

# SAN BERNARDINO COUNTY INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

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

## PROJECT LABEL:

<b>APN:</b>	3068-171-07-0000
<b>Applicant:</b>	JUNG HYUN SUH
<b>Community:</b>	PINON HILLS/1 <sup>ST</sup> SUPERVISORIAL DISTRICT
<b>Location:</b>	NORTH OF HWY 138, BOUNDED BY SOLEDAD, SOLANO, CRYSTAL AIRE, & RANCHO ROADS
<b>Project No:</b>	P201200360/TPM 19401
<b>Staff:</b>	TRACY CREASON
<b>Rep:</b>	CUBIT ENGINEERING – CRAIG SUNDGREN
<b>Proposal:</b>	TENTATIVE PARCEL MAP 19401 TO CREATE FOUR PARCELS AND A REMAINDER ON 35.95 ACRES

**USGS Quad:** MESCAL CREEK  
**T, R, Section:** T4N R7W Sec. 7 NW ¼  
**Thomas Bros.:** P 4472/ GRID: A3 & 4  
**Planning Area:** Phelan/Pinon Hills Community Plan Area  
**LUZD:** PH/RL  
**Overlays:** FS-2 Fire Safety Overlay  
FP-3 Local Flood Plan Overlay  
Biological Resources

## PROJECT CONTACT INFORMATION:

**Lead agency:** County of San Bernardino  
Land Use Services Department – Planning Division  
15900 Smoke Tree Street  
Hesperia, CA 92345

**Contact person:** Tracy Creason, Senior Planner  
**Phone No:** (760) 995-8143  
**E-mail:** tcreason@lusc.sbcounty.gov

**Fax No:** (760) 995-8167

**Project Sponsor:** Cubit Engineering  
16490 Walnut Street, Suite B3  
Hesperia, CA 92345

## PROJECT DESCRIPTION:

The proposed project is **Tentative Parcel Map Number 19401** to create four parcels and a remainder parcel on 35.95 acres. The project site lies within the unincorporated portion of the County of San Bernardino in the Phelan Pinon Hills Community Plan Area. The County's General Plan designates the site PH/RL, Phelan Pinon Hills Community Plan Rural Living (2.5 acre minimum lot size). The project is north of and adjacent to State Highway 138, bounded by Soledad, Solano, Crystal Aire, & Rancho Roads. The site is regulated by the FS-2 Fire Safety Overlay, FP-3 Local Flood Plain Overlay, and the Biological Resources Overlay.

## ENVIRONMENTAL/EXISTING SITE CONDITIONS:

The project site is undeveloped, as are the adjacent properties to the south, east, and west. The properties to the north of the project site are each developed with single-family residences. According to the General Biological Resources Assessment, the site supports a mixed shrub community. The existing native desert vegetation includes between 150 and 200 locally protected Joshua Trees. According to the Drainage Study the project site slopes approximately two percent to the northeast. There are three existing flow paths through this site, which vary from two feet to three feet deep and from 30 feet to 50 feet wide. As part of this subdivision, three San Bernardino County Drainage Easements (SBCDEs) will be dedicated over these drainage courses. No other significant topographic conditions exist on the site.



OFFICIAL USE ONLY

**PUBLIC UTILITIES**

ELECTRICITY : SOUTHERN CALIFORNIA EDISON  
 12323 HESPERIA ROAD  
 VICTORVILLE, CA 92382  
 (760) 241-3065

GAS : INDIVIDUAL PROPANE  
 PUEBLAN PINON HILLS C.S.D.  
 P.O. BOX 29049  
 PUEBLA, CA 92371  
 (760) 868-1212

SEWER : SEPTIC TANK

**ZONING & LAND USE**

PRESENT ON SITE : PH/RL VACANT  
 PROPOSED ON SITE : IH/EL FUTURE SINGLE FAMILY RES.

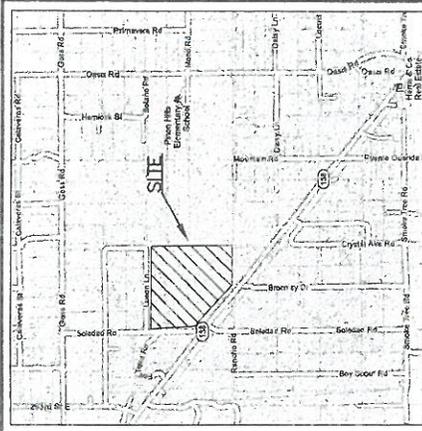
NORTH : PH/RL SINGLE FAMILY RES.  
 SOUTH : PH/RL VACANT  
 EAST : PH/IN & PH/RS-1 VACANT  
 WEST : PH/RL VACANT

**NOTES**

- 0 L.F. NEW STREETS
- NO GRADING IS PROPOSED AT THIS TIME.
- 4 NUMBERED LOTS AND A REMAINDER
- 35.95 AC. GROSS AREA BEING DIVIDED.
- AVERAGE SLOPE OF BOTH FEASIBLE ACCESS ROUTES IS 10%.
- PERMISSIBLE BUILDING SITES DOES NOT EXCEED TEN PERCENT (10%).
- NO STRUCTURES EXIST WITHIN 15 FEET OF THE PROPERTY LINES. NO STRUCTURES EXIST ON THIS SITE.
- CONTOUR INTERVAL IS 5 FOOT.
- ▽ INDICATES JOSHUA TREE

**EASEMENTS**

- Ⓐ AN EASEMENT IN FAVOR OF THE COUNTY OF SAN BERNARDINO FOR WATER PIPELINES AND APPURTAINANCES, COMMUNICATION CABLES AND UTILITIES, RECORDED FEBRUARY 25, 1992 AS DOCUMENT 52-068207 OFFICIAL RECORDS.
- Ⓑ AN EASEMENT IN FAVOR OF THE STATE OF CALIFORNIA FOR THE HIGHWAY AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 26, 1934 IN BOOK 941, PAGE 316 OF OFFICIAL RECORDS.
- Ⓒ AN EASEMENT IN FAVOR OF CALIFORNIA ELECTRIC POWER COMPANY FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED JANUARY 21, 1957 IN BOOK 4136, PAGE 200 OF OFFICIAL RECORDS.



VICINITY MAP  
 NOT TO SCALE

A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7, T4N, R7W, S.B.M., COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

**TENTATIVE PARCEL MAP  
 NO. 19401**

A.P.N. 3068-171-07

OWNER / APPLICANT

NICHOLAS MARKOVIN IN  
 C/O JUNG HYUN SUH  
 M.A.S. INC.  
 1680 WILSON BLVD #234  
 WEST GARDEN, CA 90640  
 (213) 235-8949

PREPARED: JULY, 2012  
 REVISED:

PREPARED BY:  
 CUBIT ENGINEERING INCORPORATED

16480 WALNUT ST.  
 UNIT B-3  
 HESPERIA, CA 92345  
 (951) 241-2247  
 cubitengineering.com



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AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT	OVERLAYS
Site	Vacant	PH/RL	BIO; FS-2; FP-3
North	Single-Family Residences	PH/RL	BIO; FS-2; FP-3
South	Vacant	PH/RL	BIO; FS-2; FP-3
East	Vacant	PH/IN & PH/RS-1	BIO; FS-2; FP-3
West	Vacant	PH/RL	BIO; FS-2; FP-3

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

Federal: Fish & Wildlife

State of California: Lahontan Regional Water Quality Control Board; Fish & Wildlife, MDAQMD

County of San Bernardino: Land Use Services – Building and Safety, Code Enforcement; Public Health – Environmental Health Services; Public Works – Roads/Drainage, Traffic, and Surveyor; and County Fire

Local: Phelan/Pinon Hills CSD

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## **EVALUATION FORMAT**

This initial study is prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines. This format of the study is presented as follows. The project is evaluated based upon its effect on 18 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study Checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

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

1. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
2. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
3. 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 mitigation measures)
4. Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are (Listing the impacts requiring analysis within the EIR).

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

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

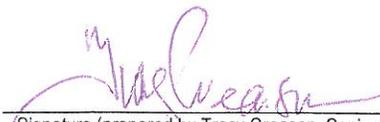
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

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

  
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Signature (prepared by Tracy Creason, Senior Planner):

11 MAR 2013  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature: Heidi Duron, Supervising Planner

4/8/2013  
\_\_\_\_\_  
Date

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

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

The property is adjacent to State Highway 138, a designated scenic corridor.

- I a) **Less Than Significant Impact.** The proposed project is located within the viewshed of State Highway 138, a designated Scenic Corridor. The predominant scenic view is of the mountains to the south. The property is on the north side of Highway 138. The project is a subdivision and will not have a substantial adverse effect on the scenic vista. Development of future single family residences may result in removal of some of the existing Joshua trees, but with the 5-acre parcel size most should remain. Because the proposed parcels are five acres each, there will be ample opportunity to design construction around a majority of the Joshua trees. Additionally, the remainder parcel which by definition is not for sale, lease, or development, is adjacent to the scenic route.
- I b) **Less Than Significant Impact.** As stated in I a), development of future single family residences may result in removal of some of the existing Joshua trees, but because the parcels are five acres each, there will be many opportunities to avoid the trees. The site is vacant; there are no rock outcroppings.
- I c) **Less Than Significant Impact.** The existing native desert vegetation includes between 150 and 200 locally protected Joshua Trees. The proposed project will not substantially degrade the existing visual character or quality of the site and its surroundings because all the newly created 5-acre parcels will exceed the minimum parcel size of 2.5 acres, per PH/RL Land Use District Development Standards, allowing ample buildable area without significantly impacting the Joshua Trees. All building permits require a pre-construction inspection to verify the location of Joshua Trees. Any removal must comply with the County's ordinance regarding tree protection (County Development Code Section 88.01.060), so there will be no significant impact in this area.
- I d) **No Impact.** The proposed project will not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area because at this time this project is only proposing the subdivision of 35.95 acres into four parcels and a remainder. No development is proposed at this time, therefore there will be no impact in this area. Future on-site residential lighting must comply with section 83.07.040, Glare and Outdoor Lighting – Mountain and Desert Region.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<p><b>II. AGRICULTURE AND FORESTRY RESOURCES</b> - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. 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:</p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

II a-e) **No Impact.** The subject property is not identified or designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the maps prepared, pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. There are currently no agricultural uses on the site. The site is not under a Williamson Act land conservation contract. The nearest boundary of the San Bernardino National Forest is

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approximately 3.5 miles south of the property. The site, within the High Desert of San Bernardino County, supports a mixed desert scrub community.

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

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

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

- III a) **No Impact.** The project will not conflict with or obstruct implementation of the Mojave Desert Air Quality Plan. Future residential development will not result in a traffic increase that is significant. The Air Quality Plan used development of one dwelling unit per 2.5 acres as the baseline. Because the subdivision map proposes four 5-acre parcels and a remainder, development will be less than originally evaluated.
- III b) **Less Than Significant Impact.** The project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation. The MDAQMD is in non-attainment for ozone and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). Although no development is proposed as part of the subdivision, future residential development will contribute to particulate matter by using unpaved roads for access. As stated previously, development will be less than originally evaluated so will not contribute in any substantial way to the degradation of local air quality.
- III c) **Less Than Significant Impact.** The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors), because future residential development will not exceed established thresholds of concern.
- III d) **No Impact.** The project will not expose any future or existing sensitive receptors to substantial pollutant concentrations, because there are no known or potential sources of concentrations of substantial pollutants within vicinity of the project site. The nearest sensitive receptor is Pinon Hills Elementary School which is located approximately 0.5 miles east of the project site.

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III e) **No Impact.** The project will not create odors affecting a substantial number of people because there are no identified potential uses that will result in the production of objectionable odors.

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

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

**SUBSTANTIATION** (Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database ): Desert Tortoise; Mohave Ground Squirrel

RCA Associates, LLC conducted a General Biological Resources Assessment on October 31, 2012. As a result of the general assessment, RCA conducted a Focused Desert Tortoise Survey and Ryan Young with Phoenix Ecological Consulting conducted a Habitat Assessment for Mohave Ground Squirrel on October 31, 2012. All three reports were prepared in December 2012.

IV a) **Less Than Significant Impact with Mitigation Incorporated.** RCA Associates, LLC conducted a General Biological Resources Assessment and as a result of the general assessment, RCA conducted a Focused Desert Tortoise Survey and Ryan Young with Phoenix Ecological Consulting conducted a Habitat Assessment for Mohave Ground Squirrel. The Focused Desert Tortoise Survey determined that although the site supports suitable habitat, no tortoise or tortoise sign were observed. A pre-construction clearance survey is required to confirm the continued absence of Desert Tortoise. See **Mitigation Measure IV a-1**. The Habitat Assessment

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for Mohave Ground Squirrel determined that the site supports suitable habitat for the species. The Habitat Assessment states future construction of houses will have a direct impact on potential Mohave ground squirrel habitat. Before any ground disturbance, the proponent must apply for an Incidental Take Permit (ITP) from the California Department of Fish and Wildlife (CDFW) and provide suitable mitigation fees for the purchase of compensatory mitigations for the 35.95 acres that could be impacted by site development activities. In lieu of the ITP, the proponent has the option of conducting a live-trapping survey to definitively determine the presence or absence of the species. See **Mitigation Measures IV a-2 and a-3.**

- IV b) **Less Than Significant Impact with Mitigation Incorporated.** This project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service because no such habitat has been identified or is known to exist on the project site. Several natural drainage courses traverse the site. The proposed 5 acre parcel size allows for sufficient open space to avoid impacts to these drainage courses when the site is developed. The proposed SBCDEs will further prevent development from impacting the existing drainage courses. Prior to any land disturbance within a streambed area, the developer is required to obtain written clearance from the California Department of Fish and Wildlife and obtain all necessary permits and satisfy all mitigation measures. Verification shall be submitted to County Planning for review and approval. See **Mitigation Measure IV b.**
- IV c) **Less Than Significant Impact.** This project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, because the project is not within an identified protected wetland.
- IV d) **Less Than Significant Impact.** This project will not 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, because the General Biological Resources Assessment found no such corridors or nursery sites within or near the project site. Several natural drainage courses and the proposed SBCDEs, which will remain undisturbed, traverse the site and will provide for movement. The proposed 5 acre parcel size allows for sufficient open space as well.
- IV e) **Less Than Significant Impact.** The existing native desert vegetation includes between 150 and 200 locally protected Joshua Trees. All of the newly created parcels exceed the minimum lot size of 2.5 acres by twice. The PH/RL Land Use District Development Standards allow ample buildable area without significantly impacting the Joshua Trees. This project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance because all building permits require a pre-construction inspection to verify the location of Joshua Trees. Any removal must comply with the County's ordinance regarding tree protection (County Development Code Section 88.01.060), so there will be no impact in this area.
- IV f) **No Impact.** This project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, because no such plan has been adopted in the area of the project site.

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Possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are:

***[Mitigation Measure IV a-1]***

The following notes shall be placed on the CDP:

“For all grading or other land disturbing activity proposed after 10/31/2013, a preconstruction inspection shall be completed by a County approved biologist to either confirm the continued absence of the desert tortoise on the project site or to verify the intensity and location of recently migrated Desert Tortoise on the project site. If a desert tortoise is discovered on the site all activities shall cease. The developer shall notify the U. S. Fish and Wildlife Service and shall initiate a Section 2081 consultation with the CDFW for the incidental take of the desert tortoise.”

***[Mitigation Measure IV a-2]***

Add the following note to the CDP:

“Prior to ground disturbance, issuance of grading permits or building permits, whichever occurs first, all mitigation required by California Department of Fish and Wildlife shall be completed for Mohave Ground Squirrel.”

***[Mitigation Measure IV a-3]***

Add the following note to the CDP:

“Pursuant to the California Endangered Species Act and regulations of the California Department of Fish and Wildlife (CDFW), the following provisions are required. These requirements are based on the Habitat Assessment prepared for the project (*Habitat Assessment for Mohave Ground Squirrel*”, RCA Associates and Phoenix Ecological Consultants, 12/19/2012).

a) At least 30 days prior to ground disturbance, issuance of grading permits or building permits, whichever occurs first, submit to the San Bernardino County Land Use Services Department Planning Division for review and approval, EITHER:

1) A Mohave Ground Squirrel (MGS) trapping survey, if required.

OR,

2) A 2081 permit, applied for and obtained from CDFW.

OR,

3) Written correspondence from CDFW stating that neither an MGS "trapping survey", nor a 2081 permit is required; and/or stating CDFW's recommended mitigation (if any) in lieu of such "trapping survey" or 2081 permit.

NOTE: Compliance with this condition shall be in accordance with regulations, plans, and policies in effect at the time of land disturbance and/or issuance of a grading or building permit.

b) NOTE ON GRADING AND/OR CONSTRUCTION PERMIT: "This permit does not relieve the property owner

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of responsibility to comply with State and Federal Endangered Species Acts. Contact the San Bernardino County Land Use Services Department - Planning Division at 760.995.8140 for more information of the land owner's responsibilities."

***[Mitigation Measure IV b]***

Add the following note to the CDP:

"As set forth in the Drainage Study prepared by Cubit Engineering Incorporated for Tentative Parcel Map 19401, an ephemeral stream runs near to and along the easterly property line as shown on the Composite Development Plan. Prior to any land disturbance nearby or within the streambed area, a notification form and corresponding fee must be submitted to the California Department of Fish and Wildlife (CDFW). Upon determination from CDFW, the property owner/developer shall submit to the San Bernardino County Land Use Services Department - Current Planning Division and Public Works – Land Development Division one of the following for review and approval:

- 1) EITHER:
  - a) A copy of the approved CDFW Streambed Alteration Agreement (SAA) if it is determined that the activity may substantially adversely affect fish and wildlife resources and/or any streambed on-site.  
AND,
  - b) Written correspondence from CDFW stating that all conditions of the SAA necessary to protect those resources have been completed, adhered to, and comply with the California Environmental Quality Act (CEQA).

OR,

- 2) Written correspondence from CDFW stating that a SAA is not required."

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>V. CULTURAL RESOURCES - Would the project</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

- V a) **Less Than Significant Impact.** This project will not impact nor cause a substantial adverse change in the significance of an historical resource because the project site is not located on or near any known historical resource, as defined in §15064.5.
- V b) **Less Than Significant Impact.** This project will not cause a substantial adverse change to any archaeological resource because no resources have been identified on the site. To further reduce the potential for impacts, a condition shall be added to the project that requires the developer to contact the San Bernardino County Museum for determination of appropriate measures, if any finds are made during project construction.
- V c) **Less Than Significant Impact.** This project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, because no resources have been identified on the site. To further reduce the potential for impacts, a condition shall be added to the project which requires the developer to contact the County Museum for determination of appropriate measures, if any finds are made during project construction.
- V d) **Less Than Significant Impact.** This project will not disturb any human remains, including those interred outside of formal cemeteries, because no such burials grounds are identified on this project site. If any human remains are discovered, during construction of this project, the developer is required to contact the County Coroner, County Museum for determination of appropriate measures and a Native American representative, if the remains are determined to be of Native American origin.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>VI. GEOLOGY AND SOILS</b> - Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001) creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of on-site wastewater treatment tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

- VI a) **Less Than Significant Impact.** The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving; i) rupture of a known earthquake fault, ii) strong seismic ground shaking, iii) seismic related ground failure, including liquefaction or iv) landslides. The nearest earthquake fault zone is the San Andreas fault zone, Carrizo section, which is approximately six miles south of the site.
- VI b) **Less Than Significant Impact.** The project will not result in substantial soil erosion or the loss of topsoil because no development is proposed at this time. At the time development occurs on-site, erosion control measures will be required to be put in place.
- VI c) **No Impact.** The project is not identified as being located on a geologic unit or soil that has been identified as being unstable or having the potential to result in on- or off- site landslide, lateral spreading, subsidence, liquefaction, or collapse. The elevations on the site range from approximately 3925 to 3860 feet AMSL, with the natural slope of the site being to the northeast at 2 percent.

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- VI d) **No Impact.** The project site is not located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001) creating substantial risks to life or property.
- VI e) **No Impact.** Using the Lahontan Regional Water Quality Control Board standards and requirements, the County Environmental Health Services Department will require a percolation test prior to on-site wastewater treatment system installation. Therefore, there will be no significant impact.

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

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

SUBSTANTIATION:

VII a,b) **Less Than Significant Impact.** As discussed in Section III of this document, the proposed project does not include any development. It is a residential subdivision to create four 5-acre parcels and a remainder parcel on 35.95 acres. The Air Quality Plan used the underlying zoning to evaluate impacts. The subdivision creates parcels that are twice the size allowed by the zoning. Future residential development will contribute to particulate matter by using unpaved roads for access.

On December 6, 2011, the San Bernardino County Board of Supervisors adopted the County Greenhouse Gas (GHG) Emissions Reduction Plan. As part of the GHG Plan, sample project sizes that exceed the 3000 MTCO<sub>2e</sub> level were established. The threshold for single family residential development is 60 to 80 units. GHGs and criteria pollutants associated with four future residences will remain unchanged. For this reason, it is unlikely that this project would impede the state's ability to meet the reduction targets of AB32.

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

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

**SUBSTANTIATION**

- VIII a) **No Impact.** The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, because no use approved on the site is anticipated to be involved in such activities. If such uses are proposed on-site in the future, they will be subject to permit and inspection by the Hazardous Materials Division of the County Fire Department and in some instances additional land use review.
- VIII b) **No Impact.** The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment,

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because the project is a subdivision only. Any proposed future use or construction activity that might use hazardous materials is subject to permit and inspection by the Hazardous Materials Division of the County Fire Department.

- VIII c) **No Impact.** The project uses will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school, because the project does not propose the use of hazardous materials and all existing and proposed schools are more than 1/4 mile away from the project site. The nearest school, Pinon Hills Elementary School, is located approximately 0.5 miles east of the project site.
- VIII d) **No Impact.** The project site is not included on the San Bernardino County list of hazardous materials sites compiled pursuant to Government Code 65962.5 and therefore, will not create a significant hazard to the public or environment.
- VIII e) **No Impact.** The project site is not within the vicinity or approach/departure flight path of a public airport. The nearest public airport is Adelanto Airport which is located approximately 12.5 miles northeast of the project site.
- VIII f) **No Impact.** The project site is not within the vicinity or approach/departure flight path of a private airstrip. The nearest private airstrip is Brian Ranch which is located approximately 7.6 miles northwest of the project site.
- VIII g) **No Impact.** The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, because the project has adequate access from two or more directions.
- VIII h) **Less Than Significant Impact.** Prior to any construction occurring on any parcel, the applicant shall contact the County Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department. The project site is in the FS-2 Fire Safety Overlay. The requirements of the overlay district are designed to reduce fire hazard risk to below a level of significance.

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

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

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## SUBSTANTIATION

- IX a) **No Impact.** The project will not violate any water quality standards or waste discharge requirements because the project is a subdivision to create four 5-acre parcels and a remainder on 35.95 acres. Any future on-site wastewater treatment systems associated with residential development must be approved by the County Environmental Health Services based on requirements by the Lahontan Regional Water Quality Control Board.
- IX b) **No Impact.** The project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. The project is served by Phelan/Pinon Hills CSD, which has indicated that they intend to serve the property. Completion of a feasibility study is a condition of approval prior to recordation of this subdivision project.
- IX c) **Less Than Significant Impact with Mitigation Incorporated.** The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in erosion or siltation on- or off-site. Several natural drainage courses traverse the site. There are proposed SBCDEs over these drainages. The proposed 5 acre parcel size allows for sufficient open space to avoid impacts to these drainage courses when the site is developed. The SBCDEs will further prevent development from impacting the existing drainage courses. Prior to any land disturbance within a streambed area, the developer is required to obtain written clearance from the California Department of Fish and Wildlife and obtain all necessary permits and satisfy all mitigation measures. Verification of compliance shall be submitted to County Planning for review and approval. See **Mitigation Measure IV b.**
- IX d) **Less Than Significant Impact with Mitigation Incorporated.** The project will not substantially alter any existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Several natural drainage courses traverse the site. There are proposed SBCDEs over these drainages. The proposed 5 acre parcel size allows for sufficient open space to avoid impacts to these drainage courses when the site is developed. The SBCDEs will further prevent development from impacting the existing drainage courses. Prior to any land disturbance within a streambed area, the developer is required to obtain written clearance from the California Department of Fish and Wildlife and obtain all necessary permits and satisfy all mitigation measures. Verification of compliance shall be submitted to County Planning for review and approval. See **Mitigation Measure IV b.**
- IX e) **No Impact.** The future development of single-family residences will not create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems because the drainage of the residences will be handled by the natural drainage courses on the property. County Public Works has reviewed the proposed project drainage and has determined that the existing and proposed systems are adequate to handle anticipated flows. There will be adequate capacity in the local and regional drainage systems, so that downstream properties are not negatively impacted by any increases or changes in volume, velocity, or direction of storm water flows originating from or altered by the project.
- IX f) **No Impact.** The project will not otherwise substantially degrade water quality, because appropriate measures relating to water quality protection, including erosion control measures will be required and implemented when the site is developed, although no development is proposed at this time.

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- IX g, h) **Less Than Significant Impact.** This project lies within the FP-3 Local Flood Plain. All future construction must meet the requirements from the County Public Works, Land Development Division (Roads/Drainage). This will reduce any potential impacts to a level below significance.

The project site is in Zone D as designated by the Federal Emergency Management Agency (FEMA). The Zone D designation is used for areas where there are possible but undetermined flood hazards, as no analysis of flood hazards has been conducted. County Public Works – Land Development Division reviewed and approved a Preliminary Drainage Study. Future residential development will require elevation of the building pad by one foot above the adjacent natural grade. Therefore, there will be no potentially significant impact in this area.

- IX i) **No Impact.** The project will not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam, because the project site is not within any identified path of a potential inundation flow that might result in the event of a dam or levee failure or that might occur from a river, stream, lake, or sheet flow situation.
- IX j) **No Impact.** The project will not be impacted by inundation by seiche, tsunami, or mudflow. The project is not adjacent to any body of water that has the potential of seiche or tsunami or is the project site in the path of any potential mudflow.

**Possible significant adverse impacts have been identified or anticipated and mitigation measure IV b is required as a condition of project approval to reduce these impacts to a level below significant.**

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

**SUBSTANTIATION**

- X a) **No Impact.** The project will not physically divide an established community, because the project is a logical and orderly extension of the planned land uses and development that are established within the surrounding area. The proposed subdivision will create residential parcels that conform to and exceed the existing PH/RL land use district, which allows a single-family residence on a minimum 2.5-acre lot. The parcel size proposed in this subdivision is 5 acres.
- X b) **No Impact.** The project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. The project is consistent with all applicable land use policies and regulations of the County Code, General Plan, and the Phelan Pinon Hills Community Plan. The project complies with all hazard protection, resource preservation, and land use modifying Overlay District regulations.
- X c) **No Impact.** The project will not conflict with any applicable habitat conservation plan or natural community conservation plan, because there is no habitat conservation plan or natural community conservation plan within the area surrounding the project site and no habitat conservation lands are required to be purchased as mitigation for the proposed project.

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

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

**SUBSTANTIATION** (Check  if project is located within the Mineral Resource Zone Overlay): MRZ-4

XI a) **Less Than Significant Impact.** The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state, because there are no identified important mineral resources on the project site. The project site lies within the Mineral Resources Zone Four (MRZ-4) Overlay which indicates an area of unknown mineral resource significance. There are no known mineral occurrences on the site.

XI b) **Less Than Significant Impact.** The project will not 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, because there are no identified locally important mineral resources on the project site. The project site lies within the MRZ-4 Overlay which indicates an area of unknown mineral resource significance. There are no known mineral occurrences on the site.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>XII. NOISE - Would the project:</b>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION** (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 ):

- XII a) **No Impact.** The project will not expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The project is required to comply with the noise standards of the County Development Code and no noise exceeding these standards is anticipated to be generated by the proposed uses. An acoustical review sheet demonstrating that the County's exterior and interior residential noise standards will not be exceeded and if exceeded, the manner in which those levels will be reduced to an acceptable level shall be submitted to County Environmental Health Services for review and approval prior to future residential construction. Adherence to any requirements resulting from the review shall reduce any potentially significant impacts to a level below significant.
- XII b) **No Impact.** The project will not create exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels. The project is required to comply with the vibration standards of the County Development Code. No vibration exceeding these standards is anticipated to be generated by the proposed subdivision.
- XII c) **No Impact.** The project will not generate a substantial permanent increase in ambient noise levels in the project vicinity above levels existing or allowed without the project. The project is required to comply with the noise standards of the County Development Code and no noise exceeding these standards is anticipated to be generated by the project. An acoustical review sheet demonstrating that the County's exterior and interior residential noise standards will not be exceeded and if exceeded, the manner in which those levels will be

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reduced to an acceptable level shall be submitted to County Environmental Health Services for review and approval prior to future residential construction. Adherence to any requirements resulting from the review shall reduce any potentially significant impacts to a level below significant.

- XII d) **Less Than Significant Impact.** The project will not generate a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project because no development is proposed at this time. Future development of the proposed parcels may result in temporary or periodic noise increases associated with construction activities. These activities will be required to adhere to County Noise Standards including restricted days and hours of construction.
- XII e) **No Impact.** The project is not located within an airport land-use plan area or within two miles of a public/public use airport. The nearest public airport is Adelanto Airport which is located approximately 12.5 miles northeast of the project site.
- XII f) **No Impact.** The project is not within the vicinity of a private airstrip. The nearest private airstrip is Brian Ranch which is located approximately 7.6 miles northwest of the project site.

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

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

**SUBSTANTIATION**

- XIII a) **Less Than Significant Impact.** The project will not induce substantial population growth in an area either directly or indirectly. The proposed four parcels will generate four households, which will add approximately 11 new residents at final build-out.
- XIII b) **No Impact.** The proposed use will not displace any housing units, necessitating the construction of replacement housing because no housing units are proposed to be demolished as a result of this proposal. The property is currently vacant.
- XIII c) **No Impact.** The proposed use will not displace any people necessitating the construction of replacement housing elsewhere, because the project will not displace any existing housing or existing residents. The property is currently vacant.

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

**XIV. PUBLIC SERVICES**

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

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION**

XIV a) **Less Than Significant Impact.** The proposed project will not 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, including fire and police protection, schools, parks, or other public facilities. Future development on the proposed parcels should increase property tax revenues to provide a source of funding that is sufficient to offset any increases in the anticipated demands for public services generated by this project.

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

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

**SUBSTANTIATION**

- XV a) **Less Than Significant Impact.** This project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. The proposed 5-acre parcel size of allows for some on-site recreational activities including hiking and equestrian activities. Any impacts from this proposed minor subdivision will be minimal because only approximately 11 new residents in four households will be generated at final build-out.
- XV b) **Less Than Significant Impact.** This project does not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment, because the type of project proposed will not result in an increased demand for recreational facilities. No development of new parkland is required per the County General Plan because of the insignificant number of additional home sites proposed.

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

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

**SUBSTANTIATION**

XVI a) **Less Than Significant Impact.** The County Traffic Division found that there would be no adverse impacts on traffic because of the proposed subdivision. The subdivision will not result in an increase in the number of vehicle trips over what currently exists. Future residential development of four parcels will not cause a substantial increase in traffic. State Route 138 operates at Level of Service (LOS) E during peak hour where it is adjacent to this parcel. Local roads are currently operating at a level of service at or above LOS C, the standard established by the County General Plan. The volume to capacity ratio on roads and the congestion level at intersections will continue to remain below the planned thresholds for those facilities. The property is located within the High Desert Local Area Transportation Facilities Fee Plan. Developers of future residences will be required to contribute to that plan before building permits are issued. Fees collected by the plan are used for road improvements and maintenance within the plan area.

XVI b) **No Impact.** The project will not exceed, either individually or cumulatively, a LOS standard established by the county congestion management agency for designated roads or highways. County Public Works – Traffic Division has reviewed the traffic generation of the proposed project and anticipates that traffic service will remain at LOS C or better, as required by the County General Plan.

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- XVI c) **No Impact.** The project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. There are no airports in the vicinity of the project and there is no anticipated notable impact on air traffic volumes by passengers or freight generated by the proposed use. No new air traffic facilities are proposed.
- XVI d) **No Impact.** The project will not substantially increase hazards due to a design feature or incompatible uses because the project site is adjacent to an established road that is accessed at points with good site distance and properly controlled intersections. There are no incompatible uses proposed by the project that will impact surrounding land uses.
- XVI e) **No Impact.** The project will not result in inadequate emergency access because there are a minimum of two access points.
- XVI f) **No Impact.** The project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. This is a minor subdivision to create four parcels for residential purposes only and a remainder parcel. This project will have no impact on alternative methods of transportation. The Victor Valley Transit Authority provides services in the general area.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>XVII. UTILITIES AND SERVICE SYSTEMS - Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new, or expanded, entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION**

- XVII a) **No Impact.** The proposed project is a subdivision to create four 5-acre parcels and a remainder parcel. It does not impact wastewater treatment requirements. Future residential development must comply with requirements of the Regional Water Quality Control Board, *Lahontan Region*, as determined by County Public Health – Environmental Health Services.
- XVII b) **No Impact.** The proposed subdivision project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. There is no wastewater treatment provider serving the project area. On-site wastewater treatment systems will serve future residences. These on-site wastewater treatment systems must be approved by the County Environmental Health Services based on requirements by the Lahontan Region Water Quality Control Board; therefore there will be no impact in this area. The Phelan/Pinon Hills CSD expressed their intent to serve the proposed parcels with water. The conditions of approval require completion of and compliance with the requirements of a feasibility study.
- XVII c) **No Impact.** The proposed project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities that cause significant environmental effects. County Public Works has determined that there is sufficient capacity in the existing storm water system to absorb any additional storm water drainage caused by the project. All future residential construction must meet the requirements from the

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County Public Works, Land Development Division (Roads/Drainage), including building elevation of a minimum of one foot above the existing grade.

- XVII d) **No Impact.** The proposed project will have sufficient water supplies available to serve the project from existing entitlements and resources, as Phelan/Pinon Hills CSD has given assurance that it intends to serve the proposed parcels. Preparation of a water feasibility study and compliance with requirements is a condition of project approval.
- XVII e) **No Impact.** There is no wastewater treatment provider serving the project area. On-site wastewater treatment systems will serve future residences. These on-site wastewater treatment systems must be approved by the County Environmental Health Services based on requirements by the Lahontan Regional Water Quality Control Board.
- XVII f) **No Impact.** The proposed project is served by the Victorville Sanitary Landfill via the Phelan/Sheep Creek transfer station, which has sufficient permitted capacity to accommodate the proposed project's future solid waste disposal needs.
- XVII g) **No Impact.** The proposed project is required to comply with federal, state, and local statutes and regulations related to solid waste.

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

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

**SUBSTANTIATION**

XVIII a) **Less Than Significant Impact with Mitigation Incorporated.** The project does not appear to have the potential to significantly degrade the overall quality of the region's environment, or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population or drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

There are no historic or prehistoric resources identified on this site. No archaeological or paleontological resources have been identified in the project area.

A General Biological Resources Assessment was completed for this project on 10/31/2012. As a result of the general assessment, RCA Associates, LLC conducted a Focused Desert Tortoise Survey and Ryan Young with Phoenix Ecological Consulting conducted a Habitat Assessment for Mohave Ground Squirrel. The Focused Desert Tortoise Survey determined that although the site supports suitable habitat, no tortoise or tortoise sign were observed. A pre-construction clearance survey is required if land disturbance occurs after 10/31/2013. The Habitat Assessment for Mohave Ground Squirrel (MGS) determined that the site supports suitable habitat for the species. The Habitat Assessment states future construction of houses will have a direct impact on potential MGS habitat. Before any ground disturbance, the proponent must apply for an Incidental Take Permit (ITP) from the California Department of Fish and Wildlife (CDFW) and provide suitable mitigation fees for the purchase of compensatory mitigations for the 35.95 acres that could be impacted by site development activities. In lieu of the ITP, the proponent has the option of conducting a live-trapping survey to definitively determine the presence or absence of the species.

The existing native desert vegetation includes between 150 and 200 locally protected Joshua Trees. All of the

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newly created parcels exceed the minimum lot size of 2.5 acres by twice. The PH/RL Land Use District Development Standards allow ample buildable area without significantly impacting the Joshua Trees. This project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance because all building permits require a pre-construction inspection to verify the location of Joshua Trees. Any removal must comply with the County's ordinance regarding tree protection (County Development Code Section 88.01.060), so there will be no impact in this area.

- XVIII b) **Less Than Significant Impact.** The project does not have impacts that are individually limited, but cumulatively considerable. The sites of projects in the area to which this project would add cumulative impacts have either existing or planned infrastructure that is sufficient for all planned uses. These sites either are occupied or are capable of absorbing such uses without generating any cumulatively significant impacts.
- XVIII c) **No Impact.** The project will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly, as there are no such impacts identified by the studies conducted for this project or identified by review of other sources or by other agencies.

At a minimum, the project is required to meet the conditions of approval for the subdivision project to be implemented. Future development must comply with the requirements on the Composite Development Plan. It is anticipated that all such conditions of approval and requirements prior to construction will insure that no potential for adverse impacts will be introduced by the subdivision or future residential construction activities.

**Possible significant adverse impacts have been identified or anticipated and the mitigation measures listed in the following section are required as conditions of project approval to reduce these impacts to a level below significant.**

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## **XIX. MITIGATION MEASURES**

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

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

### ***[Mitigation Measure IV a-1]***

The following note shall be placed on the CDP:

“For all grading or other land disturbing activity proposed after 10/31/2013, a preconstruction inspection shall be completed by a County approved biologist to either confirm the continued absence of the desert tortoise on the project site or to verify the intensity and location of recently migrated Desert Tortoise on the project site. If a desert tortoise is discovered on the site all activities shall cease. The developer shall notify the U. S. Fish and Wildlife Service and shall initiate a Section 2081 consultation with the CDFW for the incidental take of the desert tortoise.”

### ***[Mitigation Measure IV a-2]***

The following note shall be placed on the CDP:

“Prior to ground disturbance, issuance of grading permits or building permits, whichever occurs first, all mitigation required by California Department of Fish and Wildlife shall be completed for Mohave Ground Squirrel.”

### ***[Mitigation Measure IV a-3]***

Add the following note to the CDP:

“Pursuant to the California Endangered Species Act and regulations of the California Department of Fish and Wildlife (CDFW), the following provisions are required. These requirements are based on the Habitat Assessment prepared for the project (*Habitat Assessment for Mohave Ground Squirrel*”, *RCA Associates and Phoenix Ecological Consultants, 12/19/2012*).

- a) At least 30 days prior to ground disturbance, issuance of grading permits or building permits, whichever occurs first, submit to the San Bernardino County Land Use Services Department Planning Division for review and approval, EITHER:
- 1) A Mohave Ground Squirrel (MGS) trapping survey, if required.
  - OR,
  - 2) A 2081 permit, applied for and obtained from CDFW.
  - OR,
  - 3) Written correspondence from CDFW stating that neither an MGS "trapping survey", nor a 2081 permit is required; and/or stating CDFW's recommended mitigation (if any) in lieu of such "trapping survey" or 2081 permit.

NOTE: Compliance with this condition shall be in accordance with regulations, plans and policies in effect at the time of land disturbance and/or issuance of a grading or building permit.

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b) NOTE ON GRADING AND/OR CONSTRUCTION PERMIT: "This permit does not relieve the property owner of responsibility to comply with State and Federal Endangered Species Acts. Contact the San Bernardino County Land Use Services Department - Planning Division at 760.995.8140 for more information of the land owner's responsibilities."

***[Mitigation Measure IV b]***

Add the following note to the CDP:

As set forth in the Drainage Study prepared by Cubit Engineering Incorporated for Tentative Parcel Map 19401, an ephemeral stream runs near to and along the easterly property line as shown on the Composite Development Plan. Prior to any land disturbance nearby or within the streambed area, a notification form and corresponding fee must be submitted to the California Department of Fish and Wildlife (CDFW). Upon determination from CDFW, the property owner/developer shall submit to the San Bernardino County Land Use Services Department - Current Planning Division and Public Works – Land Development Division one of the following for review and approval:

2) EITHER:

- c) A copy of the approved CDFW Streambed Alteration Agreement (SAA) if it is determined that the activity may substantially adversely affect fish and wildlife resources and/or any streambed on-site. AND,
- d) Written correspondence from CDFW stating that all conditions of the SAA necessary to protect those resources have been completed, adhered to, and comply with the California Environmental Quality Act (CEQA).

OR,

- 2) Written correspondence from CDFW stating that a SAA is not required."

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California Department of Conservation. 2008. *San Bernardino County North Desert Region Parcels Under Agricultural Contract Map*. Sacramento, California. <ftp://ftp.consrv.ca.gov/pub/dlrp/wa/Map%20and%20PDF/San%20Bernardino/Subvention2008Desert.pdf>

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County of San Bernardino Identified Hazardous Materials Waste Sites List, April 1998

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Environmental Impact Report, San Bernardino County General Plan, 2007

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

Mojave Desert Air Quality Management District, *Mojave Desert Planning Area – Federal Particulate Matter (PM<sub>10</sub>) Attainment Plan*, July 1995

Mojave Desert Air Quality Management District, *Rule 403.2 Fugitive Dust Control for the Mojave Desert Planning Area*. 1996. <http://222.mdaqmd.ca.gov>

Mojave Desert Air Quality Management District, *2004 Ozone Attainment Plan*

Mojave Desert Air Quality Management District, *California Environmental Quality Act (CEQA) and Federal Conformity Guidelines*, June 2007

#### **PROJECT SPECIFIC REFERENCES**

RCA Associates and Phoenix Biological Consultants, *General Biological Resources Assessment*, December 18, 2012

RCA Associates and Phoenix Biological Consultants, *Focused Desert Tortoise Survey*, December 19, 2012

RCA Associates and Phoenix Biological Consultants, *Habitat Assessment for Mohave Ground Squirrel*, December 19, 2012

Cubit Engineering Incorporated, *Drainage Study for Nicholas Ln, PM 19401, APN: 3068-171-07*, August 30, 2012