPs) to control and abate pollutants. The SWPPP must include BMPs to prevent project-related pollutants from impacting surface waters.

The RWQCB has issued an area-wide NPDES Storm Water Permit for San Bernardino County, the San Bernardino County Flood Control District and the unincorporated areas of San Bernardino County. The implementation of NPDES permits ensures that the State and Federal mandatory standards for the maintenance of clean water are met. A preliminary Water Quality Management Plan (WQMP), dated October 6, 2021 (revised April 28, 2022 and March 7, 2023, and April 24, 2023), was prepared for the proposed Project by Red Brick Solution, LLC (report available at the County office for review). The WQMP includes non-structural and structural source control BMPs that are required to be incorporated into the proposed Project. Compliance with the WQMP would ensure that all potential pollutants of concern are minimized or otherwise appropriately treated prior to being discharged from the Project Site. Project BMPs include landscaped areas with efficient irrigation systems, labeling storm drain inlets and catch basins with "No Dumping" signs, and providing solid roof for enclosures to prevent exposure to direct precipitation. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Water supply for the proposed Project would be provided by PPHCSD. The PPHCSD's primary source of supply is groundwater pumped from the Mojave Basin Area (MBA) and does not receive water directly from the Delta conveyance, which is also referred to as the State Water Project (SWP) infrastructure. The MBA is adjudicated and managed by Mojave Water Agency (MWA). MWA imports SWP water from Northern

California for groundwater basin recharge.²⁶ The water distribution system of the PPHCSD consists of 12 groundwater wells within the MBA and one groundwater well within the Antelope Valley Adjudication Area (AVAA). Groundwater supply makes up 100 percent of the District's existing and planned future source of water supply.

The Project Site is currently undeveloped and there are no groundwater recharge facilities in the vicinity. With implementation of the proposed Project, 182,076 SF of the Project Site would be paved with paving and concrete. The proposed Project would also include drought-resistant landscaping. Implementation of the project Best Management Practices (BMPs) would ensure that stormwater discharge does not substantially alter the existing drainage pattern and water quality, thereby allowing runoff from the Project Site to be utilized as a resource that can eventually be used for groundwater recharge. Therefore, the proposed Project is not anticipated to have a substantial impact on groundwater supplies or interfere substantially with groundwater recharge. No significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- 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;*

Erosion is the wearing away of the ground surface as a result of the movement of wind or water, and siltation is the process by which water becomes dirty due to fine mineral particles in the water. Soil erosion could occur due to a storm event. The Construction General Permit requires the development and implementation of a Storm Water Pollution and Prevention Plan (SWPPP). The SWPPP must list BMPs to avoid and minimize soil erosion. Adherence to BMPs would prevent substantial soil erosion or the loss of topsoil. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- 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 runoff; or*
- iv) *Impede or redirect flood flows?*

An on-site Hydrology Study, dated March 6, 2023, was prepared for the proposed Project by Red Brick Solution, LLC (report available at the County office for review). The off-site tributary flow of 479 cubic-feet per second (cfs) being directed toward the

²⁶ Infrastructure Engineering Corporation. Draft 2020 Urban Water Management Plan for Phelan Piñon Hills Community Service District. May 5, 2021.

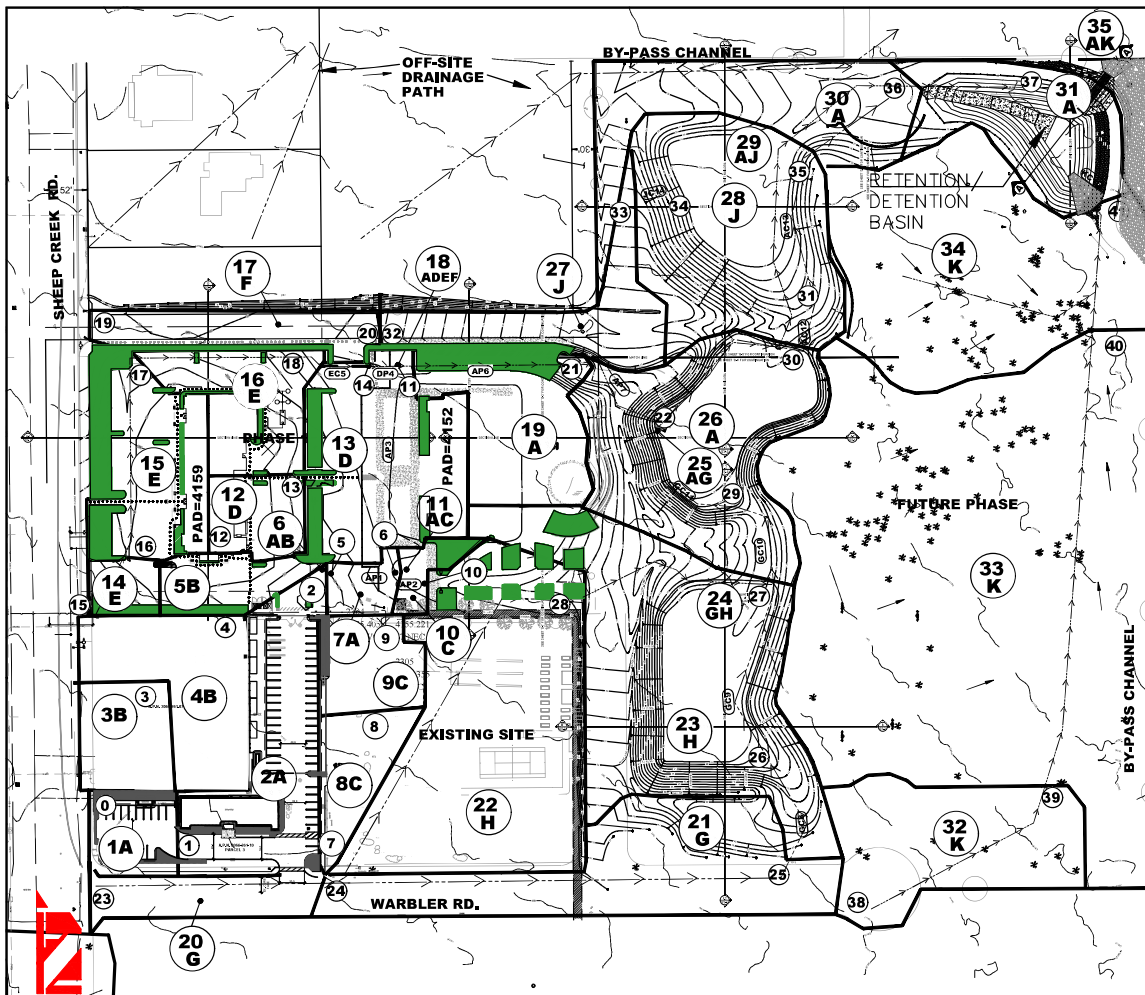
northeast could enter the future park site from the south, east of the existing PPHCSD facilities. No improvements are necessary until the final phase of the park development plan. At that time, these flows shall be captured and diverted easterly along Warbler Road to the eastern boundary where a separate channel system would divert these flows north to the northeast corner of the site and release them into their historic conveyance. A by-pass channel design with a capacity of 551.22 cfs would contain these flows. The channel would have 1 foot of freeboard to prevent flooding of the 100-year storm, as defined by FEMA Special Flood Hazard Zone AO, from the off-site flows.

The Project Site is part of an overall tributary area consisting of a 25.4-acre drainage area (DA) (see Figure 5 – Existing Drainage). Under existing conditions, the single DA consists of two drainage management areas each consisting of three (3) subareas that ultimately confluence at the northeast corner of the Project Site. The undeveloped storm flows for the DA is approximately 38.08 cfs flowing and a 100-year storm event flows is 65.04 cfs.

Under developed conditions, stormwater would flow through the entire site via several conveyances contained in three Drainage Management Areas (DMA) (see Figure 6 – Proposed Drainage). All three DMAs lead to the northeast corner of the Project Site where a single retention basin will mitigate the 100-year storm flows. Subarea DA1-DMA-A consists of 5.94 acre which includes the approved civic center, and the existing community park and PPHCSD facility to the west. Subarea DA1-DMA-B consists of 3.24 acres along the southerly access road and the proposed play areas west of the existing site. This sub area contains a soccer field and a multi-purpose turf area that conveys the storm flows via perimeter channel having a base width of 10-foot, 10:1 side slopes, flowing less than 0.4-ft deep. Subarea DA1-DMA-C consists of the easterly undeveloped 14.34-acres along the southern and eastern property lines flowing north to the northeast corner of the Project Site. The combined 25.40-acre area would generate a 100-year, 24-hour storm flow of 68.04 cfs.

The storm flow of 68.04 cfs is required to be mitigated to 34.27 cfs. Two infiltration tests were conducted by Merrell Johnson to provide the infiltration rate data needed to design the proposed retention basin (report available at County office for review). The proposed 6-foot deep, 1.07 acre-feet retention basin would have five 12-inch diameter storm drain discharge pipes under the spillway that retains 3.5 feet of storm water equal to a volume of 0.402 acre-feet. These pipes are set at a one percent slope. It was determined that the water surface elevation would reach a depth of 6.0-ft with a maximum discharge rate of 33.6 cfs. Thus, downstream properties will not see any increase in storm flows from this site. With the proposed retention basin, the proposed Project would not substantially alter the existing drainage pattern of the site or area. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact



LEGEND:

SUB-AREA
NUMBER

6B

DRAINAGE
MANAGEMENT
SUB-AREA

AP(C)##

OVERALL BOUNDARY
SUBAREA BOUNDARY
SUBAREA FLOWLINE

NODE #

DMA CONVEYANCE
PIPE / CHANNEL #

OVERALL BOUNDARY
SUBAREA BOUNDARY
SUBAREA FLOWLINE

EG

FG

FS

FF

IE

EXISTING GRADE
FINISH GRADE
FINISH SURFACE
FINISH FLOOR
INVERT ELEVATION

DA1

Subarea	Upper	lower	CN	Upper	lower	Conveyance	Distance	Area	Acres	Qu
Confluence	node	node	Type	Elev	Elev	Type		sq ft	ac	ac
1A	0	1	Com	69.1	66	Initial	102.4	10,585	0.243	1.94
2A	1	2	Com	66	55.5	Im-Chan	354.5	38,583	0.886	6.77
AB21	1	2	HOLD						1.290	6.77
3B	0	3	Com	69.1	65	Initial	162	14,484	0.333	2.24
4B	3	4	Com	65	57.7	Im-Chan	94.7	27,532	0.641	6.18
5B	4	2	Com	57.7	55.5	Im-Chan	107.2	10,575	0.252	7.26
GAB22	4	2	Confluence						2.350	14.06
AP1	2	5	Travel	55.5	47.42	pipe	3			14.06
7A	5	6	Com	47.42	44.7	pipe	50	5,490	0.126	14.12
AC21	5	6	HOLD						2.350	14.12
8C	7	8	Com	65.4	58	Initial	204	1,210	0.030	0.192
9C	8	9	Com	58	54	Im-Chan	122	13,531	0.311	3.67
10C	9	10	Com	54	51.4	Im-Chan	56	4,208	0.108	4.23
11AC22	9	10	Confluence	45.75	44.7				2.770	18.24
AP2	10	6	Travel	51.4	44.7	pipe	3			18.24
AP3	6	11	Travel	44.7	42.3	pipe	246			18.24
ADEF41	6	11	HOLD						2.770	18.24
12D	12	13	Com	59.5	56.95	Initial	170	11,066	0.254	1.54
13D	13	14	Com	56.95	50.3	Im-Chan	188	42,434	0.974	6.79
DP4	14	11	Travel	50.3	42.3	pipe				6.79
ADEF42	14	11	HOLD						1.280	6.79
14E	15	16	Com	61	58.08	Initial	75	5,740	0.132	1.16
15E	16	17	Com	58.08	56.39	Im-Chan	250	27,203	0.624	4.88
16E	17	18	Com	56.39	51.89	Im-Chan	232	21,540	0.494	6.73
EC5	18	11	Travel	51.89	50.7	ST-Flow	100			6.29
ADEF43	18	11	HOLD						1.350	6.29
17F	19	20	Com	51.74	49.33	Initial	344	16,617	0.386	1.72
18ADEF44	20	11	Confluence	49.33	42.3		46		5.280	32.79
AP6	14	21	Travel	42.3	38.5	pipe	226	28,791	0.661	35.71
19A	14	21	Add Area	42.3	38.5					35.71
AP7	21	22	Travel	38.5	34	pipe	110			35.71
AG21m	21	22	HOLD						5.94	3.71
20G	23	24	Com	71	65.4	Initial	102.4	13,630	0.317	2.67
21G	24	25	Com	65.4	50	Im-Chan	354.5	53,182	1.221	10.42
GC8	25	26	Travel	50	41	Im-Chan	142			10.42
GC9	26	27	Travel	41	40	Im-Chan	214			10.42
GH21	26	27	HOLD						1.540	10.42
22H	24	28	Park	65.4	49	Initial	162	14,484	0.333	10.24
23H	28	27	Park	49	40	n-Chan	94.7	27,532	0.641	12.83
24GH22	28	27	Confluence						2.200	21.48
GC10	27	29	Travel	40	34	n-Chan	106			21.48
GC11	29	22	Travel	34	33	n-Chan	130			21.48
25AG22m	29	22	Confluence						7.780	55.50
26A	22	30	Park	33	32	Initial	172	60,507	1.398	55.5
AC12	30	31	Travel	32	27	n-Chan	60			51.5
AC13	31	35	Travel	27	26	n-Chan	194			51.5
AJ21	31	35	HOLD						55.5	
27J	32	33	Com	40	34	Initial	422	24,592	0.565	2.63
JC14	33	34	Travel	34	28	n-Chan	42			2.63
28J	34	35	Park	28	26	n-Chan	172	59,540	1.367	6.66
29AJ22	34	35	Confluence						11.090	62.12
30A	35	36	Park	26	22	n-Chan	161	36,723	0.843	62.12
31A	36	37	Park	22	16	n-Chan	115	101,516	2.330	62.12
AK21	36	37	HOLD						62.12	
32K	38	39	Park	50	36	Initial	320	40,615	0.937	3.49
33K	39	40	Park	36	25	n-Chan	555	228,712	5.251	16.32
34K	40	41	Park	25	20	n-Chan	168	91,644	2.108	20.69
KC14	41	37	Travel	20	16	n-Chan				20.69
35AK22	41	37	Confluence						25.72	81.05

UNIT HYDROGRAPHIC METHOD
A=25.40 Q=68.04 CFS

HYDROLOGY STUDY

ON-SITE TRIBUTARY WATERSHED AREA

FOR:
PPHCS

IN
PHELAND
SAN BERNARDINO
COUNTY, CA

APN:
3066-261-08,10
3066-251-14

POST-DEVELOPED CONDITION PHASE I

RED
BRICK
SOLUTION

CONSULTING ENGINEERS
& ARCHITECTS

EXHIBIT G

PROPOSED DRAINAGE

Phelan Community Park
Phelan, California

FIGURE 6

- d) *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

Due to the inland distance from the Pacific Ocean and any other significant body of water, tsunamis and seiches are not potential hazards in the vicinity of the Project Site. In addition, the Project Site is not in or near a dam and basin hazard.²⁷ The Project Site is located within a FEMA 100-year floodplain.²⁸ The first floor of the proposed restroom building will be required to be elevated at a minimum 1 foot above the known shallow flooding depth of 1 foot. Proposed grading would lower certain portions of the site for floodway capacity increase and raise other parts of the site to avoid the 100-year flood plain. The restroom building, playgrounds, and the skate park would be placed above the 100-year flood plain. An Elevation Certificate is required as proof of compliance. The proposed Project is subject to the NPDES permit which requires BMPs to control and abate pollutants. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- e) *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

The proposed Project is subject to the NPDES permit. Requirements of the permit would include development and implementation of a SWPPP, which is subject to RWQCB review and approval. The purpose of an SWPPP is to: 1) identify pollutant sources that may affect the quality of discharges of stormwater associated with construction activities; and 2) identify, construct and implement stormwater pollution control measures to reduce pollutants in stormwater discharges from the construction site during and after construction. The SWPPP would include BMPs to control and abate pollutants, and treat runoff that can be used for groundwater recharge. Appropriate BMPs will be reviewed and approved by the County. The proposed Project would not otherwise substantially degrade water quality as appropriate measures relating to water quality protection. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

²⁷ San Bernardino County. Policy Plan web maps: HZ-3 "Dam & Basin Hazards." Accessed March 17, 2022.

²⁸ San Bernardino County. Policy Plan web maps: HZ-4 "Flood Hazards." Accessed March 17, 2022.

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XI. LAND USE AND PLANNING - Would the project:					

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) | Physically divide an established community? | ☐ | ☐ | ☐ | ☒ |
| 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? | ☐ | ☐ | ☒ | ☐ |

SUBSTANTIATION:

Countywide Plan

- a) *Physically divide an established community?*

The physical division of an established community is typically associated with construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility in an existing community or between a community and an outlying area. The proposed Project does not include the construction of a linear feature. In addition, the Project Site is currently vacant and undeveloped. Therefore, the proposed Project would not physically divide an established community. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

- 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?*

The Project Site is currently undeveloped and has a zoning of Phelan/Piñon Hills General Commercial (PH/CG). The proposed Project requires approval of the Change of Zone to Rural Commercial (CR), a CUP, and a Lot Merger to allow for the construction and operation of a community park on the Project Site. The proposed Project would be designed in accordance with the development standards required for projects within the CR zoning district. Subject to the Change of Zone, CUP, and Lot Merger, the proposed Project would be consistent with the Countywide Plan and applicable land use plans. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XII. MINERAL RESOURCES - Would the project:					

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state? | ☐ | ☐ | ☐ | ☒ |
| 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? | ☐ | ☐ | ☐ | ☒ |

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

Countywide Plan

- | | |
|----|--|
| a) | Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state? |
| 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? |

Per Policy NR-6.1 of the Countywide Plan, development of land that would substantially preclude the future development of mining facilities in areas classified as Mineral Resource Zone (MRZ) 2a, 2b, or 3a is discouraged or prohibited. The Project Site is not located within an MRZ.²⁹ The Project Site is currently surrounded by existing development, such as single-family residences, a school, a proposed civic center and a community park. The general area consists of scattered commercial and residential uses. Therefore, the Project Site and current surrounding uses are not compatible with mineral resource extraction. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIII. NOISE - Would the project result in:					

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) | Generation of a substantial temporary or permanent increase in ambient noise levels in | ☐ | ☐ | ☒ | ☐ |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

²⁹ San Bernardino County. Countywide Policy Plan web maps: NR-2 "Mineral Resources Zones" web map. Accessed March 18, 2022.

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, would the Project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |

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

Urban Crossroads, Phelan Community Park Noise Impact Analysis, April 7, 2023

- 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?*

A Noise Impact Analysis (NIA), dated April 7, 2023, was prepared for the Proposed Project by Urban Crossroads, Inc. (report available at the County office for review). The NIA evaluates the potential proposed Project traffic noise impacts, the potential project-related long-term stationary-source noise impacts, and short-term construction noise and vibration impacts. Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). A-weighted decibels (dBA) approximate the subjective response of the human ear to broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum. The equivalent sound level (Leq) represents a steady state sound level containing the same total energy as a time varying signal over a given sample period. The Community Noise Equivalent Level (CNEL) is the weighted average of the intensity of a sound, with corrections for time of day, and averaged over 24 hours.

Off-Site Traffic Noise Impacts

Noise contours were used to assess the proposed Project's incremental 24-hour dBA CNEL traffic-related noise impacts at land uses adjacent to roadways conveying project traffic. Roadway segments are analyzed from the without Project to the with Project conditions in each of the following timeframes: Existing 2021, Opening Year 2027, and Horizon Year 2040.

The Existing without Project exterior noise levels are expected to range from 49.9 to 66.6 dBA CNEL, without accounting for any noise attenuation features such as noise barriers or topography. The Existing with Project conditions will range from 56.4 to

66.7 dBA CNEL. The project off-site traffic noise level impacts will range from 0.0 to 6.5 dBA CNEL.

The modeled Opening Year 2027 without Project exterior noise levels are expected to range from 51.1 to 67.6 dBA CNEL, without accounting for any noise attenuation features such as noise barriers or topography. The Opening Year 2027 with Project conditions will range from 56.7 to 67.7 dBA CNEL. The Project off-site traffic noise level increases will range from 0.1 to 5.6 dBA CNEL.

The Horizon Year 2040 without Project exterior noise levels are expected to range from 51.1 to 67.7 dBA CNEL, without accounting for any noise attenuation features such as noise barriers or topography. The Horizon Year 2040 with Project conditions will range from 56.7 to 67.7 dBA CNEL. The Project off-site traffic noise level increases will range from 0.0 to 5.6 dBA CNEL.

Based on the significance criteria for off-site traffic noise presented in Table 4-1 of the NIA, land uses adjacent to the study area roadway segments would experience less than significant noise level impacts due to project-related traffic noise levels.

Sensitive Receiver Locations

Sensitive receivers are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. To describe the potential off-site Project noise levels, four receiver locations in the vicinity of the Project Site were identified:

- R1: Location R1 represents an existing noise sensitive residence north of Project Site and south of the Phelan Elementary School, located approximately 182 feet northwest of the Project Site. Receiver R1 was placed at the private outdoor living area (backyard) facing the Project Site.
- R2: Location R2 represents an existing noise sensitive residence at 9550 Riggins Road located approximately 17 feet east of the Project Site across Cedar Avenue. Receiver R2 was placed in the private outdoor living area (backyard) facing the Project Site.
- R3: Location R3 represents an existing noise sensitive residence at 4243 Warbler Road located approximately 43 feet south of the Project Site. Receiver R3 is placed at the private outdoor living areas (backyards) facing the Project Site.
- R4: Location R4 represents the RTC Pure Water Filtration System at 9575 Malpaso Road, approximately 1791 feet west of the Project Site. Since there are no private outdoor living areas (backyards) facing the Project Site, receiver R4 is placed at the building façade facing the Project Site.

Operational Noise Impacts

The daytime (7:00 a.m. to 10:00 p.m.) hourly noise levels at the off-site receiver locations are expected to range from 38.3 to 52.6 dBA Leq. Since the park would close from 10:00 p.m. to 7:00 a.m., there would not be any nighttime noise sources to consider. The operational noise levels associated with the Proposed Project will satisfy the County of San Bernardino exterior noise level standards at all nearby receiver locations. The proposed Project will generate daytime operational noise level increases ranging from

0.1 to 2.5 dBA Leq at the nearest receiver locations. Project-related operational noise level increases will satisfy the operational noise level increase significance criteria.

Construction Impacts

The approved Civic Center has been included in the construction noise assessment as it would be graded at the same time as the Proposed Project. To assess the worst-case construction noise levels, the Project construction noise analysis relies on the highest noise level impacts when the equipment with the highest reference noise level is operating at the closest point from the edge of primary construction activity (Project Site boundary) to each receiver location. The construction noise levels are expected to range from 37.3 to 63.6 dBA Leq, and the highest construction levels are expected to range from 45.1 to 63.6 dBA Leq at the nearest receiver locations. To evaluate whether the proposed Project will generate potentially significant short-term noise levels at nearest receiver locations, a construction-related daytime noise level threshold of 80 dBA Leq is used as a reasonable threshold to assess the daytime construction noise level impacts. The construction noise analysis shows that the nearest receiver locations will satisfy the reasonable daytime 80 dBA Leq significance threshold during proposed Project construction activities.

Therefore, noise generated by the proposed Project is not anticipated to be substantial. No significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

b) *Generation of excessive groundborne vibration or groundborne noise levels?*

The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures, and soil type. It is expected that ground-borne vibration from proposed Project construction activities would cause only intermittent, localized intrusion. At distances ranging from 17 feet (at location R2) to 1,200 feet (at location R4) construction vibration levels would not exceed the County of San Bernardino 0.2 in/sec PPV threshold for vibration at all receiver locations. Therefore, the project-related vibration impacts are considered less than significant during the construction activities at the Project Site.

Further, vibration levels at the site of the closest sensitive receiver are unlikely to be sustained during the entire construction period but will occur rather only during the times that heavy construction equipment is operating simultaneously adjacent to the Project Site perimeter. However, while vehicular traffic is rarely perceptible, construction has the potential to result in varying degrees of temporary ground vibration, depending on the specific construction activities and equipment used. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project Site is not within an airport safety review area or Airport Runaway Protection Zone.³⁰ The Project Site is not located within the vicinity of a private or public airstrip. The nearest airports to the Project Site are Southern Logistics Airport, approximately 14 miles northeast, and Hesperia Airport, approximately 14 miles southeast. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XIV. POPULATION AND HOUSING - Would the project:				

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) | Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | ☐ | ☐ | ☒ | ☐ |
| b) | Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ |

SUBSTANTIATION:

Countywide Plan

- 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)?*

The proposed Project is the development of a community park that will include several recreational uses. It would serve the local community and be adjacent to the planned civic center. Park employees are anticipated to be headquartered at the civic center and an increase in employment is estimated to be less than five. It is anticipated that this demand in employment will be met by the existing local labor pool. Short-term construction activities at the Project Site would not attract new employees to the area

³⁰ San Bernardino County. County Policy Plan web maps: HZ-9 "Airport Safety and Planning." Accessed June 21, 2021.

since a pool of construction labor exists in the region. The proposed Project does not involve construction of new homes, so it would not induce unplanned population growth. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The Project Site is currently undeveloped and does not contain any residential housing. Implementation of the proposed Project would neither displace existing housing nor require construction of replacement housing elsewhere. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XV. PUBLIC SERVICES					
a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	Fire Protection?	☐	☐	☒	☐
	Police Protection?	☐	☐	☒	☐
	Schools?	☐	☐	☒	☐
	Parks?	☐	☐	☒	☐
	Other Public Facilities?	☐	☐	☐	☒
SUBSTANTIATION:					
Countywide Plan, 2020; Project Details from Applicant					

- 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?

San Bernardino County Fire Station 10, at 9625 Beekley Road, is located approximately 0.9-mile west of the Project Site. New development within the unincorporated county area would not combine with other development in the county to result in a cumulatively considerable impact to fire and emergency services.³¹ The County would maintain sufficient services within its boundaries as well as expand to serve other incorporated jurisdictions to improve service and coverage.³²

Comprehensive safety measures that comply with federal, state, and local worker safety and fire protection codes and regulations would be implemented into project design to minimize the potential for fires to occur during construction and operations. The final site plans would require approval by the County Fire Marshal. The proposed Project would be required to comply with County fire suppression standards and provide adequate fire access. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Police Protection?

The San Bernardino County Sheriff's Department (SBCSD) – Victor Valley serves the area of the proposed Project. The nearest police station to the Project Site is the County Sheriff-Phelan substation located at 4050 Phelan Rd., approximately 0.2 miles northwest of the Project Site. The Phelan substation has one sergeant, one detective, and ten deputies who are responsible for law enforcement services in Phelan, Piñon Hills, Wrightwood, West Cajon Valley, as well as portions of Oak Hills and El Mirage.³³ The SBCSD reviews staffing needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection. Implementation of Crime Prevention Through Environment Design (CPTED) would be considered a part of the project design. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Schools?

The Project Site is served by the Snowline Joint Unified School District. Construction activities would be temporary and would not result in substantial population growth. The

³¹ San Bernardino Countywide Policy Plan Draft EIR: Public Services. Page 5.14-17.

³² San Bernardino Countywide Policy Plan Draft EIR: Public Services. Page 5.14-17.

³³ San Bernardino County Sheriff's Department. Victory Valley Patrol Station. <https://wp.sbcounty.gov/sheriff/patrol-stations/victor-valley/>. Accessed September 9, 2021.

proposed Project is not expected to draw any new residents to the region as it would serve the local community. With the collection of developer fees,³⁴ impacts related to school facilities are expected to be less than significant. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Parks?

The proposed Project would neither induce residential development nor significantly increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of any facilities would result. Operation of the proposed Project would place no demands on parks because it would not involve the construction of housing and would not involve the introduction of a permanent human population into the area. It is important to note that project visitors could potentially use the existing Phelan Community Park, adjacent to the west of the Project Site. However, given that the proposed Project offers recreational opportunities, the increased use of the existing community park would not be significant. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Other Public Facilities?

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

No Impact

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

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVI. RECREATION					
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial	☐	☐	☒	☐

³⁴ Snowline Joint Unified School District.
https://www.snowlineschools.com/apps/pages/index.jsp?uREC_ID=1048049&type=d&pREC_ID=2170350#:~:text=Snowline's%20current%20Residential%20Developer%20Fee,on%205%2F24%2F2023.. Accessed April 7, 2023.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
physical deterioration of the facility will 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?	☐	☐	☒	☐

SUBSTANTIATION:

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?*

The proposed Project does not include development of residential housing or other uses that would lead to substantial population growth. As stated previously, project visitors could potentially use the Phelan Community Park adjacent to the west. However, given that the proposed Project offers additional recreational opportunities, the increased use of the community park would not be significant. No significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- 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?*

The proposed Project includes the construction of recreational facilities. With implementation of Mitigation Measures identified in this Initial Study, the proposed Project would not have an adverse physical effect on the environment. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVII. TRANSPORTATION – Would the project:					
a)	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
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)?	☐	☐	☒	☐
d)	Result in inadequate emergency access?	☐	☐	☒	☐

SUBSTANTIATION:

Countywide Plan; Phelan Community Park Vehicle Miles Traveled Screening Assessment, January 31, 2022, Ganddini Group, Inc.; Phelan Community Park Traffic Impact Analysis, January 31, 2022, Ganddini Group, Inc.

- a) *Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

The proposed Project is the development of a community park to include several recreational uses. A Traffic Impact Analysis (TIA), dated January 31, 2022, has been prepared for development of the Project Site as a local park defined as having passive open space and 3-Multi-Purpose Fields, 1-Tennis Court, 26,000 SF of Skate Park, 30-Picnic Tables, and 15,730 SF of Aquatic Center and Splash-Pad. Although proposed uses have changed since the preparation of the TIA, the TIA analyzed uses that would generate more trips than what is currently proposed. Therefore, the TIA provides a conservative analysis for the proposed Project. In addition, public park rates were used for the passive open space of the park, in combination with rates for recreational components included in the park. The forecast trip generation of the park is representative of May to October with the combined usage of the Aquatic Center and Splash-Pad and all multi-purpose fields. The proposed Project is forecast to result in 994 new daily trips, including 31 new trips during the AM peak hour and 144 new trips during the PM peak hour.

The Transportation and Mobility Element of the Countywide Plan:

- Establishes the location and operational conditions of the roadway network.

- Coordinates the transportation and mobility system with future land use patterns and projected growth.
- Provides guidance for the County's responsibility to satisfy the local and subregional mobility needs of residents, visitors and businesses in unincorporated areas.
- Addresses access and connectivity among the various communities, cities, towns, and regions, as well as the range and suitability of mobility options: vehicular, trucking, freight and passenger rail, air, pedestrian, bicycle, and transit.

The following details how the proposed Project would be consistent with the applicable Countywide Plan goals and policies:

Goal TM 1: Unincorporated areas served by roads with capacity that is adequate for residents, businesses, tourists and emergency services.

Policy TM-1.8: When considering new roadway improvement proposals for the Capital Improvements Program or Regional Transportation Plan, we consider the provision of adequate emergency access routes along with capacity expansion in unincorporated areas. Among access route improvements, we prioritize those that contribute some funding through a local area funding and financing mechanism.

Consistent: Project visitors would access the proposed Project from Sheep Creek Road and Warbler Road. Sheep Creek Road and Warbler Road are not evacuation routes within the County.³⁵ To access the north end of the site by way of Sheep Creek Road, the entry drive of the planned Civic Center project would be extended to the Project Site. A secondary access is proposed along the Warbler Road past the entry drive of the existing community park to the west. Adequate on-site access for emergency vehicles would be verified during the County's plan review process. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County.

Goal TM-2: Roads designed and built to standards in the unincorporated areas that reflect the rural, suburban, and urban context as well as the regional (valley, mountain, and desert) context.

Policy TM-2.1: We maintain and periodically update required roadway cross sections that prioritize multi-modal systems inside mobility focus areas (based on community context), and vehicular capacity on roadways outside of mobility focus areas (based on regional context).

Consistent: The Project Site is located within a mobility focus area.³⁶ A Victor Valley Transit Authority Route passes through Sheep Creek Road adjacent to the approved Civic Center.³⁷ The proposed Project would not encroach on any public right-of-way. Therefore, it would not interfere with the use of the existing bus route. In addition, no

³⁵ San Bernardino County. Countywide Policy Plan web maps: PP-2 "Evacuation Routes." Accessed October 20, 2022.

³⁶ San Bernardino County. Countywide Policy Plan web maps: TM-3 & ED-1 "Focus Areas." Accessed October 20, 2022.

³⁷ San Bernardino County. Countywide Policy Plan web maps: TM-2 "Transit Network." Accessed October 20, 2022.

bicycle facilities are planned for the area of the Project Site.³⁸ Bike trails and bike racks would be included as part of the proposed Project. Sidewalks are proposed all throughout the Project Site.

Policy TM-2.2: We require roadway improvements that reinforce the character of the area, such as curbs and gutters, sidewalks, landscaping, street lighting, and pedestrian and bicycle facilities. We require fewer improvements in rural areas and more improvements in urbanized areas, consistent with the Development Code. Additional standards may be required in municipal spheres of influence.

Consistent: No bicycle facilities are planned for the area of the Project Site.³⁹ Bike trails and bike racks would be included as part of the proposed Project. Sidewalks are proposed all throughout the Project Site. The proposed Project would provide 272,718 SF of landscaping.

Policy TM-2.3: We require new development to mitigate project transportation impacts no later than prior to occupancy of the development to ensure transportation improvements are delivered concurrent with future development.

Consistent: The TIA determined that the study intersections are forecast to operate within acceptable Levels of Service (C or better) during the peak hours for Existing Plus Project conditions. Therefore, the proposed project is forecast to result in no project-related Level of Service deficiencies at the study intersections for the Existing Plus Project scenario.

The proposed Project would be consistent with the Transportation and Mobility Element of the Countywide Plan. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

A Vehicle Miles Traveled (VMT) Screening Assessment, dated January 31, 2022, was prepared for the same uses as those analyzed in the TIA. The purpose of the analysis is to document the number of trips forecast to be generated and assess the potential project VMT impact for compliance with CEQA and Senate Bill 743 requirements. The assessment includes a trip generation calculation for the proposed Project and determines whether further VMT analysis is recommended based on County of San Bernardino requirements.

The Traffic Impact Study (TIS) Guidelines includes screening criteria for certain types of projects that are local serving and may be presumed to have a less than significant impact. Among the project type screening are local serving retail projects with less than 50,000 SF, schools, parks, day care centers, affordable housing, and community institutions. Local serving projects will generally redistribute trips rather than creating

³⁸ San Bernardino County. Countywide Policy Plan web maps: TM-4 "Bicycle & Pedestrian Planning." Accessed October 20, 2022.

³⁹ San Bernardino County. Countywide Policy Plan web maps: TM-4 "Bicycle & Pedestrian Planning." Accessed October 20, 2022.

new trips. By adding local opportunities into the community and thereby improving proximity, local serving projects tend to shorten trips and reduce VMT.

The proposed Project is exempt from requiring further VMT analysis as it is classified as a local servicing park. Without the proposed Project, demand for such recreational space will have to be filled by other existing recreational facilities in the region, which would extend the travel distance for those users that are currently within the Phelan community area. The proposed Project would improve the proximity of team sport and recreational opportunities within the region, thereby shortening travel distances and reducing VMT.

The proposed Project may be presumed to result in a less than significant VMT impact based on the County-established project screening criteria for local parks and is forecast to generate fewer daily trips than local-serving retail use with similar VMT-reducing effect on the region. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- c) *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

The Project Site is not adjacent to windy roads or dangerous intersections. The proposed Project is the development of a community park to include several recreational uses. It does not include a geometric design or incompatible uses that would substantially increase hazards. The proposed Project would be compatible with the existing park and approved civic center to the west and the elementary school to the north. Adequate on-site access for emergency vehicles would be verified during the County's plan review process. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- d) *Result in inadequate emergency access?*

The Project Site is undeveloped and does not contain any emergency facilities. The proposed Project would be accessible from Sheep Creek Road and Warbler Road. Sheep Creek Road and Warbler Road are not evacuation routes within the County.⁴⁰ Access is proposed along Warbler Road past the entry drive of the existing community park to the west. To access the north end of the site by way of Sheep Creek Road, the entry drive of the planned Civic Center project would be extended. Adequate on-site access for emergency vehicles would be verified during the County's plan review process. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. The proposed Project would provide 180 parking spaces, which is more than the 143 spaces required. Therefore, project employees and visitors are not anticipated to park off-site or along

⁴⁰ San Bernardino County. Countywide Policy Plan web maps: PP-2 "Evacuation Routes." Accessed October 20, 2022.

access points. No significant impacts are identified or anticipated, and no mitigation measures are required

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVIII. TRIBAL CULTURAL RESOURCES				
a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☒	☐
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?	☐	☐	☐	☒

SUBSTANTIATION:

Tierra Environmental Services, Cultural Resources Study, September 3, 2021

- 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;*

The records search provided by the SCCIC revealed that six investigations have been previously conducted within a one-mile radius of the Project APE. None of the previous studies involve the Project APE. Two cultural resources or historic properties have been previously identified within one-mile radius of the APE. Both of the previously

recorded resources are historic in age. Both these resources are mapped, and are within ¼ mile of the APE, but neither occur within the APE. Tierra's archaeological investigation was conducted in compliance with CEQA requirements pertaining to the determination of whether the proposed Project may have an effect on significant cultural resources. CEQA Guidelines define a significant historical resource as a resource listed or eligible for listing on the California Register of Historic Resources (CRHR) (PRC 5024.1). The pedestrian survey did not result in the identification of any cultural resources or historic properties and no cultural resources were recorded within the APE. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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?

California Assembly Bill 52 (AB52) was approved by Governor Brown on September 25, 2014. AB52 specifies that CEQA projects with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource may have a significant effect on the environment. As such, the bill requires lead agency consultation with California Native American tribes traditionally and culturally affiliated with the geographic area of a proposed project, if the tribe requested to the lead agency, in writing, to be informed of proposed projects in that geographic area. The legislation further requires that the tribe-requested consultation be completed prior to determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project.

On June 14, 2023 the County mailed notification of the proposed Project, pursuant to AB52 to the following tribes: San Manuel Band of Mission Indians, Morongo Band of Mission Indians, and Fort Mojave Indian Tribe. Mitigation measures received from the San Manuel Band of Mission Indians on May 12, 2022 for the adjacent Civic Center project are incorporated herein. Any additional correspondence forthcoming from the tribes that may include additional mitigation measures that would be required as Conditions of Approval prior to project approval.

The required mitigation measures are summarized below:

Mitigation Measures TRC-1:

1. The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds

shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.

2. Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.

With implementation of these mitigation measures, impacts to tribal cultural resources would be less than significant.

Less than Significant with Mitigation

No significant adverse impacts are identified or anticipated, and no mitigation measures are required at this time.

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIX. UTILITIES AND SERVICE SYSTEMS - Would the project:					
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b)	Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

SUBSTANTIATION:

Countywide Plan; California Energy Commission Energy Report; 2020 UWMP for Phelan Piñon Hills Community Services District

- 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?*

The Project Site is within the service area of the Phelan Piñon Hills Community Service District. The proposed Project would be an expansion to the approved Civic Center and the existing park to the west. A water pipeline extension was proposed for the mainline to serve the Civic Center and the existing PPHCSD office to the west. The proposed Project would be served via this water pipeline extension.

The proposed Project would utilize an on-site wastewater treatment system (OWTS) that consists of a septic tank and seepage pits. The proposed restroom building would be the only proposed use generating wastewater. Therefore, the proposed Project would not require or result in the construction or expansion of existing sewer facilities.

The combined 25.40-acre drainage area would generate a 100-year, 24-hour storm flow of 68.04 cfs. The storm flow of 68.04 cfs is required to be mitigated to 34.27 cfs. The proposed Project includes a 6-foot deep, 1.07 acre-feet retention basin with five 12-inch diameter storm drain discharge pipes under the spillway set at an outlet elevation of 4117.5 that retains 3.5 feet of storm water equal to a volume of 0.402 acre-feet.

These pipes are set at a one percent slope. It was determined that the water surface elevation would reach a depth of 6.0-ft with a maximum discharge rate of 33.6 cfs. The off-site tributary flow of 479 cfs being directed toward the northeast could enter the future park site from the south, east of the existing PPHCSD campus. These flows shall be captured and diverted easterly along Warbler Road to the eastern boundary where a separate channel system would divert these flows north to the northeast corner of the site and release them into their historic conveyance. A by-pass channel design with a capacity of 551.22 cfs would contain these flows.

The proposed Project would be serviced by Southern California Edison (SCE), which provides electrical service to the general area. There is an existing overhead power pole and guy wire on the southwest corner of the Project Site. As such, the proposed Project would not require construction or expansion of SCE facilities.

Southwest Gas Corporation (SGC) provides natural gas for the general area. There are existing natural gas pipelines along Sheep Creek Road that the proposed Project could connect to. However, the proposed Project does not include uses that would require natural gas. As such, the proposed Project would not require construction or expansion of natural gas facilities.

The proposed Project will be served by Verizon for telecommunication services. Verizon is not anticipated to fall short of services for potential customers.

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

Less Than Significant Impact

- b) *Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?*

The Project Site is within the service area of the PPHCSD. According to the UWMP prepared for the PPHCSD, the historical production for the normal water year in 2011 (2,899 AF), the Single dry year in 2013 (3,156 AF), and for five consecutive dry years from 2013 to 2017 (3,156 AF, 3,140 AF, 2,776 AF, 2,595 AF, and 2,671 AF, respectively) were used to estimate the projected water demands during single dry years and five consecutive dry year periods. The PPHCSD was projected to have a surplus water supply to reliably meet water demands during any year type over the ensuing 25 years (through 2045).⁴¹

The Project Site has a current zoning of Phelan/Piñon Hills/General Commercial (PH/CG), which is within the LUC of Commercial. The General Commercial land use zoning district provides sites for retail trade and personal services, lodging services, office and professional services, recreation and entertainment services, wholesaling and warehousing, contract/construction services, transportation services, open lot services, and similar and compatible uses. If the Project Site were to be developed for General Commercial uses, the estimated water demand from CalEEMod would be 34,993,147 gallons per year.⁴² This estimate converts to 107.3 acre-feet per year.

The proposed Project includes a request for a zone change to Rural Commercial. The Rural Commercial land use zoning district provides sites for retail trade and personal services, repair services, lodging services, recreation and entertainment services, transportation services, parks, and similar and compatible uses. The proposed Project was modeled to have a water demand of 20,008,121 gallons per year.⁴³ However, this estimate converted to 61.4 acre-feet per year is an excessive estimate for the proposed Project with use of drought-tolerant landscaping and one restroom building.

⁴¹ Infrastructure Engineering Corporation. 2020 UWMP for Phelan Pinon Hills Community Services District: Table 7-4 and Table 7-5. May 5, 2021.

⁴² CalEEMod.2022.1 Output for development of a strip mall on the Project Site.

⁴³ CalEEMod.2022.1 Output for proposed Project.

The proposed zone change would not result in a water demand that is less than that already anticipated in the UWMP for the commercial zoning. Based on projections in the UWMP, water supplies would be sufficient to serve the proposed Project and reasonably foreseeable future development. No significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant 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?*

The proposed Project would utilize an on-site wastewater treatment system (OWTS) that consists of a septic tank and seepage pits. The proposed restroom building would be the only proposed use generating wastewater. Since the proposed Project would not connect to an existing wastewater treatment provider facility, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

- 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?*

The proposed Project would be served by CR&R for solid waste collection. Collected waste would be disposed of at the Victorville Sanitary Landfill. The Victorville Sanitary Landfill currently has a maximum permitted throughput of 3,000 tons per day.⁴⁴ The proposed Project is anticipated to generate 0.87 tons of waste per year,⁴⁵ or approximately 0.0024 tons per day. This equates to 0.00008 percent of the permitted daily throughput for the landfill.

Waste generated from the proposed Project is not expected to significantly impact solid waste collection systems. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

The purpose of California Assembly Bill 341 is to reduce greenhouse gas emissions by diverting commercial solid waste from landfills by recycling. It mandates businesses and public entities generating 4-cubic yards or more of trash to establish and maintain recycling services. The County of San Bernardino, Department of Public Works, Solid Waste Management Division reviews and approves all new construction projects which are required to submit a Construction and Demolition Solid Waste Management Plan. The mandatory requirement to prepare a Construction and Demolition Solid Waste

⁴⁴ CalRecycle. SWIS Facility/Site Activity Details for Victorville Sanitary Landfill. Accessed March 13, 2023.

⁴⁵ CalEEMod.2022.1 Output for proposed Project.

Management Plan would ensure that impacts related to construction waste would be less than significant.

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

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

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

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XX. WILDFIRE: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐

- 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? ☐ ☐ ☒ ☐

SUBSTANTIATION:

San Bernardino County Countywide Plan

- a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

The Project Site is undeveloped and does not contain any emergency facilities. The proposed Project would be accessible from Sheep Creek Road and Warbler Road. Sheep Creek Road and Warbler Road are not evacuation routes within the County.⁴⁶ Access is proposed along Warbler Road past the entry drive of the existing community park to the west. To access the north end of the site by way of Sheep Creek Road, the entry drive of the planned Civic Center project would be extended. Adequate on-site access for emergency vehicles would be verified during the County's plan review process. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. The proposed Project would provide 180 parking stalls, which is more than the 143 spaces required. Therefore, project employees and visitors are not anticipated to park off-site and interfere with the use of major roads. No significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?*

The Project Site is not located within a High or Very High Fire Hazard Severity Zone.⁴⁷ The Project Site is located within a Fire Safety Overlay (FS1).⁴⁸ Therefore, the proposed Project would need to comply with Chapter 7A "Materials and Construction Methods for Exterior Wildfire Exposure" of the California Building Code (CBC). The proposed Project shall comply with all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

- c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may*

⁴⁶ San Bernardino County. Countywide Policy Plan web maps: PP-2 "Evacuation Routes." Accessed October 20, 2022.

⁴⁷ San Bernardino County. County Policy Plan web maps: HZ-5 "Fire Hazard Severity Zones." Accessed March 17, 2022.

⁴⁸ San Bernardino County. County Policy Plan web maps: HZ-5 "Fire Hazard Severity Zones." Accessed March 17, 2022.

exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

The Project Site is currently surrounded by vacant land and existing development, such as single-family residences, a school, a proposed civic center, and a community park. The proposed Project is the development and operation of a community park that includes several outdoor recreational uses. As stated previously, the proposed Project would need to comply with Chapter 7A “Materials and Construction Methods for Exterior Wildfire Exposure” of the CBC. Installation, operation, and maintenance of utilities would comply with fire safety regulations. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant 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?*

The Project Site is located within a FEMA 100-year floodplain.⁴⁹ The first floor of the proposed structure will be required to be elevated at a minimum 1 foot above the known shallow flooding depth of 1 foot. The proposed grading of 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. The Project Site is located in a relatively flat area. In addition, it is not located within an area susceptible to landslides⁵⁰ and therefore, the proposed Project would not be subject to post-fire slope instability. The proposed Project would not 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 significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XXI. MANDATORY FINDINGS OF SIGNIFICANCE:					
a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or	☐	☒	☐	☐

⁴⁹ San Bernardino County. County Policy Plan web maps: HZ-4 “Flood Hazards.” Accessed March 17, 2022.

⁵⁰ San Bernardino County. County Policy Plan web maps: HZ-2 Liquefaction & Landslides. Accessed March 18, 2022.

restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

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

Nesting birds are protected under the Migratory Bird Treaty Act and Section 3503 of the California Fish and Wildlife Code. Some birds were observed during the biological field investigations. Therefore, Mitigation Measure BIO-1 shall be implemented to ensure no impacts to nesting birds occur. Although suitable habitat for Desert Tortoise is present on the survey area, the probability of the species inhabiting the survey area is very low, given the lack of suitable burrows and disturbance of the site. After the field investigations, it was determined that there are no suitable burrows for burrowing owls and no burrowing observed. With implementation of Mitigation Measures BIO-1 to BIO-3, the proposed Project would not have a substantial adverse effect on any species identified as a candidate, sensitive or special status species.

The proposed Project would result in the "Take" of Joshua trees either through relocation activities or when discarded. This "Take" will directly impact all 162 western Joshua trees on the property. Maintenance of the transplanted trees will be implemented under the direction of the project biologist or a certified arborist, and will continue as long as deemed necessary to ensure as many of the transplanted trees are successful in their new locations as possible. There are three Joshua trees in adjacent areas which may be indirectly impacted by construction activities. Although 162 western Joshua trees and their associated seedbanks will be directly affected by the proposed Project, the overall impacts of the project are expected to minimal when compared to the local, regional, and State population levels of the western Joshua tree. Therefore, the proposed Project is not expected to jeopardize the continued existence of the western Joshua tree.

Tierra Environmental Services (Tierra) conducted a cultural resources study. The records search from the South Central Coastal Information Center indicated that two cultural resources or historic properties have been previously identified within one-mile radius of the APE. None of the previously recorded resources were recorded within the APE. The pedestrian survey did not result in the identification of any cultural resources or historic properties. Due to the absence of intact cultural resources within the APE, and the anticipation that potential subsurface components would not hold sufficient integrity, an archaeological monitor is not recommended for the project as described. However, cultural resources have the potential to occur anywhere. With implementation of Mitigation Measure CR-1 as detailed below, the proposed Project would not cause a substantial adverse change in the significance of an archaeological resource.

Less than Significant with Mitigation

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

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

- (a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.
- (b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

Air Quality

Development of the proposed Project will be conditioned to comply with current MDAQMD rules and regulations to minimize impacts to air quality as discussed. An evaluation of potential air quality impacts related to a potential development type under the current commercial zoning, which would have been included in the AQMP, and the proposed zoning, was prepared. Operational emissions for the proposed Project and a strip mall were estimated using CalEEMod. As shown in Table 1 herein, operational impacts resulting from a strip mall would exceed MDAQMD thresholds. The proposed Project would not exceed MDAQMD thresholds. Therefore, cumulative impacts are anticipated to be less than significant.

Greenhouse Gas

Greenhouse gas (GHG) emissions are cumulative in nature, in that, no one single project can measurably contribute to climate change and its affects (global average change in temperature, rising sea levels etc.). The direct or indirect GHG impacts are therefore not evaluated on a local level, but whether or not the GHG emissions resulting from the project are cumulative. That is, they add considerably to an increase in GHGs as compared to the existing environmental setting based on: 1) an established significance threshold(s); or 2) the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.

The project's total net operational GHG emissions do not exceed the County's screening threshold of 3,000 MTCO₂e per year. Therefore, the proposed Project is consistent with the GHG Reduction Plan. The proposed Project's incremental contribution to greenhouse gas emissions and their effects on climate change would not be cumulatively considerable.

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

Less Than Significant Impact

- c) *Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?*

The proposed Project would be required to comply with the California Building Code requirements and the Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Compliance with these codes and standards would address potential impacts due to geologic and fire hazards.

All potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable in terms of any adverse effects upon the region, the local community or its inhabitants. At a minimum, the project will be required to meet the conditions of approval for the project to be implemented. It is anticipated that all such conditions of approval will further ensure that no potential for adverse impacts will be introduced by construction activities, initial or future land uses authorized by the project approval.

The incorporation of design measures, San Bernardino County policies, standards, and guidelines and proposed mitigation measures as identified within this Initial Study would ensure that the proposed Project would have no significant adverse effects on human beings, either directly or indirectly on an individual or cumulative basis.

Less Than Significant Impact

Therefore, no significant adverse impacts are identified or anticipated with incorporation of mitigation measures.

Mitigation Measures

Mitigation Measure BIO-1:

A qualified biologist shall develop a Worker Environmental Awareness Program (WEAP) that will include information on general and special status species within the Project Site, identification of these species and their habitats, techniques being implemented during construction to avoid impacts to species, consequences of killing or injuring an individual of a listed species, and reporting procedures when encountering listed or sensitive species. Construction crews, foremen, and other personnel potentially working on site will attend this education program and place their name on a sign-in sheet. The WEAP shall be submitted to the County for review prior to initiation of construction and shall include provisions of any requirements required for the project. The WEAP training will be implemented on the first day of work and periodically throughout construction as needed; verification will be as noted in the Mitigation Monitoring and Reporting Program.

Mitigation Measure BIO-2:

Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. In general, Projects should be constructed outside of this time to avoid impacts to nesting birds. If a Project cannot be constructed outside of nesting season, the Project Site shall be surveyed for nesting birds by a qualified avian biologist within three (3) days prior to initiating the construction activities. If active nests are found during the pre-construction nesting bird surveys, a Nesting Bird Plan (NBP) will be prepared and implemented. At a minimum, the NBP will include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The NBP will include a copy of maps showing the location of all nests and an appropriate buffer zone around each nest sufficient to protect the nest from direct and indirect impact. The size and location of all buffer zones, if required, shall be determined by the biologist, and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist has determined the young birds have successfully fledged.

Mitigation Measure BIO-3:

Preconstruction surveys for BUOW and Desert Tortoise shall be conducted at least 30 days prior to new ground disturbance and documentation indicating such a survey has occurred is to be provided to the County. Regardless of the survey results, tortoises cannot be subject to take per the requirements of state and federal law. Handling or other inappropriate treatment of tortoises must be avoided until authorization is obtained from the USFWS and CDFW.

The surveys will be conducted by a qualified biologist, who shall be approved by the County and CDFW prior to the start of the surveys. Wildlife found on the site will be allowed to leave the site under their own power or relocated, where possible, to the nearest suitable habitat in the surrounding area. If any listed or special status wildlife species are found on the site during pre-construction surveys, an Authorized Permitted Biologist will

relocate the species to suitable habitat outside the impact area, once CDFW has approved the proposed relocation activities. In addition, if any nesting birds are observed within the boundaries of the site, the appropriate buffers will be placed around the nest, where necessary.

If any listed species (e.g., desert tortoise, Mohave ground squirrel, etc.) are observed on the site during ground disturbance activities, the project biologist shall have the right to halt all activities which may impact the species. Work shall proceed only after hazards to the State or federal listed species or other special-status species are removed by an Authorized Permitted Biologist and the species is no longer at risk. The project biologist and the Authorized Permitted Biologist will have copies of all of the compliance measures in their possession while work is being conducted onsite. During all on-site activities, project personnel will strictly adhere to the WEAP, BMPs, and additional impact and avoidance or minimization measures described in the permit issued for the project. Project personnel will respond to special status species encounters as directed in the Environmental Awareness Training Program.

Mitigation Measure BIO-4:

Implementation of the Mitigation and Monitoring Plan as detailed in the ITP.

Mitigation Measure BIO-5:

Western Joshua Tree Avoidance and Minimization Measures: The Applicant will implement protection measures to address invasive species, fugitive dust, and erosion that may affect western Joshua trees that are retained on the site and those trees in the surrounding area. These measures will include:

- Invasive Species Control. Invasive species will be controlled in accordance with accepted practices and will include the regular trimming of weeds during the proposed development activities.
- Fugitive Dust Control. Dust suppression during ground disturbance activities will include frequent watering of the site during the construction phase.
- Erosion Control. Appropriate erosion and sedimentation control measures will be installed and maintained throughout the duration of the ground disturbance activities as required by the County.
- Joshua Tree Relocation. The 28 Joshua trees which are suitable for transplanting will be boxed until they can be utilized for on-site landscaping and planted in an area of the property approved by CDFW where they will remain in perpetuity. In the event some of the trees need to be relocated off-site, CDFW will be notified before any relocation activities occur. All relocation and transplanting activities will be conducted by a CDFW approved biologist or arborist, and a mitigation and monitoring plan is outlined below.

Mitigation Measure BIO-6:

The Project Proponent shall coordinate with CDFW to estimate the compensatory cost required to provide adequate compensation for impacts to Joshua trees. The final total monetary mitigation fees will be determined through discussions with CDFW.

Mitigation Measure BIO-7:

All Joshua tree relocation and removal activities will be conducted by an authorized biologist or arborist. Records of those trees relocated or removed will be documented and upon completion CDFW will be notified. If any Joshua trees in adjacent areas are destroyed or damaged during ground clearing or construction activities, the specifics of the impacts will be reported to CDFW within 24-hours.

Mitigation Measure BIO-8:

The Applicant will implement any and all mitigation measures, monitoring requirements, and reporting requirements deemed necessary by the County and CDFW in order to demonstrate compliance and effectiveness of the mitigation measures presented in this Incidental Take Permit application.

Mitigation Measure BIO-9:

The Applicant will ensure that adequate funding is available to implement the minimization and mitigation measures described in this ITP application, as well as funding for any monitoring compliance required. The project proponent has provided an ITP CESA fee of \$34,585.25 as required by CDFW and based on a project cost greater than \$500,000. The Phelan Piñon Hills Community Services District will provide a statement declaring that it has set aside funds and will be willing to provide the funds for all required mitigation, long-term management and all associates mitigation measures described in this ITP.

Mitigation Measure CR-1:

Should unanticipated or inadvertent surface and/or subsurface prehistoric or historic archaeological resources, built environment, and/or tribal cultural resources, appear to be encountered during construction or maintenance activity associated with this project, then all work must halt within a 100-foot radius of the discovery until a qualified professional can evaluate the discovery. If the finds are archaeological or historic in nature, then an archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and/or historic archaeology have evaluated the significance of the find. This archaeologist shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following shall apply, depending on the nature of the find:

- A. If the professional archaeologist determines that the find *does not* represent a cultural resource, then work may resume immediately, and no agency notifications are required.
- B. If the professional archaeologist determines that the find *does* represent a cultural resource from any time or cultural affiliation then, depending on the nature of the discovery, appropriate treatment measures shall be developed.
- C. If the find represents a Native American or potentially Native American resource that does not include human remains, which may or may not include a Tribal Cultural Resource, then the archaeologist shall consult with appropriate Tribe[s] on whether or not the resource represents either a Tribal Cultural Resource or a Historical Resource, or both, and, if so, consult on appropriate treatment measures.

Preservation in place is the preferred treatment, if feasible. Work cannot resume within the no-work radius until the County, through consultation as appropriate, determines that the site either: 1) is not a Tribal Cultural Resource or Historical Resource; or 2) that the treatment measures for the Tribal Cultural Resource or Historical Resource have been completed.

Mitigation Measure CR-2:

If, at any time, evidence of human remains (or suspected human remains) are uncovered, the County Coroner must be contacted immediately and permitted to examine the find in situ. A buffer must be established around the find (minimum of 50 feet) and the consulting archaeologist must also be notified.

If the remains are determined to be of Native American origin, the Coroner will contact the Native American Heritage Commission and the Most Likely Descendant (MLD) will be named. In consultation with the MLD, the County, project proponent, and consulting archaeologist, the disposition of the remains will be determined. Any costs incurred will be the responsibility of the project proponent/property owner.

If the remains are determined to be archaeological, but non-Native American, the consulting archaeologist will oversee the removal, analysis, and disposition of the remains. Any costs incurred will be the responsibility of the project proponent/property owner.

If the remains are determined to be of forensic value, the County Coroner will arrange for their removal, analysis, and disposition. The Coroner's activities will not involve any costs to the project proponent/property owner.

Mitigation Measure GEO-1:

If any inadvertent or unanticipated finds during construction activity appear to be paleontological in nature, then a qualified paleontological Principal Investigator shall evaluate the finds and prepare a Paleontological Mitigation and Monitoring Plan (PMMP). The PMMP shall be prepared in accordance with all appropriate California Environmental Quality Act (CEQA) and San Bernardino County guidelines. The PMMP shall then be adhered to for the remainder of any land disturbing activities for the project.

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