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

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

PROJECT LABEL:

APNs:	0544-472-03 (Travel Stop) 0544-471-11 (Mobile Home Park)	***USGS Quad:***	Baker
Applicant:	Lane Engineers 979 North Blackstone Street Tulare, CA 93274	***T, R, Section:***	T14N, R09E, Section 29 Note: A very small portion of the off-site improvements would be located in Sections 20 and 30.
Location	SW corner of Lakeview Road and Silver Lane, north and south of Baker Boulevard	***Thomas Bros***	N/A
Project No:	PROJ-2022-00181 (Travel Stop) PROJ-2022-00183 (Mobile Home Park)	***Community Plan:***	Baker Community Action Guide
Rep	Aaron Oliver Lane Engineering	***LUZD:***	Highway Commercial (Travel Stop) Rural Commercial (Mobile Home Park)
Proposal:	A Conditional Use Permit to develop a truck stop to include a 9,600-square-foot convenience store, 2,600-square-foot fast-food restaurant, fuel service station, truck weighing scales, 100 overnight parking stalls (with hookups), and Recreational Vehicle (RV) sewage dump station on two parcels totaling 3.74 acres; and a Conditional Use Permit to develop a mobile home park/land lease of eight units exclusively for the use of employees of truck stop south of the subject parcel.	***Overlays:***	Biotic Resources

PROJECT CONTACT INFORMATION:

Lead Agency: County of San Bernardino
Land Use Services Department
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0182

Contact Person: *Linda Mawby, Supervising Planner*

Phone Number: (909) 387-4122 ***Fax No:*** (909) 387-3223

Email: *linda.mawby@lus.sbcounty.gov*

Project Sponsor: Lane Engineers
979 North Blackstone Street
Tulare, CA 93274

PROJECT DESCRIPTION:

SUMMARY

Love's Travel Stops and Country Stores (applicant) proposes to develop the Baker Travel Stop and Mobile Home Park (proposed project) in the community of Baker (Baker) which is located just north of the center of San Bernardino County (County) (Figure 1, Regional Location Map). The proposed project includes two components: a travel stop on a 22.6-acre parcel and a mobile home park[1] on a 2.18-acre parcel (Figure 2, Local Vicinity Map). Within the 22.6-acre parcel, the travel stop would occupy approximately 18.6 acres. A portion of the area that will not be occupied by the travel stop is currently occupied by three roadside billboards. This area, along Interstate 15 (I-15), will become a billboard easement and will not be part of the proposed project. The project boundary shown in Figure 2 excludes the billboard easement as it is outside the proposed project impact area.

The proposed travel stop would include an auto fueling canopy with 16 fueling positions, a truck fueling canopy with seven diesel fueling positions, a truck scale, a single-stall RV dump station, a 5,000-square-foot dog park, and five bioretention areas (Figure 3a, Site Plan: Travel Stop). The truck stop would also include 100 overnight truck parking spots, 48 car parking spots (including four accessible spots), three RV parking spots, and 11 overnight RV parking spots with full hookups (including water and RV dump).

The RV parking spots would be reserved in advance by users, but the single-stall RV dump station could be used by any paying user without advance reservations. Upon payment, the dump station would unlock for use.

In addition, a 12,200-square-foot building, which would include a 9,600-square-foot convenience store and a 2,600-square-foot branded fast-food restaurant, is proposed. This building would be approximately 25 feet in height. Additional features would include above ground diesel storage tanks, below ground storage tanks, and a trash enclosure and utility yard. The travel stop would have approximately 55 employees (divided into three shifts) and would operate continuously (24 hours a day, 7 days a week, 365 days a year).

The proposed mobile home park would provide "turn-key" residences for employees of the travel stop. It would include construction/assembly of eight mobile homes exclusively for employees, each approximately 60 feet by 14 feet (Figure 3b, Site Plan: Mobile Home Park). Two parking spots would be provided in the driveway off each mobile home, and 14 additional visitor parking spots would be provided on the street and near each of the entrances to the mobile home park. The mobile home park would also include landscaping, two shaded canopies in a central landscaped area, and two bioretention areas. A 6-foot-tall fence would surround the mobile home park, and access would be provided via two driveways from Silver Lane, with an automatic entry gate at each entrance. The two driveways would form an internal road that would extend along the frontage of the eight mobile homes.

[1] Several technical studies prepared by the applicant refer to this element of the proposed project as "Live-Work" housing. However, the correct term, as used in this document, is "mobile home park."

Landscaping

Landscaping of the proposed project would include palm trees, Bermuda grass, decorative boulders, rock mulch, and decomposed granite mulch.

Approximately 237,039 square feet of the proposed travel stop would be landscaped. The perimeter of the project site and several areas throughout the project site would be landscaped with rock mulch and clusters of decorative rock and palm trees. The dog park would be landscaped with Bermuda grass (Figure 4a, Landscaping Plan: Travel Stop).

Approximately 53,267 square feet of the proposed mobile home site would be landscaped. The central landscaped area would be planted with Bermuda grass and surrounded by rock mulch with clusters of decorative boulders and palm trees. The frontage of each home and driveway would also be landscaped with rock mulch and clusters of decorative boulders. Two areas near the entry gates would be landscaped with palm trees and rock mulch. The remainder of the mobile home park site would be landscaped with decomposed granite mulch (Figure 4b, Landscaping Plan: Mobile Home Park).

Utilities

Water and sewer would be provided to both components of the proposed project by Baker Community Services District (Baker CSD).

In the travel stop, a series of 4-inch water pipes would connect the various elements of the proposed project (fast-food restaurants, convenience store, and RV parking/hookup area and dump station) to existing water mains in Baker Boulevard. Water for fire hydrants would be provided via 10-inch water pipes. Sanitary sewer would be collected via 8-inch, 6-inch, and 4-inch pipes which would connect to existing facilities in Baker Boulevard.

Stormwater in the travel stop would collect in five bioretention areas (Figure 3a). Overflow from these bioretention areas would drain via drain inlets into the underground storm drain system. The underground storm drain system will drain to the existing drainage wash south of Baker Boulevard and will eventually discharge into the Soda Dry Lake bed.

In the mobile home park, a series of 1-inch water services would connect the individual mobile homes to an 8-inch water main that would be located along the internal road. These 8-inch pipes would connect to the existing water main at two locations in Silver Lane. Water for fire hydrants would be provided via 6-inch water pipes. An 8-inch sanitary sewer pipe, to be located along the internal road, would connect to existing facilities along Baker Boulevard.

Stormwater in the mobile home park would collect in two bioretention areas (Figure 3b). Overflow from these bioretention areas would drain into a concrete drainage channel along the west project site boundary. The concrete drainage channel would eventually discharge under the sidewalk along Silver Lane and flow along the existing curb/gutter and into other downstream drainage washes and ultimately into Soda Dry Lake.

Electricity would be provided to both components of the proposed project by Southern California Edison (SCE), and telephone service would be provided by AT&T. There is no known gas service provider in the area, and the proposed project would be all electric.

Off-site Improvements

The proposed project would include off-site improvements at several locations (see Figure 2):

- Paveout and widening of Baker Avenue from west of Caltrans Avenue to approximately the eastern end of the proposed travel stop.
- Paveout and widening of Silver Lane along the northern boundary of the mobile home park site.
- Improvement to the intersection of Baker Boulevard and Silver Lane.
- Installation of new curb/gutter and adjacent concrete sidewalk along the travel stop frontage on the southern side of Baker Boulevard the length of the travel stop site.
- Installation of new curb/gutter and adjacent concrete sidewalk along the mobile home park frontage on the northern side of Baker Boulevard and along the southern side of Silver Lane.
- Installation of a traffic signal opposite the new leg of Caltrans Way, along with potential modification of the existing signal.

Schedule and Phasing

The proposed project will be constructed in one phase. Construction of the proposed project is expected to take approximately one year, with construction of the travel stop and mobile home park anticipated to end at approximately the same time.

Surrounding Land Uses and Setting

The area immediately surrounding the project site is zoned Commercial (C), with an underlying Zoning Districts of Rural Commercial (CR) and Highway Commercial (CH). The area south of the project site beyond I-5 is zoned Resource Conservation (RC). An area to the west of the proposed mobile home park, beyond the gas station, is zoned Single Residential – 14,000-square-foot Minimum Lot Size (RS-14M) and is occupied by a gas station, fast-food restaurants, and a convenience store. The majority of the area surrounding the project site is vacant land, with small areas occupied by other uses as shown in the table below and in Figure 5 (Land Use Districts and Zoning).

Existing Land Use and Land Use Zoning Districts		
Location	**Existing Land Use**	**Land Use Zoning District**
Project Site	Vacant	Rural Commercial (CR) (Mobile Home Park) Highway Commercial (CH) (Travel Stop)
North	Mobile homes, US Post Office	Rural Commercial (CR)

Existing Land Use and Land Use Zoning Districts		
South	Interstate 15 (I-15), Mojave National Preserve	Resource Conservation (RC) (beyond I-15)
East	Vacant Land	Highway Commercial (CH)
West	Gas station, fast-food restaurants, and convenience store	Resource Conservation (RC) and Highway Commercial (CH)
Source: San Bernardino County General Plan and Zoning Map.		

Project Site Location, Existing Site Land Uses and Conditions

The project site is in Baker, which is located just north of the center of San Bernardino County and includes two parcels:

- Assessor Parcel Number (APN) 0544-471-11 is a 2.18-acre triangular-shaped property on the north side of Baker Boulevard and is bound by Baker Boulevard to the south, Silver Lane to the north, and an existing gas station and travel stop to the west. As part of the proposed project, this parcel would be developed as a mobile home park.
- APN 0544-472-03 is a 22.6-acre property on the south side of Baker Boulevard and is bound by Baker Boulevard to the north, undeveloped land to the east and south with I-15 (Mojave Freeway) further south, and undeveloped land to the west. As part of the proposed project, this parcel would be developed as a travel stop.

Mojave National Preserve (under the jurisdiction of the United States National Park Service) is located south and east of I-15.

Both parcels are designated by the San Bernardino Countywide Plan (Countywide Plan) as Commercial (C).[2] The travel stop site is further identified as Highway Commercial (CH) and the mobile home site as Rural Commercial (CR) (see Figure 5). According to the Countywide Plan, the density/intensity range for the C land use category is 0.75 floor area ratio (FAR) with a maximum of 5 units per acre. The Countywide Plan lists the primary purpose of the C land use category as providing suitable locations for retail, office, and service commercial businesses that serve the needs of local residents, regional markets, and visitors/tourists; providing employment opportunities for residents in the surrounding area; and allowing for a mix of commercial and lower density residential uses in rural areas (when residential is permitted in the underlying zoning district). Typical uses in the C land use category include retail stores and personal services; office and professional services; lodging, recreation, and entertainment; heavy commercial with adequate buffering for surrounding residential uses; and, in rural areas, agriculture and lower

[2] San Bernardino County. 2020. Countywide Plan Policy Plan, Draft Policy Map LU-1D Land Use Map: North Desert Region, Trona, Baker, and Needles. October 27. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/02/LU-1A-E_201027.pdf?x23421. Accessed July 22, 2024.

density residential.[3] The proposed project would include retail stores and low-density residential land uses.

The Rural Commercial (CR) land use zoning district provides sites for retail trade and personal services, repair services, lodging services, recreation and entertainment services, transportation services, and similar and compatible uses. Agriculture and residential uses are allowed also but are secondary in importance.[4] The proposed project's mobile home park site is located in a CR Zoning District, a land use allowable in this zoning district.

The Highway Commercial (CH) 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.[5] The proposed project's travel stop site is located in a CH Zoning District, a land use allowable in this zoning district.

The County identifies several Zoning and Overlay Maps:

- **Hazards Overlay Map.** The project site is not located within a Dam Inundation Area, a Flood Plain Safety Overlay District, a Noise Hazard Overlay District, a Fire Safety Overlay District, or an Airport Safety Review Area, as identified in the Hazards Overlay Map.
- **Geologic Hazard Overlay Map.** The project site is not located within a County-designated Fault Zone, a Generalized Landslide Susceptibility Area, or a Generalized Liquefaction Susceptibility Area, as identified on the Geologic Hazard Overlay Map.
- **Circulation Map.** The Circulation Maps identifies two major roadways in the project site vicinity: I-15 is identified as a Freeway, and State Route (SR) 127 (approximately 1.24 miles west of the project site) is identified as a Major Highway.
- **Alternative Housing Overlay Map.** The project site is not located within Areas Excluded from Alternative Housing Standards on the Alternative Housing Overlay Map.
- **Open Space Overlay Map.** The project site is not located within an area designated as open space on the Open Space Overlay Map. However, a National Park is identified south of I-15 in the vicinity of the project site.
- **Cultural Resources Sensitivity Overlay Map.** The project site is not located within the portion of the County shown on the Cultural Resources Sensitivity Overlay Map, which

[3] San Bernardino County. 2022. Countywide Plan, County Policy Plan. September. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/01/CWP_PolicyPlan_HardCopy_MainText_Tables_2022_Sept_Adopted.pdf?x23421. Accessed July 22, 2024.

[4] San Bernardino County. County Code of Ordinances. Division 2, Chapter 82.01: Land Use Plan, Land Use Zoning Districts, and Overlays. Website: https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncty_ca/0-0-0-167787. Accessed July 22, 2024.

[5] San Bernardino County. County Code of Ordinances. Division 2, Chapter 82.01: Land Use Plan, Land Use Zoning Districts, and Overlays. Website: https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncty_ca/0-0-0-167787. Accessed July 22, 2024.

shows the Phelan/Pinon Hills/Oak Hills Culturally Sensitive Areas (located in the southwestern area of the County).

- **Biotic Resources Overlay Map.** The Biotic Resources Overlay Map identifies the project site as located within burrowing owl habitat (as defined by the San Bernardino County Museum Biological Species Database Reflecting Species Habitat of Special Concern). It also locates the project site within an area identified as Other Species and Habitat of Concern: Desert Tortoise–Sparse Population.

According to the Countywide Plan, Baker is categorized as one of several Rural Desert Communities. Key characteristics of these communities include:[6]

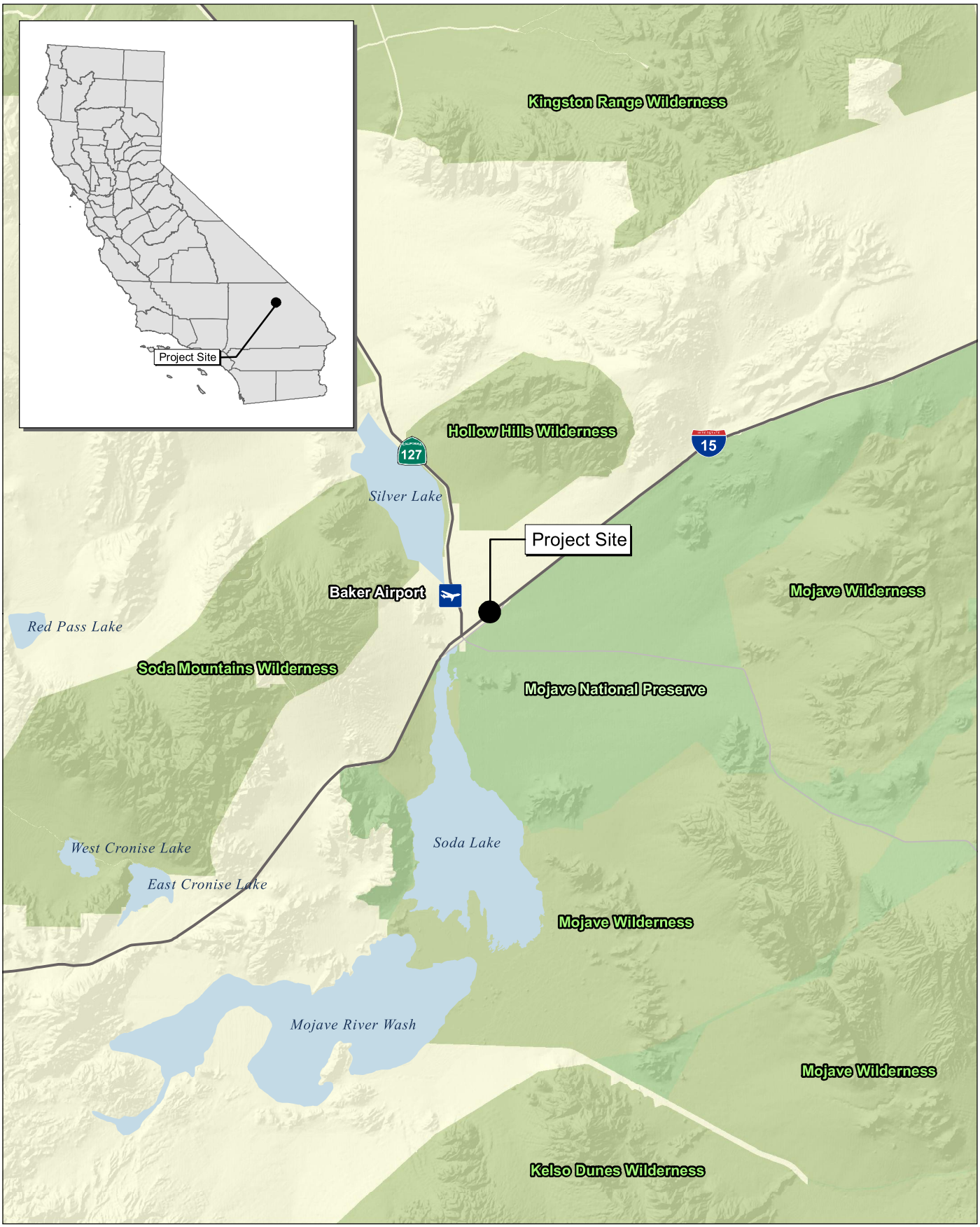
- A rural lifestyle characterized by the predominance of large lots, limited commercial development, and the prevalence of the desert landscape and natural resources.
- Abundant views of open spaces, natural features, and dark skies.
- Scenic, natural, and/or recreational features that serve as the foundation of the community's local economy and attract tourists.
- Small businesses that serve local residents and visitors, compatible with the natural environment and surrounding uses.
- Mining of mineral resources with minimal negative impacts on local residents.

The Baker Community Action Guide further describes Community Focus Statements and associated actions.

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Federal	None
State of California	None
County of San Bernardino	Land Use Services Department-Building and Safety, Public Health-Environmental Health Services, Special Districts, and Public Works
Regional	Mojave Desert Air Quality Management District
Local	None

[6] San Bernardino County. 2022. Countywide Plan, County Policy Plan. September. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/01/CWP_PolicyPlan_HardCopy_MainText_Tables_2022_Sept_Adopted.pdf?x23421. Accessed July 22, 2024.



Source: Census 2000 Data, The California Spatial Information Library (CaSIL). Wilderness Connect.

FIRSTCARBON SOLUTIONS™

5 2.5 0 5 Miles

Figure 1
Regional Location Map

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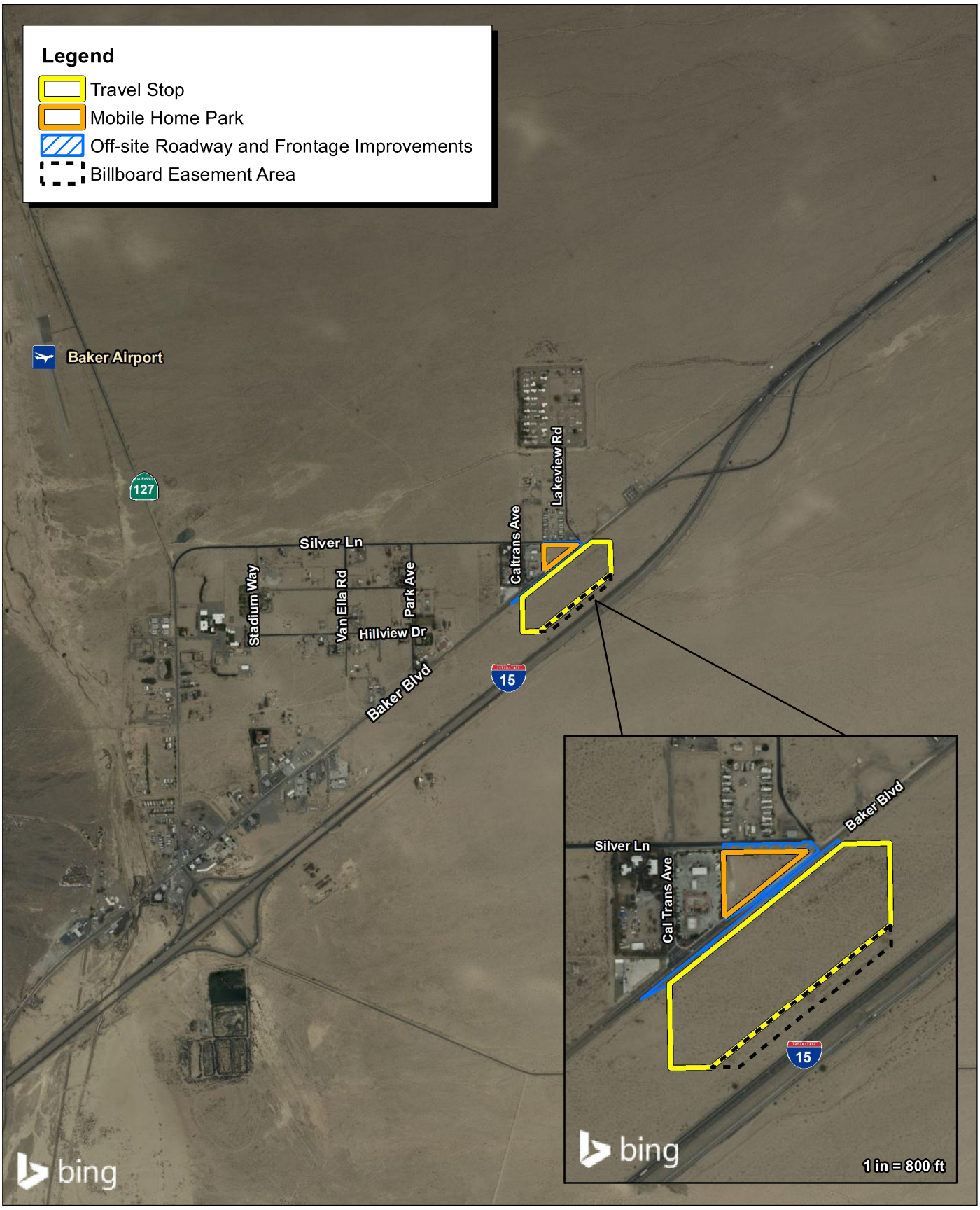
SAN BERNARDINO COUNTY
BAKER TRAVEL STOP AND MOBILE HOME PARK
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

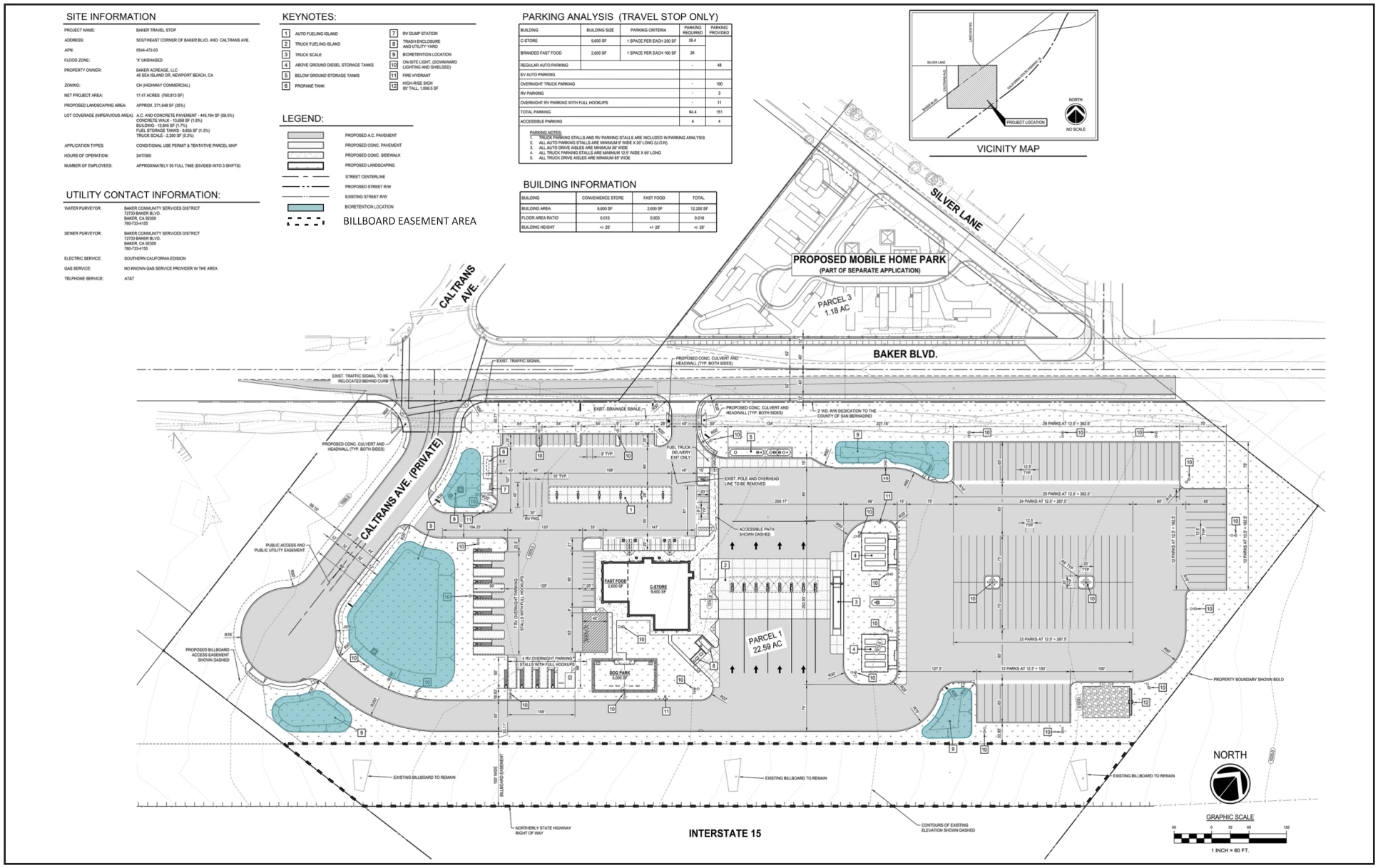


Source: Bing Aerial Imagery. Lane Engineers, Inc., 2023

FIRSTCARBON SOLUTIONS™

2,000 1,000 0 2,000 Feet

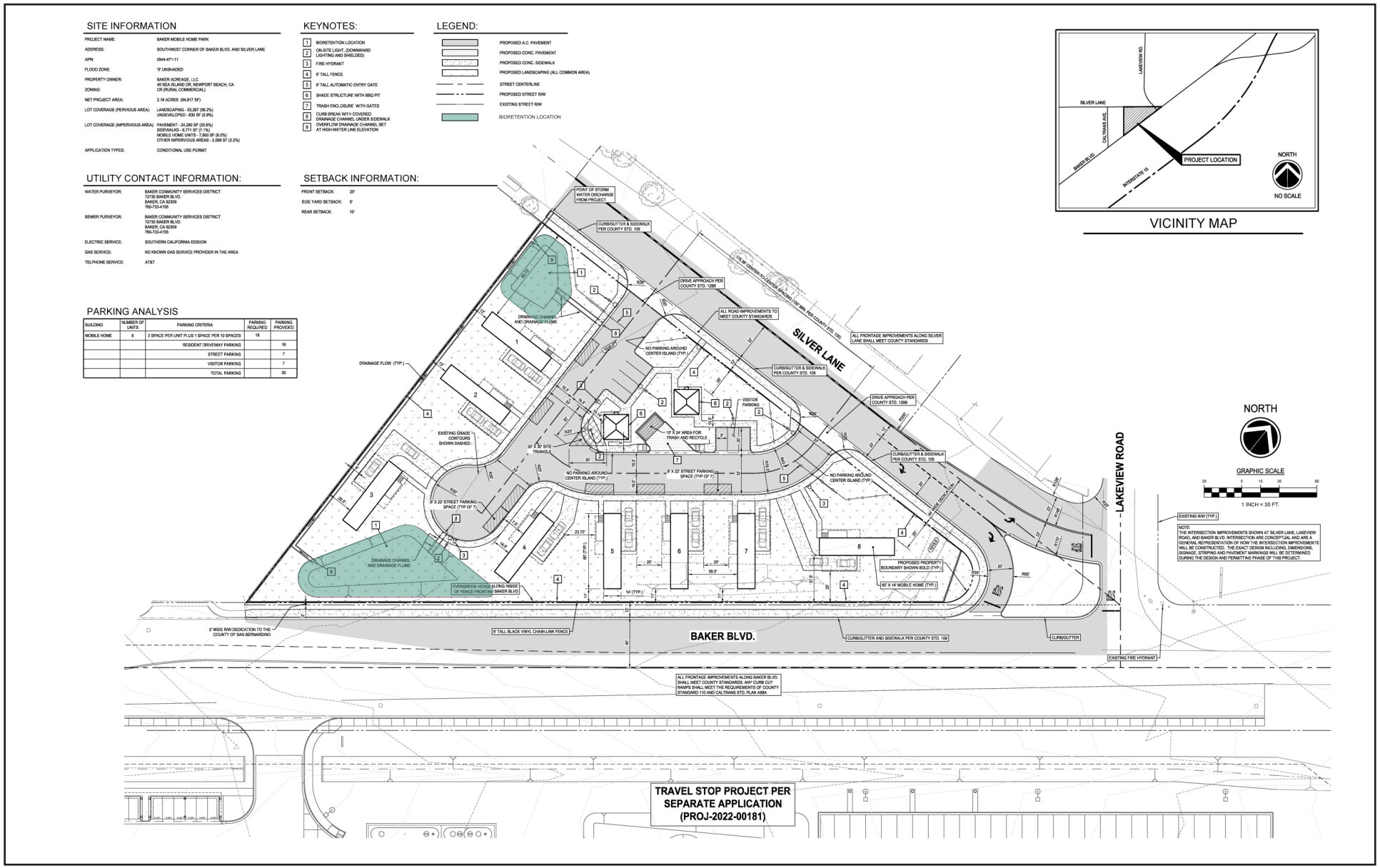
Figure 2
Local Vicinity Map



Source: Lane Engineers Inc., 2023.

FIRSTCARBON SOLUTIONS™

Figure 3a
Site Plan: Travel Stop



Source: Lane Engineers Inc., 6/13/2024.

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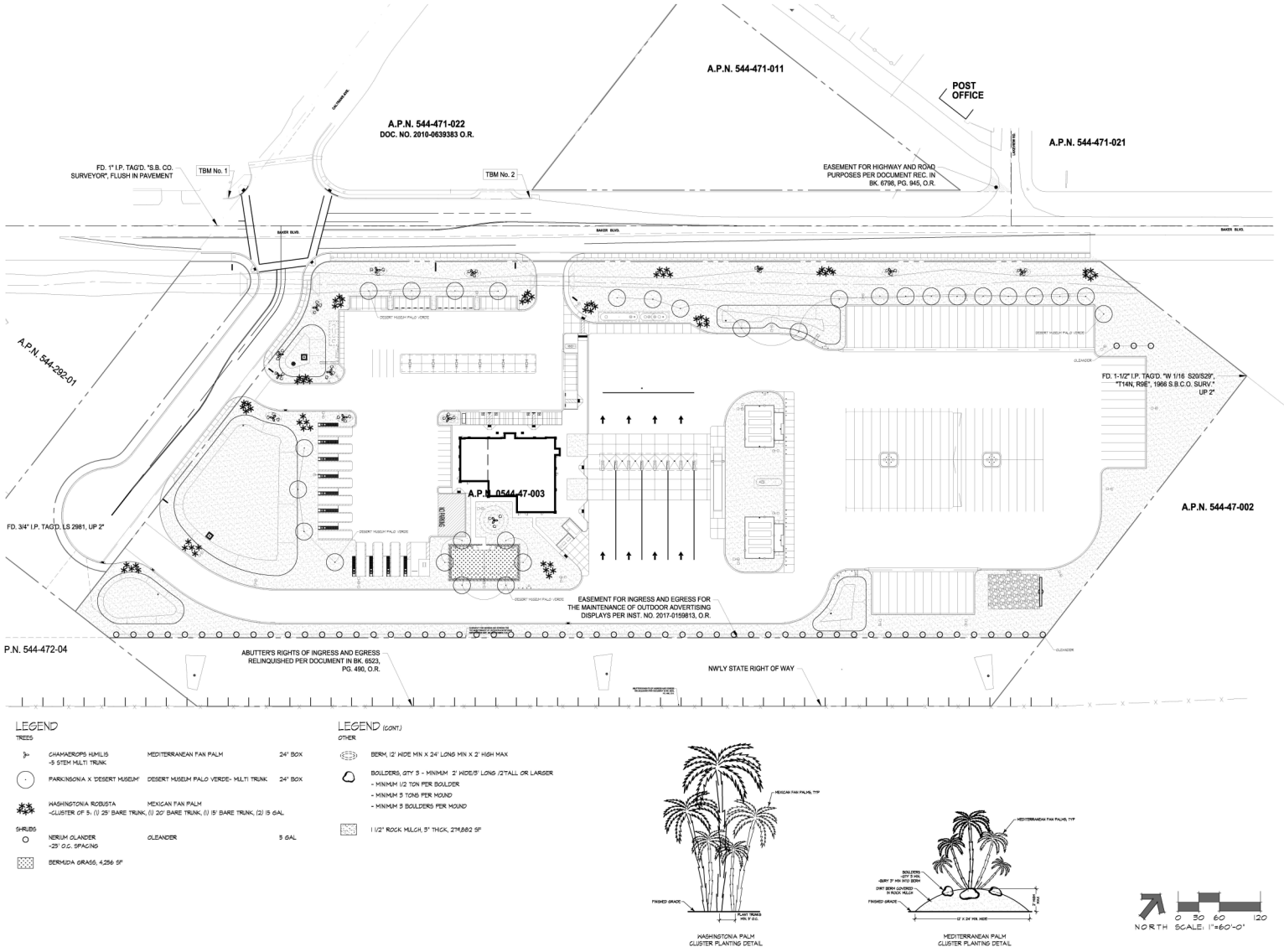
Figure 3b
Site Plan: Mobile Home Park



Source: Sierra Designs, Inc. 2024.

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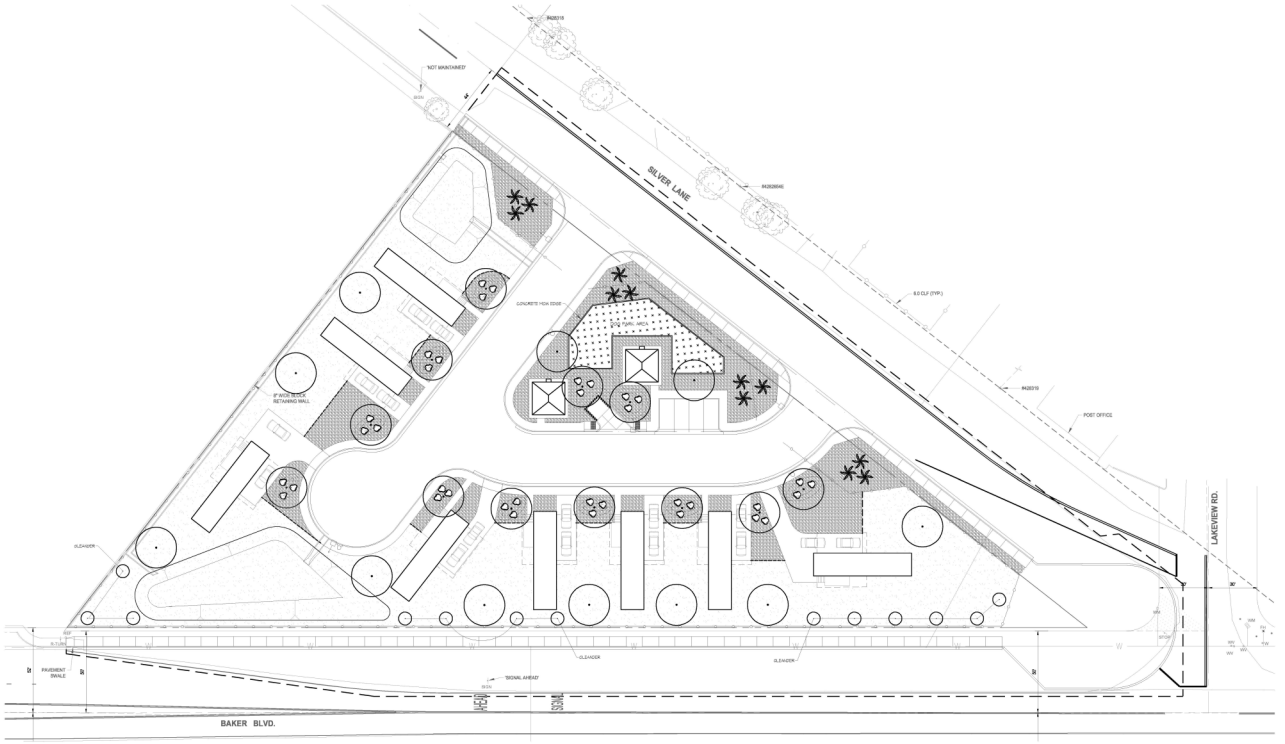
Figure 4a
Landscaping Plan: Travel Stop



LEGEND

TREES

PARKINSONIA X 'DESERT MUSEUM'	DESERT MUSEUM PALO VERDE- MULTI TRUNK	24" BOX
WASHINGTONIA ROBUSTA -CLUSTER OF 5- (1) 25' BARE TRUNK, (1) 20' BARE TRUNK, (1) 15' BARE TRUNK	MEXICAN FAN PALM	

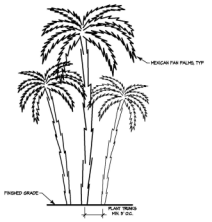
SHRUBS

NERIUM OLANDER -25' O.C. SPACING	OLEANDER	5 GAL
BERMUDA GRASS, 2,278 SF		

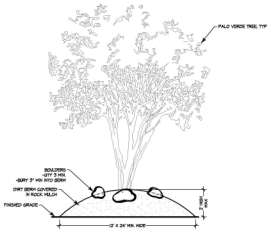
LEGEND (CONT.)

OTHER

- BERM, 12' WIDE MIN X 24' LONG MIN X 2' HIGH MAX
- BOULDERS, QTY 3 - MINIMUM 2' WIDE/3' LONG /2'TALL OR LARGER
  - MINIMUM 1/2 TON PER BOULDER
  - MINIMUM 3 TONS PER MOUND
  - MINIMUM 3 BOULDERS PER MOUND
- 1 1/2" ROCK MULCH, 3" THICK, 15,128 SF
- D/G MULCH, 3" THICK, 37,602 SF
- 1/8" X 4" STEEL EDGING BETWEEN ROCK MULCHES



WASHINGTONIA PALM
CLUSTER PLANTING DETAIL



MEDITERRANEAN PALM
CLUSTER PLANTING DETAIL

Source: Sierra Designs, Inc. 2024.

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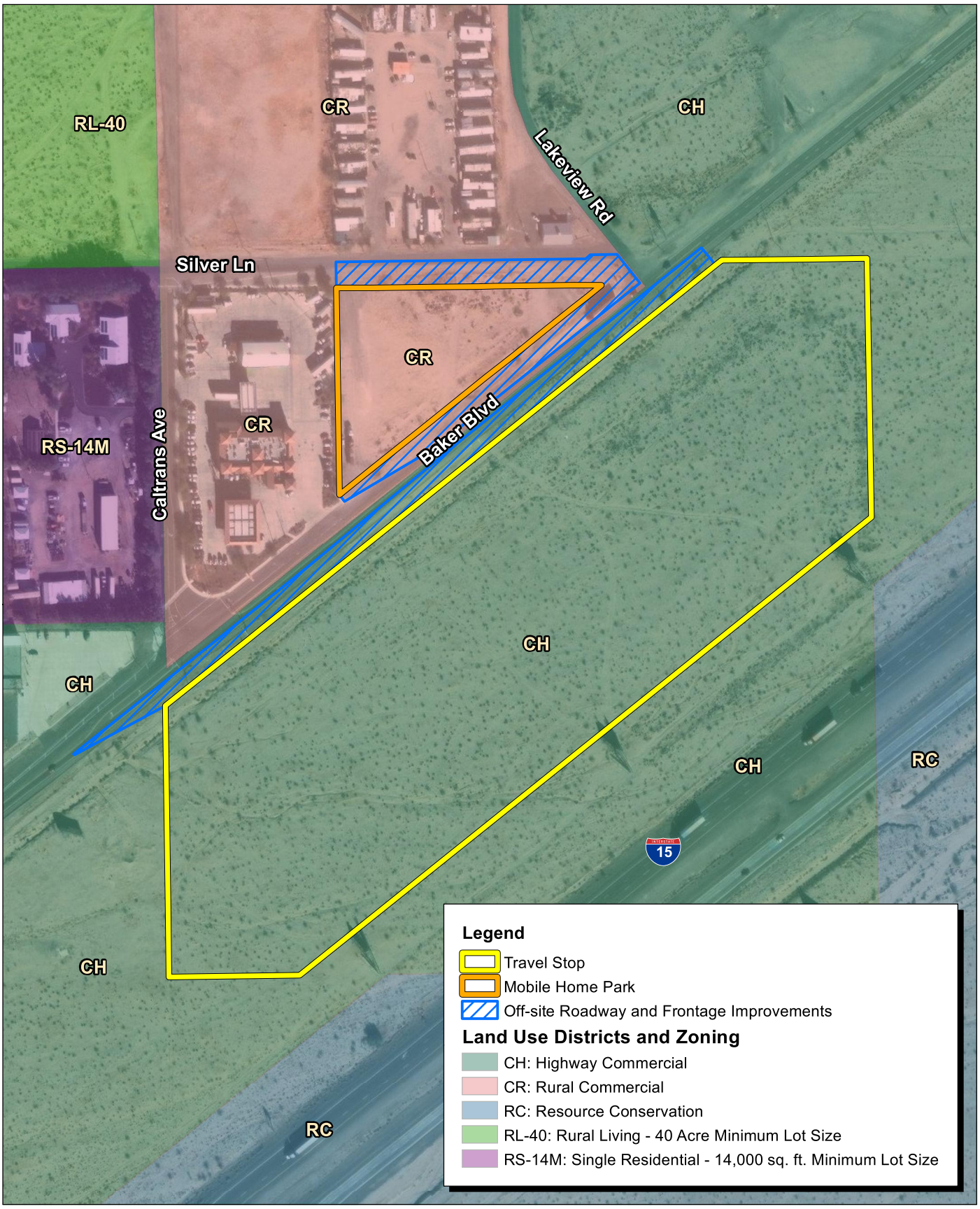
Figure 4b
Landscaping Plan: Mobile Home Park



Source: ESRI Aerial Imagery. San Bernardino County GIS Data.

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250 125 0 250
Feet

Figure 5
Land Use Districts and Zoning

CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

On August 28, 2023, the County of San Bernardino mailed notification of a 30-day comment period pursuant to Assembly Bill (AB) 52 to the following Tribes: Colorado River Indian Tribe, Fort Mojave Indian Tribe, Gabrieleño Band of Mission Indians, Twenty-nine Palms Band of Mission Indians, Morongo Band of Mission Indians, Soboba Band of Luiseno Indians, and San Manuel Band of Mission Indians. Requests for consultations were due to the County by September 27, 2023.

The table below shows a summary of comments and responses. Comment letters are available for review at the County.

AB 52 Consultation

Tribe	Comment Letter Received	Summary of Response	Conclusion
San Manuel Band of Mission Indians	August 29, 2023	Outside of Serrano Ancestral Territory. No concerns with Project.	Consultation concluded.

EVALUATION FORMAT

This Initial Study is prepared in compliance with 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 proposed 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 proposed project on the factor and its elements. The effect of the proposed 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

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.

- **No Impact**: No 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.
- **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).
- **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 (MMRP).

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.

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

DETERMINATION: (To be completed by the Lead Agency)

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

☐	The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION 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: (Prepared by Oliver Mujica, Contract Planner) — Date: 11/20/24

Aron Liang

Signature:(Aron Liang, Planning Manager) — Date: 11.20.2024

	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):*
Countywide Plan; Submitted Project Materials

Setting

Baker is located within the North and East Desert Regions, as described by the San Bernardino Countywide Plan Draft EIR.[7] The North and East Desert Regions are generally bound to the south by the San Bernardino and San Gabriel Mountain ranges and are primarily characterized by shorter, more remote mountain ranges surrounded by desert plains, providing for extensive open space and expansive vistas. The North and East Desert Regions contain large areas of public/government-owned lands which offer significant aesthetics and conservation value, including Sand to Snow National Monument, Mojave Trails National Monument, Castle Mountains National Monument, Joshua Tree National Park, Death Valley National Park, Mojave National Preserve, Big Morongo Canyon Preserve, Havasu National Wildlife Refuge, California Desert National Conservation Area, Imperial National Wildlife Refuge, East Mojave National Scenic Area,

[7] San Bernardino County. 2019. San Bernardino Countywide Plan Draft Environmental Impact Report, Chapter 4 Environmental Setting. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/01/Ch_04_EnvSetting.pdf. Accessed March 9, 2023.

Kelso Peak and Old Dads Mountains Wildlife Area, Pioneertown Mountains Preserve Wildlands, Fremont Valley Ecological Reserve, and the West Mojave Desert Ecological Reserve.[8]

The Mojave Desert encompasses a significant portion of the central, northern, and eastern portions of the County. Baker is directly adjacent to the Mojave National Preserve.[9] The Mojave National Preserve is one of the largest national preserves in the United States The 1.6-million-acre park features canyons, sand dunes, mountains, Joshua tree forests and former military mines and outposts.[10] Approximately 2.19 miles to the north of the project site is Hollow Hills Wilderness, an area managed by the Bureau of Land Management (BLM) and part of the National Wilderness Preservation System. To the west is the Soda Mountains Wilderness featuring the scenic, horse-shoe shaped Soda Mountain range.[11] Past the Soda Mountain Wilderness to the northwest lies the Avawatz Mountains and to the northeast lies the Mescal Range, a small mountain range in the eastern Mojave Desert.[12] To the south are the Bristol Mountains and to the southeast are the Providence Mountains.

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

Less than Significant Impact. As discussed above, Baker is located within the North and East Desert Regions, which are generally bound to the south by the San Bernardino and San Gabriel Mountain ranges and feature extensive open space and expansive vistas. The Mojave Desert encompasses a significant portion of the central, northern and eastern portions of the County, and the project site is located approximately 0.08 mile north of the Mojave National Preserve.

The Countywide Plan Draft EIR acknowledges that the Desert Region contains undeveloped desert landscapes with panoramic views of ridgelines, mountains, rock formations, and desert plant life, including Joshua trees. However, while the Countywide Plan states that the County "sets standards and applies designations to preserve the varied scenic resources across the unincorporated lands," it does not designate specific locations, views, or vistas as scenic resources.

Surrounding the project site on all sides are expansive views of desert plains framed by remote hillsides and mountain ranges, including those noted above under *Setting*. The proposed project involves the construction of a travel stop and mobile home park on two currently vacant and undeveloped parcels in the eastern portion of Baker. Implementation of the proposed project could alter existing scenic vistas. However, the travel stop parcel is zoned CH, which allows uses such as retail trade and personal services, lodging services, office and professional services,

[8] San Bernardino County. 2019. San Bernardino Countywide Plan Draft Environmental Impact Report, Chapter 4 Environmental Setting. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/01/Ch_04_EnvSetting.pdf. Accessed March 9, 2023.

[9] National Park Service. 2023. Mojave National Preserve California. Website: https://www.nps.gov/moja/planyourvisit/maps.htm#9/35.1514/-115.6091. Accessed June 12, 2023.

[10] National Park Service. 2023. Inventory and Monitoring at Mojave National Preserve. Website: https://www.nps.gov/im/mojn/moja.htm#:~:text=Mojave%20National%20Preserve%20was%20established%20in%201994%20as,national%20park%20system%20in%20the%20contiguous%20United%20States. Accessed March 9, 2023.

[11] United States Department of the Interior Bureau of Land Management (BLM). 2023. Soda Mountains WSA. Website: https://www.blm.gov/visit/soda-mountains-wsa-0. Accessed July 22, 2024.

[12] United States Department of the Interior Bureau of Land Management (BLM). 2023. Avawatz Mountains WSA. Website: https://www.blm.gov/visit/avawatz-mountains. Accessed July 22, 2024.

recreation and entertainment services, wholesaling and warehousing, contract/construction services, transportation services, open lot services, and similar and compatible uses. The proposed travel stop would be consistent with this zoning designation. The mobile home park parcel is zoned CR, which provides for retail trade and personal services, repair services, lodging services, recreation and entertainment services, transportation services, and similar and compatible use. The proposed mobile home park would be consistent with this zoning designation.

The mobile home park parcel is bound by existing development to the north and west. The existing land uses to the north and west include mobile homes and the Baker Travel Plaza, which includes a gas station, fast-food restaurants and convenience stores. This existing development is similar to the uses proposed as part of the proposed project.

In addition to being consistent with the existing land use designation, existing zoning, and existing development in the vicinity of the project site, the proposed project would also be required to comply with Countywide Plan policies related to scenic resources. Policy LU-2.3 requires new development to be located, scaled, buffered, and designed for compatibility with the surrounding environment; and Policy LU-4.1 requires new development to employ site and building design techniques to preserve scenic resources. As part of project approval, the County Land Use Services, Planning Division, would review the proposed project to ensure compliance with these policies.

The San Bernardino County Development Code (Development Code) details building standards for the CR and CH land use zoning districts within the Desert Region. The CR and CH districts have a maximum allowable height of 35 feet, minimum front and street-side setbacks of 25 feet, and interior-side and rear setbacks of 10 feet.[13]

The Development Code also outlines landscaping standards intended to maintain and enhance the aesthetic appearance of the County. The Development Code requires that for retail land uses, at least 20 percent of the lot area or at least 1,000 square feet is landscaped, whichever represents a larger area. For single-family land uses, the front and side setback areas shall be landscaped, or at least a 900-square-foot area, whichever is larger. Multi-family land uses are required to have at least 40 percent of the lot area as landscaping.[14]

The proposed project would not exceed the height requirements or minimum setback requirements, and it would include landscaping on at least 35 percent of the mobile home park and travel stop sites. Therefore, the proposed project would comply with the design standards of the Development Code.

[13] San Bernardino County. 2023. San Bernardino County Development Code, Section 82.05.060 Commercial Land Use Zoning District Site Planning and Building Standards. Website: https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncty_ca/0-0-0-168030. Accessed July 22, 2024.

[14] San Bernardino County. 2023. San Bernardino County Development Code, Chapter 83.10 Landscaping Standards. Website: https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncty_ca/0-0-0-170039. Accessed July 22, 2024.

Because the proposed project would be consistent with existing zoning designations and surrounding development and complies with Countywide Plan policies and the Development Code, impacts to scenic vistas would be less than significant.

b) *Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State Scenic Highway?*

No Impact. There are no designated State Scenic Highways in the project site or its vicinity, as identified by the California Department of Transportation (Caltrans). Caltrans' Scenic Highway Mapping System identifies SR-127, approximately 1 mile west of the project site, as an Eligible State Scenic Highway.[15] A portion of I-15 between SR-127 and Yermo, California (an unincorporated community east of the City of Barstow and over 50 miles west of the project site) is listed both as an Eligible State Scenic Highway by Caltrans and a County Scenic Route.[16,17] This approximately 50-mile section of I-15 begins approximately 1.18 miles southwest of the project site. Based on the distance from the site to either of these eligible segments of Scenic Highway, the proposed project would have no impact on scenic resources 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?*

Less than Significant Impact. CEQA Guidelines Section 15387 defines an urbanized area as "a central city or a group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 or more per square mile." Baker is a Census Designated Place (CDP). According to the 2020 Census, Baker's population is 442,[18] far below the threshold for an urbanized area. Furthermore, Baker is not a central city, nor is it part of a group of contiguous cities. Therefore, the discussion below considers Baker as a non-urbanized area.

As discussed above, Countywide Plan Policy LU-2.4 states that development that is consistent with the Land Use Map is considered to be consistent with surrounding land uses and a community's identity. Because the proposed project is consistent with the CH and CR land use zoning district, it is therefore consistent with the community's identity. Furthermore, the proposed project would comply with Countywide Plan Policy LU-4.5, which requires new development to be consistent with the character of unincorporated communities in which they are located.

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[15] California Department of Transportation (Caltrans). 2018. California State Scenic Highway System Map. Website: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa. Accessed March 9, 2023.

[16] Ibid.

[17] San Bernardino County. 2019. San Bernardino Countywide Plan Draft Environmental Impact Report, Chapter 5.1 Aesthetics. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/01/Ch_05-01-AE.pdf. Accessed March 9, 2023.

[18] United States Census Bureau. Total Population in BAKER CDP, California. Website: https://data.census.gov/all?q=Baker+CDP,+California. Accessed April 7, 2023.

The project site is currently undeveloped and vacant and is situated approximately 0.08 mile north of the Mojave National Preserve and approximately 2.19 miles south of the Hollow Hills Wilderness area. Therefore, implementation of the proposed project could alter public views of the project site as compared to its existing conditions. However, as noted above, the project site is bound by existing development to the north and west and I-15 is approximately 70 feet south of the project site. In addition, the proposed project would be designed in compliance with design standards for the CH and CR designations. As such, the proposed project would not be substantially different, visually, from existing land uses in the vicinity. Because the proposed project would be consistent with Countywide Plan Policies LU-2.4 and LU-4.5 and would be visually similar to existing development in the immediate vicinity of the project site, the proposed project would be considered to have a less than significant impact on the existing visual character of public views of the project site and the surrounding area.

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

Less than Significant Impact. Sources of daytime glare include direct beam sunlight and reflections from windows, architectural coatings, glass, and other reflective surfaces. Nighttime illumination and associated glare are generally divided into two sources: stationery and mobile. Stationary sources include structure lighting and decorative landscaping, lighted signs, and streetlights. Mobile sources are primarily headlights from motor vehicles.

The project site is currently vacant and undeveloped; therefore, implementation of the proposed project would introduce new sources of daytime and nighttime lighting such as streetlights, exterior and interior lighting as part of the proposed building, and new mobile sources of lighting from employee and customer vehicles. Although the proposed project would result in new sources of light and glare, the site is located adjacent to existing development, such as the Baker Travel Plaza to the west and mobile homes to the north, that contain existing sources of light and glare. I-15, a major regional highway located approximately 70 feet south of the project site, also acts as a substantial source of light and glare from passing vehicles. Furthermore, all on-site lights would be facing downward and shielded.

The proposed project would be required to comply with Countywide Plan Policy LU-4.7, which requires light pollution and glare to be minimized to preserve night sky views, particularly in the Mountain and Desert Regions where the proposed project is located. Furthermore, the proposed project would also comply with Development Code Chapter 83.07, Light Trespass, which regulates outdoor lighting in order to reduce light pollution and glare. Specifically, Section 83.07.060 of the Development Code details standards for outdoor lighting in the Mountain and Desert Regions.[19]

Therefore, with compliance with Countywide Plan Policies and the Development Code, impacts would be less than significant with respect to substantial light or glare.

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

[19] San Bernardino County. 2023. Development Code, Title 8, Division 4, Chapter 81.07, Section 60. Website: https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncty_ca/0-0-0-178983. Accessed March 9, 2023.

	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 nonagricultural 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 nonagricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

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

Countywide Plan*; *Countywide Plan Draft EIR; California Department of Conservation Farmland Mapping and Monitoring Program; Submitted Project Materials

Setting

According to the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP), the project site and the surrounding area do not contain mapped farmland.[20]

According to the San Bernardino Countywide Plan Draft EIR, there were approximately 60,279 acres of agricultural use in unincorporated areas of the County as of 2014. As of 2016 the County had approximately 19,821 acres of mapped Important Farmland, approximately 61 percent of which was located in unincorporated areas. Of the 19,821 acres of Important Farmland, approximately 57 percent was mapped as Prime Farmland and the remainder was mapped as Farmland of Statewide Importance.[21]

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 nonagricultural use?*

No Impact. The project site is currently undeveloped and vacant with a land use district and zoning designation of CH and CR. It is bound by residential uses to the north, commercial uses to the west, I-15 to the south, and vacant land to the east. As noted above, the FMMP does not indicate mapped farmland within the project site and the surrounding area.[22] There are no areas designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance near the community of Baker. The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; therefore, the proposed project would not result in the conversion of such lands and there would be no impact.

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

No Impact. As discussed above, the project site has a land use district and zoning designation of CH and CR and is not zoned for agricultural use. As noted above, the FMMP does not identify any mapped farmland on the project site.[23] As of 2022, no Williamson Act Contract land or agriculturally zoned land exist within the project site.[24] As such, the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act Contract and there would be 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))?*

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[20] California Department of Conservation. 2022. California Important Farmland Finder. Website: https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed March 9, 2023.
[21] San Bernardino County. 2019. San Bernardino Countywide Plan Draft Environmental Impact Report, Chapter 5.2 Agriculture and Forestry Resources. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/01/Ch_05-02-AG.pdf. Accessed March 9, 2023.
[22] Ibid.
[23] California Department of Conservation. 2022. California Important Farmland Finder. Website: https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed March 9, 2023.
[24] California Department of Conservation. 2023. California Williamson Act Enrollment Finder. Website: https://maps.conservation.ca.gov/dlrp/WilliamsonAct/App/index.html. Accessed April 17, 2023.

No Impact. Approximately 13,444 acres of forest and woodland vegetation are under County jurisdiction in the Desert Regions. Most of the forests in the Desert Regions are the eastern part of the San Bernardino Mountains in the East Desert Region.[25] The project site is in the North Desert Region.

According to the California Department of Fish and Wildlife, the project site is not located in an area identified as Private Timberlands or Public Lands with Forests.[26] Furthermore, the project site has a land use district and zoning designation of CH and CR and is not zoned for forest land, timberland, or Timberland Production. The proposed project would be consistent with the existing CH and CR land use district and zoning designation. Therefore, the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timber Production and there would be no impact.

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

No Impact. As discussed above under impact II c), the project site has a land use district and zoning designation of CH and CR. The project site is currently undeveloped and vacant and does not contain forest land. Therefore, implementation of the proposed project would not result in the loss of forest land or the conversion of forest land to non-forest use and there would be no impact.

e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?*

No Impact. As discussed above under Impacts II a) through d), the project site has a land use district and zoning designation of CH and CR and does not contain forest land or Farmland. Therefore, implementation of the proposed project would not result in the conversion of Farmland to nonagricultural uses or the conversion of forest land to non-forest use. There would be no impact.

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

[25] San Bernardino County. 2019. San Bernardino Countywide Plan Draft Environmental Impact Report, Chapter 5.2 Agriculture and Forestry Resources. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/01/Ch_05-02-AG.pdf. Accessed March 9, 2023.

[26] California Department of Fish and Wildlife. 2023. California Forests and Timberlands. Website: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109917&inline. Accessed April 17, 2023.

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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 nonattainment 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):* ***See Impact III (a)***

Countywide Plan*; *Air Quality and Greenhouse Gas Emissions Report (included as Appendix A); Mojave Desert Air District 2020 CEQA and Federal Conformity Guidelines; Submitted Project Materials

Setting

The proposed project is located in Baker, which is in the unincorporated desert region of San Bernardino County. The proposed project is located in Mojave Desert Air Basin (MDAB) and is under the jurisdiction of Mojave Desert Air Quality Management District (MDAQMD). The MDAQMD has jurisdiction over the desert portion of San Bernardino County and the far eastern end of Riverside County. Descriptions and analysis in this section are based on the Air Quality and Greenhouse Gas Emissions Report prepared by FirstCarbon Solutions (FCS), dated June 9, 2023 (Appendix A).

County of San Bernardino Countywide Plan

The Countywide Plan was adopted in 2020 and establishes the following policies that are relevant to both air quality resources and the proposed project:[27]

[27] County of San Bernardino. 2023. Countywide Plan. Website: https://countywideplan.com/policy-plan/. Accessed May 23, 2023.

Natural Resources Element

Policy NR-1.2 **Indoor air quality:** Promote the improvement of indoor air quality through the California Building and Energy Codes and through the provision of public health programs and services.

Policy NR-1.3 **Coordination on air pollution:** Collaborate with air quality management districts and other local agencies to monitor and reduce major pollutants affecting the County at the emission source.

Policy NR-1.5 **Sensitive land uses:** Consider recommendations from the California Air Resources Board on the siting of new sensitive land uses and exposure to specific source categories.

Policy NR-1.6 **Fugitive dust emissions:** Coordinate with air quality management districts on requirements for dust control plans, revegetation, and soil compaction to prevent fugitive dust emissions.

Policy NR-1.8 **Construction and operations:** Invest in County facilities and fleet vehicles to improve energy efficiency and reduce emissions. We encourage County contractors and other builders and developers to use low emission construction vehicles and equipment to improve air quality and reduce emissions.

Hazards Element

Policy HZ-3.1 **Health Risk Assessment:** Require projects processed by the County to provide a health risk assessment when a project could potentially increase the incremental cancer risk by 10 in 1 million or more in unincorporated environmental justice focus areas, and we require such assessments to evaluate impacts of truck traffic from the project to freeways. We establish appropriate mitigation prior to the approval of new construction, rehabilitation, or expansion permits.

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

Less than Significant Impact. According to the MDAQMD's CEQA and Federal Conformity Guidelines,[28] a project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project is conforming if it complies with all applicable MDAQMD rules and regulations and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan). Conformity with growth forecasts can be established by demonstrating that the project is consistent with the land use plan that was used to generate the growth forecast.

Air Quality Plan Conformance

As detailed in Impact III (b), below, construction and operation of the proposed project would not exceed MDAQMD thresholds of significance for cumulative regional pollutant emissions (see

[28] Mojave Desert Air District. 2020. CEQA and Federal Conformity Guidelines. February. Website: https://www.mdaqmd.ca.gov/home/showpublisheddocument/8510/638126583450270000. Accessed May 30, 2023.

Table 1 and Table 2). Since the proposed project's emissions do not exceed the MDAQMD thresholds for volatile organic compounds (VOCs), nitrogen oxides (NO_X), carbon monoxide (CO), sulfur oxides (SO_X), particulate matter less than 10 microns in diameter (PM_{10}), or particulate matter less than 2.5 microns in diameter ($PM_{2.5}$), it follows that the proposed project's emissions would not exceed the allowable limit for each project in order for the region to attain and maintain ambient air quality standards, which is the primary goal of air quality plans. Therefore, the proposed project would not conflict with or delays implementation of any MDAQMD attainment or maintenance plan.

The proposed project is required to comply with all applicable MDAQMD rules and regulations, such as Rule 401 (Visible Emissions) and Rule 403 (Fugitive Dust Control). Furthermore, the proposed project is consistent with the land use and zoning designations of the site. Based on these considerations, project impacts related to air quality plans would be less than significant.

Control Measures

MDAQMD plans control measures, which are enforceable requirements through the adoption of rules and regulations. No new local control measures were required to demonstrate attainment of the federal air quality standards. Regulations committed to by the California Air Resource Board (ARB) were found to be sufficient for the MDAB to reach attainment. A description of rules and regulations that apply to this project is provided under Setting. The proposed project would comply with all of the MDAQMD's applicable rules and regulations, and the vehicles and equipment operating in the County would be subject to the applicable ARB regulations. Therefore, the proposed project complies with this criterion and would not conflict with or obstruct implementation of the applicable air quality attainment plan. In addition, the Countywide Plan includes policies that will help reduce the impacts of growth projected for the County as listed in Setting above.

As detailed above, project impacts related to consistency with air quality plans would be less than significant.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?

Less than Significant Impact. Air pollutant emissions can have both regional effects and localized effects. Regional effects are cumulative in nature and result from the combined effect of existing and new sources of emissions throughout the region. No individual project is likely to cause a regional air quality violation. Therefore, regional effects for criteria pollutants are measured in terms of their contribution to an existing or projected violation of a State or federal air quality standard. The MDAQMD has adopted quantitative thresholds that serve as a cumulative contribution threshold for this purpose. Individual projects can result in localized emissions that expose nearby sensitive receptors to pollution levels that violate standards or that contribute substantially to an existing condition where receptors already are exposed to air quality that exceeds standards. This impact analysis addresses both situations.

This impact is related to the cumulative effect of a project's regional criteria pollutant emissions. As described above, the region is currently nonattainment for ozone, PM_{10}, and $PM_{2.5}$. By its nature, air pollution is largely a cumulative impact resulting from emissions generated over a large geographic region. The nonattainment status of regional pollutants is a result of past and present development within the air basin, and this regional impact is a cumulative impact. In other words, new development projects (such as the proposed project) within the air basin would contribute to

this impact only on a cumulative basis. No single project would be sufficient in size, by itself, to result in nonattainment of regional air quality standards. Instead, a project's emissions may be individually limited but cumulatively considerable when taken in combination with past, present, and future development projects. All new development that would result in an increase in air pollutant emissions above those assumed in regional air quality plans would contribute to cumulative air quality impacts.

The cumulative analysis focuses on whether a specific project would result in cumulatively considerable emissions. According to Section 15064(h)(4) of the CEQA Guidelines, the existence of significant cumulative impacts caused by other projects alone does not constitute substantial evidence that the project's incremental effects would be cumulatively considerable.

Rather, the determination of cumulative air quality impacts for construction and operational emissions is based on whether the proposed project would result in regional emissions that exceed the MDAQMD regional thresholds of significance for construction and operations on a project level. Projects that generate emissions below the MDAQMD significance thresholds would be considered consistent with regional air quality planning efforts and would not generate cumulatively considerable emissions.

The proposed project's regional construction and operational emissions, which include both on- and off-site emissions, are evaluated separately below. Construction and operational emissions from the proposed project were estimated using the California Emissions Estimator Model (CalEEMod) Version 2022.1. A detailed description of the assumptions used to estimate emissions and the complete CalEEMod output files are included in Appendix A (*Air Quality and Greenhouse Gas Emissions Analysis Report*, Appendix A: CalEEMod Files).

Cumulative Construction Emissions

Construction emissions are described as "short-term" or temporary in duration; however, they have the potential to represent a significant impact with respect to air quality. Construction of the proposed project would result in the temporary generation of VOC, NO_X, CO, SO_X, PM_{10}, and $PM_{2.5}$ emissions from construction activities such as site preparation, grading, building construction, architectural coating, and asphalt paving. Fugitive dust emissions are primarily associated with earth disturbance and grading activities and vary as a function of soil silt content, soil moisture, wind speed, acreage of disturbance area, and miles traveled by construction vehicles on-site and off-site. Construction-related NO_X emissions are primarily generated by exhaust emissions from heavy-duty construction equipment, material and haul trucks, and construction worker vehicles. VOC emissions are mainly generated by exhaust emissions from construction vehicles, off-gas emissions associated with architectural coatings, and asphalt paving.

Based on applicant-provided information, project construction would be completed in a single phase. To estimate emissions, construction was modeled beginning in January 2025 and concluding in December 2025. The proposed project is expected to be operational in early 2026. The proposed travel stop, 8-unit mobile home park, and frontage construction would be completed in one phase. The anticipated construction schedule reflects the construction start date and the construction phase durations estimated by the project applicant. The construction schedule used in the analysis represents a reasonable worst-case analysis scenario since a delay in construction dates into the future would result in using emission factors for construction equipment that decrease as the analysis year increases, due to improvements in technology and the need to

meet more stringent regulatory requirements. Therefore, construction emissions would decrease if the construction schedule moved to later years. The duration of construction activity and associated equipment represent a reasonable approximation of the expected construction fleet as required by CEQA Guidelines. For a more detailed description of the construction emissions modeling parameters and assumptions, please refer to Appendix A (*Air Quality and Greenhouse Gas Emissions Analysis Report*, pages 65–73).

Table 1 presents the proposed project's average daily construction emissions during the entire construction duration. Complete CalEEMod output files are included as part of Appendix A.

Table 1: Unmitigated Construction–Average Daily Emissions by Construction Year

Construction Phase	Regional Pollutant Emissions (lbs)					
	VOC	**NO_X**	**CO**	**SO_X**	**PM_{10} (Total)**	**$PM_{2.5}$ (Total)**
2025 Frontage Construction	21.07	153.02	180.04	0.31	25.87	13.81
2025 Site Preparation	33.89	317.40	312.70	0.49	92.60	52.49
2025 Grading	103	918	1,021	2.06	154.64	80.59
2025 Building Construction	251	2,186	2,448	4.71	112.23	87.67
2025 Coating	274.70	8.94	12.64	0.02	0.53	0.31
2025 Paving	79.65	479.40	790.50	1.36	40.00	25.12
Total Emission (lbs) during construction	763	4,063	4,765	9	426	260
Average Daily Emissions (lbs/day)[1]	**3.05**	**16.25**	**19.06**	**0.04**	**1.70**	**1.04**
MDAQMD Significance Threshold (lbs/day)[1]	**137**	**137**	**548**	**137**	**82**	**65**
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Notes:
CO = carbon monoxide
lbs = pounds
NO_X = nitrogen oxides
PM_{10} = particulate matter less than 10 microns in diameter
$PM_{2.5}$ = particulate matter less than 2.5 microns in diameter
SO_X = sulfur oxides
VOC = volatile organic compound
[1] Average daily emissions equal total emissions divided by working days, which is 250 days for the proposed project.
[2] MDAQMD California Environmental Quality Act (CEQA) and Federal Conformity Guidelines. 2020.
Source of Table: Appendix A (*Air Quality and Greenhouse Gas Emissions Analysis Report*, Table 12 on page 79).

As shown above in Table 1, the proposed project's construction emissions would not exceed any MDAQMD significance threshold. Therefore, the proposed project would not have a potentially significant impact related to air quality during project construction. The cumulative impact from construction of the proposed project would be less than significant.

Cumulative Operational Emissions

Following project construction, long-term operational emissions would be generated, resulting from daily operations. Operational emissions for land use development projects are typically distinguished as mobile-, area-, and energy-source emissions. The proposed project is expected to be operational in early 2026. Mobile source emissions are those associated with automobiles that would travel to and from the project site. Assumptions used to estimate mobile source emissions that would be generated by the proposed project were consistent with those presented in the project-specific traffic study. The proposed project was estimated to generate 1,588 average daily heavy heavy-duty (HHD) truck trips and 7,202 other vehicle trips (including light-duty, medium-duty, RVs, buses, etc.) during the operational period. Area-source emissions are those associated with natural gas combustion for space and water heating, landscape maintenance activities, and periodic architectural coatings. Energy-source emissions are those associated with electricity consumption and are more pertinent for greenhouse gas (GHG) emissions than air quality pollutants. Table 2 presents the proposed project's average daily operational emissions and compares them to the applicable thresholds of significance.

Table 2: Operational Regional Pollutants

Operational Activity	Regional Pollutant Emissions (lbs)					
	VOC	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Area	1,252	21	1,416	2	171	170
Energy	3.2	57.0	42.9	0.3	4.4	4.4
Mobile—HHD Trucks	655	18,919	8,824	101	1,571	525
Mobile—Vehicles other than HHD Trucks	9,658	5,404	49,707	96	3,558	674
Annual Operational Emissions (lbs)	11,569	24,401	59,990	199	5,304	1,374
Average Daily Emissions (lbs/day) [1]	**31.7**	**66.9**	**164.4**	**0.5**	**14.5**	**3.8**
MDAQMD Significance Threshold	**137**	**137**	**548**	**137**	**82**	**65**
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Notes:
CO = carbon monoxide
NO_X = nitrogen oxides
PM_{10} = particulate matter less than 10 microns in diameter
$PM_{2.5}$ = particulate matter less than 2.5 microns in diameter
SO_X = sulfur oxides
VOC = volatile organic compound
lbs = pounds
[1] Emissions shown represent the average daily operational emissions based on total emissions divided by 365 days in a year.
Source of Table: Appendix A (*Air Quality and Greenhouse Gas Emissions Analysis Report*, Table 13 on page 80).

As shown in Table 2, the proposed project's regional daily operational emissions would not exceed any of the MDAQMD thresholds of significance. Therefore, the proposed project would have less than significant impact related to air quality during project operation. The cumulative impact from construction of the proposed project would be less than significant.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact with Mitigation Incorporated. This impact evaluates the potential for the proposed project's construction and operational emissions to expose sensitive receptors to substantial pollutant concentration. Sensitive receptors are defined as those individuals who are sensitive to air pollution, including children, the elderly, and persons with preexisting respiratory or cardiovascular illness. For purposes of CEQA, the MDAQMD considers a sensitive receptor to be residences, schools, daycare centers, playgrounds, and medical facilities.[29] Commercial and industrial facilities are not included in the definition because employees do not typically remain on-site for 24 hours. However, when assessing the impact of pollutants with 1-hour or 8-hour standards (such as NO_2 and CO), commercial and/or industrial facilities would be considered sensitive receptors.

For the purpose of analyzing construction impacts to sensitive receptors, the closest off-site sensitive receptor is a mobile home park located approximately 65 feet north of the project site. Additionally, the proposed project includes a mobile home park that will have residents during project operation and these residents will constitute the nearest sensitive receptors for the purposes of health risk analysis during operation. Accordingly, this analysis evaluates operational emission impacts to the on-site mobile home park residents.

Toxic Air Contaminants

Project construction would involve the use of diesel-fueled vehicles and equipment that emit diesel particulate matter (DPM), which is considered a toxic air contaminant (TAC). The MDAQMD requires that sensitive receptors' exposure to substantial pollutant concentrations, including those resulting in a cancer risk no greater than or equal to 10 in a million and/or a Hazard Index (HI) (non-cancerous) no greater than or equal to 1.

Construction Health Risk Assessment

During construction and operation, the proposed project would result in emissions of several TACs that could potentially impact nearby sensitive receptors. The MDAQMD has defined health risk significance thresholds. These thresholds are represented as a cancer risk to the public and a non-cancer hazard from exposures to TACs. Cancer risk represents the probability (in terms of risk per million individuals) that an individual would contract cancer resulting from exposure to TACs continuously over a period of several years. The MDAQMD's current threshold of significance for TAC emissions is an increase in cancer risk for the maximally exposed individual of 10 in 1 million. The principal TAC emission analyzed in this assessment was DPM from operation of off-road equipment and diesel-powered heavy-duty vehicles during construction and operation. DPM has been identified

[29] Mojave Desert Air Quality Management District (MDAQMD). February 2020. Website: https://www.mdaqmd.ca.gov/home/showpublisheddocument/8510/637406182097070000. Accessed May 30, 2023.

by the ARB as a carcinogenic substance. For purposes of this analysis, DPM is represented as exhaust emissions of PM_{10}. DPM represented as exhaust PM_{10} adequately addresses impacts from PM_{10} and $PM_{2.5}$ emissions, as $PM_{2.5}$ comprises a component of PM_{10}. Fugitive dust components of PM_{10} and $PM_{2.5}$ would be controlled through the use of required dust control practices during project construction.

Exposures to TACs can also result in both short-term (acute) or long-term (chronic) non-cancer health impacts. Such impacts could include illnesses related to reproductive effects, respiratory effects, eye sensitivity, immune effects, kidney effects, blood effects, central nervous system, birth defects, or other adverse environmental effects.

Estimation of Cancer Risks

Cancer risks are estimated as the upper-bound incremental probability that an individual will develop cancer as a direct result of exposure to potential carcinogens over a specified exposure duration. The cancer risk attributed to a chemical is calculated by multiplying the chemical intake or dose at the human exchange boundaries (e.g., lungs) by the chemical-specific cancer potency factor (CPF). A risk level of 10 in a million implies a likelihood (or risk) that up to 10 persons out of one million equally exposed people would contract cancer if exposed continuously (24 hours per day) to the levels of TACs over a specified duration of time. This risk would be an excess cancer risk that is in addition to any environmental cancer risk borne by a person not exposed to these TACs.

The Office of Environmental Health Hazard Assessment (OEHHA) has developed guidance for estimating cancer risks that considers the increased sensitivity of infants and adults to TAC emissions, different breathing rates, and time spent at home. This guidance was applied in estimating cancer risks from the construction and operation of the proposed project. For the detailed methodology applied in this analysis, please refer to Appendix A.

Estimation of Chronic Non-Cancer Hazards

An evaluation of potential non-cancer effects of chronic chemical exposures was also conducted. Adverse health effects are evaluated by comparing the annual receptor concentration of each chemical compound with the appropriate Reference Exposure Level (REL). Risk characterization for non-cancer health hazards from TACs is expressed as an HI. The HI is a ratio of the predicted concentration of a project's emissions to a concentration considered acceptable to public health professionals, termed the REL.

The HI assumes that chronic exposures to TACs adversely affect a specific organ or organ system (toxicological endpoint) of the body. For each discrete chemical exposure, target organs presented in regulatory guidance were used. To calculate the HI, each chemical concentration or dose is divided by the appropriate toxicity REL. For compounds affecting the same toxicological endpoint, this ratio is summed. Where the total equals or exceeds 1, a health hazard is presumed to exist. OEHHA has defined an REL for DPM of 5

micrograms per cubic meter (µg/m^3). The principal toxicological endpoint assumed in this assessment was through inhalation.

Toxic Air Contaminant Construction Analysis

Major sources of DPM during construction include off-road construction equipment and heavy-duty delivery truck activities. The results of the Health Risk Assessment (HRA) prepared for project construction for cancer risk and long-term chronic cancer risk are summarized below. Air dispersion modeling was utilized to assess the project's potential health risks using American Meteorological Society/United States Environmental Protection Agency (EPA) Regulatory Model (AERMOD) Version 22112, which is an air dispersion model accepted by the EPA and MDAQMD for preparing HRAs. Exhaust emissions of DPM (as PM_{10} exhaust) from construction sources were estimated using CalEEMod Version 2022.1.

The estimated health and hazard impacts at the Maximally Impacted Sensitive Receptor (MIR) from the project's construction emissions are provided in Table 3. The MIR was determined to be a building (approximate location 35.277055, -116.058118) located 280 feet northwest of the project site.

Table 3: Estimated Health Risks and Hazards During Project Construction at the Maximum Impacted Receptor

Source	Cancer Risk (risk per million)	Chronic Non-Cancer HI[1]
Unmitigated Risk and Hazards[2]	2.1	0.002
Significance Threshold	10	1
Exceeds Individual Source Threshold?	No	No

Notes:
MIR = Maximally Impacted Sensitive Receptor
The MIR is a building (approximate location 35.277055, -116.058118) located 280 feet northwest of the project site.
[1] Chronic non-cancer HI was estimated by dividing the maximum annual DPM concentration (as PM_{10} exhaust) by the REL of 5 µg/m^3.
[2] Risk is based on Infant Exposure starting in Third Trimester and over the construction period.
Source: Appendix A (*Air Quality and Greenhouse Gas Emissions Analysis Report*, Table 14 on page 84).

As noted in Table 3, the proposed project's construction DPM emissions would not exceed the cancer risk significance threshold or non-cancer HI significance threshold at the MIR. Therefore, the proposed project would not result in a significant impact on nearby sensitive receptors from TACs during construction.

Toxic Air Contaminant–DPM and Benzene Operational Analysis

The proposed project would primarily generate HHD truck trips as a result of the diesel fueling stations and truck stops. The proposed project would also generate trips from a range of vehicles including but not limited to passenger cars, RVs, and motorcycles because the travel stop, fast-food restaurant, and 8-unit mobile home park are part of the land use.

Because the proposed project would be closely located to two mobile home parks and would generate TACs from project operations, an operational HRA was performed and health risks from operation of the facility, including DPM emissions from trucks and benzene emissions from the proposed gasoline fueling station (16 gas fueling positions), were assessed.

Operational emissions for the proposed project were assessed assuming the first year of operations would occur in 2026. Operational emissions calculated for the year 2026 were applied for the full 30-year operational period; as emission are expected to decrease in future years for the same activity, this methodology presents a conservative estimate of TACs and associated health risk impacts. Operational emissions were estimated assuming adherence to all applicable rules, regulations, and incorporation of identified project design features. Detailed parameters, a description of methodology, and complete calculations are contained in Appendix A.

The main source of DPM from the long-term operations of the proposed project is from combustion of diesel fuel in diesel-powered engines in heavy-duty trucks that access the site. Motor vehicle emissions refer to DPM exhaust emissions from the motor vehicle traffic that would travel to and from the project site each day. The proposed project would generate an estimated 1,588 truck trips per day. The trucks would mainly access the proposed project for diesel fuel and rest as a temporary stop, and the detour from I-15 to the proposed project and then back to I-15 is less than 5 miles as shown on Google Maps. The trucks would normally drive at a lower speed (around 5 miles per hour) and would potentially idle for a longer period of time within the proposed project, which would generate higher localized emissions rates than when the trucks are cruising at a higher speed. The truck emissions within 1,000 feet of the project site, as well as low-speed truck driving, truck idling, and potential transportation refrigeration unit operations within the project site, are considered in the operational HRA and modeling details are included in Appendix A.

For gasoline dispensing facilities, benzene, naphthalene, and ethylbenzene are the TACs of concern with cancer toxicity values. Benzene accounts for nearly 85 percent of cancer risk from gasoline. According to the California Air Pollution Control Officers Association (CAPCOA), not until the benzene emissions are three orders of magnitude above the rate of an increase of 20 per million cancer risk do the emissions of xylene begin to cause acute adverse health effects.[30]

Because the proposed project would be closely located to two mobile home parks, an operational HRA was performed and health risks from operation of the facility, including

DPM emissions from trucks, were assessed. Operational emissions for the proposed project were assessed assuming the first year of operations would occur in 2026. The emission factors, AERMOD Output, emission estimation spreadsheets, and HARP2[31] files used to estimate motor vehicle DPM emissions during project operations are provided in Appendix A (*Air Quality and Greenhouse Gas Emissions Analysis Report*, Appendix B: Health Risk Assessment).

The parameters for long-term chronic cancer risk during project operations are summarized in Appendix A. An operational HRA was performed to calculate the cancer health risks and the non-hazard indices for sensitive receptors within approximately 1,000 feet of the project boundary. The results of the unmitigated risks and hazards at the maximally impacted on-site and off-site receptors are summarized in Table 4.

Table 4: Summary of Health Risk Impacts from Project Operations (30-Year Exposure)

Health Impact Metric	Cancer Risk (risk per million)	Chronic Non-Cancer Hazard Index	Acute Hazard Index
Existing Off-site Sensitive Receptors			
Unmitigated Risks and Hazards at Highest Off-site Sensitive Receptor (from DPM)	8.85	0.0020	0.0000
Unmitigated Risks and Hazards at the Highest Off-site Sensitive Receptor over 30-year exposure (from Benzene)	0.09	0.0005	0.0548[2]
Total Unmitigated Risks and Hazards at the Highest Off-site Sensitive Receptor	**8.94**	**0.0025**	**0.0548[2]**
Applicable Significance Threshold	10	1	1
Exceeds Threshold before Mitigation?	No	No	No
Proposed On-site Sensitive Receptors			
Unmitigated Risks and Hazards at the MIR[1] over 30-year exposure (from DPM)	15.72	0.0036	0.0000
Unmitigated Risks and Hazards at the MIR[1] over 30-year exposure (from Benzene)	0.31	0.0019	0.0548[2]
Total Unmitigated Risks and Hazards at the On-site MIR[1]	**16.03**	**0.0055**	**0.0548[2]**
Total Mitigated Risks and Hazards at the On-site MIR[1] after MM AIR-1[3]	**2.67**	**0.0055**	**0.0548[2]**

[30] Appendix A (*Air Quality and Greenhouse Gas Emissions Analysis Report*, page 85).
[31] HARP2 is the California Air Resources Board's (ARB's) updated Hotspots Analysis and Reporting Program (HARP).

Applicable Significance Threshold	10	1	1
Exceeds Threshold before Mitigation?	Yes	No	No
Exceeds Threshold after Mitigation?	No	No	No

Notes:
DPM = diesel particulate matter
HI = hazard index
MIR = Maximally Impacted Sensitive Receptor
[1] The MIR during the operational period was determined to be a future mobile home at location of 35.27803, -116.05547.
[2] Receptors for the acute HI include worker receptors and other receptors that could be exposed to project operations for at least one (1) hour.
[3] MM AIR-1 only reduces cancer risks from DPM at proposed on-site sensitive receptors. Total mitigated cancer risk: 2.36 from DPM plus 0.31 from benzene equals 2.67 risk per million.
Source: Appendix A (*Air Quality and Greenhouse Gas Emissions Analysis Report*, Table 16 on page 86; *Air Quality and Greenhouse Gas Emissions Analysis Report*, Appendix B: Health Risk Assessment).

The maximum cancer risks at the MIR over a 30-year operational exposure duration would be 15.7 in one million at a future mobile home on the project site (approximate location 35.27803, -116.05547), which is over the threshold of 10 in one million required by MDAQMD. As a result, Mitigation Measure (MM) AIR-1 is required to ensure that future on-site residents are not exposed to unacceptable annual PM_{10} concentrations. MM AIR-1 would ensure that the future residences be equipped with heating, ventilation, and air conditioning (HVAC) units with a Minimum Efficiency Reporting Value (MERV) of at least 13 (which is currently required for new low-rise residential developments under Title 24, Part 6, Subchapter 7, Section 150.0).[32] The required filtration system for the proposed project would need to demonstrate at least an 85 percent reduction in particulates originating from outdoors ranging from 1.0 to 3.0 microns per cubic meter ($\mu g/m^3$). Assuming an 85 percent reduction in the annual PM_{10} concentration presented in Table 4, the application of a MERV 13 or better air filtration system would result a reduced cancer risk of an estimated 2.36 per million from DPM (total cancer risk of 2.67 risk per million with risks from benzene included).

It should be noted that MM AIR-1 only applies to future residences proposed as part of the project and would not reduce health risks at off-site locations. As shown in Table 4, the maximally impacted off-site sensitive receptor would experience health risks that are below the applicable health risk thresholds prior to the incorporation of mitigation; therefore, no

[32] 2022 California Energy Code. Title 24, Part 6 with Jan 2023 Errata. Website: https://codes.iccsafe.org/content/CAEC2022P2/subchapter-7-single-family-residential-buildings-mandatory-features-and-devices. Accessed June 8, 2023.

mitigation is required to address potential health risk impacts at off-site sensitive receptor locations.

After mitigation, the health risks and HI are below the MDAQMD's thresholds of significance. Therefore, with MM AIR-1, the proposed project's operation would not expose sensitive receptors to substantial pollutant concentrations.

Cumulative Toxic Air Contaminant Operational Analysis

The MDAQMD CEQA Guidelines do not mention cumulative health risks. Based on MDAQMD guidance applied in this analysis, projects that exceed project-specific significance thresholds would be cumulatively considerable. Conversely, projects that do not exceed project-specific thresholds are generally not considered cumulatively significant. As discussed in detail above, the proposed project would not expose sensitive receptors to substantial pollutant concentrations at the project level with mitigation implemented. Since the proposed project would not exceed project-specific thresholds, it would be considered to result in less than significant impacts with mitigation incorporated.

Exposure to Naturally Occurring Asbestos and Valley Fever

As discussed in more detail in Appendix A, exposure to naturally occurring asbestos can occur during soil-disturbing activities in areas with deposits present. Review of the Department of Conservation maps indicates that the project site and San Bernardino County do not have reported historic asbestos mines, historic asbestos prospects, or other natural occurrences of asbestos.[33] Therefore, impacts associated with the proposed project's potential to expose sensitive receptors to naturally occurring asbestos are less than significant.

The project site would have a low probability of C. immitis (Valley Fever) growth on-site or exposure from disturbed soil. Compliance with dust control regulations would further reduce the potential to expose sensitive receptors to Valley Fever during construction. During operations, the project site would be built up and would not provide a conducive environment for Valley Fever.

Therefore, impacts associated with the proposed project's potential to expose sensitive receptors to naturally occurring asbestos and Valley Fever are less than significant. No further analysis is needed.

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

Less than Significant Impact. Odor impacts on residential areas and other sensitive receptors, such as hospitals, daycare centers, schools, etc., warrant the closest scrutiny,

[33] Appendix A (Air Quality and Greenhouse Gas Emissions Analysis Report, page 87).

but consideration should also be given to other land uses where people may congregate, such as recreational facilities, worksites, and commercial areas.

Two situations create a potential for odor impact. The first occurs when a new odor source is located near an existing sensitive receptor. The second occurs when a new sensitive receptor locates near an existing source of odor.

Odors can cause a variety of responses. The impact of an odor is dependent on interacting factors such as frequency (how often), intensity (strength), duration (in time), offensiveness (unpleasantness), location, and sensory perception. While offensive odors rarely cause any physical harm, they still can be very unpleasant, leading to considerable distress and often generating citizen complaints to local governments and regulatory agencies.

The MDAQMD does not provide a suggested screening distance for a variety of odor-generating land uses and operations. However, the San Joaquin Valley Air Pollution Control District (Valley Air District) does have a screening distance for odor sources.[34] Those distances are used as a guide to assess whether nearby facilities could be sources of significant odors. Projects that would site a new sensitive receptor farther than the applicable screening distances from an existing odor source would not likely have a significant impact. The MDAQMD considers residences, schools, daycare centers, playgrounds, and medical facilities as sensitive receptor land uses. Currently, the closest sensitive receptor is the mobile home park located on the adjoining property north of the site. Once the proposed project (including the proposed mobile home park) is operational, the residents at the mobile home park would also be considered as sensitive receptors.

Construction-Related Odors
Potential sources that may emit odors during construction activities include exhaust from diesel construction equipment. However, because of the temporary nature of these emissions, the intermittent nature of construction activities, and the highly diffusive properties of diesel PM exhaust, nearby receptors would not be affected by diesel exhaust odors associated with project construction. Odors from these sources would be localized and generally confined to the immediate area surrounding the project site. The proposed project would utilize typical construction techniques, and the odors would be typical of most construction sites and temporary in nature.

Operational-Related Odors
The proposed project includes the construction and development of a truck stop and a mobile home park. A dump station for the RVs will be located on the site. The single-stall RV dump station could be used by any paying user without advance reservations. The dump station would be connected directly to an underground sewer drain, which would not result in objectionable odors that would be noticeable to on-site patrons or nearby sensitive receptors. In addition, the travel stop would operate continuously (24 hours a day, 7 days a week, 365 days a year) and employees would be available to monitor and maintain the RV dump station as needed. As such, the inclusion and use of the RV dump station would not lead to objectionable odors that would adversely affect a substantial number of people.

[34] Appendix A (Air Quality and Greenhouse Gas Emissions Analysis Report, pages 89–90).

Furthermore, land uses that are typically identified as sources of objectionable odors include landfills, transfer stations, sewage treatment plants, wastewater pump stations, composting facilities, feedlots, coffee roasters, asphalt batch plants, and rendering plants. The proposed project would not produce any offensive odor emitting end uses such as coffee roasting, composting, feed lots, refining, sewage treatment, or solid waste management and would not be considered an odor generator as identified in Valley Air District Guidance.[35] Furthermore, the RV dump station would be used only by paying customers, and in the event of incorrect use resulting in a spill, travel stop maintenance staff would immediately contain the waste with absorbent booms. Therefore, the proposed project would not be a generator of objectionable odors during operations. Minor sources of odors, such as exhaust from mobile sources, are not typically associated with numerous odor complaints but are known to have temporary and less concentrated odors. In summary, the proposed project's long-term operational activities would not have any substantial odor sources that would expose nearby receptors. Considering the low intensity of potential odor emissions, the proposed project's operational activities would not expose receptors to objectionable odor emissions.

Therefore, no significant adverse impacts are identified or anticipated with the implementation of MM AIR-1.

MM AIR-1 Implement Indoor PM_{10} and $PM_{2.5}$ Reduction Measures

To demonstrate compliance with Mojave Desert Air Quality Management District (MDAQMD) threshold of significance for toxic air contaminant (TAC) emissions, the project applicant shall provide the San Bernardino County Land Use Services Department with specifications in the construction plans, prior to the issuance of grading or building permits (whichever occurs earliest), demonstrating that new residences (including new mobile homes) included as part of the proposed project would install indoor air filtration systems with a Minimum Efficiency Reporting Value (MERV) of 13 or better to ensure that future residents do not experience a cancer risk exceeding 10 in one million.

To ensure long-term maintenance and replacement of the MERV filters in the individual units, the following shall occur:

- Developer, sale, and/or rental representative shall provide notification to all affected tenants/residents of the potential health risk for affected units.
- If all the land and units are under a single common ownership, the owner/property manager shall maintain and replace MERV filters in accordance with the manufacturer's recommendations. The property owner shall inform renters of increased risk of exposure to TACs when windows are open.

[35] San Joaquin Valley Air Pollution Control District (Valley Air District). 2015. Screening Levels for Potential Odor Sources. Guidance for Assessing and Mitigating Air Quality Impacts. February 19. Website: https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF. Accessed May 23, 2023.

- If the units are owned by individual residents, the Homeowner's Association (HOA) or Mobile Home Park Management, whichever is applicable, shall incorporate requirements for long-term maintenance in the Covenant Conditions and Restrictions and inform homeowners of their responsibility to maintain the MERV filter in accordance with the manufacturer's recommendations. The HOA or Mobile Home Park Management shall inform homeowners of increased risk of exposure to TACs when windows are open.

	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 United States 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 United States 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*; *Submitted Project Materials; Habitat and Jurisdictional Assessment for the Proposed Travel Stop and Live-Work Housing Park Located in the Community of Baker, San Bernardino County, California (ELMT Consulting); Delineation of State and Federal Jurisdictional Waters Report (ELMT Consulting)	

The analysis in this section is based, in part, on the Habitat and Jurisdictional Assessment (April 14, 2023)[36] and Delineation of State and Federal Jurisdictional Waters (April 2023)[37] prepared by ELMT Consulting, Inc (ELMT). These reports are provided in Appendix B.

Setting

ELMT Biologists conducted a literature review and records search that included a query of the California Department of Fish and Wildlife's (CDFW) QuickView Tool in the Biogeographic Information and Observation System (BIOS), California Natural Diversity Database (CNDDB) RareFind 5, the California Native Plant Society's (CNPS) Electronic Inventory of Rare and Endangered Vascular Plants of California, Calflora Database, compendia of special-status species published by CDFW, and the United States Fish and Wildlife Service (USFWS) species listings. This was completed for the *Baker, California* United States Geological Survey (USGS) 7.5-minute Topographic Quadrangle Map.

The project site is generally located north and west of I-15, east of SR-127, and south of the Silurian Hills in Baker, San Bernardino County, California. The proposed project site is composed of two disjunct parcels (northern and southern) in a primarily undeveloped area in the eastern outskirts of Baker. The two parcels are transected by Baker Boulevard, which runs southwest to northeast between them. The project site supports one plant community, creosote bush scrub, and two land cover types that would be classified as disturbed and developed (See Exhibit 4 of the Habitat and Jurisdictional Assessment, provided in Appendix B). Three unnamed ephemeral drainage features (Drainages 1, 2, and 3) were observed on the project site during the field delineation.

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*

[36] ELMT Consulting, Inc. 2023. Habitat and Jurisdictional Assessment Update for the Proposed Travel Stop and Live-Work Housing Park Located in the Community of Baker, San Bernardino County, California. April 14.

[37] ELMT Consulting, Inc. 2023. Delineation of State and Federal Jurisdictional Waters. Travel Stop and Live-Work Housing Park, Community of Baker, San Bernardino County, California. April.

plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?

Less than Significant Impact with Mitigation Incorporated. As discussed above, the proposed project was concluded to have no significant impacts on federally or State-listed species known to occur in the general vicinity of the project site. However, habitat in this area exists for nesting bird species, which are protected by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code.

Special-Status Plants

According to the CNDDB and CNPS, four special-status plant species have been recorded in the *Baker* quadrangle (see Attachment D of Habitat and Jurisdictional Assessment). No special-status plant species were observed on-site during the habitat assessment. Based on habitat requirements for specific special-status plant species, the availability and quality of on-site habitats, and isolation of the project site, it was determined that the project site has a low potential to support Borrego milk-vetch (*Astragalus lentiginosus var. borreganus*) and winged cryptantha (*Johnstonella holoptera*). These species are both CNPS list 4.3 plant species, with the Rank 4 meaning they are plants of limited distribution (a watch list species), and the 0.3 ranking meaning they are not very threatened in California. Further, these species are not regulated under the federal or California Endangered Species Act. Therefore, these species, if present, would not rise to the level of significance.

The project site was determined not to provide suitable habitat for any of the other special-status plant species known to occur in the area and they are all presumed to be absent from the project site. No focused surveys are recommended. As such, the proposed project would not have a significant impact on special-status plant species and no mitigation would be required.

Special-status Wildlife

According to the CNDDB, five special-status wildlife species have been reported in the *Baker* quadrangle (see Attachment C of Habitat and Jurisdictional Assessment, provided in Appendix B to this IS/MND). No special-status wildlife species were observed on-site during the field investigation. Because of the project site's isolation (mainly by I-15, Baker Boulevard, and existing developments) from surrounding undeveloped areas, the project site does not provide suitable habitat for special-status species known to occur in the area. Based on habitat requirements for specific species, the availability and quality of on-site habitats, and isolation of the project site, it was determined that the project site does not have potential to support any of the special-status wildlife species known to occur in the area and all are presumed to be absent from the project site. No focused surveys are recommended. As such, the proposed project would not have a significant impact on special-status wildlife species and no mitigation would be required.

Additionally, in accordance with the San Bernardino County Biotic Resources Overlay Map, the project site is located within areas mapped as supporting habitat of special concern for burrowing owl and desert tortoise–sparse population. No burrowing owls or recent sign (i.e., pellets, feathers, castings, or whitewash) were observed during the field

investigation. Portions of the project site are unvegetated and/or vegetated with a variety of low-growing plant species that allow for line-of-sight observation favored by burrowing owls. However, no suitable burrows (>4 inches) for roosting and nesting were observed within or near site boundaries. In addition, the site is bounded by electrical poles that provide perching opportunities for large raptors (i.e., red-tailed hawk [*Buteo jamaicensis*]) that prey on burrowing owls. Therefore, the project site was determined not to have potential to support burrowing owl.

No live desert tortoises, suitable burrows, or other sign were observed during the field investigation. The creosote bush scrub plant community supported by the project site has a low potential to provide suitable habitat for desert tortoise; however, the contiguous open space surrounding the site is fragmented and thoroughly isolated from other suitable open space nearby. As such, the project site was determined not to have potential to support desert tortoise. No further surveys are recommended for these species and no mitigation would be required.

The project site and surrounding area provide foraging and nesting habitat for year-round and seasonal avian residents, as well as migrating songbirds that could occur in the area. In addition, the undeveloped portions of the project site have the potential to provide suitable nesting opportunities for birds that nest on the open ground and those acclimated to routine disturbances (e.g., killdeer [*Charadrius vociferans*]). The billboards along the southern boundary of the project site provide suitable nesting opportunities for raptors; however, foraging habitat is limited for large raptors.

Nesting birds are protected pursuant to the MBTA and California Fish and Game Code (Sections 3503, 3503.5, 3511, and 3513 prohibit the take, possession, or destruction of birds, their nests or eggs). With the implementation of MM BIO-1a, which would require a pre-construction clearance survey within three days of the start of any vegetation removal if construction occurs between February 1 and August 31, and MM BIO-1b, which would require the avoidance of active avian nests, potential impacts to nesting bird species would be reduced to a less than significant level.

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 United States Fish and Wildlife Service?*

No Impact. The on-site drainage features only convey surface flows in direct response to precipitation and do not support riparian vegetation. The on-site creosote bush scrub plant community would fall under the general Larrea tridentata alliance, which has a Global Rank of 5 and a State Rank of 5 (G5, S5) and thus does not qualify as a CDFW Sensitive Natural Community. Therefore, the proposed project would have no impact on any riparian habitat or other sensitive natural community.

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?*

Less than Significant Impact with Mitigation Incorporated. Three unnamed ephemeral drainage features were observed within the boundaries of the project site

during the field delineation, all within the southern portion of the site. All three on-site drainages bear a surface hydrologic connection to downstream waters of the United States (Silver Lake) which may be considered jurisdictional by the United States Army Corps of Engineers (USACE). If any impacts occur to the drainages on-site, it may be necessary to acquire a USACE Clean Water Act Section 404 Permit. In addition, the drainages will fall under the regulatory authority of the Regional Water Quality Control Board (RWQCB) as waters of the State and CDFW as jurisdictional streambed. If any impacts to the drainages on-site occur, then for a USACE Section 404 Permit to be approved (if required), a Clean Water Act Section 401 Water Quality Certification from the RWQCB will be required. This would include a Section 401 Certification Application Fee, which is dependent on the amount and type of impacts (i.e., acreage, linear feet, and project type). Additionally, any impacts to the drainages will require a Section 1602 Streambed Alteration Agreement from the CDFW prior to project implementation. This would include a notification fee based on the term and cost of the project. The implementation of MM BIO-2, which would require the applicant to obtain the necessary authorizations from the applicable regulatory agencies prior to grading, would reduce any impact on jurisdictional waters to less than significant levels.

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?*

No Impact. According to the Countywide Plan, the project site has not been identified as occurring within a Wildlife Corridor or Linkage. The proposed project will be confined to existing areas that have been heavily disturbed and are isolated from regional wildlife corridors and linkages. In addition, there are no riparian corridors, creeks, or useful patches of steppingstone habitat (natural areas) within or connecting the site to a recognized wildlife corridor or linkage. As such, implementation of the proposed project is not expected to impact wildlife movement opportunities.

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

Less than Significant Impact. Section 88.01.060 of the County of San Bernardino Development Code provides regulations restricting the removal or harvesting of specified desert native plants in order to preserve and protect the plants and to provide for the conservation and wise use of desert resources. Based on the results of the field investigation, none of the desert native plant species that are protected by the San Bernardino County Development Code were observed on-site. Therefore, the proposed project would not conflict with any local policies or ordinances protecting biological resources. Impacts would be less than significant.

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?*

No Impact. According to the CDFW, there are no Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or State Habitat

Conservation Plans applicable to the project site.[38] Therefore, the project has no potential to conflict with any of the above and no impact would occur.

Therefore, no significant adverse impacts are identified or anticipated with the implementation of MM BIO-1a, MM BIO-1b, and MM BIO-2.

Mitigation Measures

MM BIO-1a Nesting Bird Pre-construction Surveys

In order to protect migratory bird species, a nesting bird clearance survey shall be conducted prior to any ground disturbance or vegetation removal activities that may disrupt the birds during the nesting season. If construction occurs between February 1 and August 31, a pre-construction clearance survey for nesting birds shall be conducted within 3 days of the start of any vegetation removal or ground-disturbing activities to ensure that no nesting birds will be disturbed during construction. The Biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests shall occur.

MM BIO-1b Avoidance of Active Avian Nests

If an active avian nest is discovered during the pre-construction clearance survey, construction activities must stay outside of a no-disturbance buffer. The size of the no-disturbance buffer shall be determined by the wildlife Biologist and shall depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, type and duration of construction activity, ambient noise, species habituation, and topographical barriers. These factors shall be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest shall be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A Biological Monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.

MM BIO-2 Acquire Permits from Regulatory Agencies

Impacts to on-site jurisdictional areas may require a United States Army Corp of Engineers (USACE) Clean Water Act Section 404 Permit (based on coordination with the USACE), a Regional Water Quality Control Board (RWQCB) Clean

[38] California Department of Fish and Wildlife (CDFW). 2023. NCCP Plan Summaries. Website: https://wildlife.ca.gov/Conservation/Planning/NCCP. Accessed June 15, 2023.

Water Act (CWA) Section 401 Water Quality Certification/or Waste Discharge Requirement Permit, and a California Department of Fish and Wildlife (CDFW) Section 1602 Lake or Streambed Alteration Agreement prior to project implementation. The applicant will acquire the applicable permits and compensate for the potential loss of regulated aquatic features at a ratio determined by the USACE (if necessary), RWQCB, and CDFW.

	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 Section 15064.5?	☐	☐	☐	☒
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐
c)	Disturb any human remains, including those outside of formal cemeteries?	☐	☒	☐	☐

SUBSTANTIATION:	(Check if the project is located in the Cultural ☐ or Palaeontologic ☐ Resources overlays or cite results of cultural resource review): ***Cultural Resources Assessment for Love's Travel Stop (ASM Affiliates, 2021) and Cultural Resources Assessment for Love's Mobile Home Park (ASM Affiliates, 2021)***
Countywide Plan; Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton; Submitted Project Materials	

Setting

This section describes the existing cultural resources setting and potential effects from the proposed project implementation on the project site and its surrounding area. Descriptions and analysis in this section are based on two Phase I Cultural Resources Reports prepared by ASM Affiliates in December 2021 (Appendix C).

Northwest Information Center Records Search

A record search and literature review for the project site and its 0.5-mile radius were conducted on November 10, 2021, at the South Central Coastal Information Center (SCCIC), located at California State University in Fullerton, California. The purpose of this review is to determine whether prehistoric or historical archaeological sites had previously been recorded within the study area, if the study area had been systematically surveyed by archaeologists prior to the initiation of this field study, and/or whether the region of the field project was known to contain archaeological sites and to thereby be archaeologically sensitive.

The results from the SCCIC indicated that no previous archaeological surveys had been completed within the project site prior to the studies completed by ASM Affiliates, although 15

surveys had been completed within 0.5 mile of the study areas. One cultural resource, which is both historic and prehistoric) was identified within a 0.5-mile radius of the project site.

Pedestrian Survey and Field Survey
A pedestrian survey was conducted by ASM Affiliates on September 21, 2021, with parallel transects spaced at 15-meter intervals across the study area. The total study area surveyed was approximately 23 acres. Prior to the survey, historical USGS topographic maps were consulted to identify and potential historic resources that may have been present.

Soils throughout the study area are sandy-silty alluvium with volcanic and granitic lithic casts ranging in size from gravel to small boulders. The study area consists of an empty field and road margins. Vegetative cover was minimal and ground surface visibility overall can be considered very good.

The study area was then examined with the field crew walking parallel transects spaced at 15-meter intervals in order to identify surface artifacts, archaeological indicators (e.g., shellfish or animal bone), and/or archaeological deposits (e.g., organically enriched midden soil). Special attention was paid to rodent burrow back dirt piles in the hope of identifying subsurface soil conditions that might be indicative of archaeological features or remains. No cultural resources were collected during the survey.

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

No Impact. CEQA Guidelines Section 15064.5 defines "historical resources" as resources listed in the California Register of Historic Resources (CRHR) or a local register, determined significant by the lead agency, or determined to be eligible by the California Historical Resources Commission for listing in the CRHR. The criteria for eligibility are generally set by the National Historic Preservation Act of 1966, which established the National Register of Historic Places (NRHP) and which recognizes properties that are significant at the federal, State, and local levels. To be eligible for listing in the NRHP and CRHR, a district, site, building, structure, or object must possess integrity of location, design, setting, materials, workmanship, feeling, and association relative to American history, architecture, archaeology, engineering, or culture.[39] In addition, unless the property possesses exceptional significance, it must be at least 50 years old to be eligible.

The records search conducted at the SCCIC determined that there are no historic resources within the project site. There is one historic resource within a 0.5-mile radius of the project site. The proposed project would not impact this resource, or any other historical resources located within a 0.5-mile radius of the proposed project boundaries. The project site does not contain any buildings, structures, or objects that could potentially qualify as historical resources under CEQA. Therefore, there would be no impacts to historic resources.

[39] National Register of Historic Places (NRHP). 2021. Publications of the National Register of Historic Places. Website: https://www.nps.gov/subjects/nationalregister/publications.htm. Accessed April 27, 2023.

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

Less than Significant Impact with Mitigation Incorporated. Section 15064.5 of the CEQA Guidelines defines significant archaeological resources as resources that meet the criteria for historical resources, as discussed above, or resources that constitute unique archaeological resources. A project-related significant adverse effect could occur if a project were to affect archaeological resources that fall under either of these categories.

Although the construction of the proposed project would require subsurface ground disturbance, results from the SCCIC indicate that there are no known archaeological resources within the project site. There is one recorded resource, which is both historic and prehistoric, within a 0.5-mile radius of the project site. Additionally, the pedestrian field survey produced negative results for indicators of undiscovered prehistoric and/or historic archaeological resources. As such, development of the proposed project has a very low potential to result in adverse effects or impacts to archaeological resources, and no additional archaeological work is recommended.

However, it is possible that earth-disturbing activities associated with construction of the proposed project could encounter previously undiscovered archaeological resources, including but not limited to stone, bone, wood, or shell artifacts or features, including hearths and structural elements. Damage or destruction of these resources would be a potentially significant impact.

MM CUL-1 sets forth the steps to be taken should any significant cultural resources be discovered during construction activities. Implementation of MM CUL-1 would ensure that potential impacts on archaeological resources are reduced to a less than significant level.

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

Less than Significant Impact with Mitigation Incorporated. The project site is undeveloped but has been disturbed by grading and disking activities. Therefore, the potential for the disturbance of any human remains is considered low. While it is highly unlikely that human remains exist within or near the project site, there is always a possibility that subsurface construction activities associated with the proposed project, such as grading or trenching, could potentially damage or destroy previously undiscovered human remains. In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and 5097.98 must be followed. MM CUL-2 further specifies the procedures to follow in the event human remains are uncovered. Along with compliance with required guidelines and statutes, implementation of MM CUL-2 would reduce potential impacts to human remains to a less than significant level**.**

Therefore, no significant adverse impacts are identified or anticipated with the implementation of MM CUL-1 and MM CUL-2.

Mitigation Measures

MM CUL-1 Inadvertent Discovery of Cultural Resources

In the event that buried cultural resources are discovered during construction, operations shall stop within 100 feet of the find and a qualified Archaeologist shall be consulted to determine whether the resource requires further study. The qualified Archaeologist shall make recommendations to the San Bernardino County (County) Land Use Services Department on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA criteria.

If the resources are determined to be unique historic resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the Archaeological Monitor and recommended to the County. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the lead agency approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the County where they would be afforded long-term preservation to allow future scientific study.

MM CUL-2 Inadvertent Discovery of Human Remains

In the event of an accidental discovery or recognition of any human remains, Public Resources Code Section 5097.98 must be followed. In this instance, once project-related earthmoving begins and if there is accidental discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner is contacted to determine whether the remains are Native American and if an investigation of the cause

of death is required. If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the "most likely descendant" of the deceased Native American. The Most Likely Descendant (MLD) may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resources Section 5097.98, or

2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the MLD or on the project site in a location not subject to further subsurface disturbance:
    - The NAHC is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission.
    - The descendant identified fails to make a recommendation.
    - The landowner or his authorized representative rejects the recommendation of the descendant and the mediation by the NAHC fails to provide measures acceptable to the landowner.

Therefore, no significant adverse impacts are identified or anticipated with the implementation of MM CUL-1 and MM CUL-2.

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: ***Countywide Plan; Submitted Materials; Project Energy Calculations (Appendix D)***

Setting

A discussion of the proposed project's anticipated energy usage is presented below. Energy use expected to be consumed by the proposed project was estimated and includes natural gas, electricity, and fuel consumption for project construction and operation. Energy calculations are included in Appendix D.

The project site is within the service area of SCE, which would provide electricity service to the project site during project operations. SCE is the primary electricity utility for much of Southern California. It provides 15 million people with electricity across a service territory of approximately 50,000 square miles.

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

Less than Significant Impact.

Construction Impacts

The project construction schedule is assumed to begin in early 2025 and last 12 months. If the construction schedule moves to later years, construction emissions would likely decrease because of improvements in technology and more stringent regulatory requirements as older, less efficient equipment is replaced by newer and cleaner equipment. The proposed project would require site preparation, grading, building construction, architectural coating, and paving. The construction phase would require energy for the manufacture and transportation of building materials, preparation of the site (e.g., demolition, site clearing, and grading), and the actual construction of the

building. Petroleum-based fuels such as diesel fuel and gasoline would be the primary sources of energy for these tasks.

The types of on-site equipment used during construction of the proposed project could include gasoline- and diesel-powered construction and transportation equipment, including trucks, rubber-tired bulldozers, excavators, graders, forklifts, and cranes. Construction equipment is estimated to consume a total of 40,104 gallons of diesel fuel over the entire construction duration (Appendix D).

Fuel use associated with construction vehicle trips generated by the proposed project was also estimated; trips include construction worker trips, haul truck trips for material transport, and vendor trips for construction material deliveries. Fuel use from these vehicles traveling to the project site was based on (1) the projected number of trips the proposed project would generate during construction, (2) average trip distances by trip type, and (3) fuel efficiencies estimated in the ARB Emissions Factor (EMFAC) mobile source emission model. The specific parameters used to estimate fuel usage are included in Appendix D. The proposed project is estimated to generate 72,479 Vehicle Miles Traveled (VMT)[40] and 3,592 gallons of combined gasoline and diesel for vehicle travel during construction. Table 5 shows the proposed project energy consumption during construction and operation.

Other equipment could include construction lighting, field services (office trailers), and electrically driven equipment such as pumps and other tools. Chapter 83 of the San Bernardino County Development Code exempts construction noise from noise level standards between the hours of 7:00 a.m. and 7:00 p.m., except on Sundays and federal holidays.[41] As on-site construction activities would be restricted to these hours, it is anticipated that the use of construction lighting would be minimal. Singlewide mobile office trailers, which are commonly used in construction staging areas, generally range in size from 160 square feet to 720 square feet. A typical 720-square-foot office trailer would consume approximately 11,945 kilowatt hours (kWh) during the construction phase (Appendix D).

The overall construction schedule and process is already designed to be efficient in order to avoid excess monetary costs. For example, equipment and fuel are not typically used wastefully due to the added expense associated with renting the equipment, maintaining it, and fueling it. Therefore, it is anticipated that the construction phase of the proposed project would not result in wasteful, inefficient, and unnecessary consumption of energy. Construction-related energy impacts would be less than significant.

[40] Based on the construction trips and construction trip lengths used to estimate air pollutant and GHG emissions (see Appendix A; *Air Quality and Greenhouse Gas Emissions Analysis Report*, pages 68-69 and *Air Quality and Greenhouse Gas Emissions Analysis Report*, Appendix A: CalEEMod Files). Because the proposed project would not require diversion of traffic during the construction period, construction VMT is not addressed in the transportation reports prepared for the project.

[41] San Bernardino County. County Code of Ordinances. Division 3, Chapter 83.01: General Performance Standards.

Operational Impacts

The proposed project would consume energy as part of building operations and transportation activities. Project energy consumption is summarized in Table 5.

Table 5: Estimated Project Energy Consumption

Energy Consumption Activity	Project Consumption
Construction Equipment Fuel	40,104 gallons of diesel
Construction Vehicle Fuel	3,592 gallons of gasoline and diesel
Construction Office Electricity	11,945 kWh
Operational Electricity Consumption	850,880 kWh/year
Operational Fuel Consumption–HHD Trucks	459,569 gallons of gasoline and diesel/year[1]
Operational Fuel Consumption–All other vehicles	479,741 gallons of primarily diesel/year[2]
Total Fuel Consumption (All Vehicles Combined)	939,310 gallons of gasoline and diesel/year

Notes:
HHD = heavy heavy-duty
kWh = kilowatt-hour
VMT = Vehicle Miles Traveled
[1] Based on the 2,898,100 annual VMT for HHD trucks consistent with CalEEMod output (Appendix A) and an average fuel consumption of 6.31 miles/gallon determined using Emission Factors Model (EMFAC) 2021 factors for San Bernardino County in the 2025 operational year (Appendix D).
[2] Based on the 12,849,060 annual VMT consistent with CalEEMod output (Appendix A) and an average fuel consumption of 26.78 miles/gallon determined using EMFAC2021 factors for San Bernardino County in the 2025 operational year (Appendix D).
Source: Appendix D.

The proposed project's building would be designed and constructed in accordance with the County's latest adopted energy efficiency standards, which are based on the State's Building Energy Efficiency Standards. These are widely regarded as the most advanced building energy efficiency standards and compliance would ensure that building energy consumption would not be wasteful, inefficient, or unnecessary. The proposed project would be all electric and would not use natural gas; therefore, the proposed project would use electricity as the primary energy source for buildings operation. Table 5 shows the overall project energy consumption during construction and operation.

Based on the analysis above, energy consumption resulting from construction and operation of the proposed project would not be considered wasteful, inefficient, or unnecessary; therefore, the proposed project would result in a less than significant impact.

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

Less than Significant Impact. The proposed project would be served with electricity provided by SCE. In 2021, SCE obtained 31.4 percent of its electricity from renewable

energy sources.[42] SCE also offers "Green Rate 50 percent" option that sources 65.7 percent of its power mix from eligible renewable energy sources, and "Green Rate 100 percent" option that sources 100 percent of its power mix from eligible renewable energy sources. Senate Bill 100 requires that utility providers to meet the target of 60 percent of electricity from renewable energy sources by 2030,[43] and SCE is on the way to meet the requirement. Therefore, the proposed project would meet the renewable energy requirement by utilizing electricity from SCE.

The proposed project would be designed in accordance with California's Energy Efficiency Standards. These standards include minimum energy efficiency requirements related to building, mechanical systems (e.g., HVAC and water heating systems), and indoor and outdoor lighting. The incorporation of the Title 24 standards into the design of the proposed project would ensure that the proposed project would not result in the use of energy in a wasteful manner.[44] Therefore, the proposed project would be consistent with the following energy-related policies from Countywide Plan:[45]

Natural Resources Element

Policy NR-1.9 Building design and upgrades: Use the CALGreen Code to meet energy efficiency standards for new buildings and encourage the upgrading of existing buildings to incorporate design elements, building materials, and fixtures that improve environmental sustainability and reduce emissions.

Renewable Energy and Conservation Element

Policy RE-1.1 Continue implementing the energy conservation and efficiency measures identified in the County of San Bernardino Greenhouse Gas Emissions Reduction Plan.

Policy RE-1.2 Optimize energy efficiency in the built environment.

In addition to the policies discussed above, the proposed project tenant and visitors would comply with heavy-duty truck idling limitations as trucks would unload and load goods to avoid fuel waste. The owners and operators of trucks and freight operations would comply with the Sustainable Freight Action Plan and phase in zero-emission trucks. Furthermore, the proposed project would include electric vehicle charging parking stalls and carpool and vanpool parking stalls on the project site as required by Title 24, which would encourage the use of clean air vehicles. Thus, the proposed

[42] Southern California Edison (SCE). 2021. 2021 Power Content Label. Website: https://www.sce.com/sites/default/files/custom-files/Web%20files/2021%20Power%20Content%20Label.pdf. Accessed May 30, 2023.
[43] California Energy Commission. 2023. Senate Bill 100. Website: https://www.energy.ca.gov/sb100. Accessed June 12, 2023.
[44] California Energy Commission. 2023. Building Energy Efficiency Standards–Title 24. Website: https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards. Accessed June 8, 2023.
[45] County of San Bernardino. 2023. Countywide Plan. Website: https://countywideplan.com/policy-plan/. Accessed May 23, 2023.

project would not conflict with the State's goals to minimize fossil fuel reliance with respect to transportation fuel consumption. As discussed in Section VIII, GHG Emissions, Impact question b), the proposed project would score 103 points in the County's GHG Screening Table and would therefore be above the minimum number of points required to reduce GHG impacts to less than significant levels (see further discussion in Section VIII GHG Emissions). In terms of energy policies, the proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Therefore, impacts would be less than significant.

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*
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; Countywide Plan Draft EIR; Geotechnical Engineering Reports***
Countywide Plan; Submitted Project Materials	

Setting*:*

The analysis in this section is based, in part, on the two Geotechnical Engineering Reports (Geotechnical Reports) completed for the proposed mobile home park and travel stop by Terracon Consultants, Inc. (Terracon) on October 29, 2021,[46,47] and on a paleontological records search.[48] These reports are included in Appendix E.

The Geotechnical Reports performed nearly identical assessments on the mobile home park and the travel stop components of the proposed project and produced identical results, the conclusions of which are summarized below.

The project site is located within the east-central portion of the Mojave Desert Geomorphic Province of Southern California, bounded on the southwest by the San Andreas Fault and the Transverse Ranges and on the northeast by the Garlock Fault. The project site is located on the distal portion of a broad, west-sloping, incised alluvial plain created by erosion and deposition of bedrock detritus carried from hills in the vicinity of the Cima volcanic field, as close as approximately 11 miles to the east. Surficial native materials at the site have been mapped as Quaternary-age alluvium.

Terracon conducted a subsurface investigation of the project site consisting of the advancement of six test borings to depths from approximately 6.5 to 21.5 feet below the existing grades on the proposed mobile home park site and the advancement of 29 test borings to depths ranging from approximately 5 to 51.5 feet below the existing grade on the proposed travel stop site. In general, the project site is underlain with medium dense to very dense poorly graded sand and silty sand to the maximum depth explored. Groundwater seepage was not observed and the Geotechnical Reports indicate that groundwater is not anticipated to impact construction at the project site.

Based on the soil properties encountered at the project site, the Geotechnical Reports conclude that the Seismic Site Classification for the project site is D. As such, the completion of a site-specific ground motion study may be necessary per the recommendation of a structural engineer. The site is located in the seismically active Southern California area. Specifically, the site is located east of the East Mojave Shear Zone, a zone of active faults characterized by large historic earthquakes and ground rupture. the peak ground acceleration (PGA_M) at the

[46] Terracon Consultants, Inc. 2021. Geotechnical Engineering Report Love's Travel Stop—Baker, Baker, San Bernardino County, California. October 29.
[47] Terracon Consultants, Inc. 2021. Geotechnical Engineering Report Proposed Live-Work Housing Park, Baker, San Bernardino County, California. October 29.
[48] Finger, K.L., PhD. 2023. Paleontological Records Search: Baker Truck Stop Project (4767.0005), City of Baker, San Bernardino County. July 3.

project site is expected to be 0.35 g. The project site is not located within an Alquist-Priolo Earthquake Fault Zone.

Based on the subsurface materials encountered at the project site and the lack of shallow groundwater, the potential for liquefaction at the project site is low and the Geotechnical Report estimated that the total seismic settlement would be less than 1 inch, with differential settlement values at less than 0.5 inches.

Additionally, Terracon performed hydro-consolidation testing and corrosivity testing on selected samples from the travel stop project site. Hydro-consolidation testing evaluated the potential deformation that may result from the addition of water to the subsurface soils. Testing was performed on three relatively undisturbed soil samples. The results indicated collapse potentials of 2 percent, 5.4 percent and 3.8 percent. However, the Geotechnical Report for the travel stop notes that sample disturbance may have contributed to the measured hydro-collapse laboratory results. Results of the corrosivity testing indicated negligible sulfate concentrations. The Geotechnical Report for the proposed travel stop recommended an experienced corrosion engineer be retained to design a suitable corrosion protection system for underground metal structure or components.

Overall, both Geotechnical Reports concluded that the project site is suitable for construction of the proposed project based on the geotechnical conditions encountered in the test borings, provided that the recommendations from both Geotechnical Reports are implemented in the design and construction phases of the proposed project.

County Overlay Maps

The County has developed several Zoning and Overlay Maps, including the San Bernardino County Land Use Plan Geologic Hazard Overlays map. According to the Geologic Hazard Overlays map, the project site is not located within a liquefaction or a landslide susceptibility, nor is the project site located near a County Designated Fault Zone or an Earthquake Fault Zone Boundary.[49]

Paleontological Resources

A paleontological records search of the University of California Museum of Paleontology (UCMP) database was conducted by Dr. Kenneth Finger for the project site. The entire project site and surrounding 0.5-mile search area are located solely on Holocene alluvium (Qal), which is too young to be considered fossiliferous. The nearest fossil record locality identified by the UCMP database is located several miles northwest of Baker.[50]

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

[49] San Bernardino County. San Bernardino County Land Use Plan Geologic Hazard Overlays. Website: www.sbcounty.gov/Uploads/lus/GeoHazMaps/CIDIC.pdf. Accessed April 17, 2023.

[50] Finger, K.L., PhD. 2023. Paleontological Records Search: Baker Truck Stop Project (4767.0005), City of Baker, San Bernardino County. July 3.

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.

Less than Significant Impact. The project site is located within a seismically active region, specifically the east-central portion of the Mojave Desert Geomorphic Provence of Southern California, which is bounded to the southwest by the San Andreas Fault and to the northeast by the Garlock Fault. According to the Geotechnical Reports, the Baker Fault is located approximately 4.97 miles west of the project site and poses the greatest potential for seismic hazard.

No known faults traverse the project site, and the project site is not located within an Alquist-Priolo Earthquake Fault Zone.[51] As noted above, the project site is not located near a County Designated Fault Zone or an Earthquake Fault Zone Boundary as identified by the County.[52] The proposed project would be required to adhere to all requirements of the most recent California Building Standards Code (CBC) for reducing seismic hazards. As such, the proposed project would result in less than significant impacts related to the rupture of a known earthquake fault.

ii) Strong seismic ground shaking?

Less than Significant Impact With Mitigation Incorporated. The project site is located in a seismically active region of Southern California and would therefore be subject to strong ground shaking associated with seismic activity. Generally, the intensity of ground shaking depends on the earthquake's size, location, and distance. As noted above, the proposed project is approximately 4.97 miles east of the Baker Fault, which is assigned a maximum magnitude of 7.8. Faults located a further distance from the project site, such as the Garlock Fault, also represent significant seismic hazards. As noted above, the project site is not located near a County Designated Fault Zone or an Earthquake Fault Zone Boundary.

Both Geotechnical Reports concluded that the peak ground acceleration (PGA_M) is expected to be 0.35 g. Additionally, the Countywide Plan Draft EIR identifies the project site and the surrounding areas as possessing a low earthquake hazard. These regions are described as distant from known, active faults and are expected to experience lower levels of shaking less frequently.[53]

Based on the soil properties encountered at both the mobile home park site and the travel stop site, the Geotechnical Reports conclude that the project site's Seismic Site Classification is D. The 2022 CBC requires that a site-specific ground motion study be

[51] Southern California Earthquake Data Center. 2023. Faults of Southern California Mojave Region. Website: https://scedc.caltech.edu/earthquake/mojave.html. Accessed March 9, 2023.

[52] San Bernardino County. San Bernardino County Land Use Plan Geologic Hazard Overlays. Website: www.sbcounty.gov/Uploads/lus/GeoHazMaps/CIDIC.pdf. Accessed April 17, 2023.

[53] San Bernardino County. 2019. San Bernardino Countywide Plan Draft Environmental Impact Report, Chapter 5.6 Geology and Soils. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/01/Ch_05-06-GEO.pdf. Accessed March 9, 2023.

performed for Site Class D sites with a mapped as having 1-second spectral acceleration (S_1) values greater than or equal to 0.2.

Both the mobile home park site and the travel stop site were found to have S_1 values of 0.236. However, the 2022 CBC includes an exception from site-specific ground motion studies on Site Class D sites if the proposed development does not include very tall and or flexible structures. The Geotechnical Reports conclude that this exception applies to the proposed project, however, it is recommended that a structural engineer verify the applicability of this exception.

Given these findings, the Geotechnical Reports conclude that the project site is suitable for development of the proposed project, provided that MM GEO-1 is implemented, which would require implementation of the recommendations contained in the Geotechnical Reports. Furthermore, the proposed project would be required to adhere to all requirements of the most recent CBC for reducing seismic hazards. Compliance with these standards and implementation of MM GEO-1 would ensure that impacts related to seismic ground shaking would be reduced to less than significant levels.

iii) Seismic-related ground failure, including liquefaction?

Less than Significant Impact. Liquefaction is a type of ground failure which results from the generation of high pore-water pressures during earthquake ground shaking, leading to a loss of shear strength. Liquefaction is typically a hazard where loose sandy soils exist below groundwater.

The San Bernardino County Land Use Plan Geologic Hazard Overlays map for the Baker area designates certain areas as possessing low, medium, and high generalized liquefaction potential. The Geologic Hazard Overlay maps identifies the project site as located within an area of low liquefaction potential.[54, 55,56] The Geotechnical Reports found that subsurface materials at the project site generally consist of dense to very dense, poorly graded sand and silty sand. Groundwater was not encountered during the geotechnical exploration. The Geotechnical Reports concluded that the potential for liquefaction at the project site is considered low. Therefore, impacts associated with seismic-related ground failure, including liquefaction, would be less than significant.

iv) Landslides?

Less than Significant Impact. The project site is located in a flat area surrounded by existing development and vacant land. There are no steep slopes surrounding the project site. Furthermore, the San Bernardino County Land Use Plan Geologic Hazard Overlays map for the Baker area does not identify the project site or the surrounding

[54] Terracon Consultants, Inc. 2021. Geotechnical Engineering Report, Love's Travel Stop—Baker. October 29.
[55] Terracon Consultants, Inc. 2021. Geotechnical Engineering Report, Proposed Live-Work Housing Park. October 29.
[56] San Bernardino County. 2007. San Bernardino County Land Use Plan General Plan Geologic Hazard Overlay Maps, CIDI C. Website: www.sbcounty.gov/Uploads/lus/GeoHazMaps/CIDIC.pdf. Accessed May 15, 2023.

area as susceptible to landslide hazards. Therefore, the proposed project would not be subject to landslides and impacts would be less than significant.

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

Less than Significant Impact. Construction activities such as clearing, grading, and excavation could disturb surface soils and make them vulnerable to wind and precipitation, which could lead to soil erosion. Projects that disturb one or more acres of soil are required to obtain a General Permit for Discharges of Stormwater Associated with Construction Activity (Construction General Permit), issued by the California State Water Resources Control Board (State Water Board). The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must list Best Management Practices (BMPs) that the proposed project would implement to control erosion and prevent the conveyance of sediments off-site. Implementation of the conditions of the Construction General Permit would reduce erosion impacts resulting from proposed construction to less than significant levels. Furthermore, Development Code Chapter 85.11.030 requires standard erosion control practices to be implemented for all construction.

As the project site is currently undeveloped, implementation of the proposed project would result in an increase in impervious surfaces and landscaping which would further minimize soil exposure and erosion risk. Therefore, impacts related to substantial soil erosion and the loss of topsoil would be less than significant.

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?*

Less than Significant Impact. As discussed above, the Geotechnical Reports concluded that the project site has a low potential for liquefaction. Further, the Geotechnical Reports found that the relative density of the soils at the project site were medium dense to very dense and estimated that the total seismic settlement would be less than 1 inch, with differential settlement values at less than 0.5 inches. The project site is located in a generally flat area with no steep slopes on or near the site, therefore the likelihood of on- or off-site landslide is low.

According to Countywide Plan Draft EIR Figure 5.6-4, Land Subsidence Potential, the project site is located in an area with insufficient data to estimate potential for subsidence. Land subsidence can occur in the Desert Regions due to groundwater extraction, particularly near dry lakebeds in the Mojave and Morongo basins. Groundwater was not encountered at the project site within the maximum depths of exploration.[57] Therefore, impacts related to on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse is less than significant.

[57] San Bernardino County. 2019. San Bernardino Countywide Plan Draft Environmental Impact Report, Chapter 5.6 Geology and Soils. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/01/Ch_05-06-GEO.pdf. Accessed March 9, 2023.

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?*

Less than Significant Impact. Expansive soils are soils with a significant amount of clay particles that have the ability to give up water (shrink) or take on water (swell). Fine-grained soils, such as silts and clays, may contain variable amounts of expansive clay minerals. When these soils swell, the change in volume exerts significant pressures on loads that are placed on them. This shrink/swell movement can adversely affect building foundations, often causing them to crack or shift, resulting in damage to the buildings they support.

According to the Countywide Plan Draft EIR, the Desert Regions possess low to moderately expansive soils. The Geotechnical Reports describes project site soils as very dense, poorly graded sand and silty sand. It can be reasonably assumed, then, that due to the lack of clay materials in the soil the project site does not contain expansive soils. Therefore, the proposed project would not be located on expansive soils and impacts would be less than significant.

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?*

No Impact. The proposed project would receive sanitary sewer services from Baker CSD. No septic tanks or alternative wastewater disposal systems would be used in either of the proposed project components. There would be no impacts.

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

Less than Significant Impact With Mitigation Incorporated. Both components of the proposed project are located solely on Holocene alluvium, which is too young to be fossiliferous. No older units are nearby to suggest they may extend into the shallow subsurface of the project site. According to a paleontological record search of the UCMP database focused on the Baker quadrangle, the nearest fossil records to the project site are a cluster of three Miocene mammal localities a few miles northwest of Baker. Therefore, a paleontological walkover survey of the project site or paleontological monitoring of earth-disturbing construction activities are not required.[58]

While Holocene-age alluvium is generally considered to have a low potential to contain significant fossils at the surface, there is a potential for significant fossils to occur in the subsurface. Although it is unlikely that any significant fossils (i.e., bones, teeth, or unusually abundant and well-preserved invertebrates or plants) would occur in the subsurface at the project site, if construction activities would encounter (and inadvertently destroy) significant fossils during construction, that would be a potentially significant impact.

[58] Finger, K.L., PhD. 2023. Paleontological Records Search: Baker Truck Stop Project (4767.0005), City of Baker, San Bernardino County. July 3.

To ensure significant fossils would not be impacted during construction, implementation of MM GEO-2 would be required. MM GEO-2 would require that work stop in the event that a fossil discovery is made during construction and that a qualified paleontologist determine the significance of the find before work can proceed. If significant fossil discoveries are made and cannot be feasibly avoided, an excavation plan shall be prepared to ensure proper protocols are followed to preserve and move the specimen. Implementation of MM GEO-2 would ensure that unique paleontological resources are not impacted. Impact to paleontological resources would be less than significant with mitigation incorporated.

Mitigation Measures

MM GEO-1 Adherence to All Geotechnical Engineering Reports Recommendations

The project applicant/sponsor shall ensure that all construction practices follow all recommendations listed in the Geotechnical Engineering Report Love's Travel Stop-Baker and the Geotechnical Engineering Report Proposed Live-Work Housing Park, both prepared by Terracon on October 29, 2021. Prior to issuance of building permits, the applicant/sponsor shall incorporate all recommendations from the Geotechnical Exploration Report into project plans, which will be submitted to San Bernardino County for review and approval.

MM GEO-2 Unexpected Discovery of Paleontological Resources

In the event that fossils or fossil-bearing deposits are discovered during construction activities, excavations within a 50-foot radius of the find shall be temporarily halted or diverted. The project contractor shall notify a qualified Paleontologist to examine the discovery. The Paleontologist shall document the discovery as needed (in accordance with Society of Vertebrate Paleontology [SVP] standards), evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The Paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction activities are allowed to resume at the location of the find. If the applicant determines that avoidance is not feasible, the Paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The excavation plan shall be submitted to the lead agency for review and approval prior to implementation, and the applicant shall adhere to the recommendations in the excavation plan.

Therefore, no significant adverse impacts are identified or anticipated with the implementation of MM GEO-1 and MM GEO-2.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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; Submitted Project Materials; Air Quality and Greenhouse Gas Emissions Report (included as Appendix A); San Bernardino County Regional Greenhouse Gas Reduction Plan

Setting

The proposed project is within the San Bernardino County portion of the MDAB, which is under the jurisdiction of the MDAQMD. The MDAQMD has adopted GHG emissions thresholds in its CEQA Guidelines but has not adopted a comprehensive strategy for reducing GHG emissions. The MDAQMD threshold is 100,000 tons of carbon dioxide equivalent (CO_2e) per year or 548,000 pounds per year; however, the County has adopted a Greenhouse Gas Reduction Plan that includes a development review process that is used for this analysis. Descriptions and analysis in this section are based on the Air Quality and Greenhouse Gas Emissions Report prepared by FCS, dated June 9, 2023 (Appendix A) and the County of San Bernardino Greenhouse Gas Emissions Screening Tables (Appendix F).

County of San Bernardino Greenhouse Gas Reduction Plan

In January of 2012, the County adopted the County of San Bernardino Greenhouse Gas Emissions Reduction Plan (GHG Plan),[59] and the plan was updated in 2021.[60] The GHG Plan is based on the premise that the County and the community it represents are uniquely capable of addressing emissions associated with sources under the County's jurisdiction and that the County's emission reduction efforts should coordinate with the State strategies of reducing emissions in order to reduce emissions in an efficient and cost-effective manner. This GHG Plan presents a comprehensive set of actions to reduce the GHG emissions within the

[59] County of San Bernardino. 2011. County of San Bernardino Greenhouse Gas Emissions Reduction Plan. Website: http://www.sbcounty.gov/Uploads/lus/GreenhouseGas/FinalGHGFull.pdf. Accessed June 2, 2023.

[60] County of San Bernardino. 2021. San Bernardino County Regional Greenhouse Gas Reduction Plan. Website: https://www.gosbcta.com/wp-content/uploads/2019/09/San_Bernardino_Regional_GHG_Reduction_Plan_Main_Text_Mar_2021.pdf Accessed June 2, 2023.

unincorporated County area 40 percent below the 2016 levels of emissions by 2030, consistent with Senate Bill (SB) 32.

The 2021 update summarizes the County's historic and future GHG emissions and the reduction targets the County has established; the local reduction strategies that will be implemented at the community level to meet the reduction targets; and the implementation of the measures, potential funding sources, and how the updated GHG Plan will be monitored and updated over time.

The County's GHG emission development review process provides procedures for evaluating GHG impacts and determining significance for CEQA purposes. The development review process streamlines the process by (1) applying a uniform set of performance standards to all development projects and (2) utilizing Screening Tables to mitigate project GHG emissions. Projects will have the option of preparing a project-specific technical analysis to quantify and mitigate GHG emissions. A review standard of 3,000 metric ton (MT) CO_2e per year is used to identify projects that require the use of Screening Tables or a project-specific technical analysis to quantify and mitigate project emissions. Projects that exceed the 3,000 MT CO_2e per year are required to either achieve a minimum 100 points per the Screening Tables or a 31 percent reduction over 2007 emissions levels.[61]

County of San Bernardino Countywide Plan

The Countywide Plan was adopted in 2020 and establishes the following applicable objectives and policies that are relevant to the project:

Natural Resources Element

Policy NR-1.7 Greenhouse gas reduction targets

> Strive to meet the 2040 and 2050 greenhouse gas emission reduction targets in accordance with State law.

Policy NR-1.9 Building design and upgrades

> Use the CALGreen Code to meet energy efficiency standards for new buildings and encourage the upgrading of existing buildings to incorporate design elements, building materials, and fixtures that improve environmental sustainability and reduce emissions.

[61] County of San Bernardino. 2021. Greenhouse Gas Emissions Development Review Process Screening Tables. Website: http://www.sbcounty.gov/uploads/LUS/GreenhouseGas/GHG_2021/GHG%20Revised%20Screening%20Tables%20-%20Adopted%209-20-2021.pdf. Accessed May 29, 2023.

Renewable Energy and Conservation Element

Policy RE-1.1 Continue implementing the energy conservation and efficiency measures identified in the County of San Bernardino Greenhouse Gas Emissions Reduction Plan.

Policy RE-1.2 Optimize energy efficiency in the built environment.

Waste Diversion

With the passage of SB 1016, the Per Capita Disposal Measurement System, only per capita disposal rates are measured. Targets are based on the per capita disposal rates. As of 2021, the County of San Bernardino has a disposal rate target of 6.2 pounds per capita (per resident) and 43.3 pounds per capita (per employee). The County has met both targets and has an annual disposal rate of 5.9 pounds per capita (per resident) and 31.5 pounds per capita (per employee).[62]

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

Less than Significant Impact. The proposed project would generate GHG emissions during construction activities, resulting from emission sources such as construction equipment, haul trucks, and construction worker vehicles. Although these emissions would be temporary and short-term in nature, they could represent a substantial contribution of GHG emissions. Construction emissions were modeled using CalEEMod Version 2022.1. Table 6, below, shows the annual construction GHG emissions.

Table 6: Proposed Project Construction GHG Emissions

Construction Activity	Total GHG Emissions (MT CO_2e per year)
Frontage Construction	16
Site Preparation	25
Grading	105
Building Construction	215
Paving	75
Architectural Coating	1
Total Construction Emissions	**437**
Emissions Amortized Over 30 Years[1]	**15**
Notes:	

[62] California Department of Resources Recycling and Recovery (CalRecycle). 2021. Disposal Rate Calculator. San Bernardino-Unincorporated. Website: https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/DisposalRateCalculator. Accessed May 24, 2023.

GHG = greenhouse gas
MT CO_2e = metric tons carbon dioxide equivalent
[1] Construction GHG emissions are amortized over the 30-year lifetime of the proposed project.
Source: Appendix A (*Air Quality and Greenhouse Gas Emissions Analysis Report*, Table 18 on page 92).

As shown above, the proposed project would generate approximately 437 MT CO_2e during construction.

Operation

Operational or long-term emissions occur over the life of the project. Project operations were modeled for the 2026 operational year, immediately following the completion of construction. Sources for operational emissions are summarized below and are described in more detail in Appendix A, Modeling Parameters and Assumptions (*Air Quality and Greenhouse Gas Emissions Analysis Report*, pages 65–73). The project applicant indicated that the proposed project would be all electric for now due to no access to natural gas sources. However, it does not exclude future connection to natural gas, and natural gas estimation remains in the modeling results for informational disclosure. Sources for operational GHG emissions include:

- **Motor Vehicles:** These emissions refer to GHG emissions contained in the exhaust from the cars and trucks that would travel to and from the project site.
- **Natural Gas:** These emissions refer to the GHG emissions that occur when natural gas is burned on the project site. Natural gas uses could include heating water, space heating, dryers, stoves, or other uses.
- **Indirect Electricity:** These emissions refer to those generated by off-site power plants to supply electricity required for the project.
- **Area Sources:** These emissions refer to those produced during activities such as landscape maintenance.
- **Water Transport:** These emissions refer to those generated by the electricity required to transport and treat the water to be used on the project site.
- **Waste:** These emissions refer to the GHG emissions produced by decomposing waste generated by the project.
- **Refrigerants:** These emissions refer to leakages of refrigerants (hydrofluorocarbons) from air conditioners and any refrigeration systems. Hydrofluorocarbons are typically used for refrigerants, which are long-lived GHGs.

Table 7 presents the estimated annual GHG emissions from the proposed project's operational activities. As shown in Table 7, the proposed project would generate

approximately 10,172 MT CO_2e per year after the inclusion of amortized 15 MT CO_2e per year from project construction.

Table 7: Operational Greenhouse Gas Emissions

GHG Emissions Source	GHG Emissions (MT CO_2e per year)
Area	12
Energy	237
Water	11
Waste	14
Refrigerant	330
Mobile–HHD	5,059
Mobile–vehicles other than HHD	4,493
Amortized Construction Emissions	15
Total Annual Project Emissions	**10,172**
County Threshold	**3,000**
Exceed County Threshold?	**Yes**

Notes:
Energy includes natural gas and electricity emissions
MT CO_2e = metric tons carbon dioxide equivalent
Source of County Threshold: San Bernardino County. 2021. County of San Bernardino Greenhouse Gas Emissions Development Review Process Screening Tables. September. Website: http://www.sbcounty.gov/uploads/LUS/GreenhouseGas/GHG_2021/GHG%20Revised%20Screening%20Tables%20-%20Adopted%209-20-2021.pdf. Accessed May 31, 2023.
Source of Emissions and Table: Appendix A (*Air Quality and Greenhouse Gas Emissions Analysis Report*, Table 19 on pages 93-94).

As shown in Table 6 and Table 7, the proposed project's construction and operational GHG emissions would be 10,172 MT CO_2e per year and would exceed the screening threshold of 3,000 MT CO_2e per year. The proposed project must then achieve a minimum of 100 points per the County of San Bernardino Greenhouse Gas Emissions Screening Tables (Screening Tables) provided within the GHG Plan by incorporating certain construction or design measures in order to reduce GHG impacts to less than significant levels. The pertinent Screening Table (Screening Table for Implementing GHG Performance Standards for Commercial Development and Public Facilities) is included in Appendix F. The proposed project's construction, design, and equipment were compared to measures detailed in the Screening Table. Multiple features from the construction and operation of the proposed project were identified as measures contained in the Screening Table, including, but not limited to, the proposed project's implementation of very high efficiency lighting, all-electric buildings, water efficient fixtures, and electric vehicle (EV) charging facilities. Overall, the proposed project

would score 103 points in the County's GHG Screening Table and would therefore be above the minimum number of points required to reduce GHG impacts to less than significant levels. As such, the proposed project would have a less than significant impact related to GHG emissions.

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

Less than Significant Impact. This impact is addressed by assessing the proposed project's consistency with the ARB's adopted 2017 Scoping Plan Update, 2022 Scoping Plan Update, and the County's GHG Plan. This would be achieved with an assessment of the proposed project's compliance with applicable Scoping Plan measures and Climate Action Plan (CAP) measures as addressed below.

Senate Bill 32 2017 Scoping Plan Update

The 2017 Climate Change Scoping Plan Update addressing the SB 32 targets was adopted on December 14, 2017. Table 20 in Appendix A provides an analysis of the proposed project's consistency with the 2017 Scoping Plan Update measures (*Air Quality and Greenhouse Gas Emissions Analysis Report*, Table 20 on pages 95-96). As shown in Table 20 in Appendix A, many of the measures are not applicable to the proposed project, while the proposed project is consistent with strategies that are applicable, including Mobile Source Strategy (Cleaner Technology and Fuels Scenario), and Short-Lived Climate Pollutant Reduction Strategy.

2022 ARB Scoping Plan

As explained earlier, the 2022 Scoping Plan addresses the recent signing of Assembly Bill (AB) 1279, which codified Executive Order B-55-18's target for California to achieve and maintain carbon net neutrality by 2045 (equivalent to a reduction in Statewide anthropogenic GHG emissions of 85 percent below 1990 levels). The 2022 Scoping Plan establishes a scenario by which the State may achieve this goal by 2045 or earlier.

The 2022 Scoping Plan reaffirms and clarifies the role of local governments in achieving the State's climate goals, particularly as it concerns the approval of new land use development projects and their environmental review under CEQA. It outlines three distinct approaches that lead agencies may consider for evaluating the consistency of proposed plans and residential and mixed-use development projects with the State's climate goals:

- The first approach involves consistency with a GHG reduction plan, such as a CEQA-qualified CAP.
- The second approach involves determining whether a project would result in net-zero GHG emissions.
- The third approach involves assessing a project's consistency with key project attributes that have been demonstrated to reduce operational GHG emissions while advancing fair housing.

In other words, the 2022 Scoping Plan considers these approaches to evaluate whether a project may have a less than significant impact on GHG emissions. An evaluation of the project's consistency with the Scoping Plan serves as a roadmap for evaluating a project's current design and to determine whether it complies with current policies and planned reduction measures for GHG emissions. The comparison of a project design to Scoping Plan proposals is not by itself a metric for determining project-level significance but a step in showing how the project supports current regulations and is aligned with future GHG reduction strategies in development stages.

Table 21 in Appendix A evaluates the proposed project's consistency with the 2022 Scoping Plan (*Air Quality and Greenhouse Gas Emissions Analysis Report*, Table 21 on pages 97–99). Many of the measures are not applicable to the proposed project, while the proposed project is consistent with strategies that are applicable, including decarbonizing buildings and reducing non-combustion emissions. As such, the proposed project would be consistent with the Scoping Plan.

County of San Bernardino Greenhouse Gas Reduction Plan

As discussed above, all development projects, including those otherwise determined to be exempt from CEQA, will be subject to applicable Development Code provisions in the County GHG Plan, including the GHG performance standards, State requirements, such as the CBC requirements for energy efficiency. Projects that exceed the review standard of 3,000 MT CO_2e per year, such as the proposed project, are required to achieve at minimum 100 points worth of GHG performance standards listed in the County Screening Table. The point system in the Screening Tables was devised to ensure project compliance with reduction measures in the GHG Plan such that the GHG emissions from new development, when considered together with those existing development, will allow the County to reduce GHG emissions, consistent with State-level GHG reduction goals. As discussed above, the proposed project would score 103 points in the County's GHG Screening Table as shown in Appendix F and would therefore be above the minimum number of points required to reduce GHG impacts to less than significant levels. As such, the proposed project would be consistent with the County GHG Plan and the proposed project's impact would be less than significant.

Conclusion

In summary, the proposed project is consistent with applicable strategies and would not conflict with the recommendations and reduction measures outlined in the 2017 Scoping Plan addressing the SB 32 targets, 2022 Scoping Plan, and the County GHG Plan. Considering this information, the proposed project would not conflict with any applicable plan, policy, or regulation of an agency adopted to reduce the emissions of GHGs. Therefore, the impact would be less than significant.

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
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:

Countywide Plan; Countywide Plan Draft EIR; Phase I Environmental Site Assessment

Setting

The analysis in this section is based, in part, on the Phase I Environmental Site Assessment[63] (Phase I ESA) prepared for the proposed project by Terracon Consultants, Inc. (Terracon) on October 19, 2021. The Phase I ESA can be found in Appendix G. Information in the Phase I ESA covers both components of the proposed project.

Hazardous materials, as defined by the California Code of Regulations, are substances with certain physical properties that could pose a substantial present or future hazard to human health or the environment when improperly handled, disposed, or otherwise managed. Hazardous materials are grouped into the following four categories, based on their properties:

i. Toxic—causes human health effects
ii. Ignitable—has the ability to burn
iii. Corrosive—causes severe burns or damage to materials
iv. Reactive—causes explosions or generates toxic gases

Hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. The criteria that define a material as hazardous also define a waste as hazardous. If improperly handled, hazardous materials and hazardous waste can result in public health hazards if released into the soil or groundwater or through airborne releases in vapors, fumes, or dust. Soil and groundwater having concentrations of hazardous constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer. California Code of Regulations, Title 22, Sections 66261.20–24 contains technical descriptions of toxic characteristics that could cause soil or groundwater to be classified as hazardous waste.

A Recognized Environmental Condition (REC) refers to (1) the presence of hazardous substances or petroleum products in, on, or at the project site due to a release to the environment, (2) the likely presence of hazardous substance or petroleum products in, on, or at the project site due to a release or likely release to the environment, or (3) the presence of hazardous substances or petroleum products in, on, or at the project site under conditions that pose a material threat of a future release to the environment.[64]

Phase I ESA

Terracon prepared a Phase I ESA to determine whether RECs were present within the project site.

Based on Terracon's review of historical information, the project site consisted of undeveloped or vacant desert scrubland from as early as 1953 through the present day. The surrounding properties also consisted of undeveloped or vacant desert scrubland to the east and the south of the project site and apparent residential or commercial structures to the west of the northern portion of the project from as early as 1953. By 1973, residential dwellings or commercial structures, and a trailer park appeared, followed by Lakeview Drive, north of the northern portion of the project site. Further development of commercial structures or residential dwellings was apparent on the land to the west of the project site. By 2005, the United States Postal Service and Paradise Mobile Home Park were present to the north of the project site. By 2013, the land to the west of the project site appeared to be redeveloped to include Ken's Towing and Grewal

Travel Center, followed by the development of MB Auto Repair by 2016. These uses have remained consistent through the present day.

Terracon reviewed selected federal and State environmental regulatory databases as well as responses from State and local regulatory agencies. The project site was not identified in the regulatory databases, and no additional was warranted at the time that the Phase I ESA was completed.

State databases do list the adjacent Baker Travel Plaza but do not list any violations associated with its operations and do not identify any RECs that could affect development of the proposed project site.

In conclusion, Terracon did not identify RECs or Controlled RECs (CRECs) associated with the project site and, as such, no additional investigation was warranted at the time that the Phase I ESA was completed.

a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Less than Significant Impact with Mitigation Incorporated.

Construction

Construction of the proposed project would involve the routine transport, use, and disposal of hazardous materials consistent with applicable federal, State, and local regulations. Any hazardous waste that could be generated because of construction activities would be disposed of in compliance with existing applicable regulations. Additionally, it is anticipated that nonhazardous waste would be produced during construction, such as construction debris and other solid waste. Such debris would be properly disposed of in local landfills. Furthermore, based on the limited term of construction, the small quantities of these substances, and the presence of regulatory oversight, the potential for releases to the environment is minimal. The proposed project would also be required to adhere to Occupational Safety and Health Administration (OSHA) and the California Division of Occupational Safety and Health (Cal/OSHA) standards for the protection of employees ongoing throughout construction activities. Therefore, construction of the proposed project would have a less than significant impact to the public or the environment through the routine transport, use, or disposal of hazardous wastes.

Operation

The proposed project consists of the construction of travel stop with an auto fueling island with 16 gas fueling positions, a truck fueling island with seven diesel fueling positions, a truck scale, an RV dump station, a 5,000-square-foot dog park, and five bioretention

[63] Terracon. 2021. Phase I Environmental Site Assessment, Love's Travel Stope Baker – CA – ENV, Baker Boulevard and Caltrans Avenue, Baker, San Bernardino, California 92364. October 19.

[64] ASTM International. 2021. ASTM E1527-21. Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. December 21. Website: https://www.astm.org/e1527-21.html. Accessed June 14, 2023.

areas, as well as the construction of a mobile home park with eight mobile homes. The travel stop component of the proposed project would also include a 12,200-square-foot building consisting of a 9,600-square-foot convenience store and 2,600-square-foot branded restaurant, above ground diesel storage tanks, below ground storage tanks, and a trash enclosure and utility yard.

Operation of the non-fueling components of the proposed travel stop, such as the convenience store, fast-food restaurant, dog park, trash enclosure, and landscaping would likely require the use of common hazardous materials, such as cleaning products, pesticides, fertilizers, solvents, etc., that are typical of use for cleaning and landscaping activities. As noted above, the travel stop would also include fueling islands with 16 gas fueling positions and seven diesel fueling positions, above ground diesel storage tanks, below ground storage tanks, and a utility yard. These components would require the transport, use, and disposal of substantial quantities of hazardous materials, such as gasoline and diesel fuel. These materials could pose a hazard to customers, employees, and nearby residences if improperly transported, used, or disposed.

However, all hazardous materials must be properly labeled with proper use, storage, and disposal instructions in compliance with federal and State regulations. Additionally, the use of such hazardous materials would be subject to regulation by the Hazardous Materials of the San Bernardino County Fire Protection District (SBCFPD), which has been certified by the State Secretary for Environmental Protection as the Certified Unified Program Agency (CUPA) for the County. The SBCFPD manages six hazardous materials and hazardous waste programs including Hazardous Materials Business Plans, Hazardous Waste and On-site Treatment, Above Ground Petroleum Storage Act (APSA), UST Program, California Accidental Release Program (Cal/ARP), and the Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statements (HMIS) as part of the California Fire Code.[65] The proposed project, in compliance with CUPA programs, would be required to prepare a Hazardous Materials Business Plan (HMBP), as detailed in MM HAZ-1. The HMBP would provide information to emergency responders and the public regarding hazardous materials present at the project site and is intended to prevent or minimize impacts to the environment and public health and safety as a result of the release or threatened release of hazardous materials.[66]

The proposed travel stop would also include a single-stall RV dump and 11 overnight RV parking stalls with wastewater hookup. In the event of incorrect use resulting in a spill, travel stop maintenance staff would immediately contain the waste with absorbent booms.

While the proposed project would include the transport, use, and disposal of substantial quantities of hazardous materials, such as gasoline and diesel fuel, compliance with federal, State, and local regulations and implementation of MM HAZ-1, which would

[65] San Bernardino County Fire Protection District (SBCFPD). 2023. Hazardous Materials. Website: https://sbcfire.org/hazmatcupa/. Accessed May 16, 2023.

[66] San Bernardino County Fire Protection District (SBCFPD). 2023. Hazardous Materials Business Plan (HMBP). Website: https://sbcfire.org/hazmatbusinessplan/. Accessed May 16, 2023.

require preparation of HMBP, would ensure that potential impacts related to the transport, use, and disposal of these materials would be reduced to less than significant.

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?*

Potentially Significant Impact with Mitigation Incorporated.

Construction

As discussed above, Terracon's Phase I ESA did not identify any RECs or CRECs associated with the project site. In addition, the proposed project would involve minor use of hazardous materials typically required during construction, such as diesel fuel and other motor lubricants. Contractors would be required to comply with applicable federal, State, and local laws and regulations pertaining to the safe handling and transport of hazardous materials. Therefore, construction impacts related to hazardous materials upset risk would be less than significant.

Operations

The operation of the proposed project would require the transportation, storage, and dispensation of large amounts of gasoline and diesel fuel, as well as the operation and maintenance of an RV dump station, trash enclosure, and storage yard. This could potentially result in the release of hazardous materials that could pose a significant hazard to the public or the environment. Other hazardous materials used during operation would be limited to common materials, such as commercial cleaning products, landscaping chemicals and fertilizers, and other substances associated with commercial uses. During operation, the proposed project would be required to comply with all federal, State, and local laws regulating the management and use of common hazardous materials. Furthermore, as required by MM HAZ-1, the proposed project would be required to complete a HMBP, which would include detailed plans for emergency response in the event of a release or threatened release of hazardous materials.

The proposed project's compliance with these regulations, and implementation of MM HAZ-1, would ensure that potential impacts related to the release of hazardous materials into the environment during operations would be reduced to less than significant levels.

c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter mile of an existing or proposed school?*

Less than Significant Impact. The proposed project is not located within 0.25 mile of a school. The Baker Valley Unified School District (BVUSD) campus, which houses Baker Preschool, Baker Elementary School, Baker Junior High School, and Baker High School, is approximately 0.79 mile west of the project site.

Any hazardous materials generated during construction would be disposed of at the nearest landfill, which would be the Baker Transfer Station (approximately 1.5 miles southwest of the project site). The previously mentioned schools are north of the Baker Transfer Station and trucks hauling waste would not need to drive near the schools.

Additionally, Policy HZ-2.4, *Truck routes for hazardous materials*, prohibits truck routes for hazardous materials to pass through residential neighborhoods. As such, implementation of the proposed project would have a 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?*

Less than Significant Impact. The Phase I ESA prepared by Terracon for the proposed project conducted a review of regulatory agency databases to determine the presence of hazardous materials on-site. Specifically, no records associated with the project site were found on the California Department of Toxic Substances Control (DTSC) EnviroStor database and the State Water Resources Control Board GeoTracker database. The project site was not listed in the regulatory databases reviewed and the Phase I ESA did not identify any RECs or CREC in connection with the project site. Therefore, the proposed project would have a less than significant 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?*

Less than Significant Impact. The proposed project is not within 2 miles of a public use airport. The Baker Airport, an emergency airfield used by the San Bernardino County Sherriff Department, San Bernardino County Fire Department, and California Highway Patrol, is located approximately 1.4 miles northwest of the project site.[67] Figure 2 contained in the Airport Comprehensive Land Use Plan for Baker Airport, which was adopted in 1992, identifies the 60 Community Noise Equivalent Level (CNEL) Contour for Baker Airport. According to this figure, the project site is not located within the 60 dBA CNEL noise contours.[68] Therefore, the proposed project would not result in a safety hazard or excessive noise for people residing or working in the project area. Impacts would be less than significant.

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

Less than Significant Impact. The San Bernardino Emergency Operation Plan (EOP) was adopted in 2013 and most recently revised in 2018. The purpose of the EOP is to provide guidance and procedures for the County to prepare for and respond to significant or catastrophic natural, environmental or conflict-related incidents.[69] The proposed project does not include any features that would impact the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation

[67] San Bernardino County. 2023. About Baker Airport. Website: https://airports.sbcounty.gov/baker-airport/. Accessed July 22, 2024.

[68] San Bernardino County Planning Department. 1992. Airport Comprehensive Land Use Plan, Baker Airport. Website: www.sbcounty.gov/Uploads/lus/Airports/Baker.pdf. Accessed March 10, 2023.

[69] San Bernardino County Fire Department Office of Emergency Services. 2018. San Bernardino County Emergency Operations Plan. Website: https://www.sbcounty.gov/uploads/SBCFire/documents/OES/2018_EOP_Update.pdf. Accessed March 10, 2023.

plan. Furthermore, the Countywide Plan identifies I-15 and SR-127 as evacuation routes.[70] The proposed project site is adjacent to I-15 and does not include any features that would impact accessibility to this route. Therefore, impacts would be less than significant.

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

Less than Significant Impact. Baker is located within a Federal Responsibility Area (FRA).[71] According to Countywide Plan Policy Map HZ-5, Fire Hazard Severity Zones, the project site is located in a Moderate Fire Hazard Severity Zone.[72] However, the project site is predominantly surrounded by existing development and vacant land and is very sparsely vegetated. Furthermore, the proposed project would adhere to the California Fire Code (CFC) to reduce hazards related to wildland fires. Therefore, impacts related to wildland fires would be less than significant.

Therefore, no significant adverse impacts are identified or anticipated with the implementation of MM HAZ-1.

Mitigation Measures

MM HAZ-1 Prior to the issuance of a Grading Permit, the project proponent shall prepare a Hazardous Materials Business Plan (HMBP) and Submit it to the Hazardous Materials of the San Bernardino County Fire Protection District (SBCFPD), the Certified Unified Program Agency (CUPA) for San Bernardino County as designated by the State Secretary for Environmental Protection. The HMBP shall include, at minimum, floor plans of facilities and business conducted at the site; an inventory of hazardous materials that are handled and/or stored on-site; an emergency response plan; and a safety and emergency response training program for new employees with annual refresher courses. A copy of the approved plan shall be provided to the San Bernardino County Land Use Services Department prior to the issuance of grading permits.

[70] San Bernardino County. 2020. San Bernardino County Countywide Policy Plan, Policy Map PP-2 Evacuation Routes. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/02/PP-2-Evacuation-Routes-201027.pdf. Accessed March 17, 2023.

[71] San Bernardino County. 2020. San Bernardino County Countywide Policy Plan, Policy Map HZ-6 Fire Responsibility Areas. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/02/HZ-6-Fire-Responsibility-Areas-201027.pdf. Accessed March 10, 2023.

[72] San Bernardino County. 2020. San Bernardino County Countywide Policy Plan, Policy Map HZ-6 Fire Responsibility Areas. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/02/HZ-5-Fire-Hazard-Severity-Zones-201027.pdf. Accessed March 10, 2023.

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
X.	**HYDROLOGY AND WATER QUALITY–**Would the project:				
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater 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:				
	a) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
	b) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site;	☐	☐	☒	☐
	c) 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	☐	☐	☒	☐
	d) 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; Submitted Project Materials; Hydrology Report: New Travel Center and Hydrology Report: New Employee Housing to Support Proposed Travel Center

Setting

The analysis in this section is based, in part, on the Hydrology Report: New Travel Center and Hydrology Report: New Employee Housing to Support Proposed Travel Center (Hydrology

Reports)[73,74] completed for the proposed project by Lane Engineers, Inc. Both Hydrology Reports can be found in Appendix H.

The County maintains a map of areas that are subject to the Municipal Separate Storm Sewer System (MS4) permit. Projects located within the areas identified in the map are required to prepare Water Quality Management Plans (WQMPs). According to the County map of WQMP Requirement Areas, the project site is not within one of these areas. As such, the preparation of a WQMP would not be required for the proposed project.[75]

The Hydrology Reports found that, with implementation of the proposed project, there would be an overall net decrease in both the volume of runoff and peak discharge as compared to existing conditions. The reduced runoff would be accomplished by incorporating several bioretention areas across the project site which would fully capture and infiltrate 100 percent of a 2-, 5-, 10-, 25-, 50- and 100-year 24-hour storm events.

Runoff from the underground storm drain system within the travel stop component of the proposed project would drain to the existing drainage wash south of Baker Boulevard, eventually discharging into the Mojave River. Stormwater runoff overflow from the mobile home park component of the proposed project would drain to concrete drainage channels, eventually discharging under the sidewalk along Silver Lane and ultimately into Soda Dry Lake.

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

Less than Significant Impact. The proposed project has the potential to release water pollutants during construction and operation that may violate water quality standards and degrade surface or groundwater quality. During construction, runoff carrying eroded soils and pollutants could enter storm drainage systems, increasing sedimentation and degrading downstream water quality or seep into the groundwater table. This would represent a potentially significant impact related to surface and groundwater quality.

Under the National Pollutant Discharge Elimination System (NPDES) General Construction Permit process, projects that disturb one or more acres of land, such as the proposed project, are required to obtain a permit before the start of construction activity. As part of the NPDES General Construction Permits, the proposed project would be required to prepare and implement a SWPPP during construction in accordance with federal and State requirements. The SWPPP would identify structural and nonstructural BMPs intended to prevent erosion during construction. Although construction activities have the potential to generate increased water pollution and sedimentation, compliance with applicable policies and regulations would minimize the potential to degrade water quality in downstream water bodies to the maximum extent possible. As a result, construction-related project impacts related to surface and

[73] Lane Engineers, Inc. Undated. Hydrology Report, New Travel Center, Baker Blvd., Baker, CA 92307
[74] Lane Engineers, Inc. Undated. Hydrology Report, New Employee Housing to Support Proposed Travel Center, Baker Blvd., Baker, CA 92307.
[75] San Bernardino County. 2014. WQMP Requirement Area and MS4 Boundaries Phase I and II. Website: https://www.sbcounty.gov/Uploads/LUS/PW/FAQ/WQMP_Requirement_Area.pdf. Accessed July 22, 2024.

groundwater quality would be less than significant. Furthermore, the project site is located within the Lahontan RWQCB.[76] Projects in the Lahontan RWQCB creating and/or replacing 2,500 square feet or more of impervious surfaces, such as the proposed project, are subject to the Statewide Small Municipal Stormwater (MS4) Permit (Order No. R8-2010-0036) and must implement source control, Low Impact Development (LID), and treatment control BMPs.[77, 78]

The project site consists of vacant and undeveloped land with pervious surfaces including dirt and light vegetation. The proposed project would involve the construction of a travel stop and a mobile home park. According to the Hydrology Reports, approximately 65 to 75 percent of the travel stop component of the proposed project is expected to consist of impervious surfaces and approximately 30 to 50 percent of the mobile home park component is expected to consist of impervious surfaces. The increase in impervious surfaces on the project site as compared to existing conditions would result in an increase in runoff from the project site. However, the proposed project proposes the creation of five bioretention areas within the travel stop component and two bioretention areas within the mobile home park component. All bioretention areas would consist of several layers of porous materials and would capture and fully infiltrate stormwater runoff from the project site, reducing runoff to less than pre-development levels.

With compliance with applicable County, State and federal requirements and implementation of the proposed biorientation areas, the proposed project would not violate water quality standards or waste discharge requirements. As such, the impact would be less than significant.

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

Less than Significant Impact. The proposed project would connect to the existing Baker CSD water supply infrastructure and would not require the use of groundwater wells on-site. The Baker CSD water supply is drawn from six groundwater wells to the northeast of Baker; however, only three wells out of the six are typically in use to draw

[76] California State Water Resources Control Board (State Water Board). 2023. State and Regional Water Boards. Website: https://www.waterboards.ca.gov/waterboards_map.html. Accessed March 16, 2023.

[77] San Bernardino County. 2019. San Bernardino Countywide Plan Draft Environmental Impact Report, Chapter 5.9 Hydrology and Water Quality. Website: https:// countywideplan.com/wp-content/uploads/sites/68/2021/01/Ch_05-09-HYD.pdf. Accessed June 12, 2023.

[78] As stated above, the project site is not located within an area identified on the County map of WQMP Requirement Areas.

water.[79,80] Baker is located above the Silver Lake Valley Groundwater Basin and the Soda Dry Lake Valley Groundwater Basin.[81]

The proposed project would increase the extent of impervious surfaces on the project site, which could interfere with groundwater recharge. However, as noted in the Geotechnical Reports, groundwater was not encountered at the project site with borings that occurred within the uppermost 50 feet below the existing ground surface. Groundwater may be approximately 75 feet deep in the area of the project site. Infiltration testing performed as part of the Hydrology Reports indicated infiltration rates ranging from 3.01 to 6.68 inches per hour (Appendix H). These infiltration rates indicate the speed at which groundwater enters back into the soil; the infiltration rate reported in the Hydrology Reports indicates a medium-high infiltration rate. The proposed bioretention areas would consist of several layers of porous materials and would capture and fully infiltrate 100 percent of stormwater runoff from the project site in the event of 2-, 5-, 10-, 25-, 50- and 100-year/24 hours storm events. Furthermore, the proposed project would comply with Countywide Plan policies related to groundwater (Policies NR-2.2 Water management plans, NR-2.4 Wastewater discharge, NR-2.5 Stormwater discharge, and NR-2.6 Agricultural waste and biosolids) as well as the Statewide Small MS4 Permit as required within the Lahontan RWQCB. Therefore, the proposed project would have a less than significant impact on groundwater supplies or groundwater recharge.

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;

Less than Significant Impact. As discussed above, the proposed project would be required to implement a SWPPP as part of the NPDES Construction General Permit. The SWPPP is designed to ensure that erosion, siltation, and flooding are prevented or minimized to the maximum extent feasible during construction.

The project site currently consists of vacant, undeveloped land. During project operation, the proposed project would include new impervious surfaces and landscaping that would minimize soil exposure and erosion risks at the site.[82] The Hydrology Reports completed for the proposed project noted that the project site would consist of approximately 65 to 75 percent impervious surfaces and approximately 30 to 50 percent impervious surfaces on the travel stop component and the mobile home park

[79] Baker Community Services District. 2022. 2021 Consumer Confidence Report. Website: https://img1.wsimg.com/blobby/go/def50161-8988-4b66-8512-3de7761caa65/downloads/2020%20Consumer%20Confidence%20Report.PDF?ver=1678819659120. Accessed March 16, 2023.

[80] Bowman, Greg. General Manager, Baker Community Service District. Personal communication: phone call. June 5, 2023.

[81] California Department of Water Resources (DWR). 2023. Groundwater Basin Boundary Assessment Tool. Website: https://gis.water.ca.gov/app/bbat/. Accessed March 16, 2023.

[82] As stated above, the project site is no located within an area identified on the County map of WQMP Requirement Area.

component, respectively (Appendix H). The proposed project would also include a total of seven bioretention areas (five at the travel stop and two at the mobile home park) which would capture and fully infiltrate stormwater runoff from the project site, further reducing impacts associated with soil erosion. Therefore, impacts related to substantial soil erosion and the loss of topsoil would be less than significant.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site;

Less than Significant Impact. The proposed project would increase the amount of impervious surface area on-site compared to existing conditions, which could increase the rate or amount of surface runoff that could result in flooding. However, as mentioned above under Impact X. a, all proposed bioretention areas would consist of several layers of porous materials and would capture and fully infiltrate stormwater runoff from the project site, reducing runoff to less than pre-development levels (Appendix H). According to the Hydrology Reports, the bioretention areas in both the mobile home park and travel stop components of the proposed project would capture and fully infiltrate 100 percent of stormwater runoff from the project site in the event of 2-, 5-, 10-, 25-, 50-, and 100-year/24-hours storm events. Should bioretention areas in the mobile home park reach their maximum storage water height, stormwater would be allowed to overflow into concrete drainage channels along the west portion of the site where it would discharge under the sidewalk along Silver Lane before ultimately emptying to Soda Dry Lake. Bioretention areas in the travel stop would be allowed to overflow into drain inlets connected to an underground storm drain system before ultimately draining to the existing drainage wash south of Baker Boulevard and subsequently the Mojave River. Therefore, impacts related to surface runoff would be less than significant.

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

Less than Significant Impact. The proposed project would increase the amount of impervious surface area on-site compared to existing conditions, which could increase the rate or amount of surface runoff that could result in flooding. However, as mentioned above under Impact X. a and Impact X. c (ii), the bioretention areas proposed as part of the proposed project would reduce runoff to less than pre-development levels. Furthermore, according to the Hydrology Reports, the proposed bioretention areas would capture and fully infiltrate 100 percent of stormwater runoff from the project site in the event of 2-, 5-, 10-, 25-, 50- and 100-year/24 hours storm events. Overflow from bioretention areas would be allowed to drain to concrete drainage channels or drain inlets before ultimately being released to Soda Dry Lake or the Mojave River, as described in the Hydrology Reports for the proposed project. Therefore, implementation of the proposed project would have a less than significant impact on existing or planned stormwater drainage systems.

iv) Impede or redirect flood flows?

Less than Significant Impact. According to the Federal Emergency Management Agency (FEMA) National Flood Hazard Layer Viewer, the project site is located in Zone

D.[83] Zone D is applied to areas of undetermined flood hazard. Similarly, the Countywide Plan Policy Map HA-4, Flood Hazards, and the Countywide Plan Draft EIR Figure 5.9-3, Flood Hazard Zones, do not identify the project site as existing within a 100-year FEMA flood zone, a 100-year California Department of Water Resources (DWR) zone, or a 500-year FEMA flood zone. Additionally, as discussed above, the proposed bioretention areas would capture and fully infiltrate 100 percent of stormwater runoff from the project site in the event of 2-, 5-, 10-, 25-, 50- and 100-year/24-hour storm events. As such, the proposed project would not impede or redirect flood flows. Therefore, impacts would be less than significant.

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

Less than Significant Impact. As noted above under Impact X. c (iv), the project site is located outside of the 100-year FEMA flood zone, a 100-year DWR zone, or a 500-year FEMA flood zone.[84] FEMA identifies the project site as Flood Zone D, an area of undetermined flood hazard.[85] Seiches and tsunamis are short duration, earthquake-generated, water waves in large, enclosed bodies of water and the open ocean. The project site is not located near any large bodies of water, thus precluding the possibility of the project site being subject to inundation, seiche or tsunami. The Mojave River is the most prominent drainage feature within the Desert Regions of the County; however, the 120-mile-long river is dry most of the year. The Mojave River terminates in Silver Dry Lake (referenced in the Hydrology Reports as Silver Lake), approximately 2.80 miles north of the project site. Soda Dry Lake (referenced in the Hydrology Reports as Soda Lake) is approximately 6 miles south of the project site. However, as the names suggest, both Silver Dry Lake and Soda Dry Lake are dry lake beds which were once part of the Holocene Lake Mojave.[86] As such, impacts would be less than significant.

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

Less than Significant Impact. Given that proposed construction would disturb more than 1 acre of land, the proposed project would be required to comply with the terms of the Construction General Permit, which require the preparation and implementation of a SWPPP, as discussed above. The proposed project would also be required to comply

[83] Federal Emergency Management Agency (FEMA). 2023. National Flood Hazard Layer Viewer. Website: https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd. Accessed March 16, 2023.

[84] San Bernardino County. 2019. San Bernardino Countywide Plan Draft Environmental Impact Report, Chapter 5.9 Cultural Resources, Figure 5.9-3 Flood Hazard Zones. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/01/Ch_05-09-HYD.pdf. Accessed March 16, 2023.

[85] Federal Emergency Management Agency (FEMA). 2023. National Flood Hazard Layer Viewer. Website: https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd. Accessed March 16, 2023.

[86] Brittanica. 2023. Soda Lake. Website: https:// www.britannica.com/place/Mojave-Desert. Accessed June 12, 2023.

with Countywide Plan policies related to groundwater as well as the Statewide Small MS4 Permit and the Water Quality Control Plan for the Lahontan Region (Basin Plan) as required within the Lahontan RWQCB region.[87] Therefore, the proposed project would have a less than significant impact to the implementation of a water quality control plan or sustainable groundwater management plan.

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

[87] As stated above, the project site is not located within an area identified on the County map of WQMP Requirement Areas.

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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; Submitted Project Materials

Setting

As discussed in Section I, Aesthetics, the project site is located in the North Desert Region of the County, which includes large swaths of federally administered lands, including the Mojave National Preserve and several military installations. Approximately 2 percent of the North Desert Region is developed. In unincorporated areas of the North Desert Region, the most common land use is undeveloped (97 percent), followed by rural residential (0.8 percent), military installations (0.6 percent), and transportation, communications, and utilities (0.6 percent).

The Countywide Plan land use designation for the project site is C. The mobile home park site is classified as CR land use zoning district and the travel stop site is classified as CH land use zoning district. The CR land use zoning district provides sites for retail trade and personal services, repair services, lodging services, recreation and entertainment services, transportation services, and similar and compatible uses. The CH 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.

The project site is vacant with no established residential community.

a) *Physically divide an established community?*

No Impact. Communities could be divided if large linear feature, such as a railroad or interstate highway, are constructed which would limit existing access to all or part of a community, or if a feature that connects a community is removed, such as a bridge.

The project site is currently undeveloped and vacant. It is surrounded to the north by mobile homes and a U.S. Post Office, to the west by commercial development, to the east by vacant land, and to the south by I-15 and the Mojave National Preserve. Baker

Boulevard transects the project site between the travel stop and mobile home park components of the proposed project.

The proposed travel stop would not include any residential component, and the proposed mobile home park would include eight mobile homes. Access to the mobile home park would be provided via two driveways from Silver Lane which would form an internal roadway inside the project site, extending along the frontage of the eight mobile homes. Development of the mobile home park would not impact access to the existing mobile homes north of the project site.

The proposed travel stop would include an auto fueling island with 16 fueling positions, truck fueling island with seven fueling positions, truck scale, RV dump station, dog park, convenience store, branded fast-food restaurant and associated truck, car, and RV parking spaces. Additional features would include above ground diesel storage tanks, below ground storage tanks, a trash enclosure, and a utility yard. Site access would be provided via an extension of Caltrans Avenue from Baker Boulevard. Development of the travel stop would not impact access to the existing mobile homes north of the project site.

The proposed project would include some off-site improvements to Baker Boulevard in order to improve safe access to the travel stop. These improvements would not impact access to the existing mobile homes north of the proposed project.

The proposed project would not remove roadways, nor would it introduce barriers that would divide an established community or reduce connectivity. Therefore, the proposed project would not physically divide an established community and there would be 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?*

Less than Significant Impact. The San Bernardino Countywide Plan land use designation for both parcels (APNs 0544-471-11 and 0544-472-03) is C. Typical uses in the C land use category include retail stores and personal services; office and professional services; lodging, recreation, and entertainment; heavy commercial with adequate buffering for surrounding residential uses; and in rural areas, agriculture and lower density residential.[88]

The mobile home park site is classified as CR land use zoning district and the travel stop site is classified as CH land use zoning district. The CR land use zoning district provides sites for retail trade and personal services, repair services, lodging services, recreation

[88] San Bernardino County. 2022. Countywide Plan, County Policy Plan. September. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/01/CWP_PolicyPlan_HardCopy_MainText_Tables_2022_Sept_Adopted.pdf?x23421.

and entertainment services, transportation services, and similar and compatible uses.[89] The proposed mobile home park is an allowable land use in this zoning district.

The CH 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.[90] The proposed travel stop is an allowable land use in the CH land use zoning district.

The proposed project would be consistent with the County's land use zoning districts for the project site and would not require a Countywide Plan Amendment or rezone. Therefore, the proposed project would not conflict with any land use plan, policy, or regulation and would have a less than significant impact.

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

[89] San Bernardino County. County Code of Ordinances. Division 2, Chapter 82.01: Land Use Plan, Land Use Zoning Districts, and Overlays.
[90] San Bernardino County. County Code of Ordinances. Division 2, Chapter 82.01: Land Use Plan, Land Use Zoning Districts, and Overlays.

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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; Countywide Plan Draft EIR, Submitted Project Materials

Setting

According to the Countywide Plan Draft EIR, approximately 6.2 percent of the County's North Desert Region, where the project site is located, is designated as Mineral Resource Zone (MRZ) 2 or MRZ-3. According to the Countywide Plan Policy Map NR-4, Mineral Resource Zones, the project site is not located in a recognized mineral resource recovery zone.[91] The MRZ-2 classification applies to areas underlain by mineral deposits where geologic data shows, or geologic information indicates, that significant measured or indicated resources are present. The MRZ-3 classification refers to areas containing known or inferred mineral deposits that may qualify as mineral resources.[92]

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?*

No Impact. As noted above, the County's North Desert Region contains areas designated as MRZ-2 and MRZ-3. According to the Countywide Plan Policy Map NR-4, Mineral Resource zones, the project site is not located in a recognized mineral resource recovery zone.[93] As a result, the proposed project would not be located in a resource

[91] San Bernardino County. 2020. San Bernardino County Countywide Policy Plan, Policy Map NR-4 Mineral Resource Zones. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/02/NR-4-Mineral-Resources-Zones-201027.pdf. Accessed March 17, 2023.

[92] San Bernardino County. 2019. San Bernardino Countywide Plan Draft Environmental Impact Report, Chapter 5.11 Mineral Resources. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/01/Ch_05-11-MIN.pdf. Accessed March 17, 2023.

[93] San Bernardino County. 2020. San Bernardino County Countywide Policy Plan, Policy Map NR-4 Mineral Resource Zones. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/02/NR-4-Mineral-Resources-Zones-201027.pdf. Accessed March 17, 2023.

recovery zone and would not result in the loss of a known mineral resource. Therefore, there would be no impact.

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?*

No Impact. The Countywide Plan does not identify the project site as within a recognized mineral recovery zone, and there are no mineral resource recovery operations on the project site.[94] The nearest active mine is approximately 10.2 miles southwest of the project site.[95] The proposed project does not involve any mineral resource recovery activities and, As described in Impact XI, Land Use and Planning, the proposed project would be consistent with existing land use and zoning designations. As a result, the proposed project would not result in the loss of availability of a locally important mineral resource recovery site and there would be no impact.

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

[94] San Bernardino County. 2019. San Bernardino Countywide Plan Draft Environmental Impact Report, Chapter 5.11 Mineral Resources, Figure 5.11-5 Active Mines in San Bernardino County. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/01/Ch_05-11-MIN.pdf. Accessed March 17, 2023.

[95] Ibid.

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XIII.	**NOISE**–Would the project result in:				
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
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 General Plan Noise Element ☐):*
Countywide Plan; Submitted Project Materials	

Setting

A Noise Impact Analysis was conducted by FCS to determine the off-site and on-site noise impacts associated with the proposed project. This report is provided in Appendix I.

Characteristics of Noise
Noise is generally defined as unwanted or objectionable sound. Sound levels are usually measured and expressed in decibels (dB), with 0 dB corresponding roughly to the threshold of hearing. Most of the sounds that we hear in the environment do not consist of a single frequency, but rather a broad band of frequencies, with each frequency differing in sound level. The intensities of each frequency add together to generate a sound. Noise is typically generated by transportation, specific land uses, and ongoing human activity.

The standard unit of measurement of the loudness of sound is the decibel (dB). The 0 point on the dB scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Changes of 3 dB or less are only perceptible in laboratory environments. A change of 3 dB is the lowest change that can be perceptible to the human ear in outdoor environments.

While a change of 5 dBA is considered to be the minimum readily perceptible change to the human ear in outdoor environments.

Since the human ear is not equally sensitive to sound at all frequencies, the dBA was derived to relate noise to the sensitivity of humans, it gives greater weight to the frequencies of sound to which the human ear is most sensitive. The A-weighted sound level is the basis for a number of various sound level metrics, including the L_{dn} and the CNEL, both of which represent how humans are more sensitive to sound at night. In addition, the equivalent continuous sound level (L_{eq}) is the average sound energy of time-varying noise over a sample period and the L_{max} is the maximum instantaneous noise level occurring over a sample period.

Characteristics of Vibrations
Groundborne vibrations consist of rapidly fluctuating motions within the ground that have an average motion of zero. Vibrating objects in contact with the ground radiate vibration waves through various soil and rock strata to the foundations of nearby buildings. Groundborne noise is generated when vibrating building components radiate sound, or noise generated by groundborne vibration. In general, if groundborne vibration levels do not exceed levels considered to be perceptible, then groundborne noise levels would not be perceptible in most interior environments.

Regulatory Framework
The project site is located within the County of San Bernardino. The County addresses noise in their Policy Plan and Development Code. [96,97]

San Bernardino County Policy Plan
The County of San Bernardino addresses noise and the management of community noise exposure in the Hazards Element of its Policy Plan. To address these noise sources found in the County of San Bernardino, the following noise policies have been identified in the Policy Plan Hazards Element:

Policy HZ-2.7: Truck delivery areas
We encourage truck delivery areas to be located away from residential properties and require associated noise impacts to be mitigated.

Policy HZ-2.8: Proximity to noise-generating uses
We limit or restrict new noise-sensitive land uses in proximity to existing conforming noise-generating uses and planned industrial areas.

Policy HZ-2.9: Control sound at the source
We prioritize noise mitigation measures that control sound at the source before buffers, soundwalls, and other perimeter measures.

[96] County of San Bernardino. 2019. San Bernardino Countywide Plan, Hazards Element, Noise Section. Website: https://countywideplan.com/policy-plan/hazards/?expand_all=true#5d7486fc11676. Accessed May 16, 2023.

[97] County of San Bernardino. 2007. San Bernardino County Development Code, Chapter 83. Website: https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncty_ca/0-0-0-169172#JD_83.01.080. Accessed May 16, 2023.

San Bernardino County Development Code
The County establishes noise standards for adjacent stationary noise sources in Chapter 83 of the San Bernardino County Development Code.

The noise standards for stationary noise sources that most closely apply to the proposed project are residential and commercial. These standards are reproduced in Table 8. Under these designations, 55 dBA L_{eq} is the maximum stationary noise level as it affects adjacent residential properties between the hours of 7:00 a.m.–10:00 p.m.

Table 8: Noise Standards for Stationary Noise Sources

Noise Level (dBA L_{eq})		
Receiving Land Use Category	**7:00 a.m. to 10:00 p.m.**	**10:00 p.m. to 7:00 a.m.**
Residential	55	45
Professional Services	55	55
Other Commercial	60	60
Industrial	70	70
Source: County of San Bernardino. 2007. San Bernardino County Development Code, Chapter 83. Website: https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncty_ca/0-0-0-169172#JD_83.01.080. Accessed May 16, 2023.		

Additionally, the San Bernardino County Development Code also establishes interior and exterior noise level performance standards for adjacent mobile noise sources. There is no exterior operational noise level standard for commercial retail, bank, or restaurants, but the interior noise level standard is 50 dBA L_{dn}. For mobile homes, the interior operational noise level standard is 45 dBA L_{dn} and the exterior operational noise level standard is 60 dBA L_{dn}.

For construction activity, except for emergency work, the County prohibits any person from operating, or causing to be operated, construction equipment between 7:00 p.m. and 7:00 a.m.

Vibration is limited to that which cannot be felt without the aid of instruments at or beyond the lot line, and that which does not produce a particle velocity greater than or equal to 0.2 inches per second at the lot line. Construction vibration is exempt from this limit between the hours of 7:00 a.m. and 7:00 p.m. except on Sundays and federal holidays.

a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards*

Less than Significant Impact with Mitigation Incorporated. A significant impact would occur if the proposed project would generate a substantial temporary or permanent increase in ambient noise levels in the project vicinity in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Short-term Construction Impacts
For the purposes of this analysis, a significant impact would occur if construction activities would result in a substantial temporary increase in ambient noise levels in

excess of the County's applicable noise standards. Construction noise is exempt from the County's noise performance thresholds, shown in Table 6 above, for construction activities that occur between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No construction exemption is permitted on Sundays and federal holidays. Any construction activity outside of these hours would be required to meet the noise performance thresholds shown in Table 6 above for each identified receiving land use. For example, for receiving residential land uses, the noise level must not exceed 55 dBA L_{eq} between the hours of 7:00 a.m. and 10:00 p.m., and the noise level must not exceed 45 dBA L_{eq} between the hours of 10:00 p.m. and 7:00 a.m.

Construction of the proposed project would generate noise during the approximately 2-month schedule of site clearing, grading, building construction, and other construction activities. Noise from grading activities is typically the foremost concern when evaluating a project's construction noise impact, as grading activities often require extensive use of heavy-duty, diesel-powered earthmoving equipment. For the proposed project, grading would have the greatest–and noisiest–construction equipment requirements as a fleet of grading vehicles would be required to rough grade the project sites. Other construction phases would have reduced equipment requirements and/or would involve less daily usage of equipment. Given these considerations, the following analysis assesses noise impacts that may result from the proposed project's grading activities.

Grading for the proposed project is estimated to last approximately 12 months. The bulk of grading activities would be characterized by extensive use of a grader and bulldozer, which would be utilized across the project sites to remove vegetation and level the sites. Other grading vehicles, such as excavators, would not be as loud as these vehicles and/or would be utilized on a more intermittent basis. Given these considerations, noise impacts associated with the proposed project's grading activities have been evaluated by modeling the construction noise level that would be associated with a grader and a bulldozer grading a 0.5-acre parcel of land (which is roughly equivalent to the area of grading that may occur on a single workday), then estimating construction noise levels at the nearby mobile home park based on its approximately 70-foot distance from this parcel. Put simply, the modeling estimates noise levels that would occur at the mobile home park based on a grader and a bulldozer operating for an entire workday at the project site that is directly south of the mobile home park. Noise levels are estimated to be 72.5 dBA L_{eq} at the southernmost residences located within the mobile home park. But as noted, this noise level is reflective of a grader and bulldozer operating directly south of the mobile home park at minimum distances. The project sites are over 19 acres, meaning that most construction activities would occur at greater distances than this modeling scenario. Further, most construction activities would utilize less noisy construction equipment. Therefore, on most days, the noise impact would be considerably less than this 72.5 dBA L_{eq} "worst-case" impact.

Although there could be a relatively high single event noise exposure potential causing an intermittent noise nuisance, the effect of construction activities on longer-term (hourly or daily) ambient noise levels would be small but could result in a temporary increase in ambient noise levels in the project vicinity that could result in annoyance or sleep disturbance of nearby sensitive receptors, if construction were to occur during nighttime hours.

Chapter 83 of the San Bernardino County Development Code exempts construction noise from noise level standards between the hours of 7:00 a.m. and 7:00 p.m., except on Sundays and federal holidays. However, if construction activity were to occur outside of these hours, construction noise levels would need to be reduced to not exceed 55 dBA L_{eq} between the hours of 7:00 a.m. and 10:00 p.m. and 45 dBA L_{eq} between the hours of 10:00 p.m. and 7:00 a.m. Therefore, restricting construction activity to daytime hours, as well as implementing the best management noise reduction techniques and practices outlined in MM NOI-1, would ensure that construction noise would not result in a substantial temporary increase in ambient noise levels that would result in annoyance or sleep disturbance of nearby sensitive receptors, and would ensure construction activity noise levels would not exceed the County's nighttime noise level standard. Therefore, with implementation of MM NOI-1, temporary construction noise impacts would be reduced to less than significant.

Mobile Source Operational Noise Impacts

A significant impact would occur if project-generated traffic would result in a substantial increase in ambient noise levels compared with those that would exist without the project. A characteristic of noise is that the lowest audible increase in noise levels generally refers to a change of 3 dBA, as this level has been found to be barely perceptible to the human ear in outdoor environments; while a change of 5 dBA is considered a readily perceptible change to the human ear in outdoor environments. Therefore, for the purposes of this analysis, a significant impact would occur if the proposed project would cause the L_{dn} to increase by 5 dBA or greater.

Table 9 below shows a summary of the traffic noise levels for Existing, Near-Term Year 2024, Near-Term Year 2024 with Project, Horizon Year 2040, and Horizon Year 2040 with Project traffic noise conditions as measured at 50 feet from the centerline of the outermost travel lane.

Table 9: Traffic Noise Increase Summary

Roadway Segment	Near-Term Year 2024 (dBA) L_{dn}	Near-Term Year 2024 + Project (dBA) L_{dn}	Increase over Near-Term Year 2024 (dBA)	Horizon Year 2040 (dBA) L_{dn}	Horizon Year 2040 + Project (dBA) L_{dn}	Increase over Horizon Year 2040 (dBA)
Baker Boulevard–Death Valley Road to Mojave Pointe Road	61.2	64.5	3.3	62.9	65.4	2.5
Baker Boulevard–Mojave Pointe Road to Park Avenue	60.5	63.8	3.3	62.2	64.7	2.5
Baker Boulevard–Park Avenue to Caltrans Avenue	60.4	63.5	3.1	62.0	64.4	2.4
Baker Boulevard–Caltrans Avenue to Lakeview Road	59.4	61.5	2.1	61.4	62.9	1.5

Notes:
dBA = A-weighted decibel
L_{dn} = day/night average noise level
Source: FirstCarbon Solutions (FCS). 2023. (Appendix B, Pages 3–22)

As shown in Table 9, the highest traffic noise level increase along Taft Highway with implementation would occur from Death Valley Road to Park Avenue, under Near-Term with Project traffic conditions. Along this roadway segment, the proposed project would result in an increase in traffic noise levels of 3.3 dBA over conditions without the project for this roadway segment. This increase is below the 5 dBA increase that would be considered a substantial permanent increase in noise levels compared with noise levels that would exist without the project. Therefore, project-related traffic noise levels would not result in a substantial permanent increase in traffic noise levels in excess of applicable standards and would represent a less than significant impact.

Stationary Source Operational Noise Impacts
A significant impact would occur if operational noise levels generated by stationary noise sources at the proposed project site would result in a substantial permanent increase in ambient noise levels in excess of any of the noise performance thresholds established in the County's Development Code. The County's Development Code establishes exterior noise level standards, measured as a cumulative of 30 minutes in any 1-hour time period, of 55 dBA during daytime hours between 7:00 a.m. and 10:00 p.m. and 45 dBA during nighttime hours between 10:00 p.m. and 7:00 a.m.

In addition to the hourly average standards of Table 6, the County has also established interior and exterior operational noise level standards for each land use. For commercial land uses, the interior operational noise levels must not exceed 50 dBA L_{dn}. For mobile homes, the interior operational noise levels must not exceed 45 dBA L_{dn} and the exterior operational noise levels must not exceed 60 dBA L_{dn}.

As noted in the characteristics of noise discussion, audible increases in noise levels generally refer to a change of 3 dBA or more as this level has been found to be barely perceptible to the human ear in outdoor environments. A change of 5 dBA is considered the minimum readily perceptible change to the human ear in outdoor environments. Therefore, for purposes of this analysis, an increase of more than 5 dBA above the applicable noise performance thresholds would be considered a substantial permanent increase in ambient noise levels.

The proposed project would include new stationary noise sources, including mechanical ventilation equipment and parking lot activities.

Mechanical Ventilation Equipment

Implementation of the proposed project would include operation of new rooftop mechanical ventilation equipment. At the time of preparation of this analysis, specific details of rooftop mechanical ventilation systems were not available; therefore, a reference noise level for typical rooftop mechanical ventilation systems was used. Noise levels from typical commercial-grade mechanical ventilation equipment systems range up to approximately 60 dBA L_{eq} at a distance of 25 feet.

The proposed mobile home park would have residential grade mechanical ventilation equipment on the ground adjacent to each mobile home. The travel stop would have commercial-grade mechanical ventilation equipment on the roof of the convenience store facility. The combined reasonable worst-case operational noise level of these

mechanical ventilation systems would be 35 dBA L_{eq}, as measured at the nearest off-site residential property line (for the mobile homes north of Silver Lane). These noise levels would not exceed the County's most restrictive noise performance threshold, the nighttime interior noise level standard of 45 dBA, as measured at the nearest residential receptor.

Furthermore, the combined reasonable worst-case operational noise level of the commercial mechanical ventilation systems as measured at the nearest proposed mobile homes would be 30 dBA L_{eq}. These noise levels would not exceed the County's most restrictive noise performance threshold, the nighttime interior noise level standard of 45 dBA, as measured at the nearest residential receptor.

Parking Lot Activities

Typical parking lot activities include people conversing, doors shutting, and vehicles idling which generate noise levels ranging from approximately 60 dBA to 70 dBA L_{max} at 50 feet. The proposed mobile home park would only contain parking for residents and guests and would not contain any substantial parking lot area. However, the proposed travel stop would include parking areas and RV amenities that would experience parking activities sporadically throughout the day and night, as cars, RVs, and trucks arrive and leave parking lot areas on the project site.

The nearest noise-sensitive receptor to the proposed parking areas of the proposed travel stop would be the proposed mobile homes located across Baker Boulevard. The nearest residence would be located approximately 210 feet from the nearest parking areas on the project site. This closest parking area is one of the parking areas designated for large truck parking. Assuming a minimum of one parking movement per stall per hour, reasonable worst-case hourly average noise levels associated with daily parking lot activities would be approximately 45 dBA L_{eq} at the exterior of the nearest residential receptor. This reasonable worst-case hourly average calculation assumes the combined maximum noise levels associated with parking activities, including engine idling, doors slamming, people conversing, and engines starting.

These noise levels would not exceed the City's most restrictive noise performance threshold, the nighttime interior noise level standard of 45 dBA, as measured at the closest receiving residential land use. Therefore, operational parking lot activity noise levels would not result in a substantial permanent increase in ambient noise levels in excess of any of the City's noise performance thresholds and would represent a less than significant impact.

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

Less than Significant Impact. Groundborne vibrations consist of rapidly fluctuating motions within the ground that have an average motion of zero, and groundborne noise is generated when vibrating building components radiate noise generated by groundborne vibration. In general, if groundborne vibration levels do not exceed levels considered to be perceptible, then groundborne noise levels would not be perceptible in

most interior environments. Therefore, this analysis focuses on determining exceedances of groundborne vibration levels.

Chapter 83 of the County's Development Code as adopted criteria for groundborne vibration impacts, described above. However, temporary construction, maintenance, repair, or demolition activities between 7:00 a.m. and 7:00 p.m., except Sundays and federal holidays, are exempt from these regulations. Therefore, for purposes of this analysis, the Federal Transit Administration (FTA) guidelines for construction vibration impacts are used to determine potential significant construction-related impacts.

Short-term Construction Vibration Impacts

A significant impact would occur if existing structures at the project site or in the project vicinity would be exposed to groundborne vibration levels in excess of the thresholds identified above.

Of the variety of equipment used during construction, the small vibratory rollers that are anticipated to be used in the site preparation phase of construction would produce the greatest groundborne vibration levels. Small vibratory rollers produce groundborne vibration levels ranging up to 0.101 in/sec peak particle velocity (PPV) at 25 feet from the operating equipment.

The nearest off-site receptor to the mobile home park project site is the post office building located north of the project site, across Silver Lane. The façade of this building would be located approximately 40 feet from the nearest construction footprint where the heaviest construction equipment would potentially operate. At this distance, groundborne vibration levels would range up to 0.05 PPV from operation of the types of equipment that would produce the highest vibration levels. This is well below the FTA's construction vibration damage criteria of 0.3 PPV for this type of structure, a building of engineered concrete and masonry (no plaster) construction.

The nearest off-site receptor to the construction footprint associated with the travel stop is the commercial travel center building located north of the project site, across Silver Lane. The façade of this building would be located approximately 140 feet from the nearest construction footprint where the heaviest construction equipment would potentially operate. At this distance, groundborne vibration levels would range up to 0.007 PPV from operation of the types of equipment that would produce the highest vibration levels. This is well below the FTA's construction vibration damage criteria of 0.3 PPV for this type of structure, a building of engineered concrete and masonry (no plaster) construction. Therefore, the impact of short-term groundborne vibration associated with construction to off-site receptors would be less than significant.

Operational Vibration Impacts

Implementation of the proposed project would not include any permanent sources that would expose persons in the project vicinity to groundborne vibration levels that could be perceptible without instruments at any existing sensitive land use in the project vicinity. In addition, there are no existing significant permanent sources of groundborne vibration in the project vicinity to which the proposed project would be exposed.

Therefore, project operational groundborne vibration level impacts would be considered less than significant.

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?*

No Impact. The project site is not located within the vicinity of a private airstrip. The nearest public airport to the project site is Baker Airport, located approximately 1.4 northwest of the project site. However, the airport is primarily used as an emergency airfield with recorded 135 operations per week according to the San Bernardino County. Although aircraft noise is occasionally audible on the project site, noise associated with nearby airport activity would not expose people residing or working near the project site to excessive noise levels. Therefore, implementation of the proposed project would not expose persons residing or working in the project vicinity to noise levels from airport activity that would be in excess of normally acceptable standards for the proposed land use development, and no impact would occur.

Therefore, no significant adverse impacts are anticipated with the implementation of MM NOI-1.

Mitigation Measures
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:

MM NOI-1 Implementation of the following multi-part mitigation measure is required to reduce potential construction period noise impacts:

Prior to issuance of construction permits, the following language shall be included, verbatim, in the general notes section of all the civil plan construction documents.

- The construction contractor shall ensure that all equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.
- The construction contractor shall ensure that unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited.
- The construction contractor shall utilize “quiet” models of air compressors and other stationary noise sources where technology exists.
- At all times during project grading and construction, the construction contractor shall ensure that stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from adjacent residences.

- The construction contractor shall ensure that the construction staging areas shall be located to create the greatest feasible distance between the staging area and noise-sensitive receptors nearest the project site.
- The construction contractor shall ensure that all on-site construction activities, including the operation of any tools or equipment used in construction, drilling, repair, alteration, grading, or demolition work, are limited to between the hours of 7:00 a.m. and 7:00 p.m., except on Sundays and federal holidays.

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; Submitted Project Materials.

Setting

According to the Southern California Association of Governments (SCAG), the unincorporated County population in 2020 was 304,300.[98] In the same year, Baker had a reported population of 442.[99]

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)?*

Less than Significant Impact. Unplanned direct population growth would occur if the proposed project resulted in population growth not anticipated and evaluated by the County. As noted above, SCAG reported that the unincorporated County population in 2020 was 304,300. SCAG forecasts an increase in population to 344,100 by 2040.[100] This represents an increase of 39,800 persons.

[98] Southern California Association of Governments. 2023. 2016-2040 RTP/SCS Final Growth Forecast by Jurisdiction. Website: https://scag.ca.gov/sites/main/files/file-attachments/2016_2040rtpscs_finalgrowthforecastbyjurisdiction.pdf?1605576071. Accessed March 17, 2023.

[99] United States Census Bureau. 2021. Baker CDP, California. Website: https://data.census.gov/profile/Baker_CDP,_California?g=160XX00US0603512. Accessed March 17, 2023.

[100] Southern California Association of Governments (SCAG). 2023. 2016-2040 RTP/SCS Final Growth Forecast by Jurisdiction. Website: https://scag.ca.gov/sites/main/files/file-attachments/2016_2040rtpscs_finalgrowthforecastbyjurisdiction.pdf?1605576071. Accessed March 17, 2023.

According to the U.S. Census Bureau, the CDP of Baker had a total population of 442, 208 households, and average family size of 3.15 persons as of the 2020 decennial census..[101] The proposed project includes the construction of a mobile home park with space for eight mobile homes. Based on the average family size of 3.15, 8 mobile homes could be expected to increase the population of Baker by approximately 25 people.[102] An increase of 25 persons represents approximately 5.7 percent of Baker's 2020 population,[103] and approximately 0.06 percent of the projected 39,800-person population increase in unincorporated San Bernardino County by 2040.[104] Therefore, the potential increase in population as a result of implementation of the proposed project would be negligible as compared to projected population growth.

Furthermore, the proposed project includes the development of a travel stop, which could potentially increase the population as it presents an employment opportunity. According to the State of California Employment Development Department (EDD) the unemployment rate of the County in June 2024 was 5.2 percent and 5.8 percent in City of Barstow, which is the nearest City to Baker for which the EDD provides data.[105] According to the U.S. Census Bureau the Baker CDP had an employment rate of 69.9 percent as of 2021.[106] Therefore, it can be reasonably assumed that employment opportunities offered by the proposed project would be filled by the existing labor force in Baker. Therefore, implementation of the proposed project would have a less than significant impact related to unplanned population growth.

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

No Impact. The project site is vacant and undeveloped; therefore, implementation of the proposed project would not displace any existing people or housing. Furthermore, the proposed project would include the construction of a mobile home park component which would increase housing opportunities in Baker. Therefore, implementation of the proposed project would have no impact related to the displacement of people or housing.

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

[101] United States Census Bureau. 2021. Baker CDP, California. Website: https://data.census.gov/profile/Baker_CDP,_California?g=160XX00US0603512. Accessed July 22, 2024.
[102] 3.15 x 8 = 25.2
[103] 25/442=5.656%
[104] 25/39,800= 0.06%
[105] State of California Employment Development Department (EDD). 2024. Monthly Labor Force Data for Cities and Census Designated Placed (CDP) June 2024 – Preliminary. Website: https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Flabormarketinfo.edd.ca.gov%2Ffile%2Flfmonth%2Fallsubs.xls&wdOrigin=BROWSELINK. Accessed July 22, 2024.
[106] United States Census Bureau. 2021. Baker CDP, California. Website: https://data.census.gov/profile/Baker_CDP,_California?g=160XX00US0603512. Accessed March 17, 2023.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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; Submitted Project Materials; Personal Communication

Setting

The proposed project would receive fire protection services from the SBCFPD. The SBCFPD is a community-based, all-hazard emergency services provider with a jurisdiction that encompasses approximately 19,200 square miles and includes unincorporated San Bernardino County and more than 60 communities.[107] The nearest station to the project site is San Bernardino County Fire Station No. 53, located approximately 0.3 mile west of the project site.

The proposed project would receive police protection services from the San Bernardino County Sheriff's Department (SBCSD). The SBCSD is the principal law enforcement agency for the County and serves over 2.1 million residents. The Sheriff's Department operates eight County patrol stations and 14 contract patrol stations ("city" stations) and is staffed with approximately 3,600 employees.[108] The Barstow Sheriff's Station is located approximately 61 miles southwest of the project site and is the nearest SBCSD station to the project site, save for the satellite substation located in Baker. The Barstow Sheriff's Station jurisdiction covers 9,200 square miles and Deputy Sheriff's patrol the communities of Baker, Dagget, Hinkley, Lenwood, Ludlow, Newberry Springs, Sandy Valley, Yermo, Red Mountain, and Trona. The Barstow Sheriff's Station Deputy Sheriffs assist and are assisted by the California Highway Patrol, the Barstow Police Department, and BLM Rangers. The

[107] San Bernardino County Fire Protection District (SBCFPD). 2023. About the San Bernardino County Fire Protection District. Website: https://sbcfire.org/about/. Accessed April 25, 2023.
[108] San Bernardino County Sheriff's Department. 2023. About Us. Website: https://wp.sbcounty.gov/sheriff/about-us/. Accessed April 25, 2023.

Barstow Sheriff's Station also operates a satellite substation in Baker.[109] The Baker Substation is located approximately 0.3 mile west of the project site.

The project site is within the service area of the BVUSD. The BVUSD operates one preschool, one elementary school, one junior high school, one high school, and one adult school from a single campus located approximately 0.79 mile west of the project site. The BVUSD currently enrolls 69 elementary school students, 19 junior high school students and 39 high school students. The BVUSD has the capacity to enroll 100 elementary school students, 60 junior high school students and 80 high school students.[110]

The project site would receive park and recreation services from the Baker CSD. Baker CSD's service area encompasses approximately 4.5 square miles and includes Chet Huffman Park, the Jesse Meyer Center, and one recreation building. Chet Huffman Park, located approximately 0.29 mile west of the project site, features amenities such as picnic tables, grills, a play structure, and a recreational field.[111]

There are no libraries in the vicinity of the project site. The nearest San Bernardino County Library branch is located in the City of Barstow at 304 East Buena Vista Street, over 60 miles southwest of the project site.[112] According to Countywide Plan Policy Map HW-2 Public Facilities, and Countywide Plan Draft EIR Figure 5.14-1 Critical Facilities there are no hospitals or other public facilities in the vicinity of Baker.[113,114]

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?

Less than Significant Impact. As discussed above under Section XIV, Population and Housing, the mobile home park component of the proposed project could increase the population of Baker by approximately 25 persons. Furthermore, the travel stop component of the proposed project would employ approximately 55 people. However, it can be reasonably assumed that the employment offered by the proposed project

[109] San Bernardino County Sheriff's Department. 2023. Barstow Patrol Station. Website: https://wp.sbcounty.gov/sheriff/patrol-stations/barstowtrona/. Accessed April 25, 2023.
[110] Edwards, Cecil. Superintendent/Principal, Baker Valley Unified School District (BVUSD). Personal communication: email. March 16, 2023.
[111] Baker Community Services District (CSD). 2018. Photo Gallery. Website: https://bakercsd.com/chet-huffman-park. Accessed June 12, 2023.
[112] San Bernardino County Library. 2023. Library Locations and Hours. Website: https://sbclib.org/library-locations/. Accessed June 12, 2023.
[113] San Bernardino County. 2019. San Bernardino Countywide Plan Draft EIR. Chapter 5.14 Public Services, Figure 5.14-1 Critical Facilities. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/01/Ch_05-14-PS.pdf. Accessed June 12, 2023.
[114] San Bernardino County. 2020. San Bernardino Countywide Policy Plan, Policy Map HW-2 Public Facilities. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/02/HW-2-Public-Facilites-201027.pdf. Accessed June 12, 2023.

would be filled by Baker‘s existing labor force, thus not increasing the population requiring fire protection services.

Beyond the potential for direct and indirect population increases as a result of the proposed project, the operation of the travel stop component of the proposed project would also require fire protection services. The nearest fire station is San Bernardino County Fire Station No. 53, located at 72734 Baker Boulevard, approximately 0.3 mile west of the project site. As discussed in Section IX, Hazards and Hazardous Materials, the travel stop component of the proposed project would include auto fueling island with 16 gas fueling positions, a truck fueling island with seven diesel fueling positions, above ground diesel storage tanks, and below ground storage tanks. The proposed project, in compliance with CUPA programs, would be required to prepare a HMBP, as detailed in MM HAZ-1, to provide information to emergency responders and the public regarding hazardous materials present at the project site. The HMBP is intended to prevent or minimize impacts to the environment and public health and safety as a result of the release or threatened release of hazardous materials.

According to correspondence with Battalion Chief Sean Solis of Division 5, Battalion 10 of the SBCFPD, fire captains and staff at Station No. 53 did not identify any potential impacts to their ability to provide fire protection services as a result of the proposed project.[115]

As a fuel station facility, the proposed project would be required to comply with the CFC, which includes stringent regulations governing the operation of such facilities. Furthermore, Countywide Plan Policies PP-3.5, Firefighting water supply and facility; and PP-3.13, Periodic needs assessment, would ensure that fire protection facilities, equipment, and staffing are adequate to serve new development. Therefore, it is anticipated that implementation of the proposed project would have a less than significant impact on fire protection services.

Police Protection?

Less than Significant Impact. As discussed above, implementation of the proposed project could increase the population in Baker by 25 persons and could increase demand for police protection services. The proposed project would receive police protection services from the SBCSD. The SBCSD Baker Substation is located at 72730 Baker Boulevard, approximately 0.3 mile west of the project site.

According to correspondence with Captain Ron Markegard of the Barstow Sheriff’s Station, the proposed project is anticipated to increase calls for service to the Baker Substation by 30 percent. Currently, the police service ratio is 1.05 Deputies per 1,000 residents. However, the population of Baker can fluctuate by several thousand people

[115] Solis, Sean. Battalion Chief, San Bernardino County Fire Protection District, Division 5, Battalion 10. Personal communication: email. June 2, 2023.

as it is a popular travel stop. This can considerably affect the SBCSD service ratio in Baker.[116]

While implementation of the proposed project is expected to increase demand for police protection services, Countywide Plan Policy PP-1.9, Periodic needs assessment, states that the SBCSD periodically assessed their facility, staffing, and equipment needs in order to allocate funding resources as part of the annual budget and capital improvement program. Furthermore, it is not anticipated that additional SBCSD facilities would need to be constructed to serve the proposed project.[117] Therefore, the proposed project would have a less than significant impact on police services.

Schools?

Less than Significant Impact. As discussed above, the project site would be served by the BVUSD. The BVUSD school facility is located at 72100 School House Lane, approximately 0.79 mile west of the project site. According to correspondence with BVUSD Superintendent and Principal Cecil Edwards, the BVUSD is prepared to accept any new students generated by the proposed project. Furthermore, the proposed project would be required to pay a development fee of $4.08 per square-foot for residential uses and $0.66 per square-foot for commercial uses as assessed by the BVUSD.[118,119] Payment of the applicable development fees would ensure any potential impacts to schools are less than significant.

Parks?

Less than Significant Impact. The nearest park to the project site is Chet Huffman Park, located at 73730 Baker Boulevard, approximately 0.29 mile west of the project site. As previously discussed, the mobile home park component of the proposed project could increase the population of Baker by approximately 25 persons, representing an increase of approximately 5.7 percent over Baker's 2020 population. The travel stop component of the proposed project would employ approximately 55 people. However, the employment opportunities provided by the proposed travel stop would likely be filled from the existing labor force within Baker. As a result, the proposed project is not expected to significantly increase demand for parks. Furthermore, according to correspondence with Greg Bowman, the General Manager of the Baker CSD, the proposed project would be consistent with existing development within Baker and no potential impacts on existing park facilities were identified.[120] Therefore, the

[116] Markegard, Ron. Captain, San Bernardino County Sheriff's Department (SBCSD), Barstow Sheriff Station. Personal communication: email. March 30, 2023.
[117] Ibid.
[118] Edwards, Cecil. Superintendent/Principal, Baker Valley Unified School District (BVUSD). Personal communication: email. March 16, 2023.
[119] Stijepovic, Milan. Superintendent, Baker Valley Unified School District (BVUSD). Personal communication: email. July 22, 2024.
[120] Bowman, Greg. General Manager, Baker Community Service District (CSD). Personal communication: phone call. June 5, 2023.

proposed project would have a less than significant impact on existing park and recreation facilities.

Other Public Facilities?

Less than Significant Impact. As discussed above, there are no libraries, medical facilities, or other public facilities in the vicinity of Baker. Therefore, implementation of the proposed project would not create an increase in demand for existing libraries or other public facilities. As previously discussed, the mobile home park component of the proposed project could increase the population of Baker by approximately 25 persons. This represents an increase of approximately 5.7 percent over Baker's 2020 population. The travel stop component of the proposed project would employ approximately 55 people. However, the employment opportunities provided by the proposed travel stop would likely be filled from the existing labor force within Baker. As a result, the proposed project is not expected to significantly increase demand for the public services discussed here such that construction of new facilities would be required. As such, impacts would be less than significant.

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

Countywide Plan; Submitted Project Materials

Setting

The San Bernardino Local Agency Formation Commission (LAFCo) has authorized the Baker CSD, formed in 1956, to provide park and recreation services within Baker. Baker CSD's service area encompasses approximately 4.5 square miles and includes Chet Huffman Park, the Jesse Meyer Center, and one recreation building.[121,122,123] Chet Huffman Park features amenities such as picnic tables, grills, a play structure, and a recreational field.[124]

The project site is approximately 0.08 mile north of the Mojave National Preserve. The 1.6-million-acre park features canyons, sand miles dunes, mountains, Joshua tree forests, and former military mines and outposts.[126] Baker is also surrounded by lands managed by the BLM, including wilderness areas and BLM California Desert National Conservation Lands, as detailed

[121] San Bernardino Local Agency Formation Commission (LAFCo). 2021. Community Service Districts. Website: https://storymaps.arcgis.com/collections/9f95490e03de471da538098bad6e073d?item=2. Accessed May 17, 2023.
[122] San Bernardino Local Agency Formation Commission (LAFCo). 2020. Baker Community Services District. Website: https://www.sbcounty.gov/uploads/lafco/indicators/pdf/Baker_Community_Services_District.pdf. Accessed May 17, 2023.
[123] Baker Community Services District. 2018. Baker Community Services District. Website: https://bakercsd.com. Accessed May 17, 2023.
[124] Baker Community Services District. 2018. Chet Huffman Park, Photo Gallery. Website: https://bakercsd.com/chet-huffman-park. Accessed May 17, 2023.
[126] National Park Service. 2023. Inventory & Monitoring at Mojave National Preserve. Website: https://www.nps.gov/im/mojn/moja.htm#:~:text=Mojave%20National%20Preserve%20was%20established%20in%201994%20as,national%20park%20system%20in%20the%20contiguous%20United%20States. Accessed March 9, 2023.

in Section I, Aesthetics.[127] The nearest State Park, as identified by Countywide Plan Policy Map NR-2 Parks & Open Space Resources, is the Providence Mountain State Recreation Area.[128] The Providence Mountain State Recreation Area is located within the boundaries of the Mojave National Preserve, on the eastern slope of the Providence Mountain Range more than 30 miles southeast of the project site. The park's operating hours are listed as 8:00 a.m. to 5:00 p.m. Friday through Sunday, from September through June.[129] According to the Countywide Plan Policy Map NR-2 Parks & Open Space Resources, there are no other Regional Parks or State Parks in the vicinity of Baker.

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?*

Less than Significant Impact. As discussed above, the Baker CSD manages one park (Chet Huffman Park) and two recreational facilities. Chet Huffman Park is approximately 0.29 mile west of the project site. The Jesse Meyer Center is also approximately 0.29 miles west of the project site and directly abuts Chet Huffman Park. The Recreation Building is located approximately 0.27 mile west of the project site. As discussed above, there are no Regional Parks in the vicinity of the project site and the nearest State Park is located over 30 miles away.

The proposed project consists of the construction of a travel stop and a mobile home park. The mobile home component of the proposed project is anticipated to result in an increase in population of approximately 25 people, which represents an increase of approximately 5.7 percent of Baker's 2020 population. As detailed in Section XIV, Population and Housing, future employees required for operation of the travel stop component of the proposed project would likely be generated from the existing labor force within Baker. Therefore, because the proposed project would result in a negligible increase in population, it is unlikely to result in a significant increase in the use of existing neighborhood or regional parks. Furthermore, people utilizing the travel stop are not likely to be local residents and are not likely to increase demand for local recreational facilities. As such, the impacts would be less than significant.

[127] San Bernardino County. 2020. San Bernardino Countywide Policy Plan, Policy Map NR-2 Parks & Open Space Resources. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/02/NR-2-Parks-Open-Space-Resources-201027.pdf. Accessed May 18, 2023.

[128] San Bernardino County. 2020. San Bernardino Countywide Policy Plan, Policy Map NR-2 Parks & Open Space Resources. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/02/NR-2-Parks-Open-Space-Resources-201027.pdf. Accessed May 18, 2023.

[129] California Department of Parks and Recreation. 2017. Providence Mountains State Recreation Area. Website: https://www.parks.ca.gov/pages/615/files/ProvidenceMountainsSRAFinalWeb111617.pdf. Accessed May 18, 2023.

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?*

Less than Significant Impact. The proposed project consists of a travel stop and a mobile home park. The proposed project does not include the construction of any recreational facilities or parks which might have an adverse physical impact on the environment. As discussed above and under Section XIV, Population and Housing, the proposed project is anticipated to result in an increase in population of 25 people. Employment opportunities offered by the travel stop component of the proposed project are anticipated to be filled by the existing workforce and would not result in an indirect increase in population. A negligible population increase, such as the increase resulting from implementation of the proposed project, is not anticipated to require the construction or expansion of recreational facilities. Furthermore, people utilizing the travel stop are not likely to be local residents and are not likely to increase demand such that construction of new recreational facilities would be required. As such, the impacts would be less than significant.

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
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; Submitted Project Materials

Setting

The analysis in this section is based, in part, on the Draft Level of Service (LOS) Assessment prepared in March 2020[130] (LOS Assessment) and the Vehicle Miles Traveled Technical Memorandum prepared April 12, 2022[131] (VMT Memorandum) by CR Associates for the travel stop component of the proposed project (Appendix J). The County indicated verbally to the applicant that such studies are not required for the mobile home park.

Vehicle Miles Traveled Technical Memorandum

California Senate Bill 743 (SB 743) requires the California Governor's Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to LOS for evaluating transportation impacts. Specifically, assessment of VMT, thresholds of significance and mitigation measures will be used to address transportation impacts.

Screening Criteria

The County Transportation Impact Study (TIS) Guidelines outline screening thresholds to quickly identify locally serving projects which have the potential to reduce VMT and hence, should not be

[130] CR Associates. 2022. Love's Travel Center in Baker, Draft Level of Service Assessment. March.
[131] CR Associates. 2022. Love's Travel Center in Baker–Vehicle Miles Traveled (VMT) Technical Memorandum. April 22.

required to complete a VMT assessment. Projects can be considered to be locally serving based on size, location, land use characteristics, and access to transit services, including:

- K-12 schools
- Local serving retail less than 50,000 square feet
- Local parks
- Day care centers
- Local serving gas stations
- Local serving banks
- Student housing projects
- Local serving community colleges that are consistent with the assumptions noted in the SCAG's Regional Transportation Plan (RTP)/Sustainable Communities Strategies (SCS)
- Projects that generate less than 100 daily vehicle trips
- Projects located within a Transportation Planning Agency (TPA) as determined by the most recent SCAG RTP/SCS
- Projects located within a low VMT generating area as determined by the analyst

VMT Analysis
Based on these screening criteria, the gas station, convenience store, and fast-food restaurant component of the proposed travel stop are screened out from a detailed VMT analysis. However, the RV overnight parking and dog park component of the proposed travel stop are not screened out.

Because of the extremely rural location of the project site, the limited roadway connections in the study area, and few adjacent land uses, most project trips will be vehicles currently traveling on I-15, with only a small portion of new trips generated for the employees traveling to and from work at the proposed travel stop. A 2018 Trip Generation and Travel Characteristics Study, appended to the VMT Memorandum, includes travel surveys for visitors traveling to several Love's Travel Centers throughout California, and similarly, the majority of trips to those sites were existing trips diverted off the adjacent highway.

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

Less than Significant Impact. A significant impact would occur if the proposed project conflicted with applicable or adopted policies, plans or programs related to transit, bicycle, or pedestrian facilities or otherwise decreased the performance or safety of transit, bicycle, or pedestrian facilities.

Roadway Facilities
The project site is located along Baker Boulevard, on both sides of this roadway. The travel stop project site is located on the south side of Baker Boulevard and is surrounded by undeveloped

land, with I-15 further to south (beyond undeveloped land). The mobile home park project site is located on the north side of Baker Boulevard and is bound by Silver Lane on the north side of the project site (Figure 2).

As described in the Project Description section of this IS/MND, the proposed project would include off-site improvements at several locations:

- Paveout and widening of Baker Avenue from west of Caltrans Avenue to approximately the eastern end of the proposed travel stop.
- Paveout and widening of Silver Lane along the northern boundary of the mobile home park site.
- Improvement to the intersection of Baker Boulevard and Silver Lane.
- Installation of new curb/gutter and adjacent concrete sidewalk along the travel stop frontage on the southern side of Baker Boulevard the length of the travel stop site.
- Installation of new curb/gutter and adjacent concrete sidewalk along the mobile home park frontage on the northern side of Baker Boulevard and along the southern side of Silver Lane.
- Installation of a traffic signal opposite the new leg of Caltrans Way, along with potential modification of the existing signal.

Improvements such as road widening, intersection improvements, and the addition of a traffic signal would improve traffic flow and safety. In addition, the proposed project would be required to comply with the Countywide Policy Plan policies related to Roadway Capacity, such as Policy TM-1.1 Roadway levels of service, Policy TM-1.4 Unpaved roadways, and Policy TM-1.5 Upgrading unpaved roads, and Roadway Design Standards, such as Policy TM-2.2 Roadway improvements. As such, the proposed project would not conflict with a program plan, ordinance, or policy addressing roadway facilities and impacts would be less than significant.

Pedestrian Facilities
There are no existing sidewalks on Baker Boulevard along the proposed mobile home park or travel stop frontages. Additionally, there are no existing sidewalks along the proposed mobile home park frontage along Silver Lane. As discussed above, ADA compliant sidewalks are proposed along the travel stop frontage on Baker Boulevard and Caltrans Avenue. Sidewalks would also surround the proposed fast-food restaurant and convenience store. The proposed project would also include the installation of new curb/gutter and adjacent concrete sidewalk along the mobile home park frontage on Baker Boulevard and along the southern side of Silver Lane. As such, implementation of the proposed project would improve pedestrian facilities and connectivity. The proposed project would not conflict with a program plan, ordinance, or policy addressing pedestrian facilities.

Bicycle Facilities
There are no existing bicycle facilities along the project frontage, and there are no planned bicycle facilities in Baker. As such, the proposed project would not conflict with a program plan, ordinance, or policy addressing bicycle facilities and impacts would be less than significant.

Transit Facilities
As detailed in Table 4.1 of the Draft LOS Assessment (Appendix J), there are no existing transit routes or transit facilities in the vicinity of the proposed project. As such, the proposed project would not conflict with a program plan, ordinance, or policy addressing transit facilities and impacts would be less than significant.

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

Less than Significant Impact. The VMT Memorandum determined that the gas station, convenience store and fast-food restaurant component of the proposed travel stop were screened out from a detailed VMT analysis. A VMT analysis of the RV overnight parking and dog park component of the proposed travel stop determined that VMT for trips diverting from I-15 to the travel stop site would be approximately 2 miles. The proposed travel stop is anticipated to generate a low VMT per service population which would be lower than the County's VMT per service population. Therefore, the proposed project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b), and impacts would be less than significant.

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

Less than Significant Impact. The proposed project involves the development of a travel stop and mobile home park in an area surrounded by existing development to the north and west and vacant land to the east and south across I-15. Access to the travel stop would be via two driveways from the extension of Caltrans Avenue from Baker Boulevard and via a third driveway from Baker Boulevard. The Caltrans Avenue extension, including its turn radius from Baker Boulevard, was designed to accommodate trucks and RVs utilizing the travel stop. Access to the mobile home park would be via two driveways from Silver Lane which would connect inside to the project site to an internal closed road. The proposed project's circulation would be designed in accordance with County Development Code design standards for roads and signage. The proposed project design does not include any sharp turns, dangerous intersections, or incompatible uses. As such, the proposed project would not substantially increase hazards due to a geometric design feature or incompatible uses. Impacts would be less than significant.

d) Result in inadequate emergency access?

Less than Significant Impact. The proposed project involves the development of a travel stop and mobile home park. Access to the mobile home park would be provided via two driveways from Silver Lane and access to the travel stop would be provided via three driveways: one driveway connecting to Baker Boulevard, and two driveways connecting to the proposed extension of Caltrans Avenue. Furthermore, internal roadways within the mobile home park and the travel stop would exceed the minimum width of 26 feet for fire apparatus access roadways.[132] The proposed project's circulation

[132] San Bernardino County Fire Department. 2016. Fire Prevention Standard, Fire Apparatus Access Road Design, Construction and Maintenance. Website: https://www.sbcounty.gov/Uploads/SBCFire/content/fire_marshal/planning_engineering/Standards/A-1FireApparatusAccessRoadDesignationandMarking.pdf#:~:text=For%20development%20projects%20that%20are%20constrained%20with%20practical,%2830%29%20feet%20or%20three%20%283%29%20stories%20in%20height. Accessed March 21, 2023.

would be designed in accordance with County Development Code design standards for roads and signage. As such, impacts would be less than significant.

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
XVIII. TRIBAL CULTURAL RESOURCES				
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:

Countywide Plan; Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton; Submitted Project Materials

Setting

This section describes the existing Tribal Cultural Resource (TCR) setting and potential effects from the proposed project implementation on the project site and its surrounding area. Descriptions and analysis in this section are based on two Phase I Cultural Resources Reports prepared by ASM Affiliates in December 2021 (Appendix C).

Native American Heritage Commission

A search of the Native American Heritage Commission (NAHC) Sacred Lands File was completed on October 4, 2021. The Sacred Lands File did not indicate the presence of any cultural places within the study area. The NAHC included a list of six Tribal representatives available for consultation. To ensure that all Native American knowledge and concerns over potential TCRs that may be affected by the proposed project are addressed, a letter containing proposed information was sent to each representative on December 6, 2021. No responses had been received at the time the Phase I Cultural Resources Reports were published.

Assembly Bill 52

AB 52 specifies that a project that may cause a substantial adverse change to defined TCRs may result in a significant effect on the environment. AB 52 requires Tribes interested in development projects within a traditionally and culturally affiliated geographic area to notify a

lead agency of such interest and to request notification of future projects subject to CEQA prior to determining whether a Negative Declaration (ND), Mitigated Negative Declaration (MND), or EIR is required for a project. The lead agency is then required to notify the Tribe within 14 days of deeming a development application subject to CEQA complete to notify the requesting Tribe as an invitation to consult on the proposed project. AB 52 identifies examples of mitigation measures that would avoid or minimize impacts to TCRs. AB 52 makes the above provisions applicable to projects that have a Notice of Preparation (NOP) or a Notice of Intent (NOI) to adopt an ND/MND circulated on or after July 1, 2015. AB 52 amends Public Resource Code Section 5097.94 and adds Public Resource Code Sections 21073, 21074, 2108.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3, relating to Native Americans.

AB 52 consultation is the responsibility of the lead agency, in this case, the City of Baker. AB 52 consultation has been initiated by the City of Baker and is ongoing.

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:*

- *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*

  Less than Significant Impact with Mitigation Incorporated. A review of the CRHR, local registers of historic resources, the SCCIC records search results, and NAHC Sacred Lands File search results failed to identify any previously listed TCRs that may be adversely affected by the proposed projects. Should any undiscovered TCRs be encountered during project construction, implementation of MM CUL-1 and MM CUL-2, would reduce potential impacts to a less than significant level.

- *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?*

  Less than Significant Impact with Mitigation Incorporated. ASM Affiliates conducted Tribal outreach with the Morongo Band of Mission Indians, Serrano Nation of Mission Indians, and Twenty-Nine Palms Band of Mission Indians, which have been identified by the NAHC. No responses were received.

  On August 28, 2023, the County mailed notification of a 30-day comment period pursuant to AB 52 to the following Tribes: Colorado River Indian Tribe, Fort Mojave Indian Tribe, Gabrieleño Band of Mission Indians, Twenty-Nine Palms Band of Mission Indians, Morongo Band of Mission Indians, Soboba Band of Luiseno Indians and San Manuel Band of Mission Indians. Requests

for consultations were due to the County by September 27, 2023. The table below shows a summary of comments and responses. Comment letters are available for review at the County.

Tribe	Comment Letter Received	Summary of Response	Conclusion
San Manuel Band of Mission Indians	August 29, 2023	Outside of Serrano Ancestral Territory. No concerns with Project.	Consultation Concluded.

Should any undiscovered TCRs be encountered during project construction, implementation of MM CUL-1 and MM CUL-2, would reduce potential impacts to a less than significant level.

Therefore, no significant adverse impacts are identified or anticipated with the implementation of MM CUL-1, and CUL-2.

Mitigation Measures

Implementation of MM CUL-1 and MM CUL-2.

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

SUBSTANTIATION:

Countywide Plan; Countywide Plan Draft EIR; CalRecycle; LAFCo for San Bernardino County; Submitted Project Materials

Setting

As previously discussed, the Baker CSD is responsible for providing water, wastewater, and solid waste services to Baker and the project site. According to LAFCo for San Bernardino County's Countywide Service Review for Water, completed in 2017, the Baker CSD water system is classified as a community water system serving a commercial district and a residential community. The water system consists of a 400,000-gallon gravity storage tank, six

groundwater wells, and approximately 100 service connections.[133] Wells 1 through 3 are the primary wells, while the other three wells are activated only when the groundwater level falls below a certain level.[134] Most of the water distribution mains consist of 6-, 8-, or 10-inch asbestos cement pipes (ACP) installed in 1969. As of 1990, the water distribution system appeared in good condition with adequately sized mains to serve the area. It is unknown if any improvements have been made since that time.[135]

According to LAFCo for San Bernardino County's Countywide Service Review for Wastewater, completed in 2018, wastewater treatment in the North Desert Region is composed of one regional treatment system and a variety of localized treatment systems due to the significant distances between communities. The Baker CSD wastewater treatment system consists of approximately 2 miles of internal sewer transmission pipeline, including 1.5 miles of pressure sewer and 0.5 mile of gravity sewer, built between 1960 and 1979 and has a design flow of 0.4 million gallons per day (MGD). For wastewater treatment, wastewater is deposited into unlined stabilization ponds with a total design capacity of 0.15 MGD on a site approximately 0.5 mile south of Baker, just southwest of the I-15/SR-127 junction and within the Mojave National Preserve. The ponds function as evaporation/percolation ponds and there is no discharge from the ponds. It was determined in 1990 that there was room for considerable expansion of the ponds and the ponds were assessed to be able to accommodate at least double the volume of 1990 wastewater flows. According to the Countywide Service Review for Wastewater, the Lahontan RWQCB recommended that the Baker CSD install a lined aerated basin to stabilize solids and reduce odors associated with wastewater.[136]

a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

Less than Significant Impact. As discussed above in Section X, Hydrology and Water Quality, the proposed project would receive potable water and wastewater collection treatment services from the Baker CSD, which is under the jurisdiction of the Lahontan RWQCB. The Baker CSD receives potable water via six wells northeast of Baker, above

[133] Local Agency Formation Commission (LAFCo) for San Bernardino County. 2017. LAFCO 3187 Countywide Service Review for Water (Wholesale, Retail, Recycled). Website: https://www.sbcounty.gov/uploads/LAFCO//Downloads/Service_Review/LAFCO3187_Final_ReducedV2.pdf. Accessed June 15, 2023.

[134] Local Agency Formation Commission (LAFCo) for San Bernardino County. 2013. Agenda Item #9: Service Review for the Baker Community. Website: www.sbcounty.gov/uploads/LAFCO/AgendaNotices/20130717/Item_9.pdf. Accessed June 15, 2023.

[135] Local Agency Formation Commission (LAFCo) for San Bernardino County. 2017. LAFCO 3187 Countywide Service Review for Water (Wholesale, Retail, Recycled). Website: https://www.sbcounty.gov/uploads/LAFCO//Downloads/Service_Review/LAFCO3187_Final_ReducedV2.pdf. Accessed June 15, 2023.

[136] Local Agency Formation Commission (LAFCo) for San Bernardino County. 2017. LAFCO 3190 Countywide Service Review for Wastewater (Collection, Treatment, Disposal). Website: https://www.sbcounty.gov/uploads/LAFCO//Downloads/WWSR/FinalReport/WWSR_Reduced.pdf. Accessed June 15,

the Silver Lake Valley Groundwater Basin.[137] However, only three of the six total wells are typically used for water extraction.

In the travel stop, a series of 4-inch water pipes would connect the various elements of the proposed project to existing Baker CSD water mains in Baker Boulevard. Wastewater would be collected via 6-inch pipes which would connect to existing facilities along Baker Boulevard. In the mobile home park, a series of 2-inch water pipes would connect the individual mobile homes to 6-inch water pipes that would be located along the internal road. These 6-inch pipes would connect to two existing water mains in Silver Lane. A 6-inch sanitary sewer pipe, to be located along the internal road, would connect to existing sewer facilities in Baker Boulevard. Because Baker could potentially draw water from three additional wells, and the Silver Lake Valley Groundwater Basin which underlies the wells has a Groundwater Basin Prioritization level of "Very low,"[138] the proposed project would not require the construction of new or expanded water facilities.

Stormwater from the project site would be collected in bioretention areas, and overflow from the bioretention areas would drain to existing drainage washes and eventually Dry Soda Dry Lake. All bioretention areas would consist of several layers of porous materials and would capture and fully infiltrate stormwater runoff from the project site, reducing runoff to less than pre-development levels. Therefore, implementation of the proposed project would not require the construction of new or expanded stormwater facilities.

Baker CSD provides residential trash service in Baker. Unincorporated areas of the North Desert Region are served by the Barstow Sanitary Landfill, Victorville Sanitary Landfill and Fort Irwin Sanitary Landfill. The Fort Irwin Sanitary Landfill is nearest to the project site, located approximately 34 miles west of the project site.

The proposed project would receive electricity from SCE and telephone service would be provided by AT&T. In summary, the proposed project would not require the relocation or construction of new water, wastewater, storm drainage, electrical power, natural gas, or telecommunications facilities outside of those proposed on-site and considered within this Draft IS/MND. Therefore, impacts would be less than significant.

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

Less than Significant Impact. As discussed above, the proposed project would receive water services from the Baker CSD. The Baker CSD water supply is drawn from six groundwater wells to the northeast of Baker.[139] As of 2021, all six wells were active.

[137] Bowman, Greg. General Manager, Baker Community Service District (CSD). Personal communication: phone call. June 5, 2023.
[138] State of California Natural Resources Agency Department of Water Resources. 2015. California's Groundwater Update 2013, South Lahontan Hydrologic Region. Website: https://cawaterlibrary.net/wp-content/uploads/2017/05/GWU2013_Ch11_SouthLahontan_Final.pdf. Accessed April 3, 2023.
[139] Baker Community Services District. 2022. 2021 Consumer Confidence Report. Website: https://img1.wsimg.com/blobby/go/def50161-8988-4b66-8512-3de7761caa65/downloads/2020%20Consumer%20Confidence%20Report.PDF?ver=1678819659120. Accessed March 16, 2023.

However, as previously noted, three out of the six total wells are primarily used for water extraction. The Silver Lake Valley Groundwater Basin, atop which all six groundwater wells are located, is estimated to have a total storage capacity of 380,000 acre feet (af) and has a Groundwater Basin Prioritization level of "Very low" according to the DWR.[140,141] The project site itself is located above the Soda Lake Valley Groundwater Basin, which borders the Silver Lake Valley Groundwater Basin to the south. As discussed in Section X, Hydrology and Water Quality, the proposed project would not require the use of groundwater wells on-site and stormwater from the project site would be captured and fully infiltrated in the event of 2-, 5-, 10-, 25-, 50- and 100-year/24 hours storm events.

The Countywide Policy Plan Draft EIR forecasts that water demand in the unincorporated areas of the North Desert Region, which includes the project site, would increase by 5,015,374 gallons per day (gpd) by 2040. The Draft EIR concluded that, with compliance with regulatory requirements and Countywide Plan policies, water supply would be adequate to meet requirements. For instance, the proposed project would be required to adhere to the Model Water Efficient Landscape Ordinance, which outlines water efficient landscape design, installation, management, and maintenance to reduce water usage for irrigation purposes.[142] As described in Section XI, Land Use and Planning, the proposed project would be consistent with the existing Countywide Plan land use designation and zoning designations and would be considered a planned use. As a result, the water demand associated with the proposed project would have been analyzed in the Countywide Plan and Draft EIR. The proposed project would also comply with the Lahontan RWQCB Basin Plan and Countywide Plan policies related to groundwater such as Policy IU-1.1 Water Supply, Policy IU-1.3 Recycled water, and Policy IU-1.9 Water Conservation. Furthermore, Baker has the potential to draw water from three additional groundwater wells should water demand increase. Therefore, the proposed project would have a 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?*

Less than Significant Impact. As discussed above, the Baker CSD wastewater treatment system consists of approximately 2 miles of internal sewer transmission

[140] State of California Natural Resources Agency Department of Water Resources. 2004. California's Groundwater Bulletin 118, South Lahontan Hydraulic Region Silver Lake Groundwater Basin. Website: https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Bulletin-118/Files/2003-Basin-Descriptions/6_034_SilverLakeValley.pdf#:~:text=The%20Silver%20Lake%20Valley%20Groundwater%20Basin%20underlies%20a,Soda%20Lake%20%28Jennings%20and%20others%201962%3B%20DWR%201964%29. Accessed April 3, 2023.

[141] State of California Natural Resources Agency Department of Water Resources. 2015. California's Groundwater Update 2013, South Lahontan Hydrologic Region. Website: https://cawaterlibrary.net/wp-content/uploads/2017/05/GWU2013_Ch11_SouthLahontan_Final.pdf. Accessed April 3, 2023.

[142] California Department of Water Resources. 2023. Model Water Efficient Landscape Ordinance. Website: https://water.ca.gov/Programs/Water-Use-And-Efficiency/Urban-Water-Use-Efficiency/Model-Water-Efficient-Landscape-Ordinance. Accessed April 3, 2023.

pipeline with a design flow of 0.4 MGD. Wastewater is directed to percolation ponds with a total design capacity of 0.15 MGD.

While 1990 population data for Baker was not located, 2010 data indicated a 39.9 percent reduction in population between 2010 and 2020.[143] It is therefore assumed that, because Baker's wastewater system was adequate to support wastewater flows produced by its population in 2010, the wastewater treatment system would have adequate capacity to collect and treat wastewater generated by the proposed project. As previously discussed, the proposed project could result in a population increase of approximately 5.7 percent of Baker's 2020 population of 442. Therefore, the proposed project would have a less than significant impact related to wastewater treatment capacity. In addition to the proposed project's residential sources of wastewater, the RV dump station and individual dumps at each overnight RV parking spot are expected to generate additional wastewater. It is anticipated that because the residential source contribution to wastewater would be limited, the added RV-generated wastewater would not exceed the capacity of the Baker CSD wastewater treatment system. Impacts would be less than significant.

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?*

Less than Significant Impact. As discussed above, Baker CSD provides residential trash service and commercial dump service in Baker, and unincorporated areas of the North Desert Region are served by the Barstow Sanitary Landfill, Victorville Sanitary Landfill, and Fort Irwin Sanitary Landfill. The Fort Irwin Sanitary Landfill is nearest to the project site and would likely receive the proposed project's solid waste. According to the California Department of Resources Recycling and Recovery (CalRecycle), the Fort Irwin Sanitary Landfill has a maximum permitted throughput of 100 tons per day and as of 2006 had a remaining capacity of 18,935,202 cubic yards.[144] Based on CalRecycle estimated solid waste generation rates for residential and commercial uses, the proposed project could produce up to 0.3995 tons of solid waste per day.[145,146] This would represent 0.3995 percent of the permitted daily throughput of the Fort Irwin Sanitary Landfill. The remaining capacity of the Fort Irwin Sanitary Landfill is sufficient to accommodate solid waste generated as a result of the proposed project. Furthermore, the proposed project would be required to comply with California State AB 341 and AB 939, the California Green Building Standards Code and AB 1826 which outline

[143] United States Census Bureau. 2010. Decennial Census Baker CDP; California. Website: https://data.census.gov/table?q=Baker+CDP;+California&tid=DECENNIALPL2010.P1. Accessed June 16, 2023.

[144] California Department of Resources Recycling and Recovery (CalRecycle). 2019. SWIS Facility/Site Activity Details Fort Irwin Sanitary Landfill (36-AA-0068). Website: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1892?siteID=2674. Accessed April 3, 2023.

[145] California Department of Resources Recycling and Recovery (CalRecycle). 2019. Estimated Solid Waste Generation Rates. Website: https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates. Accessed April 3, 2023.

[146] Conservative Residential Generation: 12.23 pounds/household/day * 8 households = 97.84 pounds
Conservative Commercial Generation: 0.046 pounds/square foot/day * 12,200 square feet = 561.2 pounds

requirements for waste diversion, green waste and recycling programs. As a result, the proposed project would not generate solid waste in excess of State or local standards or exceed the capacity of local infrastructure. As such, impact would be less than significant.

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

Less than Significant Impact. Baker CSD, which would provide sold waste collection service to the proposed project, would follow the requirements of the franchised waste hauler serving the proposed project which must adhere to federal, State, and local statutes and regulations related to the collection of solid waste. The proposed project would comply with all State and local waste diversion requirements including San Bernardino County Code of Ordinances. Because solid waste disposal would be compliant with federal, State, and local statutes and regulations, impact would be less than significant.

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
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:
Countywide Plan; CAL FIRE; Submitted Project Materials

Setting

The County faces wildfire risk due to weather, topography, vegetation, seasonal winds, and drought conditions. Fire responsibility areas refer to areas where federal, State, or local agencies have primary financial responsibility for preventing or suppressing fires. A majority of the County is located within an FRA.

A “Very High Fire Hazard Severity Zone” in a Local Responsibility Area (LRA) means an area designated by the Director of Forestry and Fire Protection pursuant to Government Code Section 51178 that is not a State Responsibility Area (SRA).

As shown in Figure 6 (Fire Hazards Severity Zones), the mobile home park component of the proposed project is located entirely within an LRA. The majority of the travel stop and off-site roadway and frontage improvements are located within an LRA; however, a small portion of the western corner and eastern edge of the proposed travel stop project site and a small

portion of the off-site improvements are located within an FRA. The entirety of the project site is located within an area identified as a Moderate Fire Hazard Severity Zone (FHSZ).

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

Less than Significant Impact. According to the California Department of Forestry and Fire Protection (CAL FIRE), the project site is not located within an SRA.[147] As described above, the mobile home park component of the proposed project is within an LRA, and the travel stop component is primarily located within an LRA, with small portions located within an FRA (Figure 6). According to Countywide Plan Policy Map HZ-5 Fire Hazard Severity Zones, the project site is within a Moderate FHSZ. Furthermore, the proposed project would not result in any permanent road closure or narrowing in the project area that would substantially impair an emergency response plan or emergency evacuation plan. As discussed in Section IX, Hazards and Hazardous Materials, the San Bernardino EOP was adopted in 2013 and most recently revised in 2018. The proposed project does not include any features that would impact the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Furthermore, the Countywide Plan identifies I-15 and SR-127 as evacuation routes.[148] The proposed project site is adjacent to I-15 and does not include any features that would impact accessibility to this route. As discussed previously, internal roadways within the mobile home park and the travel stop would exceed the minimum width of 26 feet for fire apparatus access roadways.[149] Therefore, the proposed project would have a less than significant impact.

b) *Because of 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?*

Less than Significant Impact. The County is at high risk from wildfires due to weather, topography, vegetation, seasonal Santa Ana winds, and prolonged drought.[150] However, as discussed above, the project site is not within an SRA or Very High Fire Hazard Severity Zone (VHFHSZ) (Figure 6). The CAL FIRE incident archive for 2018 through 2022 fire seasons indicates that no wildfires have been

[147] California Department of Forestry and Fire Protection (CAL FIRE). 2023. Fire Hazard Severity Zone. Website: https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones. Accessed July 22, 2024.

[148] San Bernardino County. 2020. San Bernardino County Countywide Policy Plan, Policy Map PP-2 Evacuation Routes. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/02/PP-2-Evacuation-Routes-201027.pdf. Accessed March 17, 2023.

[149] San Bernardino County Fire Department. 2016. Fire Prevention Standard, Fire Apparatus Access Road Design, Construction and Maintenance. Website: https://www.sbcounty.gov/Uploads/SBCFire/content/fire_marshal/planning_engineering/Standards/A-1FireApparatusAccessRoadDesignationandMarking.pdf#:~:text=For%20development%20projects%20that%20are%20constrained%20with%20practical,%2830%29%20feet%20or%20three%20%283%29%20stories%20in%20height. Accessed March 21, 2023.

[150] San Bernardino County. 2019. San Bernardino Countywide Plan Draft Environmental Impact Report, Chapter 5.8, Hazards and Hazardous Materials. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/01/Ch_05-08-HAZ.pdf. Accessed June 1, 2023.

cataloged in the vicinity of Baker.[151] Furthermore, the project site is located in a flat area surrounded by existing development and vacant land. There are no steep slopes surrounding the project site. As such, implementation of the proposed project would have a less than significant impact related to exacerbating wildfire risk.

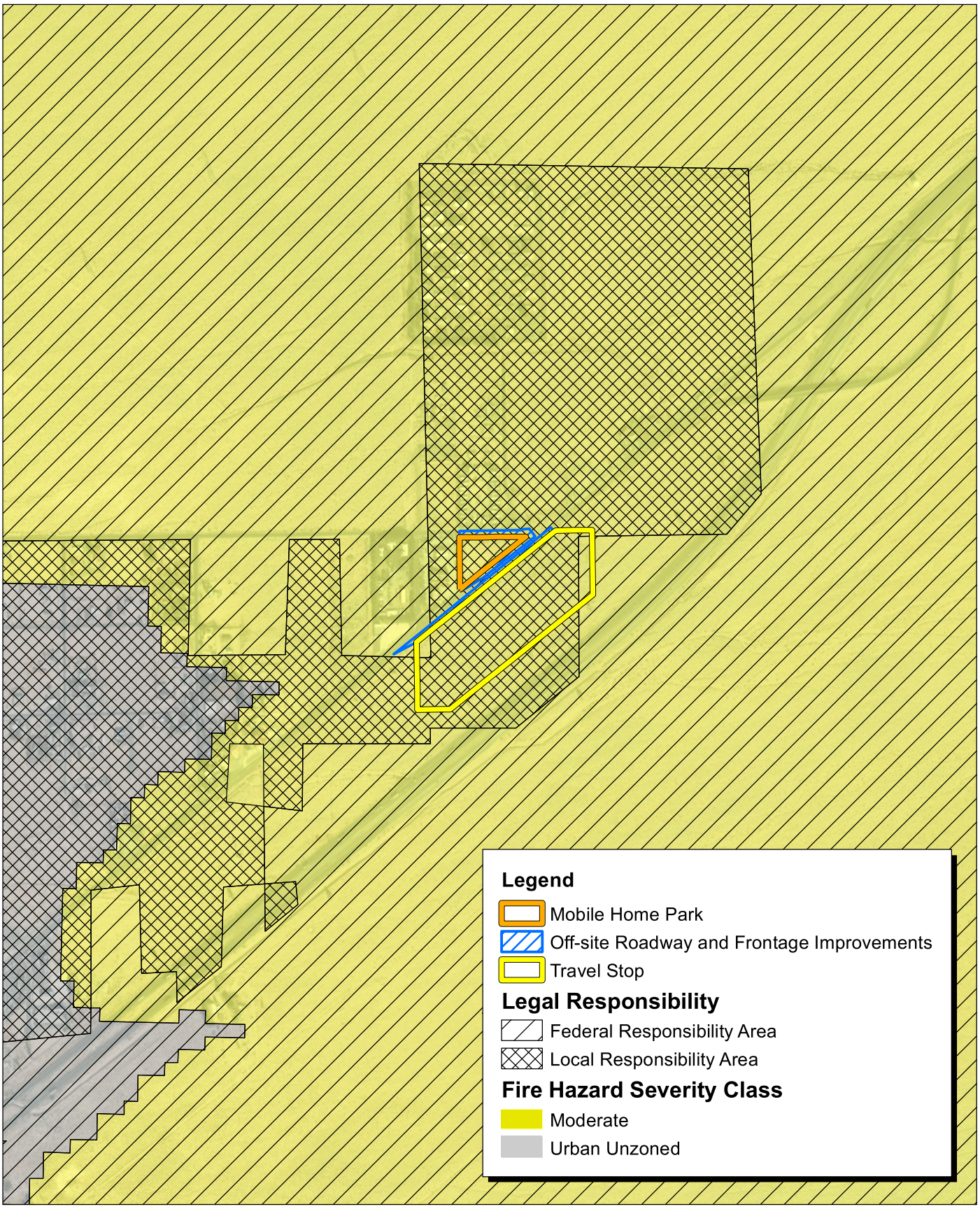
c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

Less than Significant Impact. As discussed above, the project site is adjacent to existing development to the north and west and is bound by existing roadways. The mobile home park component is bound by Baker Boulevard, Silver Lane, and Caltrans Avenue, and the travel stop component is bound by Baker Boulevard to the north and I-15 to the south. To the east of the travel stop component is vacant, undeveloped land. The proposed project would connect to existing infrastructure. Therefore, the proposed project would have a 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?*

Less than Significant Impact. As discussed in Section VII, Geology and Soils, the project site is located in a flat area surrounded by existing development and vacant land. There are no steep slopes surrounding the project site therefore the project is not subject to landslides.[152] Additionally, the Countywide Plan Draft EIR Figure 5.9-3, Flood Hazard Zones, does not identify the project site as existing within a 100-year FEMA flood zone, a 100-year DWR zone, or a 500-year FEMA flood zone.[153] Therefore, impacts would be less than significant.

[151] California Department of Forestry and Fire Protection (CAL FIRE). 2023. Incident Archive. Website: https://www.fire.ca.gov/incidents. Accessed March 30, 2023.
[152] San Bernardino County, 2020. San Bernardino County Countywide Policy Plan, Policy Map HZ-2 Liquefaction and Landslide Hazards. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/02/HZ-2-Liquefaction-Landslide-Hazards-Valley-Mountain-201027.pdf?x23421. Accessed July 22, 2024.
[153] San Bernardino County. 2019. San Bernardino Countywide Plan Draft Environmental Impact Report, Chapter 5.9 Hydrology and Water Quality, Figure 5.9-3 Flood Hazard Zones. Website: https://countywideplan.com/wp-content/uploads/sites/68/2021/01/Ch_05-09-HYD.pdf. Accessed July 22, 2024.



Source: ESRI Aerial Imagery. CAL FIRE Fire Hazard Severity Zones data.

FIRSTCARBON SOLUTIONS™

1,000 500 0 1,000 Feet

Figure 6
Fire Hazard Severity Zones

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

Less than Significant Impact with Mitigation Incorporated. The proposed project could expose its future residents to health risks associated with degraded air quality due to the proposed travel stop. This potential impact would be mitigated by MM AIR-1. The proposed project may result in significant impacts associated with biological resources, cultural resources and TCRs; however, MM BIO-1a, MM BIO-1b, MM BIO-2, MM CUL-1, and MM CUL-2 would fully mitigate all potential impacts to a less than significant level. With implementation of these mitigation measures, the proposed project would have less than significant impacts.

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)?

Less than Significant Impact with Mitigation Incorporated. Implementation of mitigation as outlined in this Draft IS/MND would reduce all potentially significant impacts to less than significant. Given that all impacts can be mitigated to a less than significant level, the incremental effects of this project are not considerable relative to the effects of past, current, and probable future projects. Therefore, the proposed project would not result in cumulatively considerable impacts, and impacts would be less than significant.

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

Less than Significant Impact with Mitigation Incorporated. As described throughout the preceding checklist portion of this Draft IS/MND, the proposed project would not have any substantial environmental effects on human beings, either directly or indirectly. All impacts identified throughout this document either do not require mitigation or would be mitigated to levels that are less than significant. In addition, the proposed project would be required to comply with existing regulations as discussed throughout the Draft IS/MND. The proposed mitigation measures, once implemented, and compliance with existing regulations would ensure that no substantial adverse effects on human beings would result from the project. Therefore, impacts would be less than significant with mitigation.

Therefore, with implementation of MM AIR-1, MM BIO-1a, MM BIO-1b, MM BIO-2, MM CUL-1, MM CUL-2, MM GEO-1, MM GEO-2, MM HAZ-1, and MM NOI-1, impacts would be less than significant.

XXII. MANDATORY FINDINGS OF SIGNIFICANCE:

(Any mitigation measures which are not "self-monitoring" shall have an MMRP prepared and adopted at time of project approval)

Mitigation Measure AIR-1: Implement Indoor PM_{10} and $PM_{2.5}$ Reduction Meausres

To demonstrate compliance with Mojave Desert Air Quality Management District (MDAQMD) threshold of significance for toxic air contaminant (TAC) emissions, the project applicant shall provide the San Bernardino County Land Use Services Department with specifications in the construction plans, prior to the issuance of grading or building permits (whichever occurs earliest), demonstrating that new residences (including new mobile homes) included as part of the project would install indoor air filtration systems with a Minimum Efficiency Reporting Value (MERV) of 13 or better to ensure that future residents do not experience a cancer risk exceeding 10 in one million.

To ensure long-term maintenance and replacement of the MERV filters in the individual units, the following shall occur:

- Developer, sale, and/or rental representative shall provide notification to all affected tenants/residents of the potential health risk for affected units.

- If all the land and units are under a single common ownership, the owner/property manager shall maintain and replace MERV filters in accordance with the manufacturer's recommendations. The property owner shall inform renters of increased risk of exposure to toxic air contaminants (TACs) when windows are open.
- If the units are owned by individual residents, the Homeowner's Association (HOA) or Mobile Home Park Management, whichever is applicable, shall incorporate requirements for long-term maintenance in the Covenant Conditions and Restrictions and inform homeowners of their responsibility to maintain the MERV filter in accordance with the manufacturer's recommendations. The HOA or Mobile Home Park Management shall inform homeowners of increased risk of exposure to TACs when windows are open.

Mitigation Measure BIO-1a: Nesting Bird Pre-construction Surveys

In order to protect migratory bird species, a nesting bird clearance survey shall be conducted prior to any ground disturbance or vegetation removal activities that may disrupt the birds during the nesting season. If construction occurs between February 1 and August 31, a pre-construction clearance survey for nesting birds shall be conducted within 3 days of the start of any vegetation removal or ground-disturbing activities to ensure that no nesting birds will be disturbed during construction. The Biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests shall occur.

Mitigation Measure BIO-1b: Avoidance of Active Avian Nests

If an active avian nest is discovered during the pre-construction clearance survey, construction activities must stay outside of a no-disturbance buffer. The size of the no-disturbance buffer shall be determined by the wildlife Biologist and shall depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, type and duration of construction activity, ambient noise, species habituation, and topographical barriers. These factors shall be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest shall be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A Biological Monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.

Mitigation Measure BIO-2: Acquire Permits from Regulatory Agencies

Impacts to on-site jurisdictional areas will require a United States Army Corp of Engineers (USACE) Clean Water Act (CWA) Section 404 Permit, Regional Water Quality Control Board (RWQCB) CWA Section 401 Water Quality Certification, and a California Department of Fish and Wildlife (CDFW) Section 1602 Lake or Streambed Alteration Agreement prior to project

implementation. The applicant will acquire these permits and compensate for the potential loss of regulated aquatic features at a ratio determined by the USACE, RWQCB, and CDFW.

Mitigation Measure CUL-1: Inadvertent Discovery of Cultural Resources

In the event that buried cultural resources are discovered during construction, operations shall stop within 100 feet of the find and a qualified Archaeologist shall be consulted to determine whether the resource requires further study. The qualified Archaeologist shall make recommendations to the San Bernardino County (County) Land Use Services Department on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA criteria.

If the resources are determined to be unique historic resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the Archaeological Monitor and recommended to the County. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the lead agency approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the County where they would be afforded long-term preservation to allow future scientific study.

Mitigation Measure CUL-2: Inadvertent Discovery of Human Remains

In the event of an accidental discovery or recognition of any human remains, Public Resources Code Section 5097.98 must be followed. In this instance, once project-related earthmoving begins and if there is accidental discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner is contacted to determine whether the remains are Native American and if an investigation of the cause of death is required. If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the "most likely descendant" of the deceased Native American. The Most Likely Descendant (MLD) may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resources Section 5097.98, or

2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the MLD or on the project site in a location not subject to further subsurface disturbance:
   - The NAHC is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission.
   - The descendant identified fails to make a recommendation.
   - The landowner or his authorized representative rejects the recommendation of the descendant and the mediation by the NAHC fails to provide measures acceptable to the landowner.

Mitigation Measure GEO-1: I Adherence to All Geotechnical Engineering Reports Recommendations

The project applicant/sponsor shall ensure that all construction practices follow all recommendations listed in the Geotechnical Engineering Report Love's Travel Stop-Baker and the Geotechnical Engineering Report Proposed Live-Work Housing Park, both prepared by Terracon on October 29, 2021. Prior to issuance of building permits, the applicant/sponsor shall incorporate all recommendations from the Geotechnical Exploration Report into project plans, which will be submitted to San Bernardino County for review and approval.

Mitigation Measure GEO-2: Unexpected Discovery of Paleontological Resources

In the event that fossils or fossil-bearing deposits are discovered during construction activities, excavations within a 50-foot radius of the find shall be temporarily halted or diverted. The project contractor shall notify a qualified Paleontologist to examine the discovery. The Paleontologist shall document the discovery as needed (in accordance with Society of Vertebrate Paleontology [SVP] standards), evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The Paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction activities are allowed to resume at the location of the find. If the applicant determines that avoidance is not feasible, the Paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The excavation plan shall be submitted to the lead agency for review and approval prior to implementation, and the applicant shall adhere to the recommendations in the excavation plan.

Mitigation Measure HAZ-1

Prior to the issuance of a Grading Permit, the project proponent shall prepare a Hazardous Materials Business Plan (HMBP) and Submit it to the Hazardous Materials of the San Bernardino County Fire Protection District (SBCFPD), the Certified Unified Program Agency (CUPA) for San Bernardino County as designated by the State Secretary for Environmental Protection. The HMBP shall include, at minimum, floor plans of facilities and

business conducted at the site; an inventory of hazardous materials that are handled and/or stored on-site; an emergency response plan; and a safety and emergency response training program for new employees with annual refresher courses. A copy of the approved plan shall be provided to the San Bernardino County Land Use Services Department prior to the issuance of grading permits.

Mitigation Measure NOI-1: Implementation of the following multi-part mitigation measure is required to reduce potential construction period noise impacts:

Prior to issuance of construction permits, the following language shall be included, verbatim, in the general notes section of all the civil plan construction documents.

- The construction contractor shall ensure that all equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.
- The construction contractor shall ensure that unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited.
- The construction contractor shall utilize “quiet” models of air compressors and other stationary noise sources where technology exists.
- At all times during project grading and construction, the construction contractor shall ensure that stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from adjacent residences.
- The construction contractor shall ensure that the construction staging areas shall be located to create the greatest feasible distance between the staging area and noise-sensitive receptors nearest the project site.
- The construction contractor shall ensure that all on-site construction activities, including the operation of any tools or equipment used in construction, drilling, repair, alteration, grading, or demolition work, are limited to between the hours of 7:00 a.m. and 7:00 p.m., except on Sundays and federal holidays.

SELF MONITORING MITIGATION MEASURES: (Compliance monitoring will be verified by existing procedures for condition compliance)

Biological Resources

Mitigation Measure BIO-1: Pre-Construction Nesting Bird Clearance Survey. Nesting birds are protected pursuant to the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (Sections 3503, 3503.5, 3511, and 3513 prohibit the take, possession, or destruction of birds, their nests or eggs). In order to protect migratory bird species, a nesting

bird clearance survey should be conducted prior to any ground disturbance or vegetation removal activities that may disrupt the birds during the nesting season.

If construction occurs between February 1 and August 31, a pre-construction clearance survey for nesting birds should be conducted within 3 days of the start of any vegetation removal or ground-disturbing activities to ensure that no nesting birds will be disturbed during construction. The Biologist conducting the clearance survey should document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction activities should stay outside of a no-disturbance buffer. The size of the no-disturbance buffer will be determined by the wildlife Biologist and will depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, type and duration of construction activity, ambient noise, species habituation, and topographical barriers. These factors will be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A Biological Monitor should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.

Mitigation Measure BIO-2: Three riverine resources were identified within the southern parcel during the initial field investigation. Impacts to jurisdictional waters will require authorization from the corresponding regulatory agency. Authorizations may include, but are not limited to a Section 404 permit from the United States Army Corp of Engineers (USACE) or Approved Jurisdictional Determination, a Section 401 Water Quality Certification or Report of Waste Discharge from the Regional Water Quality Control Board (RWQCB), and/or a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife (CDFW).

Cultural Resources

Mitigation Measure CUL-1: There are no known archaeological resources within the project site, and the pedestrian field survey produced negative results for indicators of undiscovered prehistoric and/or historic archaeological resources. However, it is possible that earth-disturbing activities associated with construction of the proposed project could encounter previously undiscovered archaeological resources, including but not limited to stone, bone, wood, or shell artifacts or features, including hearths and structural elements. To protect these resources from damage or destruction, in the event that buried cultural resources are discovered during construction, operations shall stop within 100 feet of the find and a qualified Archaeologist shall be consulted to determine whether the resource requires further study. The qualified Archaeologist shall make recommendations to the San Bernardino County (County) Land Use Services Department on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within

the project area should be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA criteria.

If the resources are determined to be unique historic resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the Archaeological Monitor and recommended to the County. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the lead agency approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the County where they would be afforded long-term preservation to allow future scientific study.

Tribal Cultural Resources

No mitigation measures resulted from the Tribal consultation.

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