

## SAN BERNARDINO COUNTY INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

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

### **PROJECT LABEL:**

<b>APN:</b>	<b>3037-251-15</b>	<b>USGS Quad:</b>	Phelan
<b>APPLICANT:</b>	Madole & Associates Inc.	<b>T, R, Section:</b>	T4N, R6W, Sec.29NW
<b>COMMUNITY:</b>	Phelan/1st Supervisorial District	<b>Thomas Bros.:</b>	Page 4563 Grid: F-2
<b>LOCATION:</b>	Northwest corner of Silver Ridge Drive and Smith Road	<b>Community Plan:</b>	Phelan/Pinon Hills
<b>PROJECT NO:</b>	P201100079/TTM 18736	<b>OLUD:</b>	Rural Living (RL2.5)
<b>STAFF:</b>	Ernest Perea, Contract Planner	<b>Overlays:</b>	FS2 (Fire Safety 2),
<b>REP('S):</b>	Mark Eertone		
<b>PROPOSAL:</b>	Tentative Tract Map to divide twenty-five (25) acres into ten(10) lots		

### **PROJECT CONTACT INFORMATION:**

**Lead agency:** County of San Bernardino  
Land Use Services Department – Current Planning  
385 North Arrowhead Avenue  
San Bernardino, CA 92415-0182

**Contact Person:** Ernest Perea, Contract Planner  
**Phone No:** (909) 387-4374  
**E-mail:** ernestperea@ymail.com  
Madole & Associates Inc.

**Project Sponsor:** 9302 Pittsburgh Avenue, Suite 230  
Rancho Cucamonga, CA 91730  
**Phone No:** (909) 481-6322

**Fax No:** (909) 387-3223

### **PROJECT DESCRIPTION:**

The project proposes to subdivide 25 acres into ten (10) parcels approximately 2.5 acres in size each for lot sales only. The site is located in the Phelan/Pinon Hills Planning Area. The site is located on the northwest corner of Silver Ridge Drive and Smith Road. The County's General Plan and Zoning designates the site as PH-RL (Phelan-Rural Living) with a minimum lot size of 2.5 acres. The recordation of the Tentative Tract Map could allow for future construction of up to ten (10) detached single-family homes.

### **ENVIRONMENTAL/EXISTING SITE CONDITIONS:**

The site is undisturbed and supports a mixed desert scrub community dominated by rabbitbrush, ephedra, and Joshua tree. Silver Ridge Drive and Smith Road are unpaved roadways and abut the southern and eastern boundaries of the site. (See Exhibit 2, Aerial Photo).

The following table describes the existing land use and zoning for the project site.

**Table 1. Existing Land Use and Zoning**

AREA	EXISTING LAND USE	OFFICIAL LAND USE DISTRICT
Site	Vacant	PH-RL (Rural Living)
North	Vacant	PH-RL (Rural Living)
South	Rural residential	PH-RL (Rural Living)
East	Vacant	PH-RL (Rural Living)
West	Vacant	PH-RL (Rural Living)

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

Federal: None; State of California: None

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

Local: Phelan-Pinon Hills CSD

**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 seventeen (17) major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study Checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

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

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

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

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

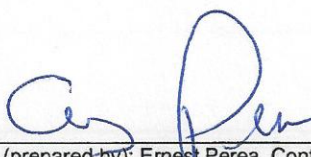
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture Resources              | <input type="checkbox"/> Air Quality            |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology /Soils         |
| <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 |   |

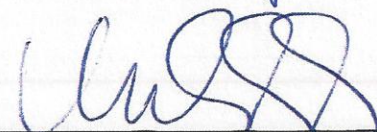
**DETERMINATION:** (To be completed by the Lead Agency)

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): Ernest Perea, Contract Planner

9/3/13  
Date

  
Signature: Heidi Duron, Supervising Planner

9/3/2013  
Date

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Project No: P201000079, TTM 18736

August, 2013

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>I. AESTHETICS</b> - Would the project				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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):

I a) **No Impact.** The County General Plan Open Space Element, Policy OS 5.1. states that a feature or vista can be considered scenic if it:

- Provides a vista of undisturbed natural areas;
- Includes a unique or unusual feature that comprises an important or dominant portion of the viewshed; or,
- Offers a distant vista that provides relief from less attractive views of nearby features such as views of mountain backdrops from urban areas.

The project site is located in an area characterized by sparsely developed desert land. To the south of the site are parcels developed with rural residential development. To the north, east, and west of the site is vacant desert land. Subdividing the site into 10 parcels with the potential to add up to ten (10) single-family homes will not impact any scenic vistas. Therefore, the project will have no impact on a scenic vista.

I b) **No Impact.** The proposed project will have no impact on scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, because the site is not adjacent to a state scenic highway and there are no rock outcroppings or historic buildings on the project site.

I c) **Less Than Significant Impact.** The project site is located in an area characterized by sparsely developed desert land. To the south of the site are parcels developed with rural residential development. To the north, east, and west of the site is vacant desert land. A project is generally considered to have a significant impact on visual character if it

substantially changes the character of the project site such that it becomes visually incompatible or visually unexpected when viewed in the context of its surroundings.

Subdividing the site into 10 parcels which will allow for up to ten (10) additional single-family homes consistent with the RL Zone will be compatible with the existing visual character of the area. Therefore, impacts are considered less than significant.

- I d) **Less Than Significant Impact.** The proposed project will not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area because the lighting for proposed use will consist of outdoor lighting sources typically associated with single-family residences (e.g. security lighting, landscape accent lighting etc.). Additionally, any future development will be required to comply with the County Development Code Glare & Outdoor Lighting standards.

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Project No: P201000079, TTM 18736

August, 2013

Potentially  
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Impact**II. AGRICULTURE and FORESTRY RESOURCES -**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California 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 the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board.

Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?
- d) Result in the loss of forest land or conversion of rest forest land to non-forest use?
- e) Involve other changes in the existing environment which, due to their location or nature, could result in

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Project No: P201000079, TTM 18736

August, 2013

conversion of Farmland to non-agricultural use or ☐ ☐ ☐ ☒  
conversion of forest land to nonforest use.

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

- II a) **No Impact.** The subject property is not identified or designated as Farmland on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The site is not being used for agricultural purposes. Therefore, there will be no impact to farmland.
- II b) **No Impact.** The project site is located within the PH-RL (Phelan-Rural Living) zone. Agricultural uses are allowed within this zone. Therefore, there would not be a conflict with agricultural zoning. In addition, there is no Williamson Act contract that affects the project site according to the County Assessor's Office.
- II c) **No Impact.** The project site is located within the PH-RL (Phelan-Rural Living) zone and there is no timberland located on the project site. Therefore, the not in conflict with Forest or Timberland zoning. The project does not propose a zone change that would convert existing forest or timberland zoning.
- II d) **No Impact.** There are no forest lands within the project site so the loss of forest land or conversion of forest land to non-forest use would not occur as a result of the project.
- II e) **No Impact.** The project site is not located in close proximity to forest land. The project site is not designated as Farmland as shown on the maps prepared by the California Department of Conservation. The site is not being used for agricultural purposes. Therefore the project will not disrupt or damage of the existing environment that would result in the loss of farmland to nonagricultural use.



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Project No: P201000079, TTM 18736

August, 2013

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>III. AIR QUALITY</b> - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 District Plan, if applicable):

- III a) **Less Than Significant Impact.** The Project is within the Mojave Desert Air Basin and under the jurisdiction of the Mojave Desert Air Quality Management District. Under the Federal Clean Air Act the Mojave Desert Air Quality Management District has adopted a variety of attainment plans (i.e. "Air Quality Management Plans") for a variety of non-attainment pollutants. The Air Quality Management Plans applicable to the Project area are: *2004 Ozone Attainment Plan (State and Federal)*, *Triennial Revision to the 1991 Air Quality Attainment Plan*, *Mojave Desert Planning Area Federal Particulate Matter Attainment Plan*, *Post 1996 Attainment Demonstration and Reasonable Further Progress Plan*, *Reasonable Further Progress Rate-Of- Progress Plan*, and the *1991 Air Quality Attainment Plan*.

The Mojave Desert Air Quality Management District is responsible for maintaining and ensuring compliance with the above described Air Quality Management Plans which were developed for the primary purpose of controlling emissions to maintain all federal and state ambient air standards. A project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project is conforming if it complies with all applicable Mojave Desert Air Quality Management District rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan). Conformity with growth forecasts can be established by demonstrating that the Project is consistent with the land use plan that was used to generate the growth forecast.

The Project is consistent with the zoning and land use classifications (i.e. Rural Living that were used to prepare the Mojave Desert Air Quality Management Plans.

Based on the consistency analysis presented above, the proposed Project will not conflict with the applicable Mojave Desert Air Quality Management Plans.

- III b) **Less Than Significant Impact.** The Mojave Desert Air Quality Management has prepared a document titled: *CEQA and Federal Conformity Guidelines, February 2009* which states in part:

"Any project is significant if it:

1. Generates total emissions (direct and indirect) in excess of the thresholds given in Table 6; and/or,
2. Generates a violation of any ambient air quality standard when added to the local background;\* and/or,
3. Does not conform with the applicable attainment or maintenance plan(s) 1;\*..."

*\* These significance thresholds are not applicable to all projects. Contact the District to clarify whether your project should be evaluated under these thresholds. In general, the emissions comparison (criteria number 1) is sufficient.*

**Table 2. MDAQMD Significant Emission Thresholds**

Criteria Pollutant	Daily Threshold (pounds)
Carbon Monoxide (CO)	548
Oxides of Nitrogen (NOx)	137
Volatile Organic Compounds (VOC)	137
Oxides of Sulphur (SOx)	137
Particulate Matter (PM10)	82
Particulate Matter (PM2.5)	82
Source: Mojave Desert Air Quality Management District	

Based on previous discussions with the Mojave Desert Air Quality Management District, the project is considered to be “de minimis” and not significant with respect to air quality significant thresholds established by the Mojave Desert Air Quality Management District. because the project only involves the following:

- Division of 25 acres into ten (10) parcels;
- No new construction is proposed;
- No grading is proposed.
- The project does not propose a zone change and is therefore consistent with the existing land use plan.

III c) **Less Than Significant Impact.** A project’s air pollution emissions although individually limited, may be cumulatively considerable when taken in combination with past, present, and future development projects. In order to be considered significant, a project’s air pollutant emissions must exceed the emission thresholds established by the Mojave Desert Air Quality Management District and be inconsistent with growth associated with regional projections.

The Project is considered to be “de minimis” with respect to air pollution emissions. In addition, the Project does not involve a change in land use. The land use designation of Rural Living is consistent with the growth projections contained in the Mojave Desert Air Quality Management Plans. Therefore, impacts from the Project are not cumulatively considerable when included with other past, present, and future probable projects.

III d) **Less Than Significant Impact.** According to the Mojave Desert Air Quality Management District, residences, schools, daycare centers, playgrounds and medical facilities are considered sensitive receptor land uses. The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor must not expose sensitive receptors to substantial pollutant concentrations.

- 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 does not propose any of the above described uses. In addition, The Project's air pollutant emissions are considered to be "de minimis" and will not exceed construction or operational emission thresholds. Therefore, the Project's emissions are in compliance with the thresholds established by the Mojave Desert Air Quality Management District. Therefore, it will not expose sensitive receptors to substantial pollutant concentrations.

- 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 proposed use is a subdivision of land to accommodate future residential development within the Rural Living zone. Given that the site is surrounded by sparsely populated areas, the project will not produce odors that would affect a substantial number of people.

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

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Project No: P201000079, TTM 18736

August, 2013

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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**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 Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/>            | <input 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 ☒)

The information contained in this section is based in part on the General Biological Resources Assessment prepared by RCA Associates, LLC dated June 13, 2012.

- IV a) **Less Than Significant Impact With Mitigation Incorporated.** Based on the *Biological Resources Assessment*, no candidate, sensitive or special status species were observed on the site except for Le Conte's Thrasher which is a State species of special concern.

Two thrashers were observed on the project site during the field surveys. No nesting behavior was observed. Impacts to individual nesting Le Conte's thrashers could occur if these species were nesting on or adjacent to the construction areas at the time individual home sites are constructed. Cumulative impacts to Le Conte's Thrasher are not expected given the amount of similar habitat in the region. The following mitigation measure is required:

***BIO-1: The property owner shall submit for review and approval an avian breeding survey, conducted by a County qualified biologist, if any land disturbing activity of grading is planned to occur between March 15 and August 15 on any lot. This is required to be conducted within thirty (30) days prior to any construction activities involving ground disturbing activities. If active nests are located, no ground disturbing activity shall take place within 300 feet of an active nest. If no such breeding or nesting activities are detected construction activities may proceed and if such active nests are located, work activity shall be delayed until the young birds have fledged and left the nest. These requirements shall be noted on the Composite Development Plan.***

Although no burrowing owls and no occupied burrows were found on the site, in order to mitigate potential impacts to the burrowing owl to the maximum extent feasible, a pre-construction survey is required as described in Mitigation Measure BIO-2 below:

***BIO-2: Utilizing accepted protocols, within 30 days prior to establishment of the, a pre-construction survey must be conducted for the Burrowing Owl by a qualified biologist. This requirement shall be noted on the Composite Development Plan.***

The site supports suitable habitat for the desert tortoise, however, no tortoise or signs of tortoise were observed on the site during field surveys. The nearest documented tortoise population is located approximately 10 miles northeast of the site. The species could potentially move onto the site, however, the likelihood of this is very low given the absence of any documented populations in the immediate area.

However, to reduce the likelihood of project-related impacts to desert tortoise individuals during construction of the home sites, it is recommended that pre-construction surveys for this species be conducted as described in mitigation measure BIO-1. With implementation of mitigation measure BIO-1, impacts to desert tortoise individuals would be less than significant.

***BIO-3: Pre-construction surveys the desert tortoise shall be conducted prior to the commencement of Project-related ground disturbance. Appropriate survey methods and timeframes shall be established, to ensure that chances of detecting the target species are maximized. In the event that desert tortoise are encountered, authorization from the USFWS and CDFW must be obtained. Pre-construction surveys shall encompass all areas within the potential footprint of disturbance, as well as all other areas controlled by the property owner. These requirements shall be noted on the Composite Development Plan.***

- IV b) **No Impact.** Several drainage courses traverse the site in a north to south direction. Based on the *Biological Resources Assessment*, these the drainage courses do not contain riparian habitat. Therefore, the project will not have a substantial adverse effect on riparian habitat.
- IV c) **Less Than Significant Impact.** Several drainage courses traverse the site in a north to south direction. Based on the *Biological Resources Assessment*, these drainage courses are not considered wetlands. Therefore, the 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.
- IV d) **Less Than Significant Impact.** According to the Open Space Overlay Map for the County of San Bernardino, the project site is not located within a Wildlife Corridor. In addition, the *Biological Resources Assessment* determined that there are no distinct wildlife corridors located on the project site or in the immediate vicinity. Therefore, the project would not result in obstruction or elimination of important wildlife movement routes. Impacts to wildlife movement would be less than significant.
- IV e) **Less Than Significant Impact.** The site contains Joshua Trees which could be impacted by future development activities. The Joshua Tree receives protection under Sections 88.01.050 and 88.01.060 of the San Bernardino County Development Code. These Code Sections prohibit the destruction of Joshua trees without a County-issued permit and require that Joshua trees within lands proposed for development be transplanted. Further, where removal of "specimen" size trees is proposed, the Development Code requires a finding that no reasonable alternative means of developing the land exists.

At this time there is no development proposed as the site is being subdivided for future lot sales. In the event that future development may impact Joshua Trees, any development would have to be consistent with the mandatory requirements of Sections 88.01.050 and 88.01.060 of the San Bernardino County Development Code. These are mandatory requirements and not considered mitigation measures.

- IV f) **Less Than Significant Impact With Mitigation incorporated.** San Bernardino County is participating in the West Mojave Plan and intends to proceed with obtaining a local government Habitat Conservation Plan to obtain Section 10a and 2081 permits. The West Mojave Plan consists of two components: a Federal component that will amend the existing 1980 California Desert Conservation Area Plan, and a Habitat Conservation Plan that will cover development on private lands. Mitigation Measures BIO-1 through BIO-3 will ensure that Implementation of the 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.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>V. CULTURAL RESOURCES - Would the project</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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):

- V a) **No Impact.** The project will not impact an above ground historical resource because the site is not listed on the California Historic Resources Inventory; California Historical Landmarks; California Points of Historic Interest; and/or National Register of Historic Places. In addition, there are no historic structures on the site.
- V b) **No Impact.** The project site is not identified on the Cultural Resources Sensitivity Overlay Maps contained in the County of San Bernardino General Plan. However, the project is subject to the County's standard condition of approval regarding cultural resources that requires the developer to halt work and to retain a qualified archaeologist approved by the County to assess the significance of the resource(s) and to identify appropriate management recommendations. This is a mandatory requirement and not considered a Mitigation Measure.
- V c) **No Impact.** The project site is not identified on the Cultural Resources Sensitivity Overlay Maps contained in the County of San Bernardino General Plan. However, the project is subject to the County's standard condition of approval regarding paleontological resources that requires the developer to halt work and to retain a qualified paleontologist approved by the County to assess the significance of the resource(s) and to identify appropriate management recommendations. This is a mandatory requirement and not considered a Mitigation Measure.



- V d) **Less Than Significant Impact.** In the event of an accidental discovery or recognition of any human remains, California State Health and Safety Code Section 7050.5 dictates that no further disturbances shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to CEQA regulations and Public Resources Code Section 5097.98. With adherence to State Health and Safety Code Section 7050.5 which stipulates the process to be followed when human remains are encountered, no mitigation measures are necessary.

Madole &amp; Associates

Project No: P201000079, TTM 18736

August, 2013

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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**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 type="checkbox"/>	<input checked="" type="checkbox"/>
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ii. Strong seismic ground shaking?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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iii. Seismic-related ground failure, including liquefaction?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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iv. Landslides?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Result in substantial soil erosion or the loss of topsoil?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Be located on expansive soil, as defined in Table 181-B of the California Building Code (2001) creating substantial risks to life or property?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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 type="checkbox"/>	<input checked="" type="checkbox"/>
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**SUBSTANTIATION** (Check ☐ if project is located in the Geologic Hazards Overlay District):

VI a) **No Impact.** The following responses are based in part on a review of the *Geologic Hazards Overlay Map* contained in the County of San Bernardino General Plan:

i) *Alquist-Priolo Zone:* The site is not located within an identified Alquist-Priolo

## Earthquake Hazard Zone.

ii) *Seismic Ground Shaking*: Seismic ground shaking is influenced by the proximity of the site to an earthquake fault, the intensity of the seismic event, and the underlying soil composition. Given that the site is not located on an earthquake fault zone and no habitable structures are proposed to be constructed at this time, there are no impacts.

iii) *Seismic Ground Failure (Liquefaction)*: The site is not located within an area mapped as being susceptible to liquefaction.

iv) *Landslide*: The site is not located within an area mapped as being susceptible to landslides.

VI b) **No Impact.** To control soil erosion during construction of future residential structures the property owner is required to comply with the National Pollutant Discharge Elimination System permit applicable to the project area and prepare a Storm Water Pollution Prevention Plan. In addition, a Water Quality Management Plan is required which addresses post-construction soil erosion. Preparation and implementation of these plans is a mandatory requirement.

VI c) **No Impact.** Lateral spreading is a term referring to landslides that commonly form on gentle slopes and that have rapid fluid-like flow movement, like water. As noted in the response to Question VI (aiv) above, the site is not susceptible to landslides thus the impacts from lateral spreading are considered less than significant.

According to the *Geologic Hazards Overlay Map* contained in the County of San Bernardino General Plan, the project is not located in an area that is susceptible to liquefaction or subsidence.

Adherence to standards and requirements contained in the Building Code for the design of any future residential structures will ensure that any impacts are less than significant. Compliance with the Building Code is a mandatory requirement.

VI d) **No Impact.** The project site is not located in an area that has been identified as having the potential for expansive soils.

VI e) **No Impact.** The individual lots will be served by a septic system. Prior to the issuance of a building permit, the property owner will be required to obtain approval of the septic system from the County of San Bernardino Division of Environmental Health Services. This is a mandatory requirement and not considered a Mitigation Measure.

Madole &amp; Associates

Project No: P201000079, TTM 18736

August, 2013

VII. GREENHOUSE GAS EMISSIONS - Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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 an applicable plan, policy, or regulation adopted for the purposes of reducing the emissions of greenhouse gases.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## SUBSTANTIATION

- VII a) **Less Than Significant Impact.** In December 2011, the County of San Bernardino adopted the "Greenhouse Gas Emissions Reduction Plan" ("GHG Plan"). Section 5.6 of the GHG Plan identifies the procedures for reviewing development projects for consistency with the GHG Plan. The GHG Plan has been designed in accordance with Section 15183.5 of the State CEQA Guidelines which provides for streamline review of climate change issues related to development projects when found consistent with an applicable greenhouse gas emissions reduction plan. The GHG Plan includes a two-tiered development review procedure to determine if a project could result in a significant impact related greenhouse gas emissions or otherwise comply with the Plan pursuant to Section 15183.5 of the state CEQA Guidelines.

The initial screening procedure is to determine if a project will emit 3,000 metric tons of carbon dioxide equivalent (MTCO<sub>2</sub>E) per year or more. Projects that do not exceed this threshold require no further GHG emissions analysis, but must comply with mandatory Performance Standards contained in the GHG Plan

According to the GHG Plan, a single family residential project that is less than 60-80 units in size does not emit more than 3,000 MTCO<sub>2</sub>e per year and is thus considered as having a less than significant impact for GHG emissions. The project can accommodate up to ten (10) single family units and is thus below the threshold.

- VII b) **Less Than Significant Impact.** As analyzed and discussed in Section VII a), the project will not exceed the 3,000 MTCO<sub>2</sub>E/YR screening threshold identified in the GHG Plan; therefore, the project is consistent with the GHG Plan pursuant to Section 15183.5 of the State CEQA Guidelines and is therefore consistent with adopted plans, policies, and regulations.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS –</b>				
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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter mile of an existing or proposed school	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving 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) **No Impact.** Hazardous Material means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the environment. Hazardous materials include, but are not limited to hazardous substances and hazardous waste. The project involves the subdivision of 25 acres into ten (10) parcels. The site is planned for rural residential development on lots at least 2.5 acres in size. This type of use does not involve hazardous materials of the type and quantity that would pose a risk to the surrounding environment.
- VIII b) **No Impact.** The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, because any proposed use or construction activity that might use hazardous materials is subject to permit and inspection by the County Fire Department.
- VIII c) **No Impact.** There are no schools located within ¼ mile of the project site. In addition, the project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste because the project does not propose the use of hazardous materials as discussed in the response to Question VIIIa.
- VIII d) **No Impact.** Based on the *Cortese List Data Resources* webpage maintained by the California Environmental Protection Agency accessed on May 1, 2013, the project site is not included on the list of hazardous materials sites compiled in accordance with Government Code No. 65962.5.
- VIII e) **Less Than Significant Impact.** Based on the Hazards Overlay Maps contained in the County of San Bernardino General Plan, the project site is not located within an area requiring airport safety review.
- VIII f) **No Impact.** The project site is not within the vicinity or approach/departure flight path of a private airstrip.
- VIII g) **No Impact.** The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, because the project has adequate access from two or more directions.
- VIII h) **Less Than Significant Impact.** The project site is located in a Fire Safety Overlay District (FS-2) based on the *Hazards Overlay Maps* contained in the County of San Bernardino General Plan. Fire Safety Area 2 (FS2) includes areas that contain light to moderate fuel loading. Prior to the issuance of a building permit for any structure, compliance with the standards contained in Section 82.13.050 is required. Implementation of these mandatory standards will reduce impacts to less than significant.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>IX. HYDROLOGY AND WATER QUALITY - Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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, which 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, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of				

Madole &amp; Associates

Project No: P201000079, TTM 18736

August, 2013

loss, injury or death involving flooding, including  
flooding as a result of the failure of a levee or dam?

☐☐☒☐

j) Inundation by seiche, tsunami, or mudflow?

☐☐☐☒

**SUBSTANTIATION** The information contained in this section is based in part on the Preliminary Drainage Study, prepared by Madole & Associates, Inc. dated December 8, 2008.

IX a) **No Impact.** The Project will not violate any water quality standards or waste discharge requirements, because the project's design is required to incorporate design features to diminish impacts to water quality from surface runoff to an acceptable level as required by state and federal regulations. In addition, the project is required to submit and obtain approval of a *Final Water Quality Management Plan* before the Tentative Tract Map can record. This is a mandatory requirement and not considered a mitigation measure.

IX b) **Less Than Significant Impact.** The Project site is located within the Phelan Pinon Hills Community Services District. The District obtains its water from the Mojave River Groundwater Basin and the Mojave Water Agency manages the local groundwater supply to ensure its reliability. The Mojave River Groundwater Basin covers an area of approximately 1,400 square miles and has an estimated total water storage capacity of nearly 5 million acre-feet.

According to the *Phelan Pinon Hills 2010 Urban Water Master Plan*, the Mojave Water Agency estimates that the demands will increase by 10 percent during single-dry year and multi-year periods. The Mojave Water Agency plans on meeting 100 percent of their service area demands through 2035 in single-dry years and multiple-dry year periods with consistent local sources, State Water Project banking, and supply enhancement projects. Therefore, 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.

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 which 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 existing storm waters generally flow overland in a general northeasterly direction. The proposed drainage improvements will intercept the storm water at Silver Ridge Drive and convey the flows northerly via culverts and will discharge into the northerly existing drainage courses. In addition, the project is required to submit and implement a Water Quality Management Plan and a Storm Water Pollution Prevention Plan as discussed in Subsection IXa above.

IX d-f) **Less Than Significant Impact.** The existing storm waters generally flow overland in a general northeasterly direction. The proposed drainage improvements will intercept the storm water at Silver Ridge Drive and convey the flows northerly via culverts and will



Madole &amp; Associates

Project No: P201000079, TTM 18736

August, 2013

discharge into the northerly existing drainage courses. The County Land Use Services-Land Development Division requires that adequate provisions should be made to intercept and conduct the tributary off site - on site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties at the time the site is developed.

In addition, the project is required to submit and implement a *Water Quality Management Plan* and a *Storm Water Pollution Prevention Plan* as discussed in the response to Question IXa above.

- IX g-h) **Less Than Significant Impact.** The project site is located within Flood Zone D as identified by FEMA Flood Insurance Rate Map Community Panel Number 06071C6450H dated August 28, 2008 and will not require the lowest floor or structure to be elevated above the highest adjacent ground in compliance with FEMA and San Bernardino County regulations.
- IX i) **Less Than Significant Impact.** See response to Questions IX d-f above. In addition, according to the *County of San Bernardino Hazards Overlay Map*, the project site is not located within an inundation area. Therefore, future development on the site would not expose people or structures to significant hazards as a result of the failure of a levee or dam.
- VIII j) **No Impact.** The project area does not appear on the Tsunami Inundation Maps prepared by the California Department of Conservation, therefore there are no impacts from tsunamis forecasted to occur.

Based on the Hazards Overlay Maps contained in the County of San Bernardino General Plan, the project site is not located in an area prone to seiche, landslides, soil slips, or slumps. Therefore, the proposed project would have no impact from mudflow.

Madole &amp; Associates

Project No: P201000079, TTM 18736

August, 2013

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

**SUBSTANTIATION**

- X a) **No Impact.** The project will not physically divide an established community, because the site abuts three (3) roadways and is surrounded by vacant land with some rural residential land.
- X b) **No 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, it is determined that the project will not have a significant impact on any of the environmental resources described in this Initial Study Checklist. Based on the above, it can be determined that the project is not in conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.
- X c) **Less Than Significant With mitigation Incorporated.** San Bernardino County is participating in the West Mojave Plan and intends to proceed with obtaining a local government Habitat Conservation Plan to obtain Section 10a and 2081 permits. The West Mojave Plan consists of two components: a Federal component that will amend the existing 1980 California Desert Conservation Area Plan, and a Habitat Conservation Plan that will cover development on private lands. Mitigation Measures BIO-1 through BIO-3 will ensure that Implementation of the 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.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>XI. MINERAL RESOURCES</b> - Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

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

XI a-b) **No Impact.** The project site is located within an area designated as Mineral Resource Zone 4 (MRZ-4) according to maps prepared by the State Geologist. The MRZ-4 Zone are areas of unknown mineral resource potential,

Section 82.17.020 of the Development Code states: "*The MR Overlay shall be applied on the following areas:*

(a) *Areas with existing major surface mining activities;*

(b) *Areas where mining activity is expected to take place in the future; and*

(c) *Areas adjacent to current or proposed mining activity to prohibit the intrusion of incompatible uses."*

The project will not result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state, because there are no major mining activities being conducted on the site; the location and size of the site precludes future mining; and there are no current or proposed mining activities that are located adjacent to the site. In addition, the site is not within a Mineral Resource Zone Overlay as described above.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>XII. NOISE - Would the project:</b>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 ☐):

- XIIa) **Less Than Significant Impact.** Development Code Table 83-2 (*Noise Standards for Stationary Noise Sources*) describes the noise standard for emanations from a stationary noise source, as it affects adjacent properties. The project is required to maintain noise levels at or below County Standards identified in Table 83-2. This is a mandatory requirement and not considered a Mitigation Measure.
- XIIb) **Less Than Significant Impact.** The project will only allow construction of up to ten (10) single-family residences. Therefore, grading and construction activities will not require the type and amount of equipment that would cause excessive groundborne noise and

vibration. In addition, the project is required to maintain vibration and groundborne levels at or below County Standards identified in Development Code Section 83.01.090. This is a mandatory requirement and not considered a Mitigation Measure

- XII c) **Less Than Significant Impact.** Typically a 5 dBA noise increase as a substantial change in noise levels. Although the project would result in an increase in the number of vehicle trips and increase noise, it is not projected that the increased noise levels from adding up to ten (10) residential units in the project area would create a continuous increase in noise levels that would equal or exceed a 5 dBA level. Therefore, the project would not result in a substantial permanent increase in ambient noise levels.
- XII d) **Less Than Significant Impact.** Construction of up to ten (10) future residential units will temporarily increase ambient noise levels primarily due to construction activities. Construction noise is exempt from County Noise Standards during 7:00am and 7:00pm except Sundays and federal holidays. Thus, temporary construction noise impacts will be less than significant.
- XII e) **No Impact.** The project site is located approximately ten (10) miles from the Adelanto Airport. Therefore, the project will not expose people residing or working in the project area to excessive noise levels.
- XII f) **No Impact.** The project site is not located within two miles of a private airstrip. Therefore, the Project will not expose people residing or working in the project area to excessive noise levels.

Madole &amp; Associates

Project No: P201000079, TTM 18736

August, 2013

XIII. POPULATION AND HOUSING - Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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 could only generate up to ten (10) single-family residences. The construction of up to ten (10) additional single-family residences has the potential to generate only a minor increase in the number of new residents, which will not result in substantial population growth in the area.
- XIII b) **No Impact.** The project site is vacant, therefore there will be no displacement of a substantial numbers of existing housing units
- XIII c) **No Impact.** The project site is vacant, therefore there will be no displacement of a substantial numbers of people.

Madole &amp; Associates

Project No: P201000079, TTM 18736

August, 2013

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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**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 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.

*Fire Protection*

The San Bernardino County Fire Department has reviewed the project and has provided conditions of approval for building construction and operation. The construction of up to ten (10) single-family residential units will not significantly impact fire protection services.

*Police Protection*

The project site is served by the Victor Valley Station located at 11613 Bartlett Street in the City of Adelanto and has a substation located at 4050 Phelan Road which provides adequate police protection to the project site.

### Schools

The project site is located within the Snowline Joint Unified School District. The District is authorized by State law (Government Code § 65995-6) to levy a new residential construction fee per square foot of residential construction for the purpose of funding the reconstruction or construction of new school facilities. Pursuant to Section 65995(3) (h) of the California Government Code, the payment of statutory fees is “deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning use, or development of real property, or any change in governmental organization or reorganization as defined in Section 56021 or 56073, on the provision of adequate school facilities.” Therefore, the payment of school impact fees for future residential development would offset the potential impacts of increased student enrollment related to the implementation of the project.

### Parks

The payment of mandatory “In lieu” park fees will be paid for park and recreation facilities to serve the project, as required during the building permit process. Therefore, the project is not expected to result in the substantial physical deterioration of existing neighborhood and regional parks or recreational facilities.

### Other Public Facilities

The project has the potential to add up to ten (10) residential units consistent with the RL Zone. Therefore, the project would not induce new growth by extending infrastructure and locating a development into an outlying undeveloped area, thus affecting the ability of local service providers to provide service within acceptable service times or provide other public services.

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



Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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**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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?                       | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**SUBSTANTIATION**

- XV a) **Less Than Significant Impact.** This project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, because the impacts generated by the potential to add ten (10) residential units is considered minimal.
- XV b) **Less Than Significant Impact.** The 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 project's potential to add ten (10) residential units will not result in a substantially increased demand for recreational facilities.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>XVI. TRANSPORTATION/TRAFFIC - Would the project:</b>				
a) Conflict with an applicable plan, ordinance or policy Establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass Transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>

### SUBSTANTIATION

- XV a) **Less Than Significant Impact.** According to the County's Department of Public Works, the project will not generate more than 50 Peak Hour trips and thus a traffic study is not required. Because the project is forecast to generate less than 50 Peak Hour Trips it is not forecast to reduce the Level of Service on the surrounding street network.
- XV b) **Less Than Significant Impact.** Within San Bernardino County, the San Bernardino Associated Governments (SANBAG) was designated as the Congestion Management Agency (CMA). Through this program SANBAG can monitor regional transportation facilities and catalog their daily operating Levels of Service in an effort to identify existing travel

patterns and better plan for future transportation improvements in response to shifting travel patterns. According to the Congestion Management Program (CMP), there are no CMP roadways that are in close proximity to the project site. In addition, because the project is forecast to generate less than 50 Peak Hour Trips it is not forecast to reduce the Level of Service on the surrounding street network (including any CMP roadways).

- XV c) **Less Than Significant 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 because the project is not within the area of influence for the Adelanto Airport which is the closest airport to the site.
- XV d) **Less Than Significant Impact.** The project will not substantially increase hazards due to a design because the project is required to construct the proposed streets to County Standard #120 and improve the existing streets bordering the project site to Desert Road Standards. In addition, the existing roadways are wide enough to accommodate agricultural uses as well as regular vehicle traffic.
- XV e) **Less Than Significant Impact.** The project will not result in inadequate emergency access, because the project has sufficient access point from two or more directions.
- XV f) **No Impact.** The project will not conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., public transit, bicycle, or pedestrian facilities), because the project site is not located adjacent to a roadway that provides transit facilities. In addition, pedestrian and bicycles will be able to use the existing roadways for access.

Madole &amp; Associates

Project No: P201000079, TTM 18736

August, 2013

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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**

- XVI a) **No Impact.** The project does not generate any wastewater that will be treated at a wastewater treatment facility. Wastewater would be disposed of using a septic system. Prior to the issuance of building permits, the County of San Bernardino Environmental Health Services Department shall review and ensure that the septic system will meet waste discharge requirements. This is a mandatory requirement and not a Mitigation Measure.
- XVI b) **Less Than Significant Impact.** The project proposes to provide water from the Phelan Pinon Hills Community Services District. The only improvements to provide water to the site are local

pipeline connections to the existing water system.

- XVI c) **No Impact.** The proposed drainage improvements will intercept the storm water at Silver Ridge Drive and convey the flows northerly via culverts and will discharge into the northerly existing drainage courses. The County Public Works Department requires that adequate provisions should be made to intercept and conduct the tributary off site - on site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties at the time the site is developed. The potential to add up to ten (10) residential units is not expected to increase surface runoff to the extent that the construction of new storm water drainage facilities or expansion of existing facilities will be required.
- XVI d) **Less Than Significant Impact.** The project site is located within the Phelan Pinon Hills Community Services District. The District obtains its water from the Mojave River Groundwater Basin and the Mojave Water Agency manages the local groundwater supply to ensure its reliability. The Mojave River Groundwater Basin covers an area of approximately 1,400 square miles and has an estimated total water storage capacity of nearly 5 million acre-feet.

According to the *Phelan Pinon Hills 2010 Urban Water Master Plan*, the Mojave Water Agency estimates that the demands will increase by 10 percent during single-dry year and multi-year periods. The Mojave Water Agency plans on meeting 100 percent of their service area demands through 2035 in single-dry years and multiple-dry year periods with consistent local sources, State Water Project banking, and supply enhancement projects. Therefore, the project will have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed

- XVI e) **No Impact.** The Project will have no impact on wastewater facilities because each of the ten (10) parcels will be served by a septic system.
- XVI f) **Less Than Significant Impact.** The California Department of Resources Recovery and Recycling has identified waste disposal rates for a single-family residences on their webpage. The estimated waste generation rate for residential uses in this analysis is 12.23 pounds per household per day. Based on the potential to add up to ten (10) households this equates to 122.3 pounds per day x 365 days = 44,640 pounds per year or 22.3 tons per year.

The Landfills most likely to be used to dispose of the Project's solid waste are used are the Victorville Sanitary Landfill and the Barstow Sanitary Landfill. Information obtained from the CalRecycle webpage, operated by the California Department of Resources Recovery and Recycling, indicates each facility has the following capacity and closure dates:

**Table 3. Landfill Capacity**

Landfill	Daily Permitted Maximum Capacity	Remaining Capacity	Estimated Closure Date
Victorville	3,000 tons	765,096 cubic yards	Year 2047
Barstow	1,500 tons	924,401 cubic yards	Year 2071
Source; CalRecycle webpage accessed 2/25/2013			

Madole & Associates

Project No: P201000079, TTM 18736

August, 2013

The amount of waste generated by the project in comparison to available landfill capacity would be minor for both daily and yearly periods. Therefore, the project would not adversely affect the ability of existing landfills to meet projected demands.

- XVI g) **Less Than Significant Impact.** The project is required to comply with federal, state, and local statutes and regulations related to solid waste, therefore any impact will be less than significant in the event ten (10) residential units are constructed on the project site.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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**XVII. MANDATORY FINDINGS OF SIGNIFICANCE:**

- |  |                          |                                     |                                     |                          |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 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**

- XVII a) **Less Than Significant Impact With Mitigation Incorporated:** Based on the analysis contained in this Initial Study, impacts to Aesthetics, Agriculture and Forestry Resources, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, and Transportation and Traffic, are considered as having a less than significant or no impact on the environment.

The results of the Initial Study show that there are potentially significant impacts to Biological Resources. These impacts will be reduced to less than significant after incorporation of Mitigation Measures BIO-1 through BIO-3.

Therefore, the project does not 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, or eliminate important examples of the major periods of California history or prehistory.

- XVII 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 plans or regulations for the reduction of greenhouse gas emissions. Compliance with these regional plans serves to reduce impacts on a regional basis so that the Project will not produce impacts, that considered with the effects of other past, present, and probable future projects, will be cumulatively considerable.
- XVII c) **Less Than Significant Impact:** As discussed this Initial Study Checklist, the project would not expose persons to adverse impacts related to Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and water Quality, Land Use and Planning, Noise, Population and Housing, or Transportation/Traffic Hazards. These impacts were identified to have no impact or a less than significant impact.

## **XVIII. MITIGATION MEASURES**

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

**SELF MONITORING MITIGATION MEASURES:** (Condition compliance will be verified by existing procedure): None

### **Mitigation Measures**

#### **Mitigation Measure BIO-1: Le Conte's Thrasher**

***BIO-1: The property owner shall submit for review and approval an avian breeding survey, conducted by a County qualified biologist, if any land disturbing activity of grading is planned to occur between March 15 and August 15 on any lot. This is required to be conducted within thirty (30) days prior to any construction activities involving ground disturbing activities. If active nests are located, no ground disturbing activity shall take place within 300 feet of an active nest. If no such breeding or nesting activities are detected construction activities may proceed and if such active nests are located, work activity shall be delayed until the young birds have fledged and left the nest. These requirements shall be noted on the Composite Development Plan.***

#### **Mitigation Measure BIO-2: Burrowing Owl**

***BIO-2: Utilizing accepted protocols, within 30 days prior to establishment of the, a pre-construction survey must be conducted for the Burrowing Owl by a qualified biologist. This requirement shall be noted on the Composite Development Plan.***



**Mitigation Measure BIO-3: Desert Tortoise**

***BIO-3: Pre-construction surveys the desert tortoise shall be conducted prior to the commencement of Project-related ground disturbance. Appropriate survey methods and timeframes shall be established, to ensure that chances of detecting the target species are maximized. In the event that desert tortoise are encountered, authorization from the USFWS and CDFW must be obtained. Pre-construction surveys shall encompass all areas within the potential footprint of disturbance, as well as all other areas controlled by the property owner. These requirements shall be noted on the Composite Development Plan.***

**GENERAL REFERENCES:**

CEQA Guidelines, Appendix G

County of San Bernardino Development Code, 2007.

County of San Bernardino General Plan, 2007.

County of San Bernardino Hazard Overlay Maps.

Department of Toxic Substances Control ENVIRSTOR website accessed February, 2013.

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

State of California, Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program.

**PROJECT SPECIFIC REFERENCES:**

RCA Associates, LLC: General Biological Resources Assessment, June 13, 2012.

Madole & Associates: Preliminary Drainage Study, December 8, 2008.