

**SAN BERNARDINO COUNTY
INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM**

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

PROJECT LABEL:

APN:	3064-041-02-0000
APPLICANT:	DAVID EUM
COMMUNITY:	OAK HILLS / 1 ST SUPERVISORIAL DISTRICT
LOCATION:	NORTHEAST CORNER OF PHELAN ROAD AND BALDY MESA ROAD
PROJECT No:	P201200482/CUP
STAFF:	TRACY CREASON
REP(S):	MK DESIGN – KEN KANG
PROPOSAL:	CONDITIONAL USE PERMIT TO ESTABLISH THREE RETAIL/GENERAL OFFICE BUILDINGS TOTALING APPROXIMATELY 20,450 SQUARE FEET AND ONE 2,850 SQUARE FOOT FAST FOOD RESTAURANT WITH DRIVE THRU ON 2.36 ACRES

USGS Quad: BALDY MESA
T, R, Section: **T4N R5W** Section **18** **SW ¼**
OLUD: OH/CN
Planning Area: Oak Hills Community Plan
Overlays: FS-2

PROJECT CONTACT INFORMATION:

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

Contact person: Tracy Creason, Senior Planner
Phone No: 760.995.8143
E-mail: tcreason@lUSD.sbcounty.gov

Fax No: 760.995.8167

Project Sponsor: MK Design – Ken Kang
2021 W. Commonwealth Avenue, Suite U
Fullerton, CA 92833
Phone No: 626.374.8547
E-mail: kandesign@hotmail.com

Fax No: 714.879.0356

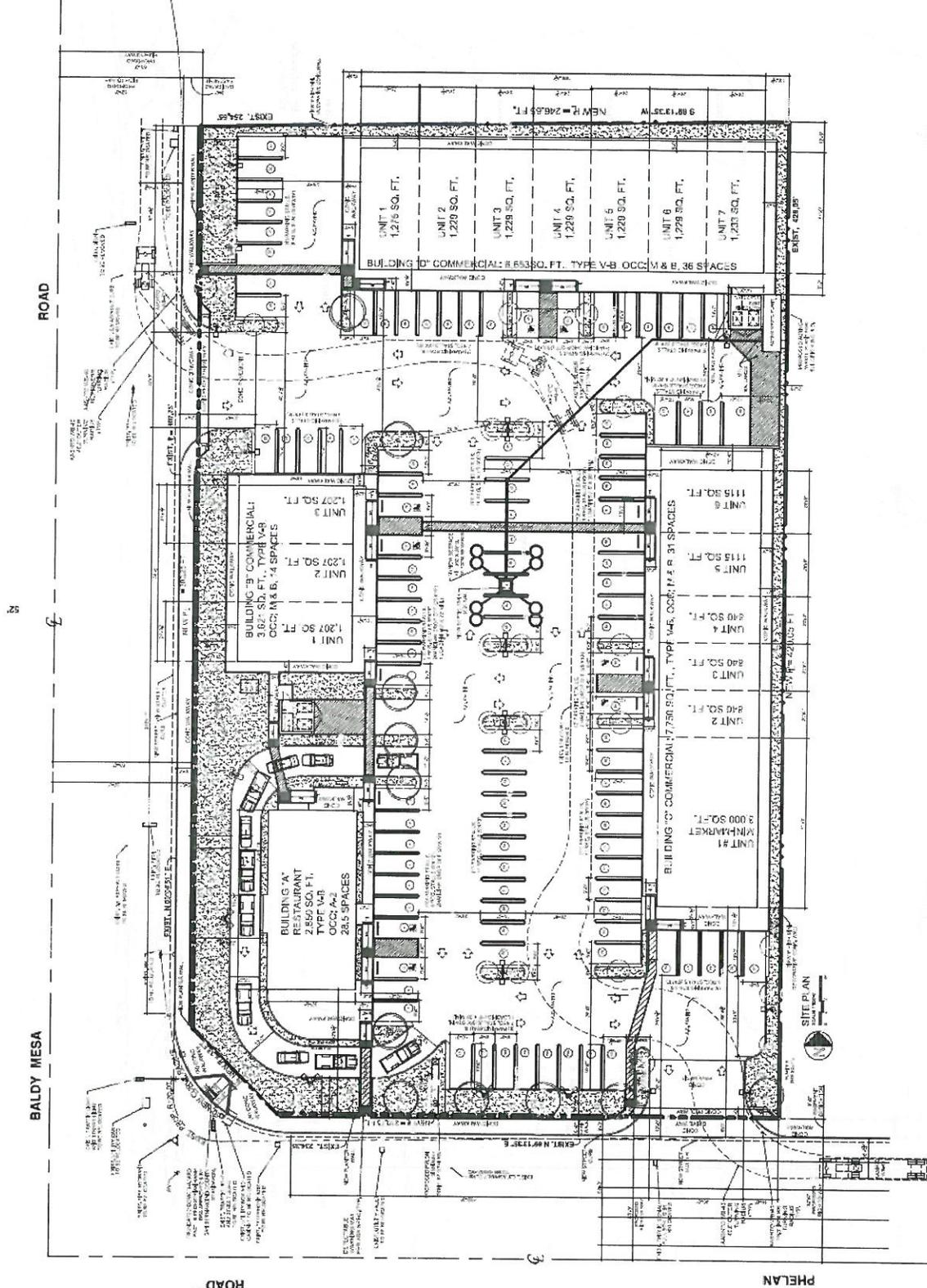
PROJECT DESCRIPTION:

The proposed Project is Conditional Use Permit to establish Oak Hills Plaza, a shopping center consisting of three retail/general office buildings totaling approximately 20,450 square feet and one 2,850 square foot fast food restaurant with drive thru on 2.36 with related site improvements such as parking and landscaping. The site is located within the unincorporated community of Oak Hills, within the Oak Hills Community Plan, and zoned Neighborhood Commercial (OH/CN). The project site is located on the northeast corner of Phelan Road and Baldy Mesa Road. Access to the site will come from both roads. Properties adjacent to the site on the north, south, and east are zoned OH/RL (Oak Hills Community Plan/Rural Living), property to the west is zoning PH/CN (Phelan Pinon Hills Community Plan/Neighborhood Commercial). The site is regulated by the FS-2 Fire Safety Overlay.

ENVIRONMENTAL/EXISTING SITE CONDITIONS:

According to the Biological Resources Study prepared by Michael Brandman Associates, "the Project site does not contain suitable habitat for the Mohave ground squirrel ... it contains moderately suitable vegetation for loggerhead shrike and moderately suitable foraging habitat for burrowing owl. ... The site and property within a 500-foot buffer around the site does not contain suitable nesting habitat for burrowing owl. The Project site contains no potentially jurisdictional waters.... The site does not contain any wildlife movement corridor features." The report goes on to state that "a majority of the Project site is disturbed from development" ... "vegetation ... primarily consists of disturbed bare

ground ... with scattered Mojave scrub vegetation.” The Assessment states that the site is relatively flat with an altitude range of 3,685 to 3,690 feet above mean sea level. Although the site is located in an area with the potential to support Desert Tortoise, the study concludes that there is a low potential of the Desert Tortoise to occur. The study concluded that the Mohave ground squirrel is not likely to occur. The study also concluded that although the Project site provides moderately suitable foraging habitat to support this species, due to the lack of suitable burrows, there is a very low potential for the burrowing owl to nest onsite.



AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT / OVERLAYS
Site	Abandoned Single-family residence	OH/CN / FS-2, Biological Resources
North	Vacant	OH/RL / FS-2, Biological Resources
South	Vacant	OH/RL / FS-2, Biological Resources
East	Single-family residence	OH/RL / FS-2, Biological Resources
West	Convenience Store with Gas Station	PH/CN / FS-2, Biological Resources

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

Federal: US Fish and Wildlife Service

State of California: Regional Water Quality Control Board – Lahontan Region; California Department of Fish and Wildlife; Mojave Desert Air Quality Management District

County of San Bernardino: Land Use Services – Building and Safety, Code Enforcement, Land Development – Road & Drainage; Public Health – Environmental Health Services; Public Works – Surveyor, Traffic; County Fire; Special Districts – CSA 70, Zone J

Local: None

EVALUATION FORMAT:

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

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

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

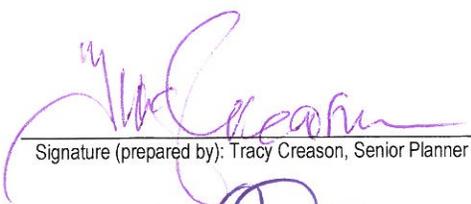
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

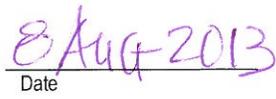
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|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources |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

DETERMINATION: (To be completed by the Lead Agency)

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

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


Signature (prepared by): Tracy Creason, Senior Planner


Date


Signature: Heidi Duron, Supervising Planner


Date

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
I. AESTHETICS - 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) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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):

The Project site is not located in a Scenic Resources/Scenic Route Overlay. The Scenic Overlay Area includes unique views within the County's desert, mountain, and valley areas, as well as other aesthetic natural land formations. It covers an area extending 200 feet on both sides of the ultimate road right-of-way of State and County designated Scenic Highways as identified within the General Plan.

The nearest possible scenic corridors in the vicinity of the Project site are State Route 18, which is approximately 5.5 miles north of the Project site, State Route 138, which is approximately 9.6 miles west of the Project site, and Interstate 15, which is approximately 4 miles east of the Project site.

- I a) **Less Than Significant Impact.** The proposed Project is not located adjacent to or within the view-shed of a designated Scenic Corridor. To insure that the proposed development is an aesthetic enhancement to the area, the conditions of approval include the requirement that the applicant submit exterior architectural elevations of the proposed development for review and approval by the Planning Division prior to issuance of building permits. Landscaping in compliance with the State Water Model Ordinance and the County Development Code (Code) is also a requirement in the conditions of approval. Simulations of proposed views for the purposes of evaluating the impacts of the building's mass and scale in terms of impacting views are attached. The simulations are not meant to be representative of the architectural treatment and elements that will be proposed for the building. The Project site is 2.36 acres with dimensions of approximately 255 feet by 425 feet. The proposed buildings total 23,300 square feet, which occupies approximately 23 percent of the site. The maximum building height proposed is approximately 25 feet. Given the small mass and scale of the building, views will not be substantially blocked or degraded. Based on this, aesthetic will be less than significant.
- I b) **Less Than Significant Impact.** Within *Chapter 27: Visual & Aesthetic Review*, the Caltrans Standard Environmental Reference states that "[w]hile there is no comprehensive list of specific features that automatically qualify as scenic resources, certain characteristics can be identified which contribute to the determination of a scenic resource. Following is a partial list of visual qualities and conditions which, if present, may indicate the presence of a scenic resource:
- A tree that displays outstanding features of form or age;

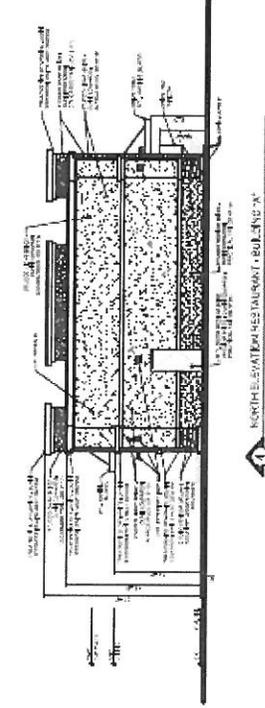
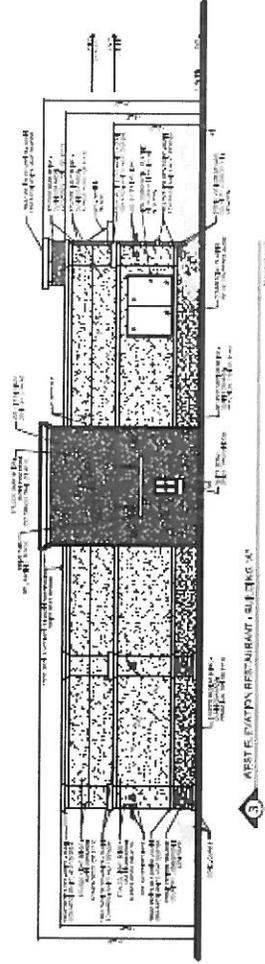
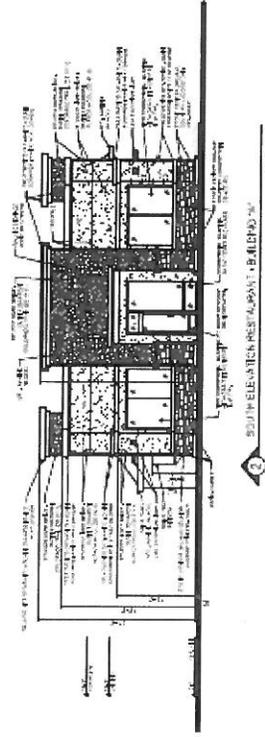
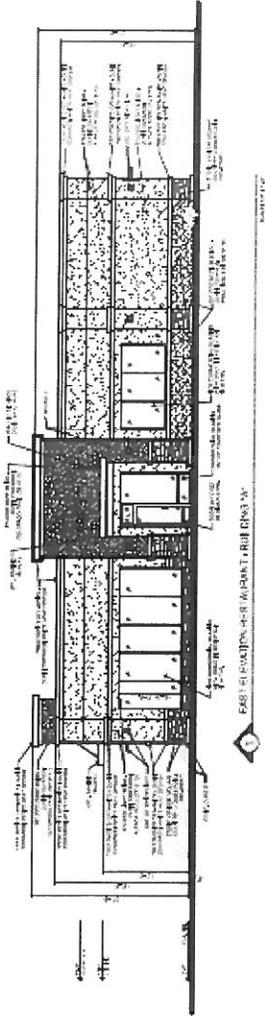
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- A landmark tree or a group of distinctive trees accented in a setting as a focus of attention;
 - An unusual planting that has historical value;
 - A unique, massive rock formation;
 - An historic building that is a rare example of its period, style, or design, or which has special architectural features and details of importance (A historic building, however, should be evaluated by a staff Architectural Historian as part of the historic resources studies);
 - A feature specifically identified in applicable planning documents as having special scenic value;
 - A unique focus or a feature integrated with its surroundings or overlapping other scenic elements to form a panorama;
 - An exceptional example of proportion, balance, rhythm, and variety - all of these are amenable attractions of a visual scene.
 - A vegetative or structural feature that has local, regional, or statewide importance."

The proposed Project will not substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway. The site currently supports an abandoned residence, but there are no historic buildings. The site is flat; there are no rock outcroppings. The Joshua Trees and cactus species existing on the site will be retained wherever possible and incorporated into the landscaping. Compliance with these conditions of approval will reduce damage to potential scenic resources.

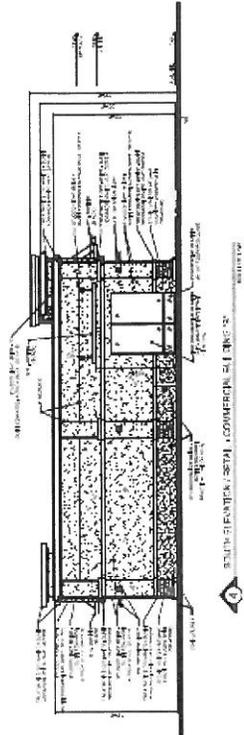
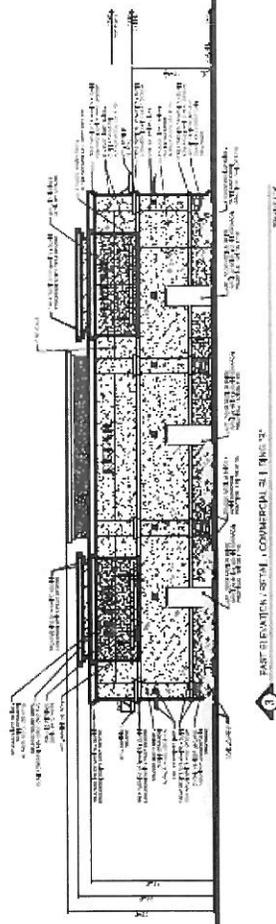
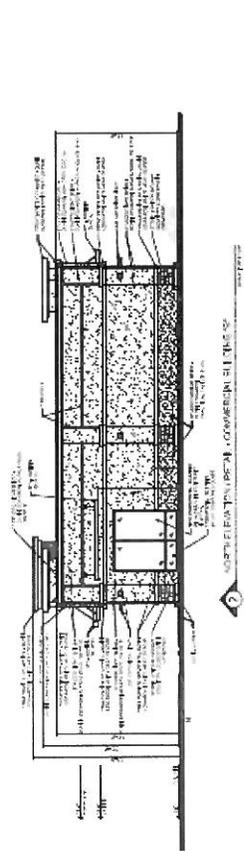
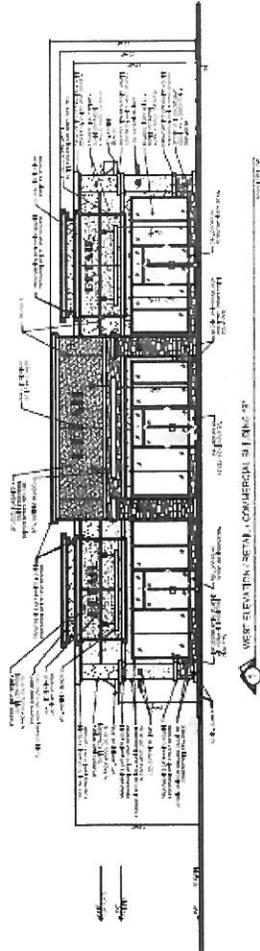
- I c) **Less Than Significant Impact.** The proposed project will not substantially degrade the existing visual character or quality of the site and its surroundings because the development will be conditioned to preserve the existing visual character of the area. As stated in I a) and I b) above, conditions of approval will include the requirement for architectural elevations, landscaping plans, and retention of native vegetation. The proposed Project is located at an intersection that includes two corners in the Phelan Pinon Hills Community Plan, both of which are zoned Neighborhood Commercial and two within the Oak Hills Community Plan, one of which is zoned Neighborhood Commercial. The intersection contains a convenience store and gas station on one corner and has a conditionally approved commercial land use plan on another corner, although development has not begun. Development of the site will introduce a new structure but will not result in the site becoming visually incompatible or unexpected when seen in the context of the existing commercial intersection. As a standard requirement, all building permits require a pre-construction inspection to verify the location of Joshua Trees and any removal will comply with the County's ordinance regarding tree protection.
- I d) **Less Than Significant Impact.** The proposed Project will create a new source of light. Any proposed on site lighting must comply with the Glare and Outdoor Lighting – Valley and Desert Region Code requirements, which include shielding to prevent light trespass and protect the night sky. Adherence with these requirements is mandatory per the County Development Code and will ensure that the Project will not create a new source of substantial light or glare.

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

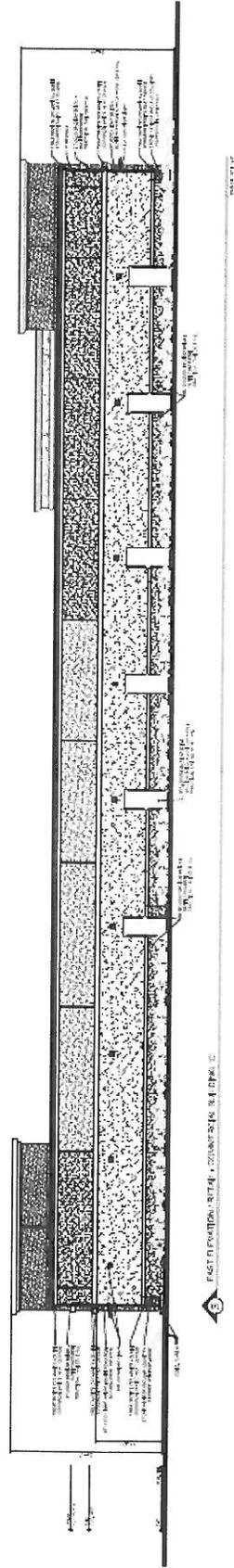
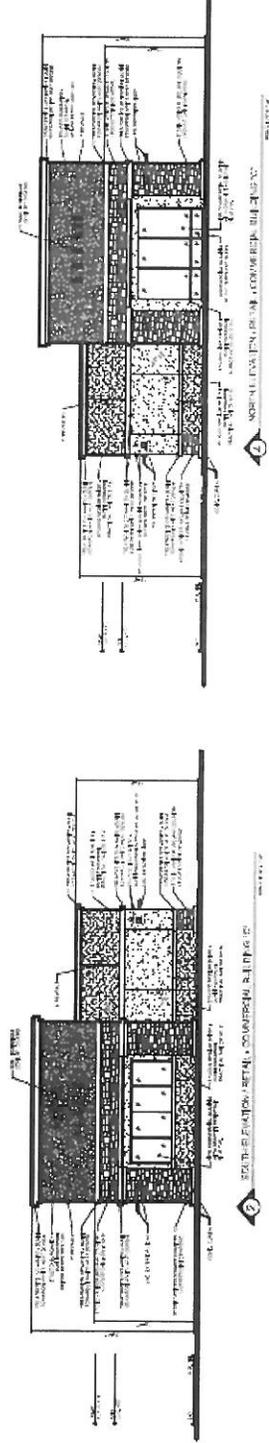
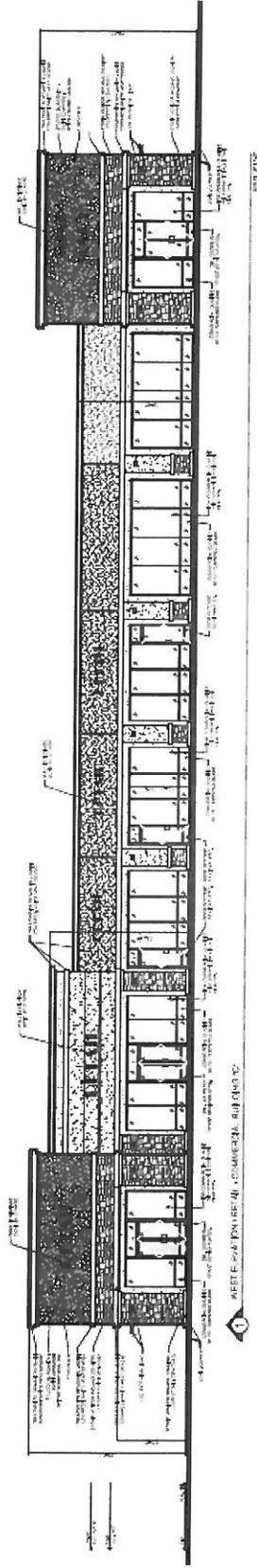
PROPOSED RESTAURANT ELEVATIONS



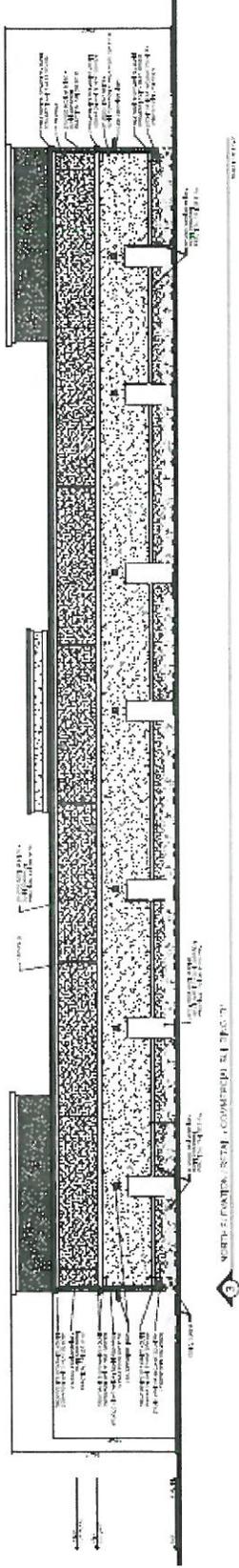
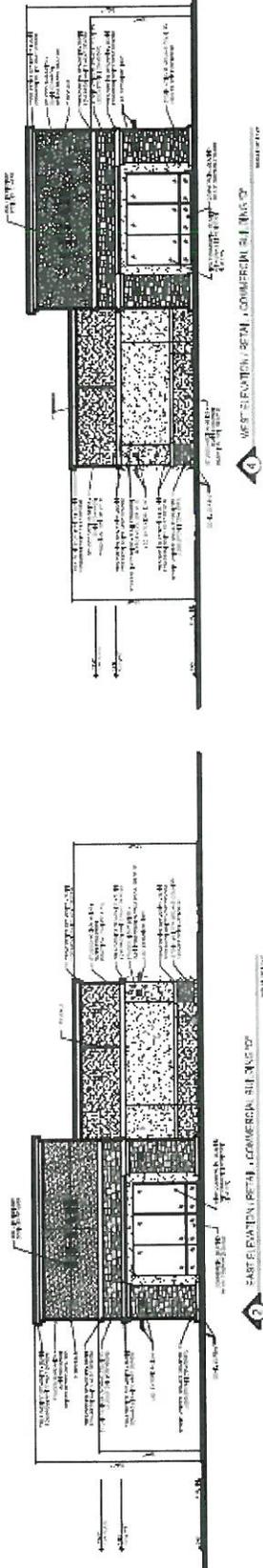
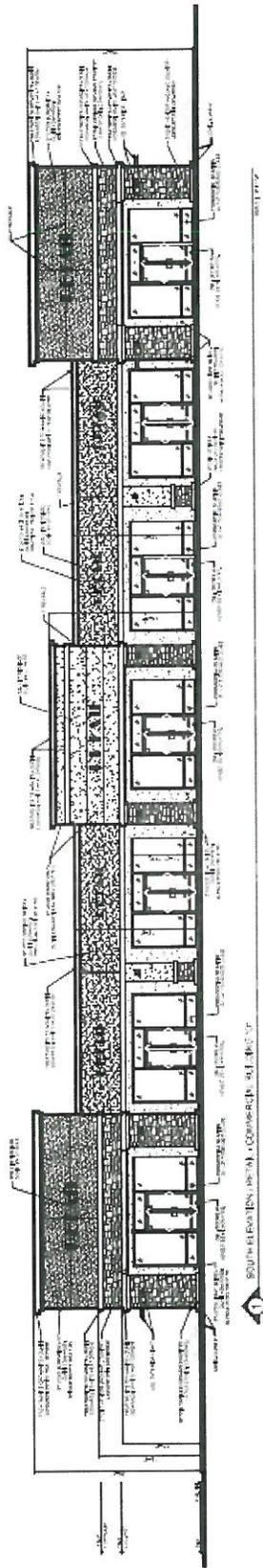
PROPOSED BUILDING "B" ELEVATIONS



PROPOSED BUILDING "C" ELEVATIONS



PROPOSED BUILDING "D" ELEVATIONS



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<p>II. AGRICULTURE AND FORESTRY RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

II a-e) **No Impact.** The subject property is designated "Other Land" on the San Bernardino County Important Farmland 2008, Sheet 2 of 2, a map prepared by the California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program. The nearest boundary of the San Bernardino National Forest is approximately 3.6 miles southwest of the property.

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

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

III a) **Less Than Significant Impact.** The Desert portion of the County of San Bernardino is part of the Mojave Desert Air Basin (MDAB) and the Mojave Desert Air Quality Management District (MDAQMD). Under the Federal Clean Air Act, the MDAQMD has adopted a variety of attainment plans for a variety of non-attainment pollutants. The Air Quality Management Plan (AQMP) for the MDAB sets forth a comprehensive program that will lead the MDAB into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections. The proposed Project is consistent with the underlying General Plan designation on the property.

Project generated emissions were modeled based on sample project sizes by Land Use Category that are below 3000 metric tons of carbon dioxide equivalent (3000 MTCO_{2e}) based upon statistical analysis of Projects run in the California Emissions Estimator Model (CalEEMod) model. For General Commercial Office Space, the project size that generates 3000 MTCO_{2e} is 162,000 square feet. For Fast Food Restaurants, the project size that generates 3000 MTCO_{2e} is 5,300 square feet. The Project proposes 20,450 square feet of General Commercial Office Space and 2,850 square feet of Fast Food Restaurant. The Project's air pollutant emissions during all phases of the Project will not exceed construction or operational emission thresholds. The project will not contribute to the degradation of local or regional air quality. The site will be paved, dust proofed, and landscaped to Code standards, resulting in little or no wind-blown dust or particulate matter. Adding match-up paving on Baldy Mesa Road and Phelan Road where they are adjacent to the property will be part of the project.

This project will incrementally contribute to the amount of greenhouse gases in the environment. But when compared to the overall environment, this project's contribution to global warming will be insignificant. It is a policy of the County of San Bernardino to encourage efficient use of energy resources and the use of alternate energy sources. The Air Quality Plan used the underlying zoning as the baseline. The Mojave Desert Air Quality Management District received the project notice and responded that they had no comments or concerns about the proposal.

- III b) **Less Than Significant Impact.** The project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation, because the proposed use does not exceed thresholds of concern. The site will be paved and landscaped resulting in little or no wind-blown dust or particulate matter. Additional paving on Baldy Mesa and Phelan Roads will be required, and will thus reduce the potential for wind-blown dust and particulate matter. Even though the Project does not exceed the MDAQMD thresholds, the Project proponent must comply with all applicable rules and regulations of the MDAB to assist in achieving attainment for ozone and suspended particulates.
- III c) **Less Than Significant Impact.** The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors), because the proposed use does not exceed established thresholds of concern. In order to be considered significant, a project's air pollutant emissions must exceed the emission thresholds established by the MDAQMD and be inconsistent with growth projections. As previously stated, the Project will not exceed any established thresholds. The current zoning, OH/CN (Oak Hills Neighborhood Commercial), will remain unchanged. The Project is consistent with the growth projections contained in the County General Plan and the Oak Hills Community Plan.
- III d) **Less Than Significant Impact.** The project will not expose sensitive receptors to substantial pollutant concentrations. These sensitive receptors include residences, schools, daycare centers, playgrounds, and medical facilities. The following project types within the specified distance must not expose sensitive receptors to substantial pollutant concentrations. They include:
- Any industrial project within 1000 feet
 - A distribution center (40 or more trucks per day) within 1000 feet
 - A major transportation project (50,000 or more vehicles per day) within 1000 feet
 - A dry cleaner using perchloroethylene within 500 feet
 - A gasoline dispensing facility within 300 feet

The project will not expose sensitive receptors to substantial pollutant concentrations, because there are no identified concentrations of substantial pollutants associated with this project. The site is located approximately 0.75 miles south of Baldy Mesa Elementary School.

- III e) **Less Than Significant Impact.** According to the CEQA Air Quality Handbook, land uses associated with odor complaints include agricultural operations, wastewater treatment plants, landfills, and certain industrial operations (such as manufacturing uses that produce chemicals, paper, etc.). The Project totals 23,300 square feet of general commercial office and fast food restaurant space within enclosed buildings, which will not produce objectionable odors affecting a substantial number of people.

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

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

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

Michael Brandman Associates conducted a Biological Resources Study for the property in August 2012, with the report dated September 7, 2012 and finalized on January 16, 2013. Although no special status species were observed, the site contains Joshua Trees, which are protected by County ordinance. The Study recommends in situ preservation and/or on-site transplantation of these plants. Additionally, the site contains habitat for several special status species. The Study recommends pre-construction surveys for Burrowing Owl. The Study recommends pre-construction surveys for Loggerhead Shrike if construction activities must begin during the breeding season of February through August. Furthermore, the Study recommends pre-construction nesting bird surveys if construction activities occur during nesting bird season.

IV a) **Less Than Significant Impact with Mitigation Incorporated.** The site is located within a designated Desert Tortoise habitat area. The Biological Resources Study found no tortoise or tortoise sign on the site during the field

visit. The likelihood of Desert Tortoise to occur on site is low due to the fragmented nature of the habitat in the project area, the existence of Baldy Mesa and Phelan Roads, and the previous on-site residential development. The Study found that two California species of special concern have a potential to occur on the project site. The Study recommends a Burrowing Owl survey prior to land disturbance, and a pre-construction survey for Loggerhead Shrike if construction activities must occur during the breeding season. Additionally, the Study recommends a pre-construction, nesting bird survey if nesting habitat must be removed during nesting season. These mitigation measures will be incorporated into the Project conditions of approval prior to any land disturbance. Adherence with any recommended mitigation measures within the pre-construction surveys is required.

- IV b) **Less Than Significant Impact.** This project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service. No riparian habitat or protected wetlands exist on or near the site.
- IV c) **Less Than Significant Impact.** This project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, because the project is not within an identified protected wetland. No riparian habitat or protected wetlands exist on or near the site.
- IV d) **Less Than Significant Impact.** This project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites, because there are no such corridors or nursery sites within or near the project site. The Biological Resource Study concluded that “[t]he project site does not provide for any regional wildlife movement. ...Additionally, the project site does not provide a habitat linkage between two larger open space or undeveloped habitat areas that would function at a movement corridor.” The property is adjacent to Baldy Mesa and Phelan Roads, is adjacent to other commercial development, and near rural residential development in all directions.
- IV e) **Less Than Significant Impact.** There are locally protected Joshua Trees on the site. Prior to issuance of any building permits County Building and Safety will conduct a pre-construction inspection to verify the location of any proposed construction. This is a mandatory requirement and is not considered a mitigation measure.
- IV f) **No Impact.** This project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, because no such plan has been adopted in the area of the project site. The site is within the proposed boundary of the West Mojave Plan, which covers 9.3 million acres in the western portion of the Mojave Desert. Only the BLM amendment of the California Desert Conservation Area of the West Mojave Plan has been approved. The state and local government actions proposed by this interagency habitat conservation plan remain under review.

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:

BIO-1: Within 14 days prior to land disturbance, the applicant shall hire a qualified professional to conduct a pre-land disturbance and/or pre-construction focused Burrowing Owl survey. This survey shall be submitted to County Land Use Services, Planning Division and California Department of Fish and Wildlife for review and approval. Adherence with any recommended mitigation measures is required.

BIO-2: If construction activities must commence during the avian breeding season of February through August, the

applicant shall hire a qualified professional to conduct a pre-construction clearance within 14 days prior to land disturbance to determine the presence/absence of Loggerhead Shrike. This survey shall be submitted to County Land Use Services, Planning Division and California Department of Fish and Wildlife for review and approval. Adherence with any recommended mitigation measures is required.

BIO-3: In compliance with the Migratory Bird Treaty Act, if construction activities occur during nesting bird season, the applicant shall hire a qualified professional to conduct pre-construction nesting bird surveys to identify any nesting activity. If active nests are observed, construction must be postponed until the nestlings have fledged. This survey shall be submitted to County Land Use Services, Planning Division and California Department of Fish and Wildlife for review and approval.

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

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

John Stephen Alexandrowicz, RPA, from Archaeological Consulting Services, prepared *An Historical Resources Investigation* for a previously proposed project at the Project site on March 29, 2003. The report recommends monitoring of construction excavations.

- V a) **Less Than Significant Impact.** This Project will not cause a substantial adverse change in the significance of a historical resource because the project site is not located on or near any known historical resource, as defined in §15064.5.
- V b) **Less Than Significant Impact with Mitigation Incorporated.** This Project has the potential to cause a substantial adverse change to an archaeological resource because the *Historical Resources Investigation* identified the potential for a 1920 improvement associated with Frank L. Thomas to exist on the site. Monitoring of construction excavations was recommended in the report and the San Bernardino County Museum Archaeological Information Center concurred. To reduce the potential for impacts, mitigation measure CUL-1, which requires an archaeological monitor be on site during any earth disturbing activities, will be added to the project.
- V c) **Less Than Significant Impact.** This project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, because no resources have been identified on the site. To further reduce the potential for impacts, a condition shall be added to the project that requires the developer to contact the County Museum for determination of appropriate mitigation measures, if any finds are made during project construction.
- V d) **Less Than Significant Impact.** This project will not disturb any human remains, including those interred outside of formal cemeteries, because no such burial grounds are identified on this project site. If any human remains are discovered during construction of this project, the developer is required to contact the County Coroner, County Museum for determination of appropriate measures, and a Native America representative, if remains are determined to be of Native American origin.

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:

CUL-1: An archaeological monitor must be on-site during any earth disturbing activities. If prehistoric or historic resources over 50 years of age are encountered during land modification, then activities in the immediate area of the finds should be halted so that the archaeologist can assess the find, determine its significance, and make recommendations for appropriate mitigation measures within the guidelines of the California Environmental Quality Act. Submission to the San Bernardino County Museum Archaeological Information Center of a historical resources management report by the professional is required to document the monitoring, to evaluate resource significance and integrity, and if necessary, to evaluate project impacts and propose mitigation measures to reduce potential adverse impacts in accordance with the appropriate laws. For a list of qualified archaeologists, go to <http://chrisinfo.org>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
VI. GEOLOGY AND SOILS - Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001) creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Geo Environ Geotechnical and Environmental Engineering Consultants, Inc. prepared a *Preliminary Geotechnical Investigation for Foundation Design* for the proposed Project on July 16, 2012. Geo Environ Geotechnical and Environmental Engineering Consultants, Inc. also prepared a report entitled *Results of Onsite Effluent Disposal System Testing & Preliminary System Design (Seepage Pits)* for the proposed Project on July 20, 2012.

VI ai-iv) **Less Than Significant Impact.** The Project site lies approximately 7.7 miles northwest of the Cleghorn Fault Zone, Southern Cleghorn Section. It is not within an Alquist-Priolo Earthquake Fault Zone designated by the State of California. The *Preliminary Geotechnical Investigation for Foundation Design* indicated that “nearby fault lines include San Andreas, Cucamonga ... (with) maximum probable earthquake magnitudes of 6.8.” The Study concluded that “[b]ased on the subsurface soils and the depth of the groundwater, the site ... is not designated as susceptible to liquefaction.” The project shall be reviewed and approved by County Building and Safety with appropriate seismic standards implemented in the construction of the project to insure that

structures can endure a seismic event. If grading exceeds 5,000 cubic yards, submittal of a geology report will be a condition of approval. The County Building and Safety Geologist must review and approve this report.

- VI b) **Less Than Significant Impact.** The development proposal includes landscaping and paving on the site, which will reduce soil erosion and loss of top soil. To control soil erosion during construction, the Project proponent must comply with the National Pollutant Discharge Elimination System permit applicable to the Project area and prepare a Storm Water Pollution Prevention Plan. Additionally, a Water Quality Management Plan is required to address post-construction soil erosion. Preparation and implementation of these reports is a mandatory requirement.
- VI c) **Less Than Significant Impact.** The project is not identified as being located on a geologic unit or soil that has been identified as being unstable or having the potential to result in on or off site landslide, lateral spreading, subsidence, liquefaction, or collapse. According to the *Preliminary Geotechnical Investigation for Foundation Design* report, the Project is not located in an area that is susceptible to liquefaction or subsidence. Adherence with the standards and requirements in the Building Code for design of the proposed structure will ensure that any impacts are less than significant. Compliance with the Building Code is mandatory.
- VI d) **Less Than Significant Impact.** The project site is not located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001) creating substantial risks to life or property.
- VI e) **Less Than Significant Impact.** There is no indication that the project site will not be supportive of a septic system. The *Preliminary Geotechnical Investigation for Foundation Design* report indicated that subsurface soils consisted of “fine sandy silt / silty sand, slightly moist, dense to very dense to depths of 50 feet...” The results of tests conducted in order to prepare the *Onsite Effluent Disposal System Testing & Preliminary System Design* report “indicate that it is feasible and safe from a geotechnical standpoint to utilize a subsurface disposal system to handle the effluent from the proposed facility.” Regardless of soil type or geotechnical stability, a percolation report is required prior to the issuance of permits for on-site wastewater treatment systems to verify soil stability. Any onsite wastewater treatment system (OWTS) must comply with the requirements of the State Regional Water Quality Control Board, Lahontan Region.

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

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

SUBSTANTIATION:

VII a,b) **Less Than Significant Impact.** As discussed in Section III of this document, the proposed project is consistent with the underlying General Plan designation on the property. The Air Quality Plan used the underlying zoning as the baseline to evaluate impacts.

On December 6, 2011, the San Bernardino County Board of Supervisors adopted the County Greenhouse Gas (GHG) Emissions Reduction Plan. As part of the GHG Plan, sample project sizes that exceed the 3000 Metric Tons of CO₂ equivalents (MTCO_{2e}) level were established. The threshold for general commercial office space is 162,000 square feet and the threshold for a fast food restaurant is 5,300 square feet. The Mojave Desert Air Quality Management District threshold for MTCO_{2e} is 100,000 tons annually. GHGs and criteria pollutants associated with 20,450 square feet of general commercial office use and 2,850 square feet of fast food restaurant use will remain below the established threshold.

The Project's GHG emissions are anticipated to remain well below the established GHG emissions thresholds. The Project proponents must comply with the Performance Standards within the *San Bernardino County Greenhouse Gas Emissions Reduction Plan*. Such compliance will be included in the conditions of approval. It is unlikely that this project would impede the state's ability to meet the reduction targets of AB32.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a) Create a significant hazard to the public or the Environment through the routine transport, use, or disposal of hazardous materials?	<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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION

VIII a) **Less Than Significant Impact.** The Project does not have the potential to pose a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, because the Project is not considered a 'hazardous waste generator' as defined by the U.S. Environmental Protection Agency. Such a hazardous waste generator would routinely transport, use, or dispose of hazardous materials. Prior to occupancy, the operator must submit a Business Emergency/Contingency Plan to the Hazardous Materials Division of the County Fire Department.

VIII b) **Less Than Significant Impact.** The project will not create a significant hazard to the public or the environment

through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, because any proposed use or construction activity that might use hazardous materials is subject to permit and inspection by the Hazardous Materials Division of the County Fire Department. Typical store maintenance products and cleaning supplies are anticipated to be the only potentially hazardous materials used on site.

- VIII c) **Less Than Significant Impact.** The project uses will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school, because the project does not propose the use of hazardous materials within ¼ mile of an existing or proposed school. The closest school is Baldy Mesa Elementary School, which is approximately 0.75 miles north of the site.
- VIII d) **Less Than Significant Impact.** Based on the *Cortese List Data Resources* webpage maintained by Cal/EPA, the Project site is not included on the list of hazardous materials sites compiled in accordance with Government Code 65962.5.
- VIII e) **Less Than Significant Impact.** The Hesperia Airport, the nearest public airport, is approximately 8.4 miles southeast of the Project site. The site is not within the approach/departure flight path of this public airport.
- VIII f) **Less Than Significant Impact.** The Adelanto Airport, the nearest private airport, is approximately 7.5 miles northwest of the Project site. The site is not within the vicinity or approach/departure flight path of this private airstrip.
- VIII g) **Less Than Significant Impact.** The Project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, because the project will not result in any substantial alteration to road design or capacity that would affect evacuation procedures. Additionally, the Project has adequate emergency access via Baldy Mesa and Phelan Roads.
- VIII h) **Less Than Significant Impact.** The site is located within a Fire Safety 2 Overlay (FS-2) and the project site will be conditioned to meet all fire safety standards for projects within the FS-2 fire safety review overlay. The San Bernardino County Development Code requires that development within a Fire Review Area be subject to additional construction requirements, building separations, project design requirements, and erosion and sediment control to mitigate the potential impacts.

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

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

SUBSTANTIATION

Trans American Engineering prepared a *Preliminary Water Quality Management Plan (PWQMP)* on August 8, 2012, with an update on April 15, 2013. The County Land Development Division found the *PWQMP* acceptable on May 18, 2013. So & Associates Engineers Inc., the District Engineer for County Service Area 70, Zone J, prepared a *Water Feasibility Study*. In correspondence dated August 22, 2012, County Special Districts Department confirmed that the *Water Feasibility Study* indicates the District can serve the Project. Cal Land Engineering, Inc. dba Quartech Consultants prepared a *Drainage*

Study on August 8, 2012. The County Land Development Division found the *Preliminary Drainage Study* acceptable.

- IX a) **Less Than Significant Impact.** The Project will not violate any water quality standards or waste discharge requirements because the Project's design incorporates design features to diminish water quality impacts to an acceptable level as required by state and federal regulations. These design features are identified in the *PWQMP* prepared for the Project. Additionally, the Project must prepare a Storm Water Pollution Prevention Plan (SWPPP) to determine and reduce the Project's potential impacts on water quality caused by storm event runoff during construction. Since the Project construction exceeds disturbance greater than an acre, the Project proponent needs to obtain a General Construction Permit under the National Pollutant Discharge Elimination System (NPDES) permit program of the federal Clean Water Act. The SWPPP requires submittal of a Notice of Intent to the Lahontan Regional Water Quality Control Board prior to construction activities. The objectives of a SWPPP are to identify pollutant sources (i.e., sediment) that may affect storm water discharge quality, and reduce the pollutants using Best Management Practices. The Project site can be served by County Service Area 70, Zone J (CSA 70-J). On-site wastewater treatment systems (OWTS) must be approved by the County Environmental Health Services based on the requirements of the Lahontan Region of the State Regional Water Quality Control Board. All the above are mandatory requirements and are not considered mitigation measures.
- IX b) **Less Than Significant Impact.** The project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. The CSA 70-J issued a will serve letter for this parcel and has indicated that there is currently sufficient capacity in the existing water system to serve the anticipated needs of this project.
- IX c) **Less Than Significant Impact.** The Project will not substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site, because the project does not propose any substantial alteration to a drainage pattern, stream or river. The Land Development Division accepted the *Preliminary Drainage Study*, which discussed use of Cultec Stormwater Chambers to capture runoff. The Project is required to submit and implement a Water Quality Management Plan and a Storm Water Pollution Prevention Plan as discussed previously.
- IX d) **Less Than Significant Impact.** The Project proposes the use of bioswales to provide storm water treatment and detention of any change in volume and flow rate and Cultec Stormwater Chambers to capture runoff. The Project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site, because the project does not propose any substantial alteration to a drainage pattern, stream, or river. County Public Works has reviewed and approved the proposed Project drainage. All necessary drainage improvements both on and off site have been required as conditions of the construction of the Project. Review of detailed plans prior to construction is a mandatory requirement and not considered a mitigation measure.
- IX e) **Less Than Significant Impact.** Because of the Project design, implementation of the Water Quality Management Plan and Storm Water Pollution Prevention Plan requirements, and the lack of change to the drainage pattern, the project will not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. County Public Works has reviewed the proposed Project drainage and has determined that the proposed systems are adequate to handle anticipated flows. All necessary drainage improvements both on- and off-site will be required as conditions of the construction of the project. There will be adequate capacity in the local and regional drainage systems so that downstream properties are not negatively impacted by any increases or changes in volume, velocity or direction of stormwater flows originating from or altered by the project.

Adherence with the requirements of the Drainage Study and the Best Management Practices (BMPs) outlined in the Preliminary WQMP will be part of the conditions of approval.

- IX f) **Less Than Significant Impact.** The Project will not otherwise substantially degrade water quality, because appropriate measures relating to water quality protection, including erosion control measures have been included in the Project design. As stated in IX a) and IX e) above, adherence with the requirements in the SWPPP and the BMPs contained in the Preliminary WQMP are required.
- IX g) **Less Than Significant Impact.** According to County Public Works, the Project site is located within Flood Zone D according to FEMA Panel Number 6475H dated August 28, 2008. This is not a 100-year flood hazard area. The Project is a retail store and does not include any housing; no housing will be placed within a 100-year flood hazard area.
- IX h) **Less Than Significant Impact.** The Project will not place structures within a 100-year flood hazard area that would impede or redirect flood flows, because the site is not within an identified FEMA designated flood hazard area. (See IX g, above)
- IX i) **No Impact.** The Project site is not within any locally identified Flood Plain, so will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.
- IX j) **No Impact.** The Project will not be impacted by inundation by seiche, tsunami, or mudflow, because the project is not adjacent to any body of water that has the potential of seiche or tsunami nor is the project site in the path of any potential mudflow

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

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

SUBSTANTIATION

- X a) **Less Than Significant Impact.** The Project will not physically divide an established community because the project is a logical and orderly extension of the planned land uses and development that are established within the surrounding area. The proposed development conforms to the Oak Hills Community Plan, Neighborhood Commercial (OH/CN) Land Use Zoning District, which allows the general commercial office space and fast food restaurant uses proposed. The parcel is approximately 2.36 acres and is adjacent to PH/CN zoning to the west and southwest, and to OH/RL on the remaining sides. The Neighborhood Commercial uses proposed by the Project will meet daily convenience needs of the nearby residential areas. Furthermore, the Project site is adjacent to Baldy Mesa and Phelan Road, major arterial roadways.
- X b) **Less Than Significant Impact.** The analysis contained in this Initial Study Checklist addresses the potential conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect. Based on this analysis, the Project is consistent with all applicable land use policies and regulations of the County Code, the General Plan, and the Oak Hills Community Plan.
- X c) **No Impact.** The Project is subject to and in conformance with the California Desert Conservation Area Plan (West Mojave Plan). As discussed in the Biological Resources section of this Initial Study Checklist, with implementation of the mitigation measures no impacts to biological resources were identified. Therefore, the Project's activities will be in compliance with the West Mojave Plan, which covers 9.3 million acres in the western portion of the Mojave Desert.

Therefore, no significant adverse impacts are identified or anticipated with adherence to mitigation measures contained in the biological resources section.

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

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

XI a) **Less Than Significant Impact.** The project site is located within the MRZ-4 Mineral Resource Zone. There are no known mineral resources that would result in the loss of availability at this time. The project is consistent with the land use district, surrounding, and adjacent properties. No mining has been, or is, occurring on site.

XI b) **Less Than Significant Impact.** The project will not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan, because there are no identified locally important mineral resources on the project site.

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

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

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

XII a) **Less Than Significant Impact.** Noise sensitive land uses shall include residential uses, schools, hospitals, nursing homes, religious institutions, libraries, and similar uses. The proposed general commercial office space and fast food restaurant are not sensitive receptors to noise. The Project is required to maintain noise levels at or below County Standards identified in Development Code Section 83.01.080. This is a mandatory requirement and not considered a mitigation measure.

XII b) **Less Than Significant Impact.** At 23,300 square feet on a 2.36-acre parcel, the Project is a relatively small development. As such, grading and construction activities will use comparatively fewer and smaller pieces of equipment that would cause less groundborne noise and vibration. Because of this smaller size, the Project will not expose persons to or generate excessive groundborne vibration or groundborne noise associated with truck deliveries. Additionally, the Project is required to maintain vibration and groundborne noise levels at or below standards identified in the County Development Code, Section 83.01.090. This is a mandatory requirement and not considered a mitigation measure.

XII c) **Less Than Significant Impact.** The Project, which is at an intersection of mainly Neighborhood Commercial parcels in the Oak Hills and Phelan Pinon Hills Community Plan areas, will not generate a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the Project. The project is required to comply with the noise standards of the County Development Code and no noise exceeding these standards is anticipated to be generated by the project.

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- XII d) **Less Than Significant Impact.** During construction of the project, noise generated may increase the existing ambient noise levels periodically. Once completed, the project will not generate a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. Adherence with the noise standards of the County Development Code is a condition of approval. Construction noise between 7:00am and 7:00pm, with no construction permitted on Sundays and federal holidays, is exempt from the County Noise Standards. Temporary noise impacts will be less than significant.
- XII e) **No Impact.** As mentioned in the Hazards and Hazardous Materials Section of this document, the Hesperia Airport, the nearest public airport, is approximately 8.4 miles southeast of the Project site. The site is not within the approach/departure flight path of this public airport so will not expose persons to excessive noise levels associated with aircraft operations.
- XII f) **No Impact.** The Adelanto Airport, the nearest private airport, is approximately 7.5 miles northwest of the Project site. The site is not within the vicinity or approach/departure flight path of this private airstrip so will not expose persons to excessive noise levels associated with aircraft operations.

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

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

SUBSTANTIATION

- XIII a) **Less Than Significant Impact.** The Project will not induce substantial population growth in the area either directly (it does not propose housing) or indirectly (it does not create a significant number of new jobs). The project will serve the existing population in the area and the traveling public along Baldy Mesa and Phelan Roads. Jobs and employment opportunities created would most likely be absorbed by the employment needs of the existing residents of the area.
- XIII b) **No Impact.** The proposed use will not displace substantial numbers of existing housing units, necessitating the construction of replacement housing because no housing units are proposed to be demolished as a result of this proposal. The site currently supports an abandoned residence, which has been vacant some time and will be demolished as part of the Project.
- XIII c) **No Impact.** The proposed use will not displace substantial numbers of people necessitating the construction of replacement housing elsewhere because the project will not displace any existing housing or existing residents. The site currently supports an abandoned residence, which has been vacant some time and will be demolished as part of the Project.

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

Potentially Significant Impact Less than Significant with Mitigation Incorporated Less than Significant Impact No Impact

XIV. PUBLIC SERVICES

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

Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION

XIV a) **Less Than Significant Impact.** The proposed Project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services, including fire and police protection, schools, parks or other public facilities.

The Project is a small general commercial office and fast food restaurant development, a total of 23,300-square feet of structures on 2.36 acres. It is located in a mixed use area of the Oak Hills and Phelan communities. It does not induce new growth by extending infrastructure or locating a development in an outlying undeveloped area.

As discussed in the Population and Housing section of this document, the Project does not result in a substantial population growth; it will not create a need for new governmental facilities. Construction of the Project will increase property tax revenues to provide a source of funding to meet anticipated demands for public services. San Bernardino County provides Fire and Sheriff services to the communities and will continue to provide them. The traveling public will not impact governmental facilities. The Project will not have a significant impact on the maintenance of acceptable service ratios, response times, or other performance objectives for any of the public services listed above.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
XV. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION

XV a) **No Impact.** This Project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. The Project will not generate any new residential units and the impacts generated by the employees of this project will be minimal. Its purpose is to serve the needs of the existing residents of the area and persons traveling throughout the Oak Hills and the Phelan communities.

XV b) **No Impact.** This Project does not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment because the type of project proposed will not result in an increased demand for recreational facilities. Impacts are considered less than significant.

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

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

SUBSTANTIATION

Albert Wilson & Associates prepared a *Traffic Impact Study for APN 3064-041-018 [sic] at NE corner of Phelan Road & Baldy Mesa Road* on October 1, 2012. The *Study* was revised on June 18, 2013, and again on July 18, 2013. The County Traffic Division accepted the July 18, 2013 version of the *Traffic Impact Study*.

XVI a) **Less Than Significant Impact.** When building permits are issued for the Project, the applicant shall pay the required fees associated with the Regional Transportation Development Mitigation Fee Plan for the Hesperia Subarea. The applicant shall submit a signal modification plan for the existing signal at the intersection of Phelan and Baldy Mesa Roads. Signage and striping along the Phelan Road frontage are required as part of the conditions of approval to prevent left-turn vehicular movements at the Project driveway. The proposed Project will include all improvements associated with the street and signal modification plans. Additionally, the Project site is within the Oak Hills Area Transportation Facilities Fee Plan for Zone A. The applicant shall pay the required fees associated with the local plan. These are mandatory requirements and not considered mitigation measures.

XVI b) **Less Than Significant Impact.** The Project will not exceed, either individually or cumulatively, a level of service [LOS] standard established by the county congestion management agency for designated roads or highways,

because County Public Works – Traffic Division has reviewed and approved the traffic study prepared for the proposed Project. The County standard is Level of Service (LOS) C. The Circulation and Infrastructure Background Report prepared February 21, 2006 as part of the 2007 County of San Bernardino Development Code update contains *Table 2-7. Lane Configuration, Average Daily Traffic Volume and Peak Hour Level of Service for Major Roadways located in San Bernardino County*. Table 2-7 shows Baldy Mesa Road between Phelan Road and Duncan Road aka Bear Valley Road operates at LOS A during both AM and PM Peak Hours. Additionally, Table 2-7 shows that Phelan Road between State Route 138 and U.S. Highway 395 operates at LOS A during both AM and PM Peak Hours. County Traffic anticipates that traffic service will remain at or above the required LOS.

- XVI c) **No Impact.** The Project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. There are several small airports in the vicinity of the Project, but there is no anticipated notable impact on air traffic volumes by passengers or freight generated by the proposed use. No new air traffic facilities are proposed.
- XVI d) **Less Than Significant Impact.** The Project will not substantially increase hazards due to a design feature or incompatible uses, because the project site is adjacent to established roads that are accessed at points with good site distance and properly controlled intersections. The Project proposes general commercial office and fast food restaurant uses at a signalized intersection in a mixed use area of the Oak Hills and Phelan communities of the High Desert. There are no incompatible uses proposed by the Project that will impact surrounding land uses.
- XVI e) **Less Than Significant Impact.** The Project will not result in inadequate emergency access, because the site is adjacent to Phelan and Baldy Mesa Roads, both major arterial roadways.
- XVI f) **Less Than Significant Impact.** The Project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. This project will have no impact on alternative methods of transportation. The Victor Valley Transit Authority (VVTA) provides bus transportation to the Tri-Community (Victorville, Phelan, and Wrightwood) via Route 21. The closest bus stop is at the intersection of Baldy Mesa Road and Yucca Terrace Drive, approximately 0.50 feet north of the proposed Project. The proposed Project will not decrease the performance of this alternative method of transportation in the community. As a condition of approval, the applicant shall consult with the VVTA about the need for another bus stop nearer the proposed Project.

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

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

SUBSTANTIATION

- XVII a) **Less Than Significant Impact.** The proposed Project will not exceed wastewater treatment requirements of the State Regional Water Quality Control Board, *Lahontan* Region, as determined by County Public Health – Environmental Health Services. The proposed commercial development must meet the wastewater treatment requirements of the Lahontan Region. This is a mandatory requirement and not a mitigation measure.
- XVII b) **Less Than Significant Impact.** The proposed Project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. The proposed commercial development must meet the water service connection requirements provided by the County Service Area 70, Zone J. The water agency provided a will serve letter, which indicated that a water meter can be installed for this Project without need for a mainline extension. The Project proposes an on-site wastewater treatment system (OWTS) to dispose of effluent. The County Environmental Health Services requires submittal and approval of a percolation report in order to use OWTS.
- XVII c) **Less Than Significant Impact.** The proposed Project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities that cause significant environmental effects. As stated in the Hydrology and Water Quality Section of this document, the proposed Project will not increase storm flow rates from the site. It will not create any additional impacts on downstream storm drain facilities that will necessitate expansion of existing facilities or construction of new facilities.

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- XVII d) **Less Than Significant Impact.** The proposed Project will have sufficient water supplies available to serve the project from existing entitlements and resources. The County Service Area 70, Zone J has given assurance that it has adequate water service capacity to serve the projected demand for the Project, in addition to the provider's existing commitments.
- XVII e) **Less Than Significant Impact.** The County's Division of Environmental Health Services (DEHS) will approve and oversee the proposed OWTS. Septic system pumpers must be approved by DEHS. Septage, the waste or sewage in a septic tank, is accepted at the Victorville Sanitary Landfill, which is approximately 16 miles northeast of the site.
- XVII f) **Less Than Significant Impact.** The Victorville Sanitary Landfill will serve the solid waste needs of the Project. According to the CalRecycle webpage, this landfill has sufficient remaining capacity to accommodate 81,510,000 cubic yards of solid waste. The estimated closure date is 2047. There is adequate capacity to accommodate the Project's solid waste disposal needs.
- XVII g) **Less Than Significant Impact.** The proposed project is required to comply with federal, state, and local statutes and regulations related to solid waste, construction waste diversion, and recycling.

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

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:

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

SUBSTANTIATION

XVIII a) **Less Than Significant Impact.** The Project does not appear to have the potential to significantly degrade the overall quality of the region’s environment or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal. Michael Brandman Associates conducted a Biological Resources Study for the property in August 2012, with the report dated September 7, 2012 and finalized on January 16, 2013. Although no special status species were observed, the site contains Joshua Trees, which are protected by County ordinance. The Study recommends in situ preservation and/or on-site transplantation of these plants. Additionally, the site contains habitat for several special status species. The Study recommends pre-construction surveys for Burrowing Owl. The Study recommends pre-construction surveys for Loggerhead Shrike if construction activities must begin during the breeding season of February through August. Furthermore, the Study recommends pre-construction nesting bird surveys if construction activities occur during nesting bird season. Adherence with these recommendations are mitigation measures BIO-1, BIO-2, and BIO-3, which will be incorporated into the conditions of approval for the proposed Project to reduce any potential impacts to a level less than significant.

The Project does not appear to have the potential to eliminate important examples of the major periods of California history or prehistory. John Stephen Alexandrowicz, RPA, from Archaeological Consulting Services, prepared *An Historical Resources Investigation* for a previously proposed project at the Project site on March 29, 2003. The *Historical Resources Investigation* identified the potential for a 1920 improvement associated with Frank L. Thomas to exist on the site. The report recommends monitoring of construction excavations and the San Bernardino County Museum Archaeological Information Center concurred. To reduce the potential for impacts, mitigation measure CUL-1, which requires an archaeological monitor be on site during any earth disturbing activities, will be added to the project.

XVIII b) **Less Than Significant Impact.** The analysis in this Initial Study Checklist demonstrates that the Project is in

compliance with all applicable regional plans including but not limited to water quality control plan, air quality maintenance plan, and greenhouse gas emissions reduction plan. Compliance with these plans serves to reduce impacts on a regional basis so that the Project will not produce impacts, that when considered with the effects of other past, present, and probable future projects, will be cumulatively considerable.

- XVIII c) **Less Than Significant Impact.** As discussed in this Initial Study Checklist, the Project will not expose persons to adverse impacts related to Air Quality, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, or Population and Housing. These impacts are identified as having no impacts or less than significant impacts. Adherence with the following mitigation measures will reduce potential impacts to a level less than significant. At a minimum, the project will be required to meet the conditions of approval in order for the Project to be implemented. It is anticipated that all such conditions of approval will further insure that no potential for adverse impacts will be introduced by construction activities, or land uses authorized by the Project approval.

Therefore, no significant adverse impacts are identified or anticipated with the implementation of mitigation measures BIO-1, BIO-2, BIO-3, and CUL-1.

XIX. MITIGATION MEASURES

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

BIO-1: Within 14 days prior to land disturbance, the applicant shall hire a qualified professional to conduct a pre-land disturbance and/or pre-construction focused Burrowing Owl survey. This survey shall be submitted to County Land Use Services, Planning Division and California Department of Fish and Wildlife for review and approval. Adherence with any recommended mitigation measures is required.

BIO-2: If construction activities must commence during the avian breeding season of February through August, the applicant shall hire a qualified professional to conduct a pre-construction clearance within 14 days prior to land disturbance to determine the presence/absence of Loggerhead Shrike. This survey shall be submitted to County Land Use Services, Planning Division and California Department of Fish and Wildlife for review and approval. Adherence with any recommended mitigation measures is required.

BIO-3: In compliance with the Migratory Bird Treaty Act, if construction activities occur during nesting bird season, the applicant shall hire a qualified professional to conduct pre-construction nesting bird surveys to identify any nesting activity. If active nests are observed, construction must be postponed until the nestlings have fledged. This survey shall be submitted to County Land Use Services, Planning Division and California Department of Fish and Wildlife for review and approval.

CUL-1: An archaeological monitor must be on-site during any earth disturbing activities. If prehistoric or historic resources over 50 years of age are encountered during land modification, then activities in the immediate area of the finds should be halted so that the archaeologist can assess the find, determine its significance, and make recommendations for appropriate mitigation measures within the guidelines of the California Environmental Quality Act. Submission to the San Bernardino County Museum Archaeological Information Center of a historical resources management report by the professional is required to document the monitoring, to evaluate resource significance and integrity, and if necessary, to evaluate project impacts and propose mitigation measures to reduce potential adverse impacts in accordance with the appropriate laws. For a list of qualified archaeologists, go to <http://chrisinfo.org>

GENERAL REFERENCES (List author or agency, date, title)

AirNav, LLC, <http://airnav.com/airports/>

Alquist-Priolo Special Studies Zone Act Map Series (PRC 27500)

California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2008/sbd08_so.pdf

California Department of Transportation, *Standard Environmental Reference, Chapter 27: Visual & Aesthetics Review*, <http://www.dot.ca.gov/ser/vol1/sec3/community/ch27via/chap27via.htm>

California Department of Water Resources, *California's Ground Water Bulletin #118 Update*, 2003

California Environmental Protection Agency, <http://www.calepa.ca.gov/SiteCleanup/CorteseList/>

CEQA Guidelines, Appendix G

CalRecycle, <http://www.calrecycle.ca.gov>

County of San Bernardino Museum, Archaeological Information Center

County of San Bernardino, Circulation and Infrastructure Background Report, *Table 2-7. Lane Configuration, Average Daily Traffic Volume and Peak Hour Level of Service for Major Roadways located in San Bernardino County*, February 21, 2006

County of San Bernardino, Countywide Integrated Waste Management Plan, 2007 Five-Year Review Report, December 2007

County of San Bernardino, *County of San Bernardino 2007 Development Code*
<http://cms.sbcounty.gov/lus/Planning/DevelopmentCode.aspx>

County of San Bernardino, *County of San Bernardino 2007 General Plan*
<http://cms.sbcounty.gov/lus/Planning/GeneralPlan.aspx>

County of San Bernardino, General Plan, Land Use Element Map

County of San Bernardino Hazard Overlay Map FH-05-B. <http://www.sbcounty.gov/Uploads/lus/HazMaps/FH-05B.pdf>

County of San Bernardino, *Oak Hills Community Plan*, Adopted February 25, 2003; Effective March 27, 2003; Amended June 18, 2013

County of San Bernardino, *San Bernardino County Storm Water Program, Model Water Quality Management Plan Guidance*, May 1, 2012.

County of San Bernardino Road Planning and Design Standards, http://www.co.san-bernardino.ca.us/dpw/transportation/tr_standards.asp

Environmental Impact Report, San Bernardino County General Plan, 2007

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

Institute of Transportation Engineers, *Trip Generation Manual*, 9th edition

Mojave Desert Air Quality Management District, *Mojave Desert Planning Area – Federal Particulate Matter (PM₁₀) Attainment Plan*, July 1995

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

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

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

PROJECT SPECIFIC REFERENCES

Albert Wilson & Associates, *County of San Bernardino Traffic Impact Study for APN 3064-041-018 [sic] at NE Corner of Phelan Road & Baldy Mesa Road*, October 1, 2012; Updated June 18, 2013 & July 18, 2013

Archaeological Consulting Services, *An Historical Resources Investigation at 9722 Phelan Road, Oak Hills, San Bernardino County, California*, March 29, 2003

Cal Land Engineering, Inc., dba Quartech Consultants, *Drainage Study*, August 8, 2012

Geo Environ, *Preliminary Geotechnical Investigation for Foundation Design, Proposed Commercial Development 9722 Phelan Road @ Baldy Mesa Road, Phelan APN 3064-041-02-0000 San Bernardino County, California*, July 16, 2012

Geo Environ, *Results of Onsite Effluent Disposal System Testing & Preliminary System Design (Seepage Pits), Proposed Commercial Development 9722 Phelan Road @ Baldy Mesa Road, Phelan APN 3064-041-02-0000, San Bernardino County, California*, July 20, 2012

Michael Brandman Associates, *Biological Resources Study, Eum's Commercial Development, Community of Oak Hills, San Bernardino County California*, Report date: September 7, 2012; Finalized: January 16, 2013

So & Associates Engineers Inc., *County Service Area 70, Improvement Zone J (Oak Hills) – Water Feasibility Study for APN 3064-041-02 (David Eum)*, August 21, 2012

Special Districts Department, correspondence dated August 22, 2012

Trans American Engineering, *Water Quality Management Plan*, August 8, 2012

Victor Valley Transit Authority, <http://vvta.org/>
