

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

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

**PROJECT LABEL:**

<b>APNs:</b>	0629-181-01	<b>USGS Quad:</b>	Yucca Valley North
<b>Applicant:</b>	Robott Land Company, Inc.	<b>T, R, Section:</b>	T2N R5E Sec. 35
<b>Location</b>	2107 Old Woman Springs Rd.	<b>Thomas Bros</b>	Page 4817; Grid F3, F3, G3, G4; San Bernardino and Riverside Counties (2013)
<b>Project No:</b>	PROJ-2020-00191	<b>Community</b>	Flamingo Heights
<b>Rep</b>	Nancy Ferguson – Jericho Systems, Inc.	<b>LUC: Zone:</b>	Rural Living (RL) Homestead Valley/Rural Living (HV/RL)
<b>Proposal:</b>	Approval of a Conditional Use Permit to establish a destination resort consisting of tent camping with support facilities that are not open to the public, including restaurant, bar, reception, store, trails and paths, and recreation buildings on a 640-acre parcel.	<b>Overlays:</b>	Biological Resource; Geologic Hazards

**PROJECT CONTACT INFORMATION:**

**Lead agency:** County of San Bernardino  
Land Use Services Department  
385 N. Arrowhead Avenue, 1<sup>st</sup> Floor  
San Bernardino, CA 92415-0182

**Contact person:** Jim Morrissey, Contract Planner

<b>Phone No:</b>	(909) 387-4234	<b>Fax No:</b>	(909) 387-3223
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**E-mail:** Jim.Morrissey@lus.sbcounty.gov

**PROJECT DESCRIPTION:**

**Summary**

RoBott Land Company (Project Applicant) is requesting approval of a Conditional Use Permit to develop approximately 25 acres of a 640-acre parcel (Project Site) located at 2107 Old Woman Springs Road. The parcel is described as Assessor’s Parcel No. 0629-181-01 and has a Countywide Plan designation of Rural Living (RL) and a zoning designation of Homestead Valley Rural Living (HV/RL-5). The Project Site is in an unincorporated area of San Bernardino County,

north of the Town of Yucca Valley (see Figure 1- Regional Location). The property is vacant land bounded on the west by Old Woman Springs Road (SR-247), on the north by Luna Vista Road, on the East by Sage Avenue, and on the south by La Brisa Drive (see Figure 2-Project Vicinity). A major drainage, Pipes Canyon Wash, generally encompasses the easterly half of the site extending from north to south.

The proposed Project is the development of 25 acres of the Project Site as a campground consisting of the uses identified below (see Figure 3-Site Plan):

Accommodations: Up to 75 camp sites of three distinct types:

- Camping Lofts – 1,230 square-feet (SF) each; 20 sites
- Camping Tents – 220 SF each; 35 sites
- Chalet – 850 SF each; 20 sites

Support Buildings/Areas

- Reception /Camp Store – 2,288 SF
- Restrooms – 1,120 SF each; 8 units
- Fire Pits –700 SF each; 4 units
- Pool/Patio – 3,000 SF
- Workshops – 3,600 SF each; 2 units
- Art Barn – 5,500 SF
- Restaurant – 10,108 SF
- Agave Bar – 5,500 SF
- Helipad – 7,854 SF
- Storage Area: 25,275 SF
- Yoga Deck: 2,400 SF
- Retention area: 58,902 SF (subject to change)
- Sewage disposal area (e.g. septic system): 58,902 SF (subject to change)

Trails/Paths/Gardens:

- Gardens – 212,000 SF
- Internal Paths/Walkways between buildings/ site activities

No major development is proposed to occur within the Pipes Canyon Wash portion of the Project Site (approximately 350 acres), nor the approximately 65 acres located east of the wash. It is anticipated that there will be up to 300 visitors when fully booked. The proposed Project would require an estimated 30 (up to 50 seasonal) employees. All on-site facilities would be open to guests only; no general public use of the restaurant, bar, etc. would be allowed. Access to the Project Site from Old Woman Springs Road would be provided by a proposed 26-foot main entrance, which currently exists as a dirt trail near the center of the Project Site frontage. Additionally, there will be a secondary entrance south of the main entrance for fire access. Total length of access roads is 4,196 feet.

Total parking provided on the Project Site for the campground will be 96 standard spaces and 4 handicap accessible spaces. Sewer lines would connect each proposed structure to the proposed on-site sewage disposal leach field. A distribution water line owned by Bighorn-Desert View Water Agency exists along the right-of-way of Old Woman Springs Road and extends to an existing

point of connection for the property at the corner of Luna Vista Road. The Project Applicant has applied for annexation into the Bighorn-Desert View Water Agency for water service.

**Project Site Location, Existing Site Land Uses and Conditions**

The Project Site is located in an unincorporated area of the County of San Bernardino. The property is vacant land bounded on the west by Old Woman Springs Road (SR-247), on the north by Luna Vista Road, on the East by Sage Avenue, and on the south by La Brisa Drive. The 640-acre site consists primarily of bare ground and desert plants. Pipes Canyon Wash bisects the property from north to south. There is a 100-foot change in elevation from southwest to northeast at an approximate 1.8% slope. The Project Site occurs in the Land Use Category of Rural Living and has a zoning of Homestead Valley/Rural Living. Surrounding land uses are scattered single-family residences and vacant land to the north and south; commercial uses, scattered single-family residences, and vacant land to the west; and vacant land to the east.

The following table lists the existing adjacent land uses and zoning.

<b>Existing Land Use and Land Use Category</b>			
<b>Location</b>	<b>Existing Land Use</b>	<b>Land Use Category</b>	<b>Zoning</b>
<b>Project Site</b>	Undeveloped and Vacant	Rural Living (RL)	Homestead Valley Rural Living (HV/RL)
North	Vacant land; Residential uses	Rural Living (RL)	Homestead Valley Rural Living (HV/RL)
South	Vacant land; Residential uses	Rural Living (RL)	Homestead Valley Rural Living (HV/RL)
East	Undeveloped and Vacant land	Rural Living (RL)	Homestead Valley Rural Living (HV/RL)
West	Vacant land; Residential uses; Commercial uses	Rural Living (RL)	Homestead Valley Rural Living (HV/RL)

**ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES**

Federal: None.

State of California: California Department of Fish and Wildlife Incidental Take Permit.

Encroachment Permit from Caltrans for a new driveway cut

NOI to the SWRCB for a WDID

County of San Bernardino: Land Use Services Department-Building and Safety, Public Health-Environmental Health Services, Special Districts, and Public Works.

Regional: None

Local: Annexation into BDVWA for Water Service

Figure 1 Regional Map

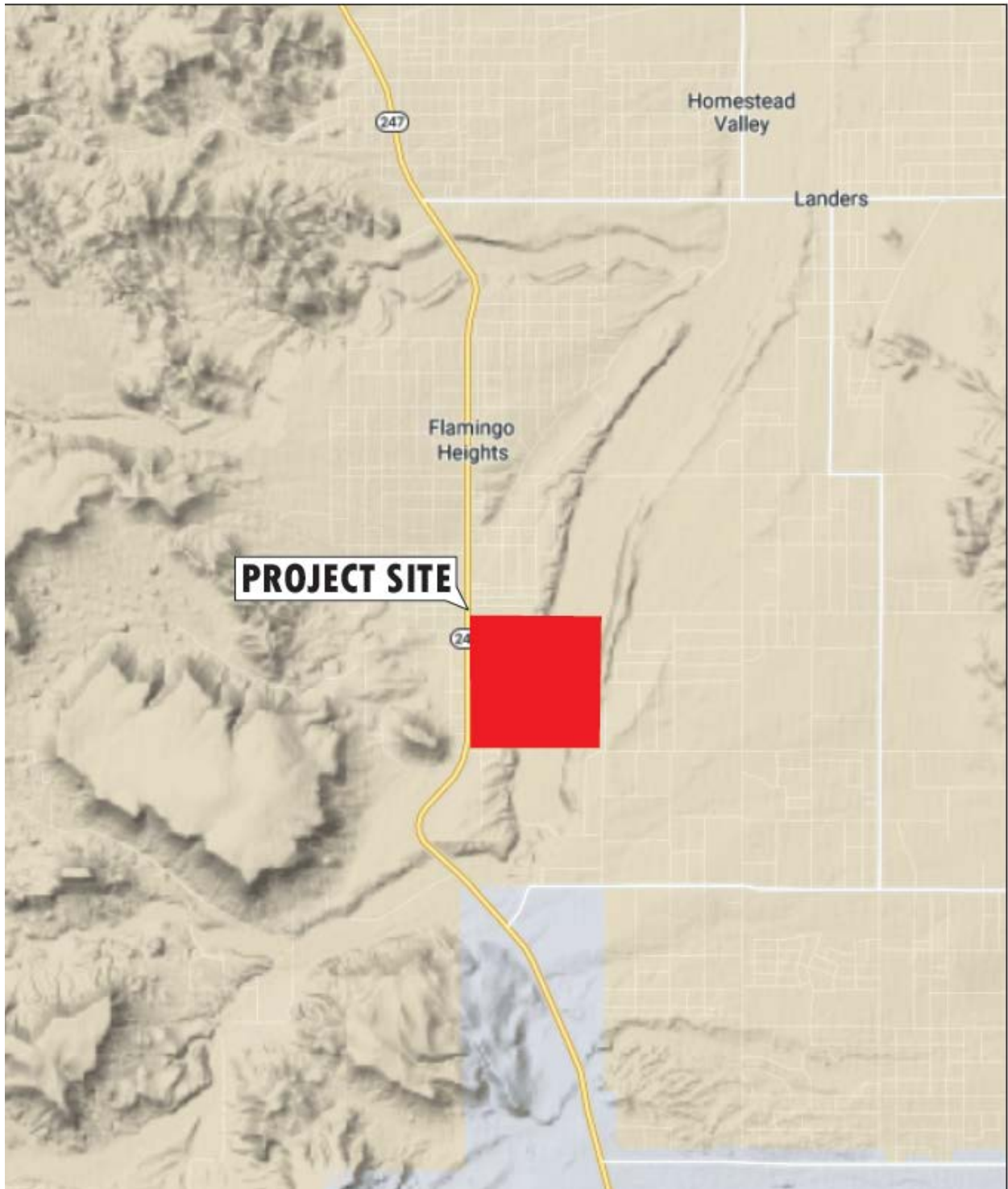
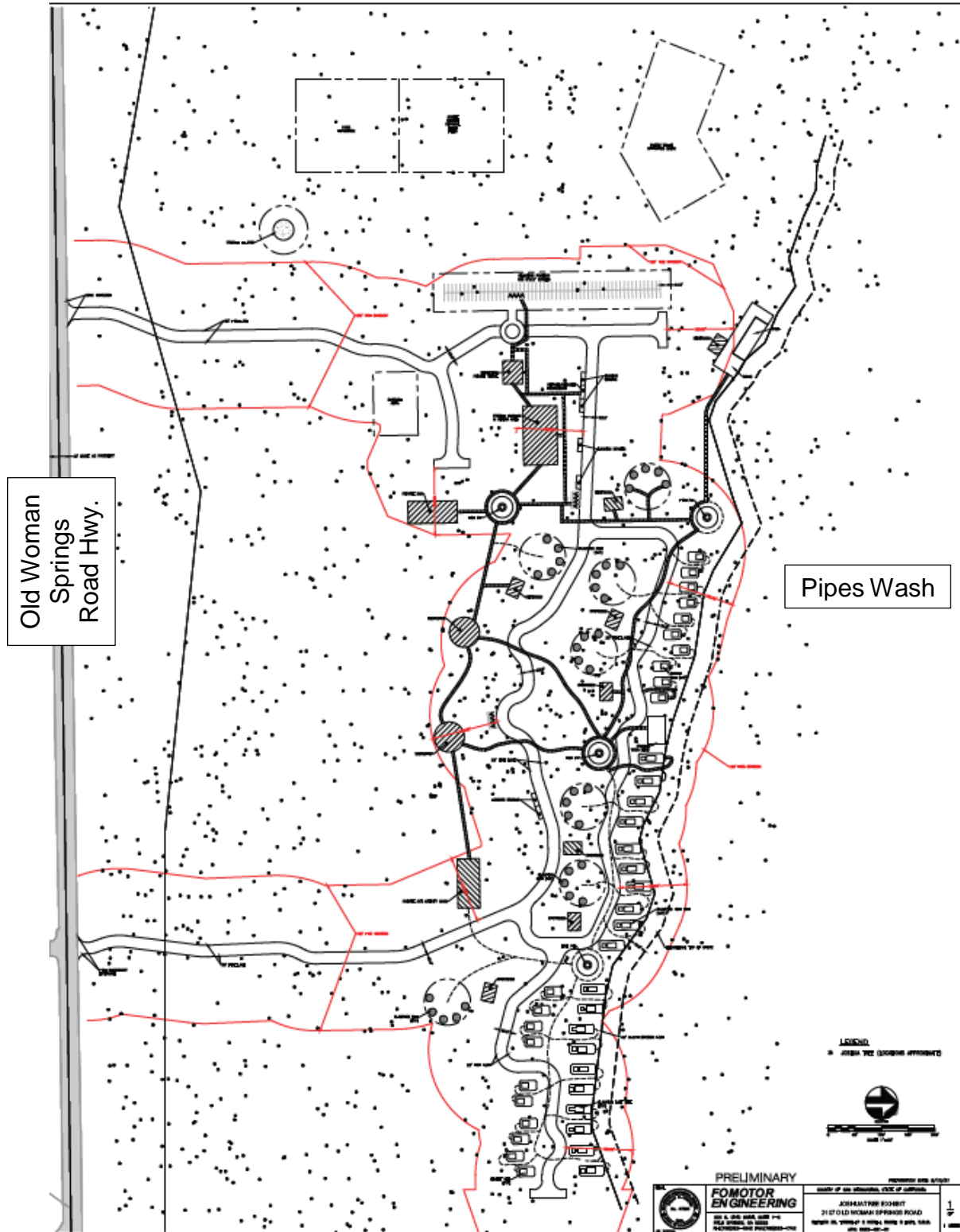


Figure 2 Vicinity Map



Figure 3 Site Plan



**CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES**

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

On April 14, 2021, the County of San Bernardino mailed notification pursuant to AB52 to the following tribes: Fort Mojave Indian Tribe, Colorado River Indian Tribes, Twenty-Nine Palms Band of Mission Indians, Morongo Band of Mission Indians, San Manuel Band of Mission Indians, and Soboba Band of Mission Indians. Requests for consultations were due to the County by May 14, 2021. The table below shows a summary of comments and responses. Comment letters are available for review at the County.

**AB 52 Consultation**

<b>Tribe</b>	<b>Comment Letter Received</b>	<b>Summary of Response</b>	<b>Conclusion</b>
Morongo Band of Mission Indians	No Response Received		
San Manuel Band of Mission Indians	No Response Received		
Twenty-Nine Palms Band of Mission Indians	Response received April 28, 2021	Requested additional information. information was provide and follow-up comment letter provided by Tribe, dated June 25, 2021, identifying mitigation measures	Consultation is on-going based upon site monitoring during construction.
Fort Mojave Indian Tribe	No Response Received		
Colorado River Indian Tribes	No Response Received		
Soboba Band of Mission Indians	No Response Received		

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

**EVALUATION FORMAT**

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

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

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

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

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



**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

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

<input type="checkbox"/>	The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION shall be prepared.
<input checked="" type="checkbox"/>	Although the proposed project could have a significant effect on the environment, there shall not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION shall be prepared.
<input type="checkbox"/>	The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	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.
<input type="checkbox"/>	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.

James Morrissey  
 Signature: (Jim Morrissey, Planner)

3-16-22  
 Date

Chris Warrick  
 Signature: (Chris Warrick, Supervising Planner)

3/16/2022  
 Date

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>I. AESTHETICS</b> – Except as provided in Public Resources Code Section 21099, would the project:				
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) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

**San Bernardino Countywide Policy Plan, approved October 27, 2020, adopted November 27; San Bernardino Countywide Policy Plan Draft EIR; San Bernardino County Development Code**

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

The Project Site is located in an unincorporated area of the County of San Bernardino, within the Community of Flamingo Heights in the Homestead Valley. It is surrounded by scattered single-family residences and vacant land to the north and south; commercial uses, scattered single-family residences, and vacant land to the west; and vacant land to the east. Pipes Canyon Wash bisects the Project Site. The Project Site is located within the East Desert Region of the County. The Countywide Policy Plan (adopted November 27, 2020) identifies numerous scenic vistas, including views across desert landscapes, toward mountains and ridgelines, and toward rock formations and

outcroppings within the East Desert Region.<sup>1</sup> The Project Site has a land use category of Rural Living and is zoned Homestead Valley Rural Living (HV/RL-5). The proposed Project is the development of a campground. With approval of a CUP, it would be an allowable use. The proposed Project would be required to maintain the maximum height limit of 35 feet, as is allowed within the Rural Living Zone.<sup>2</sup> The placement of the camp sites generally along the westerly edge of the canyon would not obstruct the views of others toward the canyon or property in generally due to the size of the property and the distance of surrounding properties from the proposed improvements. It would provide people opportunities to enjoy the scenic vistas within the area. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

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

The Project Site is adjacent to Old Woman Springs Road/SR 247, which is a County Scenic Route and Eligible State Scenic Highway.<sup>3</sup> As part of the designation, a Corridor Protection Program protects and enhances the scenic resources along the highway.<sup>4</sup> The site is approximately 640 acres of vacant and undeveloped land. Scenic resources on-site include desert plants, such as mesquites, yuccas, Creosote Rings and Joshua Trees. Per local and state regulations, these plants will be avoided and/or relocated. The proposed campground development will be low density and designed to avoid most Joshua trees and other desert native plants maintaining the scenic resources of the site to the extent feasible. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

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

The Project Site is located in a non-urbanized area within the East Desert Region of San Bernardino County. The site is visible from Old Woman Springs Road/SR 247, which is a County Scenic Route and Eligible State Scenic Highway. The proposed Project is the development of a campground on approximately 640 acres, and it would therefore change the existing visual character of the site. That portion of the site proposed for development is flat and extends a minimum of (insert number) feet from the Highway. Under the Rural Living Zone, all structures proposed for development of the proposed Project cannot exceed 35 feet. Compliance with this height limit will

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<sup>1</sup> San Bernardino Countywide Policy Plan. Adopted November 27, 2020. [http://countywideplan.com/wp-content/uploads/2020/08/CWP\\_PolicyPlan\\_PubHrngDraft\\_HardCopy\\_2020\\_July.pdf](http://countywideplan.com/wp-content/uploads/2020/08/CWP_PolicyPlan_PubHrngDraft_HardCopy_2020_July.pdf). Accessed March 25, 2021.

<sup>2</sup>San Bernardino County. Development Code.

<http://www.sbcounty.gov/Uploads/lus/DevelopmentCode/DCWebsite.pdf>. Accessed March 25, 2021.

<sup>3</sup> San Bernardino County. San Bernardino Countywide Policy Plan Draft EIR. Figure 5.1-1. Accessed March 25, 2021.

<sup>4</sup> San Bernardino County. Homestead Valley Communities Action Guide. May 2019.

minimize potential obstruction of views of the surrounding mountains and other public views. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

The Project Site is currently vacant and located in a rural area. Therefore, implementation of the proposed Project would add a new source of light in the area. Campfires shall only be within the designated fire pits, as shown on the Site Plan. To preserve the dark sky environment, the proposed Project would apply reflective paint on signs to provide direction, and on posts/rocks to indicate the edge of access roads and parking. Within the campground, unobtrusive path and exterior lighting is proposed as needed and in compliance with County Development Code. According to the San Bernardino County Development Code, Section 83.07.040(a) Glare and Outdoor Lighting – Mountain and Desert Regions, permitted lighting for new construction, unless exempt, shall be shielded in compliance with the requirements outlined in Table 83-7 of the Development Code. The purpose is to preclude light pollution or light trespass on an abutting residential land use zoning district, a residential parcel, or public right-of-way. Proposed pole lighting shall not exceed 12 feet in height. Recreational facilities shall not be illuminated between the hours of 11:00 p.m. and sunrise. Additionally, the proposed Project shall be subject to all applicable requirements of the Light Trespass Ordinance once it is adopted as part of the County Development Code. The proposed Project will be designed to adhere to these lighting standards, and demonstration of compliance will be required prior to issuance of a building permit. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<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 Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon				

measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- |    |   |                          |                          |                                     |                                     |
|----|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) | Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?  | <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 checked="" type="checkbox"/> | <input 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):  
**Countywide Policy Plan; California Department of Conservation Farmland Mapping and Monitoring Program; Submitted Project Materials**

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

The Project Site is located within the East Desert Region of the County. There is no mapped important farmland in the East Desert Region.<sup>5</sup> Therefore, the proposed Project would not convert farmland to a non-agricultural use. No impacts are identified or are anticipated, and no mitigation measures are required.

**No Impact**

<sup>5</sup> Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Chapter 5.2 Agriculture and Forestry Resources.

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

The Project Site is not under, or adjacent to any lands under a Williamson Act Contract.<sup>6,7</sup> The parcel has a current zoning of Homestead Valley Rural Living (HV/RL-5). With the approval of the CUP, the proposed Project would be consistent with the Countywide Policy Plan and would not conflict with existing zoning for agricultural uses or a Williamson Act Contract. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**No Impact**

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

The Project Site is currently zoned Homestead Valley Rural Living (HV/RL-5) and located in the Desert region of San Bernardino without any forests. Implementation of the proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned for Timberland Production. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**No Impact**

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

The Project Site is located in the Desert region of San Bernardino currently undeveloped and consists of Joshua Trees and Yuccas. Prior to construction, these trees would either be avoided or relocated as they are protected plants. Therefore, the loss of forest land would not be considered significant. No significant impacts are identified or are anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

- 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?*

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

**No Impact**

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<sup>6</sup> Placemarks. San Bernardino Countywide Policy Plan Draft EIR. Figure 5.2-1 "Agricultural Resources."

<sup>7</sup> San Bernardino Countywide Plan Policy Map. NR-5 Agricultural Resources. <https://www.arcgis.com/apps/webappviewer/index.html?id=fcb9bc427d2a4c5a981f97547a0e3688>. Accessed April 1, 2021.

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>III. AIR QUALITY</b> - Where available, the significance criteria established by the applicable air quality management district or air pollution control district might be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

***Countywide Policy Plan; Submitted Project Materials; Air Quality and Greenhouse Gas Impact Study, MD Acoustics, LLC, May 13, 2021***

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

Air emissions from the proposed Project are subject to federal, State and local rules and regulations implemented through provisions of the federal Clean Air Act, California Clean Air Act, and the rules and regulations of the California Air Resources Board (CARB) and Mojave Desert Air Quality Management District (MDAQMD). Air quality management districts with air basins not in attainment of the air quality standards are required to prepare an Air Quality Management Plan (AQMP). An AQMP establishes an area specific program to control existing and proposed sources of air emissions so that the air quality standards may be attained by an applicable target date.

The Project Site is located in the Mojave Desert Air Basin (MDAB). The MDAQMD includes the desert portion of the San Bernardino County. The MDAQMD is responsible for controlling emissions primarily from stationary sources within the MDAB and also maintains

air quality monitoring stations to document historical and current levels of air quality within the District. The MDAQMD is also responsible for developing, updating, and implementing the Ozone Attainment Plan (MDAQMD 2004) which establishes a plan to implement, maintain, and enforce a program of emission control measures to attain and maintain the federal ozone air quality standards. Attainment plans prepared by the various air pollution control districts throughout the state are used to develop the State Implementation Plan (SIP) for the State of California. The proposed Project is located within the MDAQMD and, thus, is subject to the rules and regulations of the MDAQMD. The MDAQMD and Southern California Association of Governments (SCAG) are responsible for formulating and implementing the air quality attainment plan (AQAP) for the Basin.

According to the MDAQMD, a project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project is conforming if it complies with all applicable District rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan). Conformity with growth forecasts can be established by demonstrating that the project is consistent with the land use plan that was used to generate the growth forecast.

The Project Site is located within an unincorporated area of San Bernardino County. The proposed Project is a campground that includes 20 camping lofts, 20 chalets, and 35 camping tents. The Project Site consists of approximately 290 acres of developable land. If the Project Site were to be developed for residential uses, 70 acres would account for street improvements and 230 acres would be designated for houses. The Rural Living zoning district allows for a maximum density of 1 unit per 2.5 acres. Therefore, approximately 82 units could be built on the Project Site, generating an estimated 777 daily trips.<sup>8</sup> In comparison, the Proposed Project would generate 200 daily vehicle trips (the PM peak hour rate of 20 vehicle trips was utilized to calculate an estimated 200 daily vehicle trips.) Therefore, the proposed Project would generate significantly less trips than if the Project Site were developed for residential uses. Subject to a CUP, the proposed Project would be consistent with the zoning, and therefore in comparison to development under the current zoning emissions would be accounted for in the Countywide Plan and the AQMP.

The AQMP accounts for buildout of General Plan areas with specific designated land uses. The proposed Project therefore does not conflict with the applicable air quality management plan. Further, as shown by the results of the air analysis (discussed further in section b) below), the project's emissions do not exceed any MDAQMD thresholds during either short-term construction or long-term operations of the proposed Project and is not anticipated to exceed the Attainment Plan assumptions for the Project Site. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

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<sup>8</sup> Trip Generation Source: Institute of Transportation Engineers (ITE), Trip Generation Manual, Seventh Edition.



- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?

An Air Quality and Greenhouse Gas Impact Study, dated May 13, 2021, was prepared for the proposed Project by MD Acoustics, LLC (report available at County office for review). Construction and operational emissions were screened using CalEEMod version 2016.3.2. Criteria pollutants screened include volatile organic compounds (VOC), Nitrogen oxides (NOx), Carbon monoxide (CO), Sulfur dioxide (SO<sub>2</sub>), suspended particulates (PM<sub>10</sub>) and particulate matter (PM<sub>2.5</sub>).

### Construction Emissions

The latest version of CalEEMod was used to estimate the onsite and offsite construction emissions. The emissions incorporate Rule 403.2 (fugitive dust), which is not considered a mitigation measure as the project by default is required to incorporate this rule during construction. CalEEMod does not have a Campground/Recreational Vehicle Park (ITE 416) land use in its database. Therefore, the next closest land use available in CalEEMod, City Park (ITE 411), was utilized in the modeling. Furthermore, as the proposed Project is a campground, the majority of the Project Site is anticipated to remain undisturbed. The CalEEMod model is based on an old Site Plan with a disturbance area of 50 acres, which is twice the size of what is currently proposed. Therefore, the model is conservative and actual emissions are anticipated to be lower than what was analyzed. The total disturbed area analyzed includes approximately 39,556 square-feet of associated structures. To account for all the associated building uses, the buildings were modeled under Strip Mall. At the time the modeling as conducted, the proposed Project was anticipated to be operational in 2022 and construction was estimated to start no sooner than Summer 2021 and be completed by Winter 2022. These time frames were input to the model. The phases of the construction activities which were analyzed are: 1) grading, 2) building, 3) paving, and 4) architectural coating (see Table 1).

The construction emissions for the proposed Project would not exceed MDAQMD's daily emissions thresholds as demonstrated in Table 1, and therefore impacts would be considered less than significant.

**Table 1  
 Regional Significance - Construction Emissions (pounds/day)**

Activity	Pollutant Emissions (pounds/day)					
	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Grading</b>						
On-Site <sup>2</sup>	2.33	24.99	16.87	0.03	3.71	2.37
Off-Site <sup>3</sup>	0.08	0.06	0.70	0.00	0.19	0.05
<b>Total</b>	<b>2.42</b>	<b>25.05</b>	<b>17.57</b>	<b>0.03</b>	<b>3.90</b>	<b>2.43</b>
<b>Building Construction</b>						
On-Site <sup>2</sup>	1.61	14.59	13.43	0.02	0.78	0.73
Off-Site <sup>3</sup>	6.12	37.22	48.94	0.21	13.96	3.84
<b>Total</b>	<b>7.72</b>	<b>51.81</b>	<b>62.37</b>	<b>0.23</b>	<b>14.73</b>	<b>4.57</b>
<b>Paving</b>						

On-Site <sup>2</sup>	0.55	5.56	7.29	0.01	0.28	0.26
Off-Site <sup>3</sup>	0.04	0.03	0.34	0.00	0.10	0.03
<b>Total</b>	<b>0.59</b>	<b>5.59</b>	<b>7.63</b>	<b>0.01</b>	<b>0.39</b>	<b>0.29</b>
<b>Architectural Coating</b>						
On-Site <sup>2</sup>	38.40	1.41	1.81	0.00	0.08	0.08
Off-Site <sup>3</sup>	0.96	0.61	7.81	0.02	2.34	0.63
<b>Total</b>	<b>39.37</b>	<b>2.02</b>	<b>9.63</b>	<b>0.02</b>	<b>2.42</b>	<b>0.71</b>
<b>Total of overlapping phases<sup>4</sup></b>	<b>47.68</b>	<b>59.42</b>	<b>79.63</b>	<b>0.27</b>	<b>17.54</b>	<b>5.57</b>
<b>MDAQMD Thresholds</b>	<b>137</b>	<b>137</b>	<b>548</b>	<b>137</b>	<b>82</b>	<b>65</b>
<b>Exceeds Thresholds</b>	No	No	No	No	No	No

Notes:

<sup>1</sup>Source: CalEEMod Version 2016.3.2

<sup>2</sup>On-site emissions from equipment operated on-site that is not operated on public roads. On-site grading PM<sub>10</sub> and PM<sub>2.5</sub> emissions show mitigated values for fugitive dust compliance with MDAQMD Rule 403.

<sup>3</sup>Off-site emissions from equipment operated on public roads.

<sup>4</sup>Construction, architectural coatings and paving phases may overlap.

### Operational Emissions

Operational or long-term emissions would occur over the life of the proposed Project. For purposes of analyzing mobile source emissions, the PM peak hour rate of 20 vehicle trips was utilized to calculate an estimated 200 daily vehicle trips. Emissions would also occur from area sources such as the consumption of natural gas for heating, hearths, from landscaping emissions, and consumer product usage. The operational emissions were estimated using the latest version of CalEEMod. The operating emissions were based on year 2022, which is the anticipated opening year for the project. The summer and winter emissions created by the proposed Project's long-term operations were calculated and the highest emissions from either summer or winter are summarized in Table 2.

**Table 2**  
**Regional Significance – Operational Emissions (tons/year)**

Activity	Pollutant Emissions (tons/year) <sup>1</sup>					
	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Area Sources <sup>2</sup>	0.22	0.00	0.00	0.00	0.00	0.00
Energy Usage <sup>3</sup>	0.00	0.00	0.00	0.00	0.00	0.00
Mobile Sources <sup>4</sup>	0.05	0.38	0.47	0.00	0.12	0.03
<b>Total Emissions</b>	<b>0.27</b>	<b>0.39</b>	<b>0.48</b>	<b>0.00</b>	<b>0.12</b>	<b>0.03</b>
MDAQMD Annual Thresholds	<b>25</b>	<b>25</b>	<b>100</b>	<b>25</b>	<b>15</b>	<b>12</b>
Exceeds Thresholds	No	No	No	No	No	No

Notes:

<sup>1</sup>Source: CalEEMod Version 2016.3.2

<sup>2</sup>Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.

<sup>3</sup>Energy usage consists of emissions from on-site natural gas usage.

<sup>4</sup>Mobile sources consist of emissions from vehicles and road dust.

As presented in Tables 1 and 2, the proposed Project would not exceed MDAQMD thresholds. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

## Less Than Significant Impact

c) *Expose sensitive receptors to substantial pollutant concentrations?*

Sensitive receptors are considered land uses or other types of population groups that are more sensitive to air pollution than others due to their exposure<sup>9</sup>. The closest existing sensitive receptors to the Project Site are the residential land uses located approximately 40 feet north (across Luna Vista Road), 100 feet west (across Old Woman Springs Road), and to the south of the Project Site. However, the distance to the proposed campground improvements are approximately (insert number) feet.

### Construction

The greatest potential for toxic air contaminant emissions would be related to diesel particulate emissions associated with heavy equipment operations during construction of the proposed Project. The Office of Environmental Health Hazard Assessment (OEHHA) has issued the Air Toxic Hot Spots Program Risk Assessment Guidelines and Guidance Manual for the Preparation of Health Risk Assessments, February 2015 to provide a description of the algorithms, recommended exposure variates, cancer and noncancer health values, and the air modeling protocols needed to perform a health risk assessment (HRA) under the Air Toxics Hot Spots Information and Assessment Act of 1987. Hazard identification includes identifying all substances that are evaluated for cancer risk and/or non-cancer acute, 8-hour, and chronic health impacts. In addition, identifying any multi-pathway substances that present a cancer risk or chronic non-cancer hazard via non-inhalation routes of exposure.

Given the relatively limited number of heavy-duty construction equipment and construction schedule necessary to complete the Project, the proposed Project would not result in a long-term substantial source of toxic air containment emissions and corresponding individual cancer risk. Furthermore, construction-based particulate matter (PM) emissions (including diesel exhaust emissions) do not exceed any regional thresholds (refer to Table 1). Therefore, no significant short-term toxic air contaminant impacts would occur during construction of the proposed Project.

### Operations

Project operations would generate emissions of NO<sub>x</sub>, ROG, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>, which would not exceed the MDAQMD regional thresholds and would not be expected to result in ground level concentrations that exceed the NAAQS or CAAQS. Therefore, operation of the project would not result in a cumulatively considerable net increase for non-attainment of criteria pollutants or ozone precursors.

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<sup>9</sup> Those who are sensitive to air pollution include children, the elderly, and persons with preexisting respiratory or cardiovascular illness. For purposes of CEQA, the SCAQMD considers a sensitive receptor to be a location where a sensitive individual could remain for 24 hours, such as residences, hospitals, or convalescent facilities (South Coast Air Quality Management District 2008). Commercial and industrial facilities are not included in the definition because employees do not typically remain on-site for 24 hours.

A Trip Generation Memorandum (memo), dated August 3, 2020, was prepared for the proposed Project by Integrated Engineering Group (IEG) (report available at County office for review). The memo indicates that the proposed Project is anticipated to generate 16 AM peak hour trips and 20 PM peak hour trips. No daily trip estimates were provided. However, for purposes of analyzing mobile source emissions, the PM peak hour rate of 20 vehicle trips was utilized to calculate an estimated 200 daily vehicle trips per day. Therefore, the proposed Project would not generate more than 50,000 vehicles per day. A project-specific HRA is not required or warranted. Impacts to nearby sensitive receptors are considered to be less than significant.

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

### **Less Than Significant Impact**

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

Potential sources that may emit odors during construction activities include the application of materials such as asphalt pavement. The objectionable odors that may be produced during the construction process would be short-term in nature and the odor emissions are expected to cease upon the drying or hardening of the odor-producing materials. Diesel exhaust and Volatile Organic Compounds would be emitted during construction of the project, which are objectionable to some; however, emissions would disperse rapidly from the Project Site and therefore should not reach an objectionable level at the nearest sensitive receptors. Due to the short-term nature and limited amounts of odor producing materials being utilized, no significant impact related to odors would occur during construction of the proposed Project.

Potential sources that may emit odors during the on-going operations of the proposed Project would include odor emissions from vehicular emissions, fire pits, and trash storage areas. These odor sources would not be significant as they would be of short duration and temporary. As the project is a destination camping facility rather than an industrial use which would be associated with odors, and the nearest sensitive receptors are located approximately 800 feet south of the proposed campground, no significant impact related to odors would occur during the on-going operations of the proposed Project. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

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

Issues	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 Wildlife 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 Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<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 checked="" type="checkbox"/>	<input 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 ):

**Countywide Policy Plan; Submitted Project Materials; Biological Resources Assessment and Jurisdictional Delineation, April 2020, Jericho Systems, Inc.; Protected**

**Plant Preservation Plan Flamingo Heights Campground, ELMT Consulting, Inc., October 2021.**

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

A Biological Resources Assessment (BRA) and Jurisdictional Delineation (JD) was prepared for the proposed Project by Jericho Systems, Inc. (Jericho) in April 2020 (report available at County office for review). The purpose of the BRA was to address potential project-related impacts on designated critical habitats and/or any special status species protected under the federal Endangered Species Act (ESA), California Endangered Species Act (CESA), California Department of Fish and Wildlife (CDFW) and/or California Native Plant Society (CNPS). Jericho assessed the Project Site for the potential occurrence of listed species and species of special concern that have been documented in the vicinity and/or whose habitat requirements are present within the Site. Attention was focused on sensitive species known to occur locally including Desert Tortoise (*Gopherus agassizii*), Le Conte’s thrasher (*Toxostoma lecontei*), Burrowing Owl (*Athene cunicularia*) [BUOW] and Joshua Tree (*Yucca brevifolia*).

According to the 2020 database results for the Yucca Valley North, Rimrock, Landers, Goat Mountain, Bighorn Canyon and Joshua Tree North USGS 7.5-minute series quadrangles, 36 sensitive species have been documented in the local vicinity: three potentially sensitive birds, 26 plants, one insect, three mammals, and three reptiles. Of these, the following State and/or federally sensitive species were identified to have a moderate potential to exist within the Project Site:

**Table 3  
 Summary of Sensitive Species with Moderate Potential to Occur**

Common Name	Scientific Name
<b>Birds</b>	
Burrowing Owl	<i>Athene cunicularia</i>
Le Conte’s thrasher	<i>Toxostoma lecontei</i>
Bendire’s thrasher	<i>Toxostoma bendirei</i>
<b>Plants</b>	
Purple-nerve cymopterus	<i>Cymopterus multinervatus</i>
San Bernardino milk-vetch	<i>Astragalus bernardinus</i>
Little San Bernardino Mtns. Linanthus	<i>Linanthus maculatus ssp. maculatus</i>
Joshua tree poppy	<i>Eschscholzia androuxii</i>
Death Valley sandmat	<i>Euphorbia vallis-mortae</i>
Utah vine milkweed	<i>Funastrum utahense</i>
Slender bedstraw	<i>Galium angustifolium</i>
Parish’s club cholla	<i>Grusonia parishii</i>
Torrey’s box-thorn	<i>Lycium torreyi</i>
Crowned muilla	<i>Muilla coronata</i>
<b>Reptiles:</b>	

Desert tortoise	<i>Gopherus agassizii</i>
Coast horned lizard	<i>Phrynosoma blainvillii</i>
Mammals:	
Pallid San Diego pocket mouse	<i>Chaetodipus fallax pallidus</i>
American badger	<i>Taxidea taxus</i>

There is no USFWS-designated critical habitat for any species within 10 miles of the Project Site.

In 2020, the California Department of Fish and Wildlife temporarily listed the western Joshua tree as an endangered species for one year until a final decision is made in 2021.

In October 2021, a Protected Plan Preservation Plan (PPPP) was prepared by ELMT Consulting, Inc. to address impacts from the proposed Project to the 2,734 Joshua trees on the property, ( available for review at County offices). Many of the Joshua Trees on-site are located in the western portion of Pipes Canyon Wash, an area not included in the development footprint. As shown on Figure 6 of the report, 43 trees will be directly affected by the project as currently designed. This number is expected to be further reduced during final site design. Table 1 of the PPPP summarizes the height, width, number of branches with and without evidence of flowering, presence of cloning or asexual vegetative grow, and damaged limbs or other factor affecting the health of the tree. The proposed Project’s site plan is preliminary and subject to modification to reduce impacts to Joshua trees in consultation with CDFW during the pending Incidental Take Permit process. Of the 43 trees inventoried, the majority (35 trees or 81%) were between 1 and 5 meters tall. Only 2 trees were less than a meter tall and 6 trees were 5 meters or greater in height. Using CDFW’s criteria for evaluating the potential for relocation (between 2 and 12 feet in height, no visible damage, no more than 3 branches, no excessive leaning, no evidence of cloning and no exposed roots), 9 trees were determined to be relocatable. Six of the identified trees supported clones, asexual growth.

Because the western Joshua tree is a candidate species in the initial stages of consideration for listing as threatened or endangered under CESA, an application for an Incidental Take Permit (ITP) will be submitted to the CDFW. An ITP establishes a performance standard requiring that the impacts be “minimized and fully mitigated” with “measures that are roughly proportional in extent to the impact of the authorized taking on the species.”<sup>10</sup> Therefore, additional mitigation measures, such as the purchase of credits from a conservation or mitigation bank or entry into a conservation easement, will be determined in consultation with CDFW to meet ITP requirements. Because the western Joshua tree was designated as a candidate species in October 2020 and is still subject to a status review by the CDFW, it is impractical to determine the specific details of mitigation, beyond compliance with the ITP. In addition to an ITP, Mitigation Measure BIO-1 shall be implemented.

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<sup>10</sup> Fish & G. Code § 2081(b); Cal. Code Regs., tit. 14, §§ 783.2-783.8

### Wildlife

Wildlife species observed or otherwise detected on site during the surveys included species of Leporidae [black-tailed jackrabbit (*Lepus californicus*) and desert cottontail (*Sylvilagus audubonii*)], antelope ground squirrel (*Ammospermophilus leucurus*), and coyote (*Canis latrans*).

### Nesting Birds

The federal Migratory Bird Treaty Act (MBTA) of 1918 provides protection for nesting birds that are both residents and migrants whether or not they are considered sensitive by resource agencies. Vegetation suitable for nesting birds does exist within and adjacent to the Project Site. Most birds are protected by the MBTA. Avian species observed or otherwise detected on site during the surveys included house finch, greater roadrunner, phainopepla, mockingbird, yellow-rumped warbler, verdin, white-crowned sparrow, dark-eyed junco, sage sparrow, ash-throated flycatcher, western kingbird, western bluebird, cactus wren, rock wren, mourning dove, Gambel's quail, common raven, red-tailed hawk, American kestrel, Cooper's hawk, prairie falcon. No active nests were found during survey.

### Sensitive Wildlife and Birds

The Desert Tortoise is a State- and federally-listed threatened species. Desert Tortoises are documented to occur approximately 2.75 miles northwest of the Project Site. There are no Desert Tortoise occurrences documented on site or directly adjacent to it. Per the USFWS Desert Tortoise Critical Habitat overlay, the Project Site is not within any USFWS-designated Desert Tortoise Critical Habitat. Furthermore, the Project Site is not within a BLM designated Desert Wildlife Management Area. Therefore, the habitat surrounding the site would be characterized as Category 3 Habitat, per the BLM categorization of desert tortoise habitat on public lands. Category 3 Habitat is the lowest priority management area for viable populations of the Desert Tortoise. The result of the field survey was that no evidence of Desert Tortoise was found in the survey area. No Desert Tortoise individuals or sign including burrows, scat, courting rings, carcasses, or drinking depressions were found on site. Desert Tortoise are therefore currently absent from the Project Site.

The Burrowing Owl (BUOW) is a State and federal Species of Special Concern. The result of the survey was that no historical or current evidence of BUOW occupation was found in the survey area. No BUOW individuals or sign including pellets, feathers or white wash were observed. Therefore, BUOW are currently absent from the Project Site.

Le Conte's thrasher was neither observed nor detected on-site during the avian auditory and visual survey. Therefore, Le Conte's thrasher is currently absent from the Project Site.

The proposed Project may have potential significant impacts on candidate, sensitive or special status species. Therefore, Mitigation Measures BIO-1 to Bio-6 should be implemented.

#### **Mitigation Measure BIO-1:**

Joshua trees shall be protected to comply with the County of San Bernardino Development Code Chapter 88.01.050 through transplantation and stockpiling, and



implementation of protective measures as recommended in the Protected Plant Preservation Plan prepared in October 2021 for the proposed Project. Additionally, prior to the implementation of the recommended measures outlined in the Protected Plant Preservation Plan, an ITP (Individual Take Permit) shall be obtained from the California Department of Fish and Wildlife (CDFW) for any Joshua Tree on-site to be removed from its current position as deemed applicable by the CDFW. A Habitat Assessment Plan will be prepared at the direction of CDFW. The approved Plan will serve as the Basis of the final Protected Plant Preservation Plan for use by the County.

**Mitigation Measure BIO-2:**

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

**Mitigation Measure BIO-3:**

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

**Mitigation Measure BIO-4:**

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

**Mitigation Measure BIO-5:**

Pre-construction springtime botanical surveys shall be conducted for the Latimer's woodland-gilia, San Bernardino milk-vetch, Little San Bernardino Mtns. Linanthus, and Robison's monardella.

**Mitigation Measure BIO-6:**

The proposed Project shall be designed to avoid sensitive and/or protected desert plants as per local regulations. If the protected desert plants cannot be avoided, a relocation plan is required for approval by the County of San Bernardino.

With implementation of Mitigation Measures BIO-1 to BIO-6, the proposed Project would not have a substantial adverse effect on any species identified as a candidate, sensitive or special status species.

**Less than Significant with Mitigation**

- b, c) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

Vegetation within the Project Site is categorized as creosote bush (*Larrea tridentata*)/Joshua tree scrub (*Larrea tridentata* shrubland alliance/*Yucca brevifolia* woodland alliance), with species including Joshua Tree, burrow weed (*Ambrosia dumosa*), burrobrush (*Ambrosia salsola*), goldenbush (*Ericameria* ssp.), and California buckwheat (*Eriogonum fasciculatum*).

Jericho Systems, Inc. also conducted a Jurisdictional Delineation (JD) of the Project Site. The purpose of the JD was to determine the extent of State and federal jurisdictional waters within the Project Site potentially subject to regulation by the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act (CWA), Regional Water Quality Control Board (RWQCB) under Section 401 of the CWA and Porter Cologne Water Quality Control Act, and CDFW under Section 1602 of the California Fish and Game Code (FGC), respectively.

The Project Site is subject to flow entering Pipes Canyon Wash via a large 47,128.1-acre offsite watershed to the west, which produces a 100-year / 24-hour peak discharge of 27,280.3 cubic-feet per second. The watershed spans three different National Oceanic and Atmospheric Administration (NOAA) rainfall zones, including Onyx Peak, Pioneertown, and Yucca Valley.

Yucca Valley is a closed system hydrologically and therefore has no significant nexus to a traditionally navigable water. Therefore, Pipes Canyon Wash does not meet the definition of being a federal water of the U.S. where compliance with the CWA, Section 404, as administered through the USACE, would be required. The Regional Water Quality Control Board also administers Section 401 of the CWA. If a Section 404 compliance is not required, then neither will the Section 401 compliance. However, compliance with the State Porter-Cologne Water Quality Act may be required.

The entirety of Pipes Canyon Wash is subject to the California FGC Section 1600 and any Project-related impacts to the wash would require a Streambed Alteration Agreement from the CDFW in order to comply with the FGC. The Regional Water Quality Control Board also regulates activities that involve “discharging waste, or proposing to discharge waste, within any region that could affect WoS” (California Water Code 13260(a)), pursuant to provisions of the state Porter-Cologne Act. WoS are defined as “any surface water or groundwater, including saline waters, within the boundaries of the state” (California Water Code 13050(e)). Such waters may include waters not subject to regulation under Section 404 (i.e., isolated features). Project compliance with the California FGC and Porter Cologne Water Quality Control Act (as applicable) prior to issuance of grading permits would ensure no significant impacts occur. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

Wildlife movement and the fragmentation of wildlife habitat are recognized as critical issues that must be considered in assessing impacts to wildlife. Habitat fragmentation is the division or breaking up of larger habitat areas into smaller areas that may or may not be capable of independently sustaining wildlife and plant populations. Habitat linkages provide connections between larger habitat areas that are separated by development. Wildlife corridors are similar to linkages but provide specific opportunities for animals to disperse or migrate between areas. According to the County Policy Plan Maps, the Project Site is located within a modeled habitat linkage.<sup>11</sup> Furthermore, Pipes Canyon Wash is designated as a wildlife corridor in the Desert Region of the County.<sup>12</sup>

Habitat fragmentation is the division or breaking up of larger habitat areas into smaller areas that may or may not be capable of independently sustaining wildlife and plant populations. Wildlife movement (more properly recognized as species movement) is the temporal movement of individuals (plants and animals) along diverse types of corridors. Wildlife corridors are especially important for connecting fragmented habitat areas. The southwestern portion of the Project Site is proposed for development and as shown in Figure 3 the developed area represents approximately 4% of the entire site. The proposed Project would not disrupt any wildlife corridor within Pipes Canyon Wash with the placement of any permanent structures. Any wildlife movement through the site would not be impeded because the development does not cut-off any north-south connection in the project vicinity. The Project Site is in area that is relatively undeveloped, but adjacent to sparsely developed areas that may interfere, to some extent, with wildlife movement. Immediate surroundings include unpaved roads to the north, east and south, and a paved highway to the west. Scattered commercial and residential uses also surround the Project Site. No significant impacts are identified or anticipated, and no mitigation measures are required.

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<sup>11</sup> San Bernardino Countywide Plan Policy Map: NR-2 Parks and Open Space Resources. Accessed April 13, 2021.

<sup>12</sup>Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Biological Resources. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline>. Accessed April 12, 2021.

### **Less Than Significant Impact**

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

The California Desert Native Plants Act regulates the taking of plant species for commercial purposes. It also regulates the permitting process for the taking of desert plant species, making it unlawful for “any person to destroy, dig up, mutilate or harvest any living native plant, or the living or dead parts of any native plant, except its fruit, without obtaining written permission from the landowner and a permit...” (State of California 1982, Division 23, Chapter 5, Section 80111). In addition to the State Act, Division 8, Chapter 88.01: Plant Protection and Management, of the County Development Code (Code) requires the protection of California native plants within County boundaries. Excepted entities under the Code include “(b) Government Owned Lands. Removal from lands owned by the United States, State of California, or local governmental entity...” (Section 88.01.030).

There are numerous Joshua Trees and Yuccas (protected species) within the Project Site. Both species have the potential to be impacted depending on the construction envelope and staging areas. Therefore, a potentially significant impact would result. A Protected Plant Preservation Plan (Plan) focused on the Joshua trees was prepared for the proposed Project in October 2021. Measures contained in the Plan, would reduce impacts to less than significant and are summarized in Mitigation Measure BIO-7. Impacts to the Yuccas would be mitigated with implementation of Mitigation Measure BIO-8.

#### **Mitigation Measure BIO-7:**

1. The applicant shall employ a qualified biologist (desert native plant specialist) to tag those trees that will eventually be approved by CDFW for relocation.
2. Transplantation will occur in late fall or winter when tree metabolism is at its lowest. A watering regimen will be developed and a monitoring program implemented for the transplanted trees. Evidence of such program and on-going maintenance shall be provided to County Planning and evaluated for acceptability.
3. For other Joshua trees present on-site, but not within an area requiring their removal and transplantation, the applicant shall implement a tree protection plan that would include an assessment of the health of the trees, then determine how to protect them. Protection of trees, where needed, may be accomplished by either creating an earthen berm around each tree or group of trees or by surrounding trees with a fenced enclosure. Evidence of such action shall be provided to County Planning and evaluated for acceptability.

During construction activities the following measures shall be employed:

4. All trees that might be indirectly impacted because they are located within the construction zone (adjacent to or near campsites, internal road, or buildings)

shall be surrounded by construction fencing (e.g. orange fencing). Other avoidance measures tailored to the Project Site may be identified during consultation with CDFW via during the ITP application process.

5. The project biologist shall conduct a worker education class designed to ensure that all workers on site understand the natural history of Joshua trees and the distance that must be maintained between a construction activity and a tree. The construction contractor shall be responsible for ensuring that each new construction employee that enters the site completes the worker education class. The construction contractor shall maintain a log for inspection by the project biologist to ensure that all workers are trained. Evidence of such action shall be provided to County Planning and evaluated for acceptability.
6. During long-term operation of the campground, the property owner shall have a qualified biologist on call for the following tasks:
  - a. Conduct a worker education class for all new employees.
  - b. Provide educational pamphlets to all visitors.
  - c. Maintain earthen berms or fences and posted notices, and cleanup (if trash or debris are in the vicinity).
  - d. Once each year, conduct a (tree census) to assess the health of Joshua trees that have been transplanted and those that are located in proximity to the campground such that they may be indirectly impacted by camping activities.
  - e. Develop and implement a watering plan that provides water to trees twice annually, or as necessary to maintain Joshua trees.
  - f. Develop and maintain a nursery for Joshua trees to be used to replace trees that do not survive transplanting, or to replace dying trees due to climate change.
  - g. Provide mitigation monitoring and reporting to CDFW on the health of the Joshua trees. Frequency of monitoring and reporting shall be established through consultation with CDFW through the ITP application process.
  - h. Evidence of such action shall be provided to County Planning and evaluated for acceptability.
7. The applicant shall contribute to a CDFW Western Joshua Tree Mitigation Fund at such time as it is established by CDFW. The applicant's contribution is expected to be on a per acre basis and will be determined through the Incidental Take Permit process that will be determined in negotiation with CDFW. The submittal of an ITP application for the proposed Project will be submitted on the assumption that the Western Joshua tree will be listed as a threatened or endangered species by the State of California.

#### **Mitigation Measure BIO-8:**

Any construction that removes any protected yuccas shall be conducted in accordance with the requirements of the San Bernardino County ordinance. All

protected yuccas to be removed shall be flagged and transplanted to an undisturbed area prior to construction per the requirements of State regulation and County ordinance.

Implementation of Mitigation Measure BIO-1, and Mitigation Measures BIO-7 to 8 would reduce impacts to a less than significant level.

**Less than Significant with Mitigation**

- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?*

The Project Site is not located within the planning area of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan. The Town of Apple Valley Multiple Species Habitat Conservation Plan (MSHCP), of which the Project Site is not a part of, is the only natural community conservation plan currently being planned in the County.<sup>13</sup> The nearest boundaries of the Plan area are approximately 33 miles northwest of the Project Site. No impacts are identified or are anticipated, and no mitigation measures are required.

**No Impact**

**Therefore, no significant adverse impacts are identified or anticipated with the implementation of Mitigation Measures BIO-1 to BIO-8.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>V. CULTURAL RESOURCES - Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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

***Historical/Archaeological Resources Survey Report, April 9, 2020, CRM TECH***

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

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

A Historical/Archaeological Resources Survey Report, dated April 9, 2020, was prepared for the proposed Project by CRM TECH (report available at County office for review). The purpose of the study is to provide the County with the necessary information and analysis to determine whether the proposed Project would cause substantial adverse changes to any “historical resources,” as defined by CEQA, that may exist in or around the Project Site. In order to identify such resources, CRM TECH conducted a historical/archaeological resources records search, pursued historical background research, contacted Native American representatives, and carried out a systematic field survey. During the field survey, nine previously unknown cultural resources, including one historic-period archaeological sites and eight prehistoric isolates, were identified within the Project Site, recorded into the California Historical Resources Inventory, and assigned temporary designations pending assignment of official identification numbers.

The archaeological site 3581-3H, consists of a surface scatter of refuse items, primarily rusted cans from the mid-20th century, which represents the most prolific type of historic-period archaeological sites found in the southern California desert region. The site does not demonstrate a documented association with any person or event of recognized significance in national, state, or local history. In the absence of an exceptional quantity or quality of artifacts, it does not hold the potential for any important historical/archaeological data, and what little data potential it may have, is largely exhausted through its recordation into the California Historical Resources Inventory. Therefore, Site 3581-3H does not appear to qualify as a historical resource.

The eight prehistoric isolates consist of a single piece of worked stone each, with the exception of 3581-1 and 3581-9. Isolate 3581-1 consists of two lithic flakes, while Isolate 3581-9 consists of a chalcedony flake and a roughly three-quarter fragment of a mano. Such isolates, or localities with fewer than three artifacts, by definition, do not qualify as archaeological sites due to the lack of contextual integrity. As such, they are not considered potential historical resources.

No other cultural resources of prehistoric or historical origin were identified within the Project Site, but the presence of the isolated artifacts demonstrates some sensitivity for potentially buried prehistoric cultural remains within the Project Site. Therefore, CRM TECH concluded that the proposed Project would not impact known historical resources. However, there is always a potential for buried archaeological resources. CRM TECH recommends the following Mitigation Measure:

**Mitigation Measure CR-1:**

Archaeological monitoring shall be required during all earth-moving operations in the elevated portions of the Project Site along the Pipes Canyon Wash channel. The monitoring program shall be implemented in coordination with Native American tribes with cultural ties to the project vicinity, who may wish to participate. Whenever cultural materials more than 50 years old are discovered, they need to be field-recorded and evaluated. The monitor should be prepared to quickly recover any artifacts as they are unearthed to avoid construction delays. If a substantial cultural deposit is encountered, however, the monitor will have the power to temporarily halt or divert construction activities in that area to allow for controlled removal. If any subsurface cultural deposits are encountered within the Pipes Canyon Wash channel, all work within 50 feet of the discovery should be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds.

Implementation of Mitigation Measure CR-1 would ensure that no significant impacts to historical and archaeological resources occur.

**Less than Significant with Mitigation**

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

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

**Mitigation Measure CR-2:**

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

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

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

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



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

**Less than Significant with Mitigation**

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

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

***SUBSTANTIATION: California Energy Consumption Database; Title 24 Building Energy Efficiency Standards; Submitted Project Materials; CalEEMod Output***

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

Natural Gas: The Project Site is located within the service area of Southwest Gas. The Project Site is currently vacant and has no demand for natural gas. The proposed Project is a campground that includes camping tents and several commercial uses. Therefore, the development of the proposed Project will create a permanent increase demand for natural gas. The proposed Project’s estimated annual natural gas demand is 878.14 therms. The proposed Project would likely utilize propane tanks as the nearest natural gas pipelines are located approximately 5 miles south of the Project Site. However, in the event that the proposed Project would be serviced by Southwest Gas, the increase in natural gas demand from the proposed Project is insignificant compared to the natural gas demand for County of San Bernardino’s non-residential sector. According to the California Energy Commission, the natural gas consumption of the County of San Bernardino planning area non-residential sector was 259,873,628 therms

in 2020.<sup>14</sup> The proposed Project's estimated annual natural gas consumption compared to the 2020 annual natural gas consumption of the overall non-residential sector in the County of San Bernardino Planning Area would account for approximately 0.000338 percent of total natural gas consumption.

Electricity: Southern California Edison (SCE) would provide electricity to the Project Site. According to the California Energy Commission, the commercial building sector of the Southern California Edison planning area consumed 34,373.922GWh of electricity in 2020.<sup>15</sup> The Project Site is currently vacant and does not use electricity. The implementation of the proposed Project would result in an increase in electricity demand. The estimated electricity demand for the proposed Project is 0.4996 GWh per year. The proposed Project's estimated annual electricity consumption compared to the 2020 annual electricity consumption of the overall commercial building sector in the SCE Planning Area would account for approximately 0.00145 percent of total electricity consumption. The increase in electricity demand from the proposed Project is insignificant compared to the projected electricity demand for SCE's entire service area.

The proposed Project has been designed to comply with the 2019 Building Energy Efficiency Standards. The County of San Bernardino would review and verify that the proposed Project plans would be in compliance with the most current version of the Building and Energy Efficiency Standards. The proposed Project would also be required adhere to CALGreen, which establishes planning and design standards for sustainable developments and energy efficiency. The proposed Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

#### **Less Than Significant Impact**

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

The proposed Project would be designed to comply with the County of San Bernardino Greenhouse Gas Emissions Reduction Plan, and the State Building Energy Efficiency Standards (Title 24). The proposed Project would not conflict with any applicable plan, policy or regulation of an agency adopted to reduce GHG emissions. The proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are recommended.

#### **Less Than Significant Impact**

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

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<sup>14</sup>California Energy Commission. <https://ecdms.energy.ca.gov/Default.aspx>. Accessed October 27, 2021.

<sup>15</sup>California Energy Commission. <https://ecdms.energy.ca.gov/Default.aspx>. Accessed October 27, 2021.

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

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

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

ii. Strong seismic ground shaking?

iii. Seismic-related ground failure, including liquefaction?

iv. Landslides?

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

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

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

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

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

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

**Countywide Policy Plan; Submitted Project Materials; Fault Hazards Evaluation, September 18, 2008, Landmark Consultants, Inc.; Design-phase Geotechnical Investigation Proposed Glamping Project, APN 0629-181-01-0000 2107 Old Woman Springs Road, Flamingo Heights Area San Bernardino County, California, January 11, 2021. Petra Geotechnical, Inc.; Paleontological Resources Assessment, April 2020, CRM TECH**

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

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

A Fault Hazards Evaluation, dated September 18, 2008, was prepared for the Project Site by Landmark Consultants, Inc. (report available at County office for review). As stated in the report, the primary seismic hazard to the Project Site is rupture along the Johnson Valley Fault, which consists of north-south trending fault located along the western margin of the Project Site. As concluded in the report, the potential for fault related ground rupture during the lifetime of the planned development is considered high along the mapped trace of the Johnson Valley Fault. A fault line setback has been established and incorporated into site design. A Design-phase Geotechnical Investigation, dated January 11, 2021, was then prepared by Petra Geosciences, Inc., to determine the geotechnical feasibility of the proposed development, as well as a summary of geotechnical constraints that should be taken into consideration during the design and construction phases of the project. Recommendations for mitigation of geotechnical issues, and for the design and construction of the proposed development and appurtenances were provided in the report.

From a soils engineering and engineering geologic standpoint, both reports concluded that the project site is considered suitable for development with implementation of recommendations made in the reports. Note: some recommendations in the Landmark report have been superseded by those provided in the Petra report, because the latter report was a more in-depth Design Level evaluation of the project site.

Taking both geotechnical reports into consideration, the following Mitigation Measures have been identified to address potential impacts due to rupture of a nearby known earthquake fault.

**Mitigation Measure GEO-1 (from Landmark Consultants Report:**

A qualified geologist shall inspect any excavations (foundation, utility, etc.) on the Project Site during construction for possible indications of faulting. If unanticipated evidence of faulting is encountered in these excavations, further relocation of the site structures may be necessary to maintain the recommended setback from active

faults. Evidence of such action shall be provided to County Planning and evaluated for acceptability.

### **Mitigation Measure GEO-2 (from Petra Geosciences Report)**

All earthwork and construction shall be in conformance with the recommendations of the Design-phase Geotechnical Investigation date January 11, 2021, for site clearing, grading, foundations, and utility trenching, etc.

With implementation of these Mitigation Measures, the proposed Project would not result in substantial adverse effects due to a rupture of a known earthquake fault.

### **Less than Significant with Mitigation**

#### *ii) Strong seismic ground shaking?*

As concluded in the Fault Hazard Study, the potential for fault related ground rupture during the lifetime of the planned development is considered high along the mapped trace of the Johnson Valley Fault. Moderate to strong ground shaking is expected to occur at the Project Site during an earthquake on Johnson Valley Fault. Peak ground accelerations of approximately 0.45g may be expected at the site during a strong seismic event on the Johnson Valley Fault. With implementation of Mitigation Measures GEO-1 and GEO-2, no significant impacts are identified or anticipated.

### **Less Than Significant Impact**

#### *iii) Seismic-related ground failure, including liquefaction?*

Liquefaction is a process in which cohesion-less, saturated, fine-grained sand and silt soils lose shear strength due to ground shaking and behave as fluid. Areas overlying groundwater within 30 to 50 feet of the surface are considered susceptible to liquefaction hazards. Ground failure associated with liquefaction can result in severe damage to structures. The Project Site is not located in an area susceptible to liquefaction.<sup>16</sup> According to the Design-phase Geotechnical Investigation, ground water levels in wells located between 0.8 and 1.7 miles from the project site, range from 190-350 feet below ground surface (bgs). Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

#### *iv) Landslides?*

Seismically induced landslides and other slope failures are common occurrences during or soon after earthquakes. The Project Site is not located within an area susceptible to

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<sup>16</sup> Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Geology and Soils. Figure 5.6-3 "Liquefaction and Landslide Susceptibility."

landslides.<sup>17</sup> Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

### **No Impact**

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

Implementation of the proposed Project would disturb approximately 25 acres of the Project Site. The Applicant will be required to file a Notice of Intent with the Regional Water Quality Control Board, Colorado River Region for discharges of storm water and implementation of Best Management Practices (BMPs). A Notice of Authorization will be sent to the Operator/Responsible Party after the Notice of Intent is received and reviewed. The Operator/Responsible Party is then required to submit a Best Management Practices Plan within 90 days from when the Notice of Authorization is issued. The proposed Project is planned to involve as little grading as possible to maintain the natural aspects of the Project Site. An Erosion Control Plan shall be submitted to the County Land Use Services Department for review and Approval. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

*c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?*

The portion of the Project Site to be developed is relatively flat with no prominent geologic features. The Project Site is not within an area susceptible to liquefaction or landslides.<sup>18</sup> In addition, the proposed Project would be required to comply with the California Building Code. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

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

Expansive soils (shrink-swell) are fine-grained clay silts subject to swelling and contracting in relation to the amount of moisture present in the soil. Structures built on expansive soils may incur damage due to differential settlement of the soil as expansion and contraction takes place. A high shrink-swell potential indicates a hazard to structures built on or with material having this rating. A field exploration was conducted at the Project Site in 2006 consisting of the excavation of ten trenches to an approximate depth of eight to ten feet below ground surface. Soils encountered within the upper 4 to 8 feet consist of massive silty sand, clay and gravel. The lower half to four feet of the

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<sup>17</sup> Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Geology and Soils. Figure 5.6-3 "Liquefaction and Landslide Susceptibility."

<sup>18</sup> Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Geology and Soils. Figure 5.6-3 "Liquefaction and Landslide Susceptibility."

trenches consists of a loose, moderate reddish brown poorly sorted, coarse grained sand with subangular to subrounded clasts. There were also small half inch lenses consisting of fine-grained silt. No expansive soils were observed in subsequent borings completed for the 2021 Design-phase Geotechnical Investigation. The proposed Project would be required to comply with the grading and construction recommendations contained in the 2021 Design-phase Geotechnical Investigation to minimize any potential impacts due to the expansive soils (see Mitigation Measure GEO-2). Therefore, with implementation of Mitigation Measures, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

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

Sewer lines would connect each proposed structure to the proposed septic system. In 2020, Petra Geosciences, Inc. conducted an infiltration test boring on the portion of the Project Site where the septic system is proposed. The soil had the percolation rate of 310.84 gallons/day/ft<sup>2</sup> and an infiltration rate of 45.53 inches/hour. The septic system shall be certified by a qualified professional (P.E., C.E.G., REHS, C-42 contractor) that the system functions properly, meets code, and has the capacity required for the proposed Project. No significant adverse impact is identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

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

A Paleontological Resources Assessment Report, dated April 10, 2021, was prepared for the proposed Project by CRM TECH. In order to identify any paleontological resource localities that may exist in or near the Project Site and to assess the possibility for such resources to be encountered during the project, CRM TECH initiated records searches at the appropriate repositories, conducted a literature review, and carried out a systematic field survey of the Project Site. The results of these research procedures indicate that the proposed Project's potential to impact significant paleontological resources appears to be low in the Holocene-age alluvium on the surface but high in the subsurface deposit of Pleistocene age sediments. Based on these findings, CRM TECH recommends the following Mitigation Measure be implemented:

### **Mitigation Measure GEO-3:**

A paleontological resource impact mitigation program shall be developed prior to commencement of ground-disturbing activities and implemented during project construction. As the primary component of the mitigation program, all earthmoving operations reaching beyond the depth of five feet, or at shallower depths upon encountering the paleontologically sensitive soils, should be monitored for any evidence of significant, nonrenewable paleontological resources.

Implementation of Mitigation Measure GEO-3 would prevent potential impacts on significant, nonrenewable paleontological resources or reduce such impacts to a level less than significant.

**Less than Significant with Mitigation**

**Therefore, potential impacts can be reduced to less than significant level with implementation of mitigation measures above.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>VIII. 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:***

***Countywide Policy Plan; Submitted Project Materials; Air Quality and Greenhouse Gas Impact Study, September 9, 2020, MD Acoustics, LLC***

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

The County of San Bernardino adopted its "Greenhouse Gas Emissions Reduction Plan" (GHG Reduction Plan) in December 2011. The GHG Reduction Plan was updated in June 2021 (GHGRP Update). A review standard of 3,000 metric tons of carbon dioxide equivalents (MTCO<sub>2</sub>e) per year will be used to identify projects that require the use of the Screening Tables or a project-specific technical analysis to quantify and mitigate project emissions. Screening tables are a menu of options of energy efficiency improvements, renewable energy options, water conservation measures, and other options that provide predictable GHG reductions. Each option within the Screening Tables includes point values based upon the GHG reduction that option would provide to a development project. Developers that choose options from the Screening Tables totaling 100 points or more will be determined to have provided a fair-share contribution of GHG reductions and, therefore, are considered consistent with the GHGRP Update. The levels of GHG reductions designed into the Screening Tables are consistent with the State goal of achieving 40 percent below 1990 levels of emissions by 2030.



An Air Quality and Greenhouse Gas Impact Study, dated May 13, 2021, was prepared for the proposed Project by MD Acoustics, LLC (report available at County office for review). GHG emissions were screened using CalEEMod version 2016.3.2. The proposed Project is to be operational in 2022 and construction is estimated to start no sooner than Summer 2021 and be completed by Winter 2022.

**Construction**

The greenhouse gas emissions from project construction equipment and worker vehicles are shown in Table 4. The emissions are from all phases of construction. The total construction emissions amortized over a period of 30 years are estimated at 107.26 metric tons of CO<sub>2</sub>e per year.

**Table 4  
 Construction Greenhouse Gas Emissions**

Activity	Emissions (MTCO <sub>2</sub> e) <sup>1</sup>		
	Onsite	Offsite	Total
Grading	43.5	2.4	45.9
Building Construction <sup>2</sup>	306.9	2,827.0	3,133.8
Paving	12.1	1.0	13.1
Coating	3.1	21.8	24.9
<b>Total</b>	<b>365.6</b>	<b>2,852.2</b>	<b>3,217.8</b>
<b>Averaged over 30 years<sup>3</sup></b>	<b>12</b>	<b>95</b>	<b>107.26</b>

Notes:

<sup>1</sup> MTCO<sub>2</sub>e=metric tons of carbon dioxide equivalents (includes carbon dioxide, methane and nitrous oxide).

<sup>2</sup> The emissions are averaged over 30 years because the average is added to the operational emissions, pursuant to SCAQMD.

**Operations**

Operational emissions occur over the life of the project. Table 5 below shows that the subtotal for the proposed Project would result in annual emissions of 450.51 MT CO<sub>2</sub>e per year (without the addition of amortized construction emissions which would add an additional 107.26 MT CO<sub>2</sub>e per year). The total emissions of 691.56 MTCO<sub>2</sub>e/year (584.3 MT plus 107.26 MT) would not exceed the San Bernardino County screening threshold of 3,000 metric tons per year of CO<sub>2</sub>e.

**Table 5  
 Opening Year Project-Related Greenhouse Gas Emissions**

Category	Greenhouse Gas Emissions (Metric Tons/Year) <sup>1</sup>					
	Bio-CO <sub>2</sub>	NonBio-CO <sub>2</sub>	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e
Area Sources <sup>2</sup>	0.00	0.00	0.00	0.00	0.00	0.00
Energy Usage <sup>3</sup>	0.00	163.87	163.87	0.01	0.00	164.46
Mobile Sources <sup>4</sup>	0.00	166.18	166.18	0.01	0.00	166.46

Solid Waste <sup>5</sup>	9.29	0.00	9.29	0.55	0.00	23.01
Water <sup>6</sup>	0.93	225.56	226.49	0.10	0.00	230.36
Construction <sup>7</sup>	0.00	107.08	107.08	0.01	0.00	107.26
<b>Total Emissions</b>	10.22	662.69	672.91	0.68	0.01	<b>691.56</b>
<b>County of San Bernardino GHG Emissions Reduction Plan Threshold</b>						<b>3,000</b>
<b>Exceeds Threshold?</b>						<b>No</b>

The project's total net operational GHG emissions do not exceed the County's screening threshold of 3,000 MTCO<sub>2</sub>e per year. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

According to the County of San Bernardino GHG Reduction Plan, all development projects, including those otherwise determined to be exempt from CEQA will be subject to applicable Development Code provisions, including the GHG performance standards, and state requirements, such as the California Building Code requirements for energy efficiency. With the application of the GHG performance standards, projects that are exempt from CEQA and small projects that do not exceed 3,000 MTCO<sub>2</sub>e per year will be considered consistent with the Plan and determined to have a less than significant individual and cumulative impact for GHG emissions. The GHG Reduction Plan also states that "the 3,000 MTCO<sub>2</sub>e per year value was chosen as the medial value and is used in defining small projects that must include the Performance Standards but do not need to use the Screening Tables or alternative GHG mitigation analysis."

The project's total net operational GHG emissions do not exceed the County's screening threshold of 3,000 MTCO<sub>2</sub>e per year. Therefore, the proposed Project does not need to accrue points using the screening tables and is consistent with the GHG Reduction Plan. The proposed Project is expected to comply with the performance standards for commercial uses as detailed in the GHG Reduction Plan. The proposed Project will not result in substantial emissions of greenhouse gases and will not conflict with the GHG Plan. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>IX. 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) 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"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

***SUBSTANTIATION:***  
***Submitted Project Materials; EnviroStor Database; San Bernardino Countywide Policy Plan Draft EIR: Hazards and Hazardous Materials***

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

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

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

### **Less Than Significant Impact**

- 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?*

Hazardous or toxic materials transported in association with construction of the proposed Project may include items such as oils, paints, and fuels. All construction materials would be kept in compliance with State and local regulations. Operational activities include standard maintenance that involve the use of commercially available products, which would not create significant hazard to the public or the environment through reasonably foreseeable upset or accidental release of hazardous materials into the environment. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

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

Yucca Mesa Elementary School is the nearest school to the Project Site. It is located approximately 2.15 miles southeast of the Project Site. Therefore, the proposed Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No impacts are identified or anticipated, and no mitigation measures are required.

### **No Impact**

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

The proposed Project has received a Hazardous Waste Site Certification certifying that the proposed Project is not located on a site that is included on the Cortese list dated September 9, 2020. The Project Site was not found on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California

Department of Toxic Substances Control's EnviroStor data management system.<sup>19</sup> EnviroStor tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. No hazardous materials sites are located within or in the immediate vicinity of the Project Site. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

### **No Impact**

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

The Project Site is not within an airport safety review area or Airport Runaway Protection Zone.<sup>20</sup> The Project Site is not located within the vicinity of a private or public airstrip. The nearest airport to the Project Site is Yucca Valley Airport, which is approximately 5.4 miles south of the Project Site. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

### **No Impact**

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

The Project Site does not contain any emergency facilities. The Project Site is adjacent to Old Woman Springs Road/SR-247, which is an evacuation route within the County.<sup>21</sup> Access to the Project Site would be provided by a proposed 26-foot main entrance on Old Woman Springs Road, near the center of Project Site frontage. Additionally, there will be a secondary entrance south of the main entrance for fire access. Adequate on-site access for emergency vehicles would be verified by the Fire Department during the County's plan review process. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

### **No Impact**

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

The Project Site is not located within a High or Very High Fire Hazard Severity Zone.<sup>22</sup> Fire lanes that are 26 feet wide are proposed throughout the portion of the Project Site to be developed. The proposed Project is subject to review and approval from the San

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<sup>19</sup>California Department of Toxic Substances Control. EnviroStor. Accessed April 6, 2021.

<sup>20</sup> Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-2 "Airport Safety Zones."

<sup>21</sup> Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Hazards and Hazardous Materials. Table 5.8-10 "Evacuation Routes in San Bernardino County."

<sup>22</sup> Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-6 "Fire Severity and Growth Areas in the East Desert Regions."

Bernardino County Fire Marshal. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statues, codes, ordinances, and standards of the San Bernardino County Fire Department. Moreover, the proposed Project would require a Fire Control Plan as a condition of approval. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>X. HYDROLOGY AND WATER QUALITY - Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?                     | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**SUBSTANTIATION:**

**Countywide Policy Plan; Submitted Project Materials; Hydrology Study, Fomotor Engineering, March 5, 2020; Mojave Water Agency 2015 Urban Water Management Plan**

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

Implementation of the proposed Project would disturb 25 acres of the approximately 640-acre Project Site. The Applicant will be required to file a Notice of Intent with the Regional Water Quality Control Board, Colorado River Region for discharges of storm water and implementation of Best Management Practices (BMPs). A Notice of Authorization will be sent to the Operator/Responsible Party after the Notice of Intent is received and reviewed. The Operator/Responsible Party is then required to submit a Best Management Practices Plan within 90 days from when the Notice of Authorization is issued. The proposed Project is planned to involve as little grading as possible to maintain the natural aspects of the Project Site. An Erosion Control Plan shall be submitted to the County Land Use Services Department for review and Approval. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

Water supply to the Project Site would be provided by the Bighorn-Desert View Water Agency (BDVWA) upon annexation of the Project Site to the water agency. BDWA is a retail water agency within the service area of the Mojave Water Agency (MWA). MWA has made efforts to greatly increase the understanding of the water quantity and quality of the groundwater basins that lie within its service area. MWA established a program to maintain an 850 well monitoring network. Water levels from these wells are recorded on a regular basis and several of the wells are tested for water quality on a rotating sampling schedule.<sup>23</sup> Projected water demand is calculated by multiplying projected per capita water use by population projections.

The Project Site is 640 acres and is currently zoned Homestead Valley/Rural Living (HV/RL). As stated previously, if the Project Site is completely developed for residential uses, it would consist of no more than 82 units. The residential user water demand is

<sup>23</sup> Mojave Water Agency. 2020 Urban Water Management Plan.

based on an indoor factor of 55 gallons-per-capita-per-day (gpcd)<sup>24</sup>. According to the 2016 American Community Survey (ACS), the average persons per household was 3.41 countywide and 3.23 when limited to unincorporated areas.<sup>25</sup> Therefore, 82 units would have an indoor water demand of approximately 14,568 gallons per day.

The proposed Project is a development of a campground, which is anticipated to have a water demand of 18,150 gallons per day (GPD) based on the same residential use factor.<sup>26</sup> The total demand for either land use does not include outdoor landscaping use which would be higher for residential as the campground has no landscaping plan. The indoor water demand for the proposed Project would be an approximate 25% increase over the water demand for the Project Site if it were developed for residential uses. The Applicant has received a Public Water Service Certification, dated August 28, 2020, from the Bighorn-Desert View Water Agency and certifies that financial arrangements have been made to install water mains for each proposed service outlet and any other necessary facilities to ensure that the proposed Project will have adequate source, storage, and distribution line capacities to satisfy the domestic water service and fire protection requirements of the proposed Project.

The MWA Reliability Projections for Multiple Dry Years in 2035 identify supplies meet demands with no surplus. MWA estimates that the demands will increase by 10 percent during single-dry year and multi-year periods. The UWMP finds that MWA can meet 100 percent of their service area demands through 2035 in single dry years and multiple-dry year periods with consistent local sources, SWP banking, and supply enhancement projects.

A retention basin is proposed on-site that would treat stormwater prior to percolation into the basin. Implementation of the project Best Management Practices (BMPs) would ensure that stormwater discharge does not substantially alter the existing drainage pattern and water quality, thereby allowing runoff from the Project Site to be utilized as a resource that can eventually be used for groundwater recharge. Therefore, the proposed Project is not anticipated to have a substantial impact on groundwater supplies or interfere substantially with groundwater recharge. No significant impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
  - i) *Result in substantial erosion or siltation on- or off-site;*

Erosion is the wearing away of the ground surface as a result of the movement of wind or water, and siltation is the process by which water becomes dirty due to fine mineral particles in the water. Soil erosion could occur due to a storm event. Implementation of

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<sup>24</sup> Mojave Water Agency uses an indoor factor 55 gpcd for the UWMP forecasts.

<sup>25</sup> San Bernardino Countywide Policy Plan Draft EIR. Population and Housing. Table 5.13-5 "Adopted SCAG 2040 Growth Forecasts."

<sup>26</sup> Based on 330 people (300 campers and 30 on-site employees).



BMPs issued through the NOI process would reduce on-site erosion and siltation. Natural infiltration capacity would be maximized by incorporating a design that promotes water retention through placement of proposed landscape, soil development, grading techniques, and allowing natural drainage into the landscaped areas. Existing vegetation will be protected in place to the extent feasible. In addition, an Erosion Control Plan shall be submitted to the County Land Use Services for review and Approval. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

- ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;*
- iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or*
- iv) Impede or redirect flood flows?*

A Hydrology Study, dated March 5, 2020, was prepared for the proposed Project by Fomotor Engineering (report available at County office for review). The Project Site is subject to flow entering Pipes Canyon Wash via a large 47,128.1-acre offsite watershed to the west, which produces a 100-year / 24-hour peak discharge of 27,280.3 cubic-feet per second (cfs). The resulting modeled floodplain stays contained to the massive 2,000 feet wide 100-feet deep channel with the 100-year water depth ranging between 1.53 to 5.63 feet. Pipes Canyon Wash is a USGS Blue Line Stream. Construction will not occur in the floodplain or the USGS Blue Line Stream location. The proposed Project has a small footprint with minimal grading and the majority of the Project Site will remain undeveloped.

Under existing conditions, the site generally flows from southwest to northeast. These flows will be maintained under proposed conditions. A stormwater retention basin is proposed north of the portion of the Project Site to be developed. Any increase in runoff and flow rates shall be mitigated by incorporation of the stormwater retention basin into project design. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

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

Due to the inland distance from the Pacific Ocean and any other significant bodies of water, tsunamis and seiches are not potential hazards in the vicinity of the Project Site. Pipes Canyon Wash crosses the eastern portion of the site from northeast to southwest also at a 1.8% slope, and the channel is approximately 2,000 feet wide and 100 feet deep. The Project Site is located in FEMA Flood Zone D, which is described as: "Area of Undetermined Flood Hazard." The Project Site is subject to flow entering Pipes Canyon Wash via a large 47,128.1-acre offsite watershed to the west, which produces a 100-year / 24-hour peak discharge of 27,280.3 cfs. The resulting modeled floodplain stays contained to the channel with the 100-year water depth ranging between 1.53 to 5.63 feet. No project-related construction would occur in the floodplain. Therefore, no

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

**Less Than Significant Impact**

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

The proposed Project would not otherwise substantially degrade water quality, as appropriate measures relating to water quality protection would be implemented through the NOI process as BMPs. Appropriate BMPs will be reviewed and approved by the County. The Project Site is not within a region for which a Sustainable Groundwater Management Plan has been adopted. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XI. LAND USE AND PLANNING - Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**  
**Countywide Policy Plan; Submitted Project Materials**

- a) *Physically divide an established community?*
- b) *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

The Project Site is located within an unincorporated area of the County and has a zoning designation of Homestead Valley/Rural Living. The Project Site is located at the northeast corner of Old Woman Springs Road and La Brisa Drive. It is surrounded by scattered single-family residences and vacant land to the north and south; commercial uses, scattered single-family residences, and vacant land to the west; and vacant land

to the east. The proposed Project is the development of a campground, which is conditionally permitted within the Rural Living zoning designation. With approval of a CUP, the proposed Project would be consistent with the Countywide Policy Plan and applicable land use plans.

The physical division of an established community is typically associated with construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility in an existing community or between a community and an outlying area. The proposed Project does not include the construction of a linear feature. Therefore, the proposed Project would neither physically divide an established community nor cause a significant environmental impact due to conflict with any land use plans or policies. No significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

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

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

**Countywide Policy Plan; Submitted Project Materials**

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

Per Policy NR-6.1 of the Countywide Policy Plan, development of land that would substantially preclude the future development of mining facilities in areas classified as Mineral Resource Zone (MRZ) 2a, 2b, or 3a is discouraged or prohibited. The Project

Site is not located within any of these mineral resource zones.<sup>27</sup> Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

- b) *Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

The Project Site has a current zoning designation of Homestead Valley/Rural Living. With the approval of the CUP, the proposed Project would be consistent with the Countywide Policy Plan which allows camping in an RL zone as a conditionally permitted use. The Project Site is neither located within an MRZ-2 nor an MRZ-3 mineral zone. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XIII. NOISE - Would the project result in:</b>				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>27</sup> San Bernardino Countywide Plan Policy Map: NR-2 "Mineral Resources Zones." Accessed April 7, 2021.

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

**Countywide Policy Plan; Submitted Project Materials; Noise Impact Study, MD Acoustics, LLC, August 28, 2020**

- a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

A Noise Impact Study (report available at County office for review), dated August 28, 2020, was prepared for the proposed Project by MD Acoustics, LLC (MD) to evaluate the potential noise impacts for the project study area and to recommend noise mitigation measures, if necessary, to minimize the potential noise impacts. The assessment was conducted and compared to the noise standards set forth by the Federal, State and Local agencies. Consistent with the County's Noise Guidelines, the proposed Project must demonstrate compliance to the applicable noise criterion as outlined within the County's Noise Element and Municipal Code.

Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). The A-scale weighting is typically reported in terms of A-weighted decibel (dBA), a scale designed to account for the frequency-dependent sensitivity of the ear.

### **Existing Noise Environment**

One twenty-four (24) hour ambient noise measurement was conducted at the Project Site. The noise measurement was taken to determine the existing ambient noise levels. Noise data indicates that traffic along Old Woman Springs Road is the primary sources of noise impacting the site and the surrounding area. Therefore, the assessment utilized the ambient noise data as a basis and compared future noise levels to these existing ambient noises levels. Noise data indicate the ambient noise level ranges between 45.4 dBA Leq to 50.6 dBA Leq during daytime hours.

### **Future Noise Environment Impacts and Mitigation**

#### Noise Impacts to Off-Site Receptors Due to Stationary Sources

Adjacent uses that may be affected by project operational noise include commercial and residential uses to the west (approximately 150 to 600 feet from the project's western boundary). An earlier version of the Site Plan included an amphitheater to hold occasional music festivals. That use has since been eliminated from the project, however, the analysis of noise levels associated with such a use can serve as a worst-case scenario for the purposes of this Initial Study. The worst-case stationary noise was modeled with the amphitheater use and using SoundPLAN acoustical modeling software. Worst-case assumes that music festival is operating between 7AM to 10PM. Project operations are anticipated to occur between 7AM to 10PM and compared to the County's daytime (7AM to 10PM) commercial and residential stationary noise limit of 55 dBA.

A total of five (5) receptors were modeled to evaluate the proposed project's operational impact. Receptor 1 represents a calibration point, Receptors 2-3 represent commercial uses along the west side of Old Woman Springs Road, and Receptors 4-5 represent the nearest residential receptors. The Noise Study compares the Project's operational noise levels to two (2) different noise assessment scenarios: 1) Project Only operational noise level projections, 2) Project plus ambient noise level projections. The "project only" noise projections to the adjacent uses are below the County's daytime 55 dBA residential and commercial limit, as outlined within the County's noise ordinance. Project plus ambient noise level projections are anticipated to range between 45.9 to 49.2 dBA Leq at receptors (R2 – R5). The project plus ambient noise condition is below the County's 55 dBA commercial and residential noise limit without mitigation and therefore is less than significant.

The project was compared to the existing condition (45.4 dBA, Leq) for comparative purposes to the quietest measured hourly interval during operating hours (9AM-10AM) to show the change in noise level. The existing noise levels are anticipated to change between 0.5 to 3.8 dBA, Leq depending on location. The noise level increase would be "Not Perceptible" to "Just Perceptible" at the receptors depending on location.

#### Noise Impacts to On/Off-Site Receptors Due to Project Generated Traffic

Traffic along the subject roadways would need to double in average daily traffic volumes to see a 3 dBA increase in noise level. Since the project generates a nominal amount of traffic relative to the existing average daily traffic volumes along Old Woman Springs Road, the project's traffic noise level increase would be nominal and therefore less than significant.

The project complies with the County's noise regulations as designed and therefore no mitigation measures are required.

#### **Construction Noise Impacts**

The degree of construction noise may vary for different areas of the Project Site and also vary depending on the construction activities. Noise levels associated with the construction will vary with the different phases of construction.

A likely worst-case construction noise scenario would occur during grading activities where the use of 1-grader, 1-dozer, 2-excavators, and 2-backhoes were assumed, operating at 800 feet from the nearest sensitive uses to the west. Assuming a usage factor of 40 percent for each piece of equipment, unmitigated noise levels at 800 feet have the potential to reach 60 dBA Leq at the nearest sensitive uses during building construction. Construction is considered exempt but a short-term impact and would be considered significant if construction activities are conducted outside the allowable times as described in the County's Municipal Code Section 83.01.080 (g)(3). Construction is anticipated to occur during the permissible hours according to the County's Municipal Code. Construction noise will have a temporary or periodic increase in the ambient noise level above the existing within the project vicinity. To further ensure that construction activities do not disrupt the adjacent land uses, Mitigation Measures N-1 to N-4 are

recommended and the Project contractor shall certify, in writing, that the following measures shall occur:

**Mitigation Measure N-1**

During construction, the contractor shall ensure all construction equipment is equipped with appropriate noise attenuating devices.

**Mitigation Measure N-2:**

The contractor should locate equipment staging areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction.

**Mitigation Measure N-3:**

Idling equipment should be turned off when not in use.

**Mitigation Measure N-4:**

Equipment shall be maintained so that vehicles and their loads are secured from rattling and banging.

With implementation of Mitigation Measures N-1 to N-4, the proposed Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan.

**Less than Significant with Mitigation**

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

Construction activities can produce vibration that may be felt by adjacent land uses. The construction of the proposed Project would not require the use of equipment such as pile drivers, which are known to generate substantial construction vibration levels. The primary vibration source during construction may be from a bulldozer. A large bulldozer has a vibration impact of 0.089 inches per second peak particle velocity (PPV) at 25 feet which is perceptible but below any risk to architectural damage.

At a distance of 800 feet (distance of nearest structure from the nearest area of disturbance on the site), a large bulldozer would yield a worst-case 0.002 PPV (in/sec) which is not perceptible and below any threshold of significance. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

The Project Site is not within an airport safety review area or Airport Runaway Protection Zone.<sup>28</sup> The Project Site is not located within the vicinity of a private or public airstrip. The nearest airport to the Project Site is Yucca Valley Airport, which is approximately 5.4 miles south of the Project Site. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**No Impact**

**Therefore, less than significant adverse impacts are identified or anticipated with implementation of mitigation measures.**

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

**SUBSTANTIATION:**

**Countywide Policy Plan; Submitted Project Material**

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

The proposed Project is the development of a campground. It is anticipated that there will be up to 300 visitors when fully booked. Most of the visitors are not likely to come from the local area; however, they are anticipated to be in the area temporarily. The proposed Project would require an estimated 30 daily visitors and up to 50 employees

<sup>28</sup> San Bernardino Countywide Policy Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-2 "Airport Safety Zones."



during the peak season; employees may come from nearby cities and towns, but may also arrive and stay on-site for an extended during the season. Construction activities would be temporary and would not attract new employees to the area. The Project Site has a current zoning designation of Homestead Valley/Rural Living. With approval of the CUP, the proposed Project would be consistent with the Countywide Policy Plan. The proposed Project does not involve construction of new homes so it would not induce unplanned population growth. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

The Project Site is currently vacant and does not contain any residential housing. Implementation of the proposed Project would not require construction of replacement housing elsewhere. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**No Impact**

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XV. PUBLIC SERVICES</b>				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION:**  
**Countywide Policy Plan, 2020; Submitted Project Materials**

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

*Fire Protection?*

San Bernardino County Fire Station 42, located at 58612 Aberdeen Drive, is approximately 3 miles southeast of the Project Site. New development within the unincorporated county would not combine with other development in the county to result in a cumulatively considerable impact to fire and emergency services.<sup>29</sup> The County would maintain sufficient services within its boundaries as well as expand to serve other incorporated jurisdictions to improve service and coverage.<sup>30</sup>

Comprehensive safety measures that comply with federal, state, and local worker safety and fire protection codes and regulations would be implemented into project design to minimize the potential for fires to occur during construction and operations. The proposed Project would be subject to the conditions required by the County Fire Department, as listed in a comment letter dated June 15, 2020. The proposed Project would be required to comply with County fire suppression standards, provide adequate fire access and pay required development impact fees. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

*Police Protection?*

The San Bernardino County Sheriff's Department (SBCSD) serves the unincorporated portions of the County. The nearest police station to the Project Site is the SBCSD-Morongo Basin station located at 6527 White Feather Road, approximately 10 miles southeast of the Project Site. The SBCSD reviews staffing needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection. Additionally, development impact fees are collected at the time of building permit issuance to offset project impacts. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

*Schools?*

The Project Site is served by the Morongo Unified School District. Construction activities would be temporary and would not result in substantial population growth. The estimated 30 daily visitors and 50 seasonal employees required for operations are expected to come from the local labor force. The proposed Project is not expected to draw any new residents to the region that would require expansion of existing schools or additional schools. With the collection of development impact fees, impacts related

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<sup>29</sup> Placeworks. San Bernardino Countywide Policy Plan Draft EIR: Public Services. Page 5.14-17.

<sup>30</sup> Placeworks. San Bernardino Countywide Policy Plan Draft EIR: Public Services. Page 5.14-17.

to school facilities are expected to be less than significant. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

*Parks?*

The proposed Project would neither induce residential development nor significantly increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of any facilities would result. Operation of the proposed Project would place no demands on parks because it would not involve the construction of housing and would not involve the introduction of a permanent human population into the area. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**No Impact**

*Other Public Facilities?*

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

**No Impact**

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XVI. 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 will 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"/>

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**SUBSTANTIATION:**

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**Submitted Project Materials**

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

The proposed Project would require an estimated 30 daily and 50 seasonal employees. Employees are expected to come from the local labor force. It does not include development of residential housing or other uses that would lead to substantial population growth. It is important to note that project visitors could potentially use nearby parks and other recreational facilities while in the area. However, given that the Proposed Project offers recreational opportunities, the use of parks and other recreational facilities would be minimized. Therefore, the proposed Project would not result in a significant increase in the use of existing neighborhood or regional parks, or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. The Project Applicant's payment of required fees will serve to mitigate any potential impacts related to the use of existing parks and other recreational facilities from the proposed Project. No significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

The proposed Project is the development of a campground that includes amenities and support buildings to provide recreational opportunities for visitors. The employees required for the operations of the proposed Project would come from the local labor force. No recreational facilities would be removed, and the addition of employees would not create the need for additional facilities. With implementation of Mitigation Measures identified in this Initial Study, the proposed Project would not have an adverse physical effect on the environment. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XVII. TRANSPORTATION – Would the project:</b>				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

***SUBSTANTIATION:***  
***Countywide Policy Plan; Submitted Project Materials; Trip Generation Memorandum (memo), August 3, 2020, Integrated Engineering Group (IEG); VMT Assessment Memorandum, June 15, 2021, Integrated Engineering Group (IEG)***

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

Bicycle and Pedestrian Facilities

There are currently no bicycle or pedestrian facilities on or near the Project Site. The San Bernardino County Transportation Authority Bicycle Plan has no planned paths for the project vicinity.<sup>31</sup> Therefore, no conflict with a program plan, ordinance or policy addressing bicycle and pedestrian facilities are anticipated.

Transit Service

The Project Site and surrounding area is currently served by the Morongo Basin Transit Authority. There is bus service along Old Woman Springs Road via Route 21. The nearest bus stop to the Project Site is at the intersection of Old Woman Springs Road and Serrano Road, which is approximately 0.6 miles north of the Project Site.<sup>32</sup> There are no proposed additional transit services for the area of the Project Site.<sup>33</sup>

The Transportation and Mobility Element of the Countywide Policy Plan:

<sup>31</sup> County of San Bernardino. Countywide Policy Plan: TM-2 “Transit Network” web map. Accessed April 8, 2021.

<sup>32</sup> Morongo Basin Transit Authority. Routes: 21 Landers – Yucca Valley. Accessed April 8, 2021.

<sup>33</sup> County of San Bernardino. Countywide Policy Plan: TM-2 “Transit Network” web map. Accessed April 8, 2021.

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

The proposed Project is the development of campground on currently vacant land. A Trip Generation Memorandum (memo), dated August 3, 2020, was prepared for the proposed Project by Integrated Engineering Group (IEG) (report available at County office for review). The memo indicates that the proposed Project is anticipated to generate 16 AM peak hour trips and 20 PM peak hour trips; no daily trip estimates were provided, however for purposes of conservatively analyzing mobile source emissions, the PM peak hour rate of 20 vehicle trips was utilized to calculate an estimated 200 daily vehicle trips.

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

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

**Policy TM-1.7:** We require new developments to pay its fair share contribution towards off-site transportation improvements.

**Consistent:** Prior to the issuance of building permits, the Project Applicant shall pay the Project's fair share amount for recommended improvements, if any.

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

**Consistent:** The Project Site is adjacent to Old Woman Springs Road/SR-247, which is an evacuation route within the County.<sup>34</sup> Adequate on-site access for emergency vehicles would be verified during the County's plan review process. The proposed Project is anticipated to generate a total of 16 AM peak hour trips and 20 PM peak hour trips. It was determined in the memo that the proposed Project qualifies for an exemption from conducting a Traffic Impact Study (TIS) based on the traffic assessment and technical information. The project trips would result in some increases in traffic, but impacts are anticipated to be less than significant.

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<sup>34</sup> Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Hazards and Hazardous Materials. Table 5.8-10 "Evacuation Routes in San Bernardino County."

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

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

**Consistent:** The proposed Project would include avoidance or relocation of the protected plants on-site. The proposed Project does not include off-site improvements because the Project Site is located within a rural area.

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

**Consistent:** Fair-share contributions, if any, would be paid prior to the issuance of building permits. As stated previously, the proposed Project qualifies for an exemption from conducting a TIS based on the traffic assessment and technical information. The project trips would result in some increases in traffic, but impacts are anticipated to be less than significant.

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

### **Less Than Significant Impact**

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

Senate Bill 743 (SB 743) approved in 2013, endeavors to change the way transportation impacts will be determined according to CEQA. In December 2018, the Natural Resources Agency finalized updates to CEQA Guidelines to incorporate SB 743 (i.e., Vehicle Miles Traveled [VMT]). A VMT Assessment Memorandum, dated June 15, 2021, was prepared for the proposed Project by IEG. The objective of the memo is to demonstrate that the proposed land use intensity qualifies the project to be exempt from preparing a full VMT analysis consistent with the guidelines set by the County of San Bernardino Transportation Traffic Study Guidelines dated July 9, 2019.

The Guidelines state that certain project types that, “serve the local community and have the potential to reduce VMT should not be required to complete a VMT assessment.” The project listed in the Guidelines are as follows:

- K-12 schools
- Local-serving retail less than 50,000 sq. ft.
- Local parks • Day care centers
- Local serving gas stations

- Local serving banks
- Student housing projects
- Local serving community colleges that are consistent with the assumptions noted in the RTP/SCS
- Projects generating less than 110 daily vehicle trips
- Projects located within a Transit Priority Area (TPA) as determined by the most recent SCAG RTP/SCS (map of HQTAs can be reviewed on SCAG's website currently located here and will further be refined through SBCTA's efforts: <http://gisdata.scag.ca.gov/Pages/GISStaticMaps.aspx> but should be verified by the analyst
- Projects located within a low VMT generating area as determined by the analyst (e.g. development in efficient areas of the County will reduce VMT per person/employee and is beneficial to the region)

Projects that do not meet any of the screening criteria identified would need to perform a VMT analysis per the Guidelines. A project would need evaluate the appropriate VMT metrics and compare them to thresholds to determine significance as defined by the Guidelines.

Based on the Guidelines, projects that generate less 110 average daily traffic (ADT) should not be required to complete a VMT assessment. As per the Project trip generation information, the project is anticipated to generate 16 trips in the AM peak and 20 trips in the PM peak. No ADT rate is provided by the ITE Trip Generation Manual since this type of land use accommodates campers and other users on a transient basis. As a result, the project would qualify as a small project and would not be required to conduct a full VMT assessment. Therefore, the proposed Project qualifies for an exemption from conducting a complete VMT assessment and presumed to have a less than significant VMT related impact. In a letter dated August 19, 2021, the County Traffic Division has recommended approval of the project based on the VMT Assessment Memorandum. No mitigation measures are required.

### **Less Than Significant Impact**

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

The proposed Project is the development of a campground that does not include a geometric design or incompatible uses that would substantially increase hazards. Adequate on-site access for emergency vehicles would be verified during the County's plan review process. The proposed Project is anticipated to generate a total of 16 AM peak hour trips and 20 PM peak hour trips. It was determined in the IEG Trip Generation Memo that the proposed Project qualifies for an exemption from conducting a TIS based on the traffic assessment and technical information. The project trips would result in some increases in traffic, but impacts are anticipated to be less than significant. In addition, the proposed Project will be subject to review by the County Department of Public Works: Traffic Division to ensure that the project does not substantially increase hazards. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.



**Less Than Significant Impact**

- d) *Result in inadequate emergency access?*

The Project Site is adjacent to Old Woman Springs Road/SR-247, which is an evacuation route within the County.<sup>35</sup> Access to the Project Site would be provided by a proposed 26-foot main entrance on Old Woman Springs Road, near the center of Project Site frontage. Additionally, there will be a secondary entrance south of the main entrance for fire access. Adequate on-site access for emergency vehicles would be verified during the County’s plan review process. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XVIII. TRIBAL CULTURAL RESOURCES</b>				

- a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

<sup>35</sup> Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Hazards and Hazardous Materials. Table 5.8-10 “Evacuation Routes in San Bernardino County.”

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**SUBSTANTIATION:**

**Historical/Archaeological Resources Survey Report, April 9, 2021, CRM TECH**

- a) *i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or;  
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

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

On January 17, 2020, CRM TECH submitted a written request to the State of California Native American Heritage Commission (NAHC) for a records search in the commission's Sacred Lands File. In the meantime, CRM TECH notified the nearby Twenty-Nine Palms Band of Mission Indians and Morongo Band of Mission Indians of the upcoming archaeological field survey and invited tribal participation. Following NAHC's recommendations and previously established consultation protocol, on January 27 CRM TECH further contacted a total of 11 tribal representatives in the region in writing for additional information on potential Native American cultural resources in the project vicinity. This level of consultation is considered preliminary, leaving AB-52 consultation to the County, as they are responsible for government-to-government consultation.

On April 14, 2021, the County of San Bernardino mailed notification pursuant to AB-52 to the following tribes: Fort Mojave Indian Tribe, Colorado River Indian Tribes, Twenty-Nine Palms Band of Mission Indians, Morongo Band of Mission Indians, San Manuel Band of Mission Indians, and Soboba Band of Mission Indians. AB-52 consultation concluded on May 14, 2021. On a letter dated April 28, 2021, Twenty-Nine Palms Band of Mission Indians Tribal Historic Preservation Office (THPO) stated that the Project Site is within the Chemehuevi Traditional Use area and in the vicinity of culturally sensitive areas, and requested the full cultural report for the project and continued consultation. On a letter dated June 25<sup>th</sup>, 2021, the THPO recommended the following Mitigation Measures.

**Mitigation Measure TCR-1:**

Cultural sensitivity training should be incorporated into employee orientations.

**Mitigation Measure TCR-2:**

Retain a Native American Monitor/Consultant - Prior to the commencement of any ground disturbing activity at the Project Site, the project applicant shall retain a Native American Monitor approved by the tribe that consulted on this project pursuant to Assembly Bill A52 (the "Tribe" or the "Consulting Tribe"). A copy of the executed contract shall be submitted to the Lead Agency prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources. Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 50 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the Tribal monitor approved by the Consulting Tribe and a qualified archaeologist if one is present. If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes.

**Less Than Significant Impact**

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XIX. UTILITIES AND SERVICE SYSTEMS - Would the project:</b>				

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) | Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**

**Countywide Policy Plan; Submitted Project Materials; California Energy Commission Energy Report; Mojave Water Agency 2015 Urban Water Management Plan**

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

The Applicant has received a Public Water Service Certification, dated August 28, 2020, from the Bighorn-Desert View Water Agency that certifies that financial arrangements have been made to install water mains for each proposed service outlet and any other necessary facilities to ensure that the proposed Project will have adequate source, storage and distribution line capacities to satisfy the domestic water service and fire protection requirements of the proposed Project. Prior to the provision of water service, the Project Site will need to be annexed into the water agency; the property is currently within the Bighorn-Desert View Water Agency Sphere of Influence. The proposed Project would not require or result in the construction of new water facilities or expansion of existing facilities.

Sewer lines would connect each proposed structure to the proposed on-site sewage disposal leach field. The septic system shall be certified by a qualified professional (P.E., C.E.G., REHS, C-42 contractor) that the system functions properly, meets code, and has the capacity required for the proposed Project. The proposed Project would not

require or result in the construction of wastewater treatment facilities or expansion of existing facilities.

Stormwater would be captured via a proposed stormwater retention basin north of the portion of the Project Site to be developed. Any increase in runoff and flow rates shall be mitigated by incorporation of the stormwater retention basin into project design.

The proposed Project would be serviced by Southern California Edison (SCE), which provides the electrical service to the general area. The proposed Project will receive electrical power by connecting to existing power lines. The increased demand from the proposed Project is expected to be sufficiently served by the existing SCE electrical facilities. According to the California Energy Commission, the commercial building sector of the Southern California Edison planning area consumed 34,373.922 GWh of electricity in 2020.<sup>36</sup> The estimated electricity demand for the proposed Project is 0.4996 GWh per year. The proposed Project's estimated annual electricity consumption compared to the 2020 annual electricity consumption of the overall commercial building sector in the SCE Planning Area would account for approximately 0.00145 percent of total electricity consumption.

Although the Project Site is within the service area of Southwest Gas, the proposed Project would likely utilize propane tanks as the nearest natural gas pipelines are located approximately 5 miles south of the Project Site. However, in the event that the proposed Project would be serviced by Southwest Gas, the increase in natural gas demand from the proposed Project is insignificant compared to the projected natural gas demand for County of San Bernardino's non-residential sector. According to the California Energy Commission, the natural gas consumption of the County of San Bernardino planning area non-residential sector was 259,873,628 therms in 2020.<sup>37</sup> The proposed Project's estimated annual natural gas demand is 878.14 therms. The proposed Project's estimated annual natural gas consumption compared to the 2020 annual natural gas consumption of the overall non-residential sector in the County of San Bernardino Planning Area would account for approximately 0.000338 percent of total natural gas consumption.

The proposed Project will be served by Frontier for telecommunication services. The proposed Project is the development of a campground; therefore, it is not anticipated to have a significant demand for telecommunication services. No significant impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

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

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<sup>36</sup> California Energy Commission. Energy Reports. <https://ecdms.energy.ca.gov/Default.aspx>. Accessed October 27, 2021.

<sup>37</sup> California Energy Commission. Energy Reports. <https://ecdms.energy.ca.gov/Default.aspx>. Accessed October 27

Water supply to the Project Site would be provided by the Bighorn-Desert View Water Agency (BDVWA), which is a retail water agency within the service area of the Mojave Water Agency (MWA). The 2020 Urban Water Management Plan (UWMP), in compliance with the UMWP Act, compares the total projected water use with the projected water supply over the next forty years. According to the UWMP, MWA has adequate supplies to meet demands during average, single-dry, and multiple-dry years through 2065.<sup>38</sup>

The Project Site's current zoning designation is Homestead Valley/Rural Living (HV/RL). The RL land use zoning district provides sites for rural residential uses, incidental agricultural uses, and similar and compatible uses. The proposed Project is a campground. Subject to a CUP, the proposed Project is consistent with the Rural Living zoning. Therefore, the expected water demand for the proposed Project would be included in MWA's projected water demand. Water supplies would be sufficient to serve the proposed Project and reasonably foreseeable future development. No significant impacts are identified or anticipated, and no mitigation measures are required.

#### **Less Than Significant Impact**

- c) *Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?*

The proposed Project is anticipated to generate 28,320 GPD of wastewater. Sewer lines would connect each proposed structure to a proposed septic system and leach field. In 2020, Petra Geosciences, Inc. conducted an infiltration test boring on the portion of the Project Site where the leach field is proposed. The soil had the percolation rate of 310.84 GPD per square-foot and an infiltration rate of 45.53 inches/hour. The septic system shall be certified by a qualified professional (P.E., C.E.G., REHS, C-42 contractor) that the system functions properly, meets code, and has the capacity required for the proposed Project. The system will also require approval by the San Bernardino County Department of Health Services. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

#### **No Impact**

- d) *Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

CalRecycle provides estimates for solid waste generation created by businesses over a certain amount of time. Although CalRecycle does not provide estimates for campgrounds, the solid waste generation rate for motels will be applied in this analysis as the services provided by motels are similar to those provided by the proposed Project. The proposed Project includes 75 campsites/units. According to CalRecycle's estimated solid waste generation rates for motels, the proposed Project would generate at most, approximately 270 pounds of solid waste per day or approximately 0.135 tons per day, based on 3.6 pounds per unit per day.<sup>39</sup> The Project Site is located in the East Desert

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<sup>38</sup> Mojave Water Agency. 2020 Urban Water Management Plan. Table 5-2 and Table 5-3.

<sup>39</sup> CalRecycle. Estimated Solid Waste Generation Rates. Accessed April 9, 2021.

Region of the County, which is served by the Landers Sanitary Landfill. The Landers Sanitary Landfill has a maximum daily disposal capacity of 1,200 tons/day.<sup>40</sup>

Waste disposal services are provided in the area by Burrtec. The proposed land use is consistent with the Countywide Plan and therefore considered in Burrtec's long-range planning to meet demands. Waste generated from the proposed Project is not expected to significantly impact the solid waste collection system. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

### **Less Than Significant Impact**

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

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

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

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

### **Less Than Significant Impact**

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

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<sup>40</sup> San Bernardino Countywide Policy Plan Draft EIR. Utilities and Service Systems. Table 5.18-9 "Landfill Capacity: Landfills Serving Unincorporated San Bernardino County"

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XX. WILDFIRE:</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

***SUBSTANTIATION:***

***County of San Bernardino Countywide Policy Plan; Submitted Project Materials***

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

The Project Site does not contain any emergency facilities. The Project Site is adjacent to Old Woman Springs Road/SR-247, which is an evacuation route within the County.<sup>41</sup> Access to the Project Site would be provided by a proposed 26-foot main entrance on Old Woman Springs Road, near the center of Project Site frontage. Fire lanes are proposed throughout the portion of the Project Site to be developed. The proposed Project is subject to review and approval from the San Bernardino County Fire Marshal. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

<sup>41</sup> Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Hazards and Hazardous Materials. Table 5.8-10 "Evacuation Routes in San Bernardino County."



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

The Project Site is not located within a Very High Fire Hazard Severity Zone.<sup>42</sup> It is located near a High Fire Hazard Severity Zone.<sup>43</sup> Fire lanes are proposed throughout the portion of the Project Site to be developed. Moreover, the proposed Project would require a Fire Control Plan as a condition of approval. San Bernardino County's emergency preparedness system, along with established regulations and policies, will reduce wildfire hazards to structures to less than significant level. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

#### **Less Than Significant Impact**

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

The proposed Project is the development of a campground. It includes the installation of utilities; however, installation, operation and maintenance of utilities would in compliance with fire safety regulations. The Project Site is not located within a Very High Fire Hazard Severity Zone.<sup>44</sup> Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

#### **Less Than Significant Impact**

- d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

The Project Site is not within a 100-Year Federal Emergency Management Agency (FEMA) flood zone, 100-year Department of Water Resources Awareness Zone, or a 500-year FEMA flood zone.<sup>45</sup> The Project Site is not located within a Very High Fire Hazard Severity Zone.<sup>46</sup> Moreover, there are no dams, reservoirs, or large bodies of water near the Project Site. The proposed Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. No significant impacts are identified or anticipated, and no mitigation measures are required.

#### **Less Than Significant Impact**

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<sup>42</sup> Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-6 "Fire Severity and Growth Areas in the East Desert Regions."

<sup>43</sup> Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-6 "Fire Severity and Growth Areas in the East Desert Regions."

<sup>44</sup> Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-6 "Fire Severity and Growth Areas in the East Desert Regions."

<sup>45</sup> Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Hydrology and Water Quality. Figure 5.9-3 "Flood Hazard Zones."

<sup>46</sup> Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-6 "Fire Severity and Growth Areas in the East Desert Regions."

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XXI. MANDATORY FINDINGS OF SIGNIFICANCE:</b>				

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

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

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

a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

Most birds are protected under the Migratory Bird Treaty Act. According to the BRA, some avian species were observed or detected on site during the surveys. Additionally, there are currently protected plants on-site. Potential impacts to biological resources would be reduced to a less than significant level with implementation of Mitigation Measures BIO-1 to BIO-8. Therefore, the proposed Project is not anticipated 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.

During CRM TECH's field survey, nine previously unknown cultural resources, including one historic-period archaeological sites and eight prehistoric isolates, were identified within the Project Site, recorded into the California Historical Resources Inventory, and assigned temporary designations pending assignment of official identification numbers. These cultural resources are not considered potential historical resources. Therefore, CRM TECH concludes that the proposed Project would not impact known historical resources. However, the presence of the isolated artifacts demonstrates some sensitivity for potentially buried prehistoric cultural remains within the Project Site. Implementation of Mitigation Measure CR-1 would ensure no significant impacts to potential buried archaeological resources occur.

With implementation of Mitigation Measure GEO-3, the potential impacts to paleontological resources can be reduced to a less than significant level. Therefore, no significant adverse impacts are anticipated with implementation of these mitigation measures.

### **Less than Significant with Mitigation**

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

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

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

### Air Quality

Cumulative projects include local development as well as general growth within the Project Site. However, as with most development, the greatest source of emissions is from mobile sources, which travel well out of the local area. Therefore, from an air quality standpoint, the cumulative analysis would extend beyond any local projects and when wind patterns are considered, would cover an even larger area. Accordingly, the cumulative analysis for the proposed Project's air quality must be generic by nature.

The MDAB is out of attainment for both ozone and particulate matter. Construction and operation of cumulative projects will further degrade the air quality of the MDAB. The greatest cumulative impact on the quality of regional air cell will be the incremental addition of pollutants mainly from increased traffic from residential, commercial, and industrial development and the use of heavy equipment and trucks associated with the construction of these projects. Air quality will be temporarily degraded during construction activities that occur separately or simultaneously.

However, in accordance with the MDAQMD methodology, projects that do not exceed the MDAQMD criteria for air emissions or can be mitigated to less than criteria levels are not significant and do not add to the overall cumulative impact. Project operations would generate emissions of NO<sub>x</sub>, ROG, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> that would not exceed the MDAQMD regional thresholds and would not be expected to result in ground level concentrations that exceed the National Ambient Air Quality Standards or California Ambient Air Quality Standards. Therefore, operation of the proposed Project would not result in a cumulatively considerable net increase for non-attainment of criteria pollutants or ozone precursors. As a result, the proposed Project would result in a less than significant cumulative impact for operational emissions.

#### Greenhouse Gas

Although the proposed Project is expected to emit GHGs, the emission of GHGs by a single project into the atmosphere is not itself necessarily an adverse environmental effect. Rather, it is the increased accumulation of GHG from more than one project and many sources in the atmosphere that may result in global climate change. Therefore, in the case of global climate change, the proximity of the project to other GHG emission generating activities is not directly relevant to the determination of a cumulative impact because climate change is a global condition. GHG impacts are exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. A project's GHG emissions typically would be very small in comparison to state or global GHG emissions and, consequently, they would, in isolation, have no significant direct impact on climate change.

The California Air Resources Board is in the process of establishing and implementing regulations to reduce statewide GHG emissions. Currently, the County GHG Reduction Plan's initial screening procedure is to determine if a project will emit 3,000 metric tons of carbon dioxide equivalents (MTCO<sub>2e</sub>) per year or more. Projects that do not exceed this threshold require no further climate change analysis. Therefore, consistent with CEQA Guidelines Section 15064h(3),10 the County, as lead agency, has determined that the project's contribution to cumulative GHG emissions and global climate change would be less than significant if the project is consistent with the applicable regulatory plans and policies to reduce GHG emissions. As discussed previously, the proposed Project is consistent with the goals and objectives of the County's GHG Reduction Plan. Therefore, the project's incremental contribution to greenhouse gas emissions and their effects on climate change would not be cumulatively considerable.

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

### **Less Than Significant Impact**

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

As stated in the Fault Hazards Evaluation report, the primary seismic hazard to the Project Site is rupture along the Johnson Valley Fault, which consists of north-south trending fault located along the western margin of the Project Site. As concluded in the report, the potential for fault related ground rupture during the lifetime of the planned development is considered high along the mapped trace of the Johnson Valley Fault. Therefore, Mitigation Measures GEO-1 and GEO-2 should be implemented to ensure that no significant impacts due to rupture of a known earthquake fault occur.

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

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

### **Less than Significant with Mitigation**

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

### **Mitigation Measures**

#### **Mitigation Measure BIO-1:**

Joshua trees shall be protected to comply with the County of San Bernardino Development Code Chapter 88.01.050 through transplantation and stockpiling, and implementation of protective measures as recommended in the Protected Plant Preservation Plan prepared in October 2021 for the proposed Project. Additionally, prior to the implementation of the recommended measures outlined in the Protected Plant Preservation Plan, an ITP (Individual Take Permit) shall be obtained from the California Department of Fish and Wildlife (CDFW) for any Joshua Tree on-site to be removed from its current position as deemed applicable by the CDFW. A Habitat Assessment Plan will be prepared at the direction of CDFW. The approved Plan will serve as the Basis of the final Protected Plant Preservation Plan for use by the County.

**Mitigation Measure BIO-2:**

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

**Mitigation Measure BIO-3:**

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

**Mitigation Measure BIO-4:**

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

**Mitigation Measure BIO-5:**

Pre-construction springtime botanical surveys shall be conducted for the Latimer's woodland-gilia, San Bernardino milk-vetch, Little San Bernardino Mtns. Linanthus, and Robison's monardella.

**Mitigation Measure BIO-6:**

The proposed Project shall be designed to avoid sensitive and/or protected desert plants as per local regulations. If the protected desert plants cannot be avoided, a relocation plan is required for approval by the County of San Bernardino.

**Mitigation Measure BIO-7:**

8. The applicant shall employ a qualified biologist (desert native plant specialist to tag those trees that will eventually be approved by CDFW for relocation.
9. Transplantation will occur in late fall or winter when tree metabolism is at its lowest. A watering regimen will be developed and a monitoring program implemented for the transplanted trees. Evidence of such program and on-going maintenance shall be provided to County Planning and evaluated for acceptability.
10. For other Joshua trees present on-site, but not within an area requiring their removal and transplantation, the applicant shall implement a tree protection plan that would include an assessment of the health of the trees, then determine how to protect them. Protection of trees, where needed, may be accomplished by either creating an earthen berm around each tree or group of trees or by surrounding trees with a fenced enclosure. Evidence of such action shall be provided to County Planning and evaluated for acceptability.

During construction activities the following measures shall be employed:

11. All trees that might be indirectly impacted because they are located within the construction zone (adjacent to or near campsites, internal road, or buildings) shall be surrounded by construction fencing (e.g. orange fencing). Other avoidance measures tailored to the Project Site may be identified during consultation with CDFW via during the ITP application process.
12. The project biologist shall conduct a worker education class designed to ensure that all workers on site understand the natural history of Joshua trees and the distance that must be maintained between a construction activity and a tree. The construction contractor shall be responsible for ensuring that each new construction employee that enters the site completes the worker education class. The construction contractor shall maintain a log for inspection by the project biologist to ensure that all workers are trained. Evidence of such action shall be provided to County Planning and evaluated for acceptability.
13. During long-term operation of the campground, the property owner shall have a qualified biologist on call for the following tasks:
  - i. Conduct a worker education class for all new employees.
  - j. Provide educational pamphlets to all visitors.
  - k. Maintain earthen berms or fences and posted notices, and cleanup (if trash or debris are in the vicinity).
  - l. Once each year, conduct a (tree census) to assess the health of Joshua trees that have been transplanted and those that are located in proximity to the campground such that they may be indirectly impacted by camping activities.
  - m. Develop and implement a watering plan that provides water to trees twice annually, or as necessary to maintain Joshua trees.
  - n. Develop and maintain a nursery for Joshua trees to be used to replace trees that do not survive transplanting, or to replace dying trees due to climate change.

- o. Provide mitigation monitoring and reporting to CDFW on the health of the Joshua trees. Frequency of monitoring and reporting shall be established through consultation with CDFG through the ITP application process.
  - p. Evidence of such action shall be provided to County Planning and evaluated for acceptability.
14. The applicant shall contribute to a CDFW Western Joshua Tree Mitigation Fund at such time as it is established by CDFW. The applicant's contribution is expected to be on a per acre basis and will be determined through the Incidental Take Permit process that will be determined in negotiation with CDFW. The submittal of an ITP application for the proposed Project will be submitted on the assumption that the Western Joshua tree will be listed as a threatened or endangered species by the State of California.

**Mitigation Measure BIO-8:**

Any construction that removes any protected yuccas shall be conducted in accordance with the requirements of the San Bernardino County ordinance. All protected yuccas to be removed shall be flagged and transplanted to an undisturbed area prior to construction per the requirements of State regulation and County ordinance.

**Mitigation Measure CR-1:**

Archaeological monitoring shall be required during all earth-moving operations in the elevated portions of the Project Site along the Pipes Canyon Wash channel. The monitoring program shall be implemented in coordination with Native American tribes with cultural ties to the project vicinity, who may wish to participate. Whenever cultural materials more than 50 years old are discovered, they need to be field-recorded and evaluated. The monitor should be prepared to quickly recover any artifacts as they are unearthed to avoid construction delays. If a substantial cultural deposit is encountered, however, the monitor will have the power to temporarily halt or divert construction activities in that area to allow for controlled removal. If any subsurface cultural deposits are encountered within the Pipes Canyon Wash channel, all work within 50 feet of the discovery should be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds.

**Mitigation Measure CR-2:**

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

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



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

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

**Mitigation Measure GEO-1 (from Landmark Consultants Report):**

A qualified geologist shall inspect any excavations (foundation, utility, etc.) on the Project Site during construction for possible indications of faulting. If unanticipated evidence of faulting is encountered in these excavations, further relocation of the site structures may be necessary to maintain the recommended setback from active faults. Evidence of such action shall be provided to County Planning and evaluated for acceptability.

**Mitigation Measure GEO-2 (from Petra Geosciences Report):**

All earthwork and construction shall be in conformance with the recommendations of the Design-phase Geotechnical Investigation date January 11, 2021, for site clearing, grading, foundations, and utility trenching, etc.

With implementation of these Mitigation Measures, the proposed Project would not result in substantial adverse effects due to a rupture of a known earthquake fault.

**Mitigation Measure TCR-1:**

Cultural sensitivity training should be incorporated into employee orientations.

**Mitigation Measure TCR-2:**

Retain a Native American Monitor/Consultant - Prior to the commencement of any ground disturbing activity at the Project Site, the project applicant shall retain a Native American Monitor approved by the tribe that consulted on this project pursuant to Assembly Bill A52 (the "Tribe" or the "Consulting Tribe"). A copy of the executed contract shall be submitted to the Lead Agency prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources. Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 50 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated

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by the Tribal monitor approved by the Consulting Tribe and a qualified archaeologist if one is present. If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes.

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