



# LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

**HEARING DATE: February 20, 2020**

**AGENDA ITEM # 3**

Project Description:

**APNs:** 0542-131-54  
**Applicant:** Ravinder S. Grewal  
**Community:** Baker/1st Supervisorial District  
**Location:** 45101 Afton Canyon Road  
**Project No.:** P201600525  
**Staff:** Reuben J. Arceo, Contract Planner  
**Rep.:** N/A  
**Proposal:** A) General Plan Amendment to change the Land Use District on seven (7) acres of a 60.41 acre parcel from Resource Conservation (RC) to Rural Commercial (CR).  
 B) Tentative Parcel Map No. 19938 to create three (3) parcels.  
 C) Conditional Use Permit to develop a Truck Stop Center, consisting of a 7,300 square-foot retail market and fast food restaurant, and a 3,570 square-foot automotive repair shop, impound yard, and vehicle and truck fueling stations on seven (7) acres.



**12 Hearing Notices Sent On: February 6, 2020**

**Report Prepared By: Reuben J. Arceo**

**SITE INFORMATION**

Parcel Size: 7 Acres  
 Terrain: Desert, gently sloping to the southwest  
 Vegetation: Sparse Desert vegetation

**TABLE 1 – SITE AND SURROUNDING LAND USES AND ZONING:**

AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT
Site	Vacant undeveloped	Resource Conservation (RC)
North	Vacant undeveloped	Resource Conservation (RC)
South	Vacant undeveloped	Resource Conservation (RC)
East	Vacant undeveloped	Resource Conservation (RC)
West	Vacant undeveloped	Resource Conservation (RC)

	<u>Agency</u>	<u>Comment</u>
City Sphere of	N/A	N/A
Water Service:	Environmental Health Services	On-site Well
Sewer Service:	Environmental Health Services	Private on-site septic system

**STAFF RECOMMENDATION:** That the Planning Commission **RECOMMEND** that the Board of Supervisors **ADOPT** the Mitigated Negative Declaration, **ADOPT** the General Plan Amendment, **APPROVE** Tentative Parcel Map No. 19938, subject to the Conditions of Approval, **APPROVE** the Conditional Use Permit (CUP), subject to the Conditions of Approval, **ADOPT** the proposed Findings, and **FILE** the Notice of Determination<sup>1</sup>.

<sup>1</sup> In accordance with Section 86.12.040 of the Development Code, the Planning Commission action is a recommendation to the Board of Supervisors and may only be appealed by the applicant in the event of disapproval.

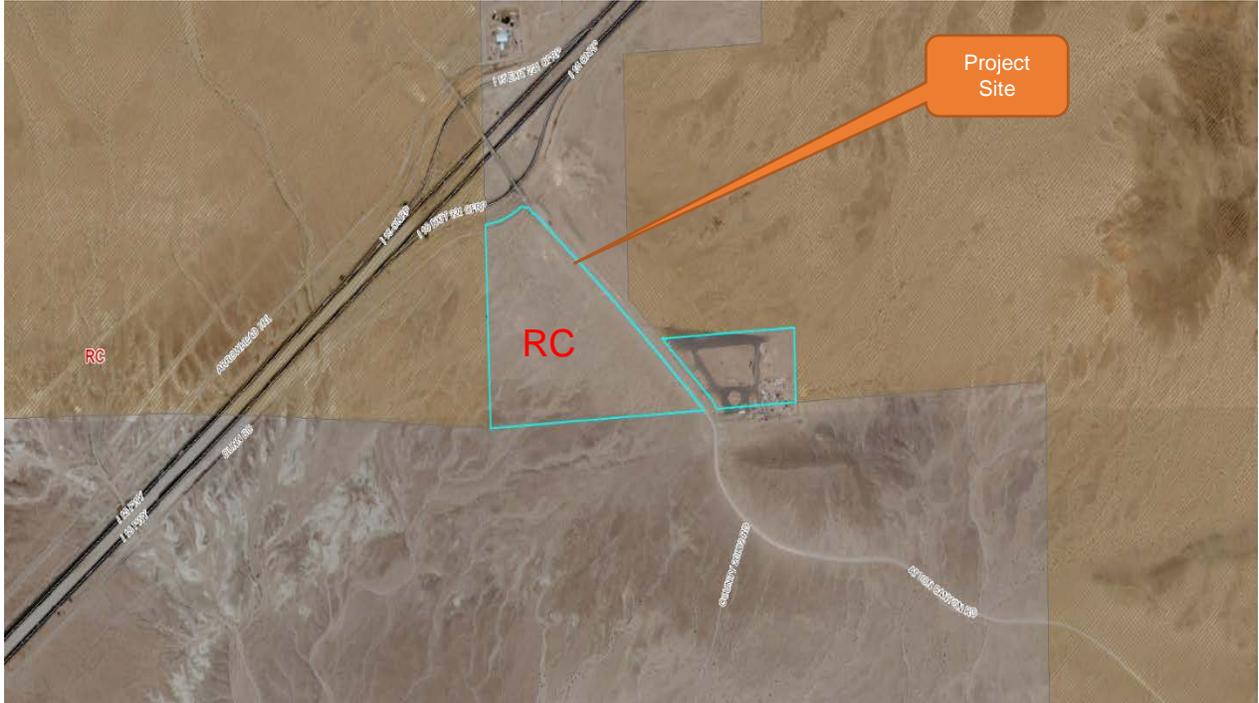
## VICINITY MAP Project Site



**Figure 1**  
Aerial  
Project Site



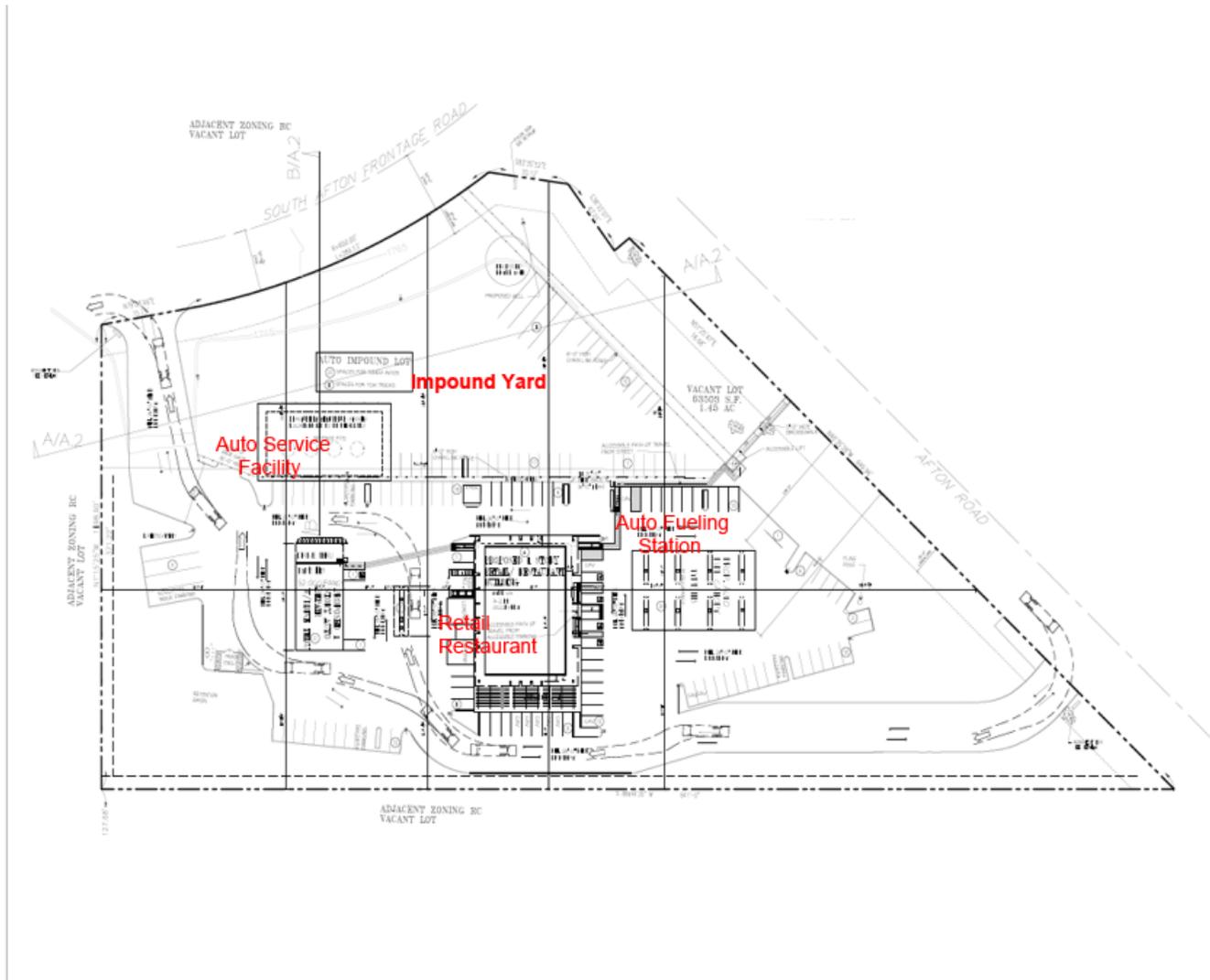
**Figure 2**  
Existing Land Use District  
Resource Conservation (RC)



**Figure 3**  
Proposed Land Use District  
Rural Commercial (CR)



**Figure 4**  
**Site Plan**  
Proposed Operation: Convenience Store, Fueling Station  
Impound yard



**Figure 5**  
Site Photos

West View



East View



Northwest View

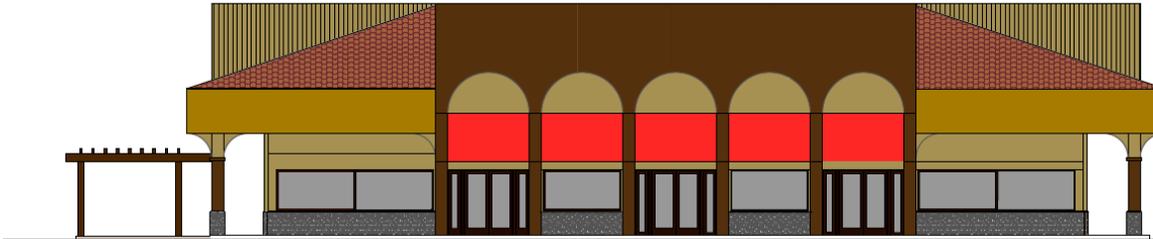


North East View along Afton Canyon Road

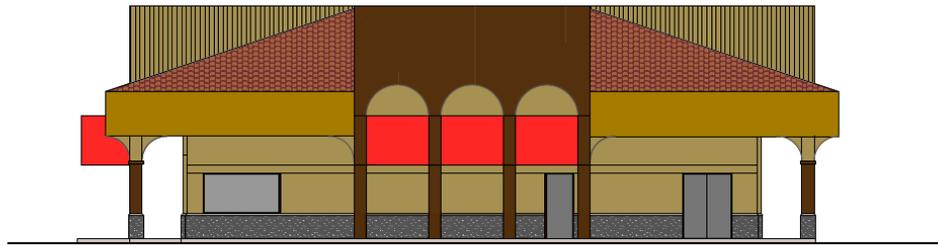




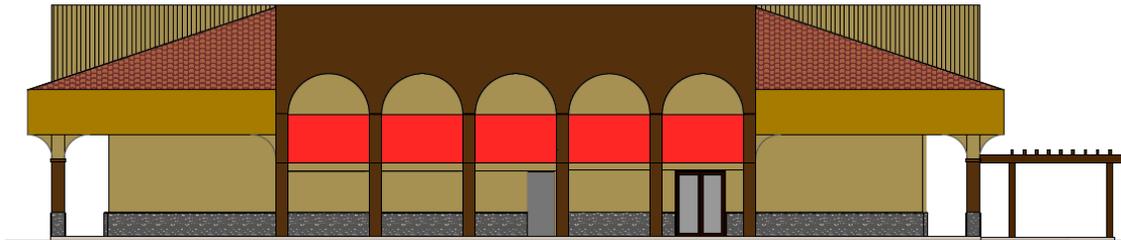
**Figure 7**  
Building Elevations



FRONT (EAST) ELEVATION



RIGHT SIDE (SOUTH) ELEVATION



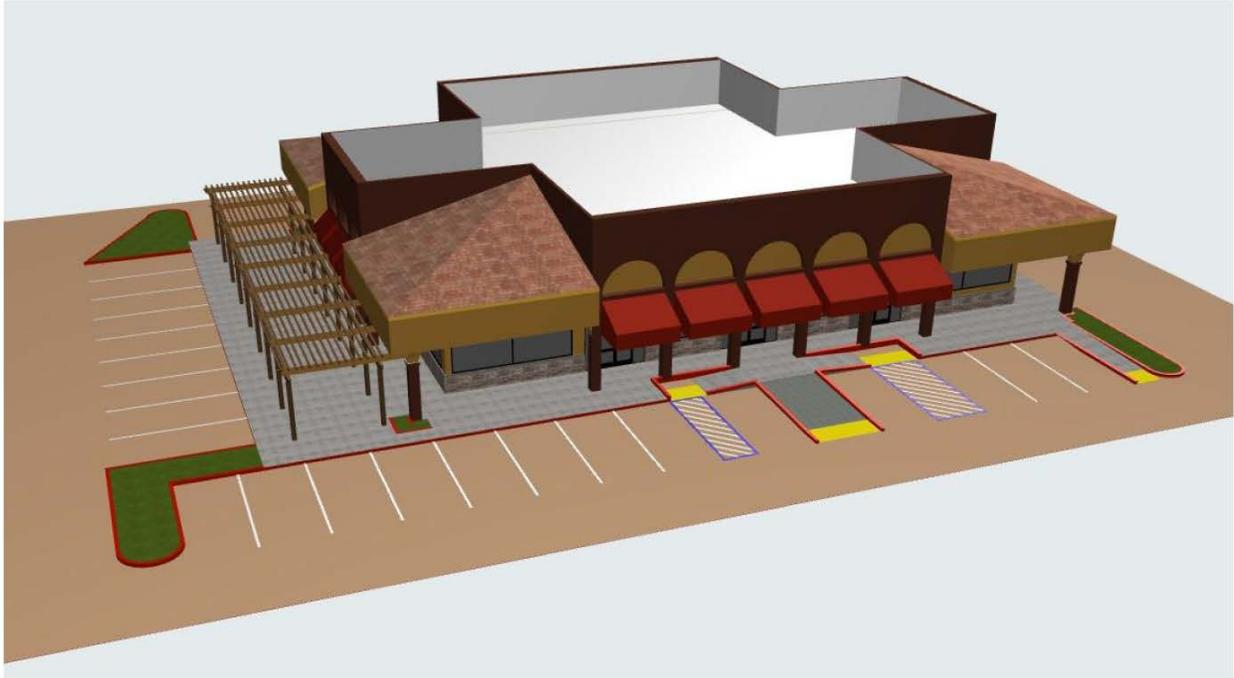
REAR (WEST) ELEVATION



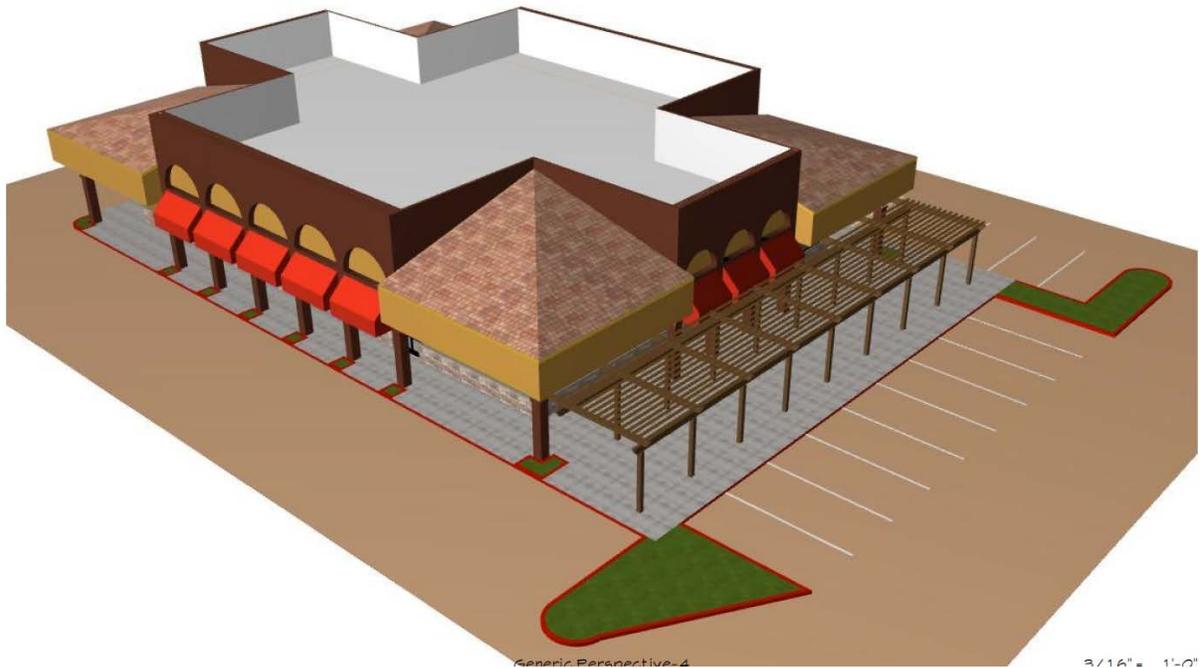
LEFT SIDE (NORTH) ELEVATION

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**Front Elevation Perspective**



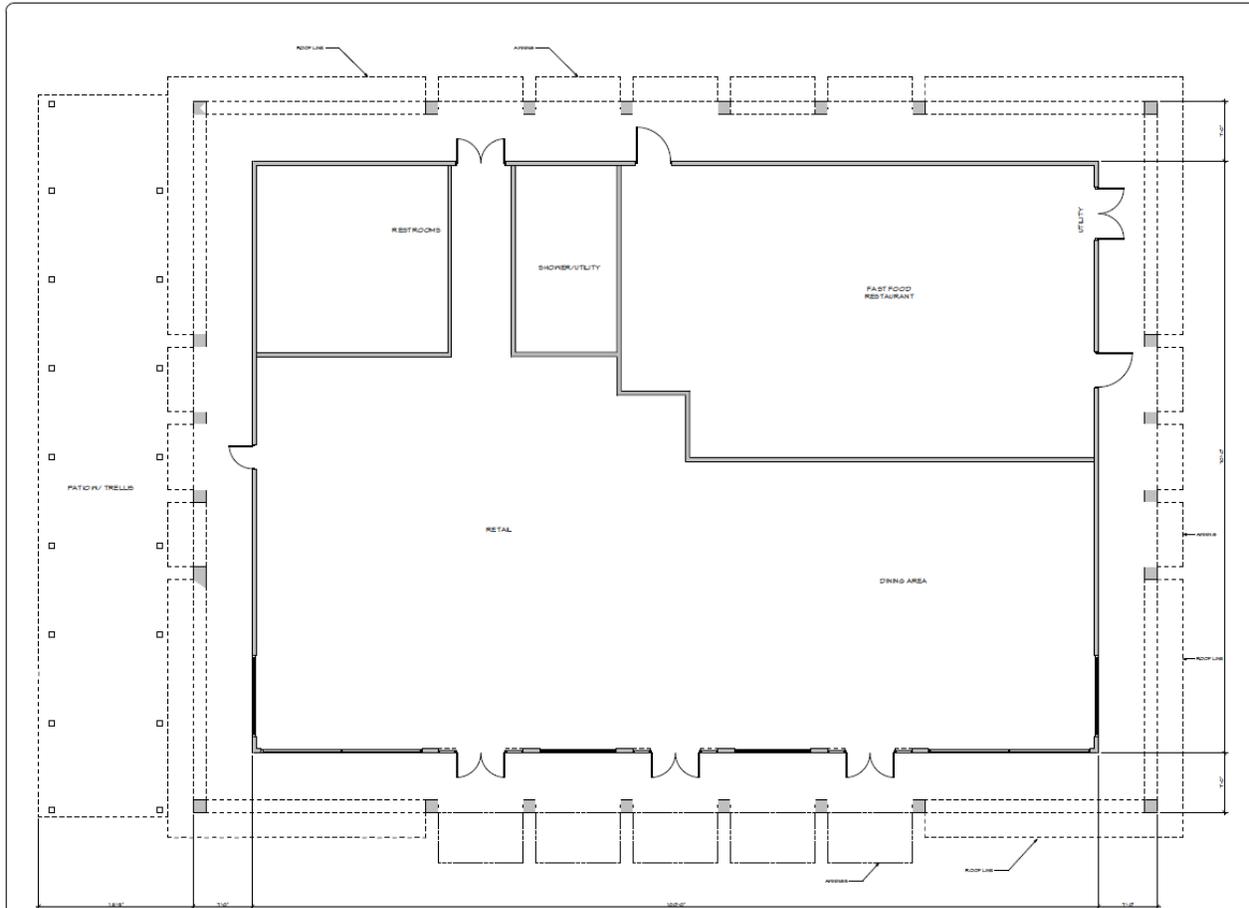
**Rear West Elevation Perspective**



Generic Perspective-4

3/16" = 1'-0"

**Figure 8**  
Building Floor Plan



## **PROJECT DESCRIPTION:**

The applicant is proposing to develop a Truck Stop Center consisting of a retail market, a fast food restaurant, and an automotive repair operation, impound yard, and vehicle and truck fueling stations located on approximately seven (7) acres, which includes the consideration of a number of entitlements (collectively Project):

- **General Plan Amendment:** To change the Land Use District from Resource Conservation (RC) to Rural Commercial (CR) on approximately seven acres of a 60.41-acre parcel.
- **Conditional Use Permit:** To permit the development of a truck stop, automotive repair operation, impound yard, fueling station, retail market and fast food restaurant.
- **Tentative Parcel Map.** Tentative Parcel Map 19938 to create the seven acre portion encompassing the Project and rezone the site to Rural Commercial. The Applicant proposes to create three lots. The remainder 53.41 acres, will maintain its current RC zoning designation and will remain undeveloped at this time.

The retail market and 75-seat restaurant use will operate within a 7,300 square foot, one-story building as shown in the Figure 7 floor Plan. A separate 3,570 square foot building will contain the two-bay auto service use with towing office and drive through. Two fueling stations will service both autos and trucks. The truck fueling station contains one pump and two nozzles, whereas the auto fueling station contains 16 pump stations and 32 fueling nozzles.

The vacant Project site is located at 45101 Afton Canyon Road, approximately 15 miles north east of Yermo and 22 miles south west of Baker. The Project is located along the I-15 Freeway, south of Afton Canyon Road interchange exit No. 221. Afton and Dunn Road provide direct access to the site. Both roads are currently unimproved.

## **PROJECT ANALYSIS:**

### **General Plan Amendment (GPA):**

There are currently no existing commercially zoned centers along the I-15 Freeway within approximately three to five miles of the site except for an existing commercial store formerly known as Jimbo's Bar and Grill located north of Dunn Road. There are no arterial or collector street systems or commercially or residential zoned properties within the vicinity of the site, and consequently the proposed use is entirely dependent on the I-15 Freeway for its customer base.

### ***Purpose***

The description of the Rural Commercial (CR) Land Use Zoning District in the County General Plan states the following and encourages sites in rural areas where a range of

commercial service intermixed with residential uses can be established that are limited in scope and intensity and meet the needs of the remote population and the traveling public:

***Locational Criteria of CR District***

- Rural areas that have a low concentration of population not exceeding 500 persons per square mile.
- Areas along major remote thoroughfares.
- Areas where a mixture of uses can coexist without conflict and there is no need to use multiple commercial districts to separate land uses.
- Areas where there is not a competing commercial core.
- Areas not within any city sphere of influence.

The Project represents a commercial/retail and service center that is able to maximize the locational benefits of lying adjacent to a state highway. Located along a state highway, it does not conflict with commercial or residential uses along this arterial, as there are no currently zoned retail or commercial sites in the vicinity. The Project will provide a needed vehicle and retail resting center along the state highway.

**Conditional Use Permit (CUP):**

The retail use will include a Type 21 liquor license for the off-sale of beer, wine and distilled spirits. Tobacco and propane will also be sold. The market/restaurant store, truck and auto fueling stations will be operate 24 hours a day, seven days a week. An estimated four employees per shift will man the restaurant and one employee for the market. The auto repair use will employ two persons and operate from 9 AM to 10 PM, except for towing, which will operate 24 hours with two towing drivers on standby. The unstriped vehicle impound area is intended to store approximately 130 cars and trucks. The impound gravel lined area is enclosed by a six (6) foot high chain link fence, and ranges between 25 feet to 35 feet below grade from Afton Road. Two Entry gates located along the south fencing provide vehicular ingress and egress into the compound.

One delivery of merchandise is proposed per day and three to four deliveries of gas per week, depending on sales. The site contains no utility services except for electricity and water. Water will be provided through means of a well and water tank. The tank will be approximately 100,000 gallon size with final size to be determined by County Fire Department as it will be used for firefighting, with the smaller tank holding approximately 5,000 gallons for domestic use. Natural gas services will be supplied by an independent propane supplier. All facilities are on septic systems, as there are no sewer utility services available.

***Project Consistency with General Plan and Zoning Requirements***

The Project as noted in Table 1 meets or exceeds the development standards for the Rural Commercial District.

**Table 1: Development Standards**

<b>Development Standards Rural Commercial (CR)</b>	<b>Required</b>	<b>Project Design Parameters Provided</b>
Setbacks	Front 25' Side –Street 25' Side Interior 25' Rear 10'	280' 150' N/A 90'
Landscaping	20%	35%
Building Height	35'	29'
Parking	50	101 stalls
Lot Coverage Permitted	80%	Provided 6%

***Public Improvements***

Access to the site is via Afton and Dunn Road, both of which are currently unimproved. Improvements will be phased concurrently with building construction to ensure adequate public road, drainage improvements and fire access. The initial development of the Project site will require public street improvements adjoining the Project on Dunn and Afton Roads, containing a minimum of 26' wide paved road section, AC dikes and driveway approaches within a 40' Right-of-Way.

***Site Design and Building Characteristics/Features***

As shown in Figure 3, two forty (40) foot wide driveway approaches provide ingress and egress for vehicles and trucks off Afton Road and Dunn Road. Vehicles entering the site will encounter a grade differential of approximately 25 to 30 feet off Afton and Dunn Road. As shown in the line of sight elevations in Figure 8, the grade differential helps screen the auto impound lot from Afton Road. Landscaped slopes will also help screen the impound yard. The Project will include 103 parking spaces, including four truck parking stalls and two loading areas as per the County Development Code and five handicap parking stalls.

**Tentative Parcel Map (TPM) 19938:**

The applicant has filed a tentative parcel map to create three parcels. The County Assessor’s Map denotes the 60.41 acres site as one parcel even though the lot is split by Afton Road. Both east and west portions are connected. The three subdivided parcels are consistent with the County Development Code both in width and depth as the minimum lot area for parcels in the CR Zone Desert Region is 2.5 acres.

**Environmental Issues:**

***Traffic impacts***

The Project is anticipated to generate a total of 2,400 daily trips, including 238 trips during the Friday peak hour and 240 trips during the Sunday peak hour. Per the traffic analysis,

existing and proposed Project traffic conditions are projected to operate at an acceptable level of service during the peak hours. Caltrans, in its letter dated August 15, 2019 (attached as Exhibit A), cites that the applicant shall pay his fair share towards the needed improvements for the opening year 2021 and had no further review of the Project's traffic impacts study. The traffic impact analysis has determined that the Project will not result in an adverse effect on the surrounding street system with the implementation of specific mitigation measures, as follows:

- The installation of a traffic signal
- Implementation of a roundabout
- Fair share Improvement costs
  - Signalization \$400,000 per intersection
  - Roundabout \$150,000 per intersection
  - The proposed Project's fair share improvements for the buildout year (2040) for the installation of signals at both ramps is \$215,536.12

### ***Desert Tortoise and Biological Resources Assessments***

A general biological resources assessment was conducted to evaluate the presence of potential habitat for sensitive species known to occur in the area. In addition, a focused survey was performed to evaluate impacts to the Desert Tortoise, an endangered and federally protected species. The Field biologist performed the surveys following the standard survey protocol for the listed species as required by the California Department of Fish and Wildlife (CDFW) and the US Fish and Wildlife Service (USFWS). The biological assessment concluded that the Project will not result in impacts to the Desert tortoise or the Burrowing Owl and no mitigation measures are recommended.

### ***AB-52 and SB-18 Tribal Consultation***

A Cultural Resources Survey determined that the Project site area was negative for cultural resource. Consequently the report cites that no further archaeological work is recommended, as no cultural resources will be impacted by the Project.

As the Project involves a GPA, consultation letters were mailed to the California Native American Heritage Commission. Tribal consultation letters were also mailed to several Tribes, whose territories lie within the Project area. Responses were received from the Morongo and San Manuel Band of Mission Indians. The San Manuel Band of Mission Indians requested on-site testing. Six on-site test pits were completed utilizing shovels to a depth of approximately three feet and auger depths to approximately 10 feet. No resources were identified and a copy of the report was provided to the San Manuel Tribe. The San Manuel Tribal representative did not recommend any further field work or monitoring during construction for the project.

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**CALIFORNIA ENVIRONMENTAL QUALITY ACT:**

An independent Initial Study/Mitigated Negative Declaration (IS/MND) has been completed for the Project (Exhibit B) in compliance with the California Environmental Quality Act (CEQA). The IS/MND was circulated for the required 20 day comment and review period. No public comments were received that challenged the determination outlined in the IS/MND. In addition to the items discussed above, the mitigation measures will ensure construction and operation impacts associated with the Project will not have a significant impact on the environment. Therefore, a Mitigated Negative Declaration is recommended along with approval of the Project.

**PUBLIC COMMENTS:**

No comment or objection letters have been received regarding the Project.

**RECOMMENDATION:**

That the Planning Commission **RECOMMEND** that the Board of Supervisors:

1. **ADOPT** the Mitigated Negative Declaration;
2. **ADOPT** the General Plan Amendment to change the Land Use District from Resource Conservation (RC) to Rural Commercial (CR) on seven (7) acres;
3. **APPROVE** the Conditional Use Permit to develop a Truck Stop Center, consisting of a 7,300 square-foot retail market and fast food restaurant, and a 3,570 square-foot automotive repair shop, impound yard, and vehicle and truck fueling stations on seven (7) acres, subject to the Conditions of Approval (Exhibit C);
4. **APPROVE** Tentative Parcel Map 19938 to create three parcels on 60.41 acres, subject to the Conditions of Approval (Exhibit D);
5. **ADOPT** the Findings as contained in the Staff Report (Exhibit E); and
6. **DIRECT** the Clerk to file the Notice of Determination.

**ATTACHMENTS:**

- Exhibit A: Caltrans August 15, 2019 letter
- Exhibit B: Initial Study/Mitigated Negative Declaration and Addendum
- Exhibit C: CUP Conditions of Approval
- Exhibit D: TPM Conditions of Approval
- Exhibit E: Findings
- Exhibit F: CUP Site Plan
- Exhibit G: TPM 19938

# **EXHIBIT A**

## **Caltrans August 15, 2019 letter**

**DEPARTMENT OF TRANSPORTATION**

OFFICE OF LOCAL DEVELOPMENT-INTERGOVERNMENTAL REVIEW

DISTRICT 8, PLANNING

464 W. 4<sup>TH</sup> STREET, 6<sup>TH</sup> FLOOR MS-725

SAN BERNARDINO, CA 92401

PHONE (909) 806-3923

TTY 711

www.dot.ca.gov/dist8

*Making Conservation  
a California Way of Life.*

August 15, 2019

File: 08-SBd-15-PM R111.5

Cross Street: Afton Road

Case No: P201600525

Mr. Reuben Arceo  
Land Use Services Department  
County of San Bernardino  
385 N. Arrowhead Avenue, 1<sup>st</sup> Floor  
San Bernardino, CA 92415-0182

Response to Comments/Revised Traffic Impact Analysis,  
Truck Stop Facility

Dear Mr. Arceo

The California Department of Transportation (Caltrans) has completed the review of the Response to Comment and the Revised Traffic Impact Study submitted for a truck facility project, proposed at the southwest corner of Afton Road and Country Road, south of Interstate-15 (I-15), in the County of San Bernardino. This project proposes to develop a one stop building for retail services to include an office, fast food restaurant and a retail/lounge area, a one-story auto repair building with two bays, an auto fuel canopy with 16 fueling stations, and a truck fueling canopy with two fueling stations (APN: 542-131-54).

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when a proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act, it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the County of San Bernardino, due to the project's potential impact to the State facilities, it is also subject to the policies and regulations that govern the SHS.

Your response to our comment letter along with the Revised Traffic Impact Analysis was reviewed by Traffic Operations Functional Unit, with no comments made recommending corrections or revisions. We recommend that the applicant pay their fair share towards the needed improvements for the opening year 2021, as specified in the Traffic Impact Analysis. No further review by this Office is considered necessary at this time.

Mr. Reuben Arceo  
August 15, 2019  
Page 2

However, if future conditions change and an encroachment into State Right-of-Way is undertaken at time of development, issuance of a Caltrans Encroachment Permit will be required. For information regarding the Encroachment Permit application and submittal requirements, contact:

Caltrans Office of Encroachment Permits  
464 West 4<sup>th</sup> Street, Basement, MS 619  
San Bernardino, CA 92401-1400  
(909) 383-4526

<http://www.dot.ca.gov/hq/traffops/developserv/permits/>

These comments result from a review of your Response to IGR Comment Letter and a Revised TIA provided for our evaluation. If this project is later modified in any way, please forward copies of revised plans as necessary so that we may evaluate all proposed changes for potential impacts to the SHS. If you have any questions regarding this letter, please contact Jacob Mathew at (909) 806-3928 or me at (909) 806-3923.

Sincerely,



ROSA F. CLARK  
Office Chief  
Local Development-Intergovernmental Review (LD-IGR)

## **EXHIBIT B**

### **Initial Study/Mitigated Negative Declaration and Addendum**

**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>	0542-131-54
<b>APPLICANT:</b>	Ravinder Grewal (Happy Highway Inc.)
<b>COMMUNITY:</b>	Baker
<b>LOCATION:</b>	Adjacent to the I-15 north Afton Road off-ramp, at the intersection of Afton Road
<b>PROJECT NO:</b>	P201600525
<b>STAFF:</b>	Reuben Arceo, Planner
<b>REP(S):</b>	N.G. Patel Architects Inc.
<b>PROPOSAL:</b>	A General Plan Amendment to change the land use zoning district from Resource Conservation (RC) to Rural Commercial (CR) for a 7 acre portion of a 60.41 acre site; Conditional Use Permit to construct and operate a mini-truck stop, impound lot, market and restaurant building, and auto repair service shop with towing service; and subdivide the 60.41 acre site into three (3) parcels and Parcel Map No. 19938 to create three parcels.

**USGS Quad:** Dunn

**T, R, Section:** T: 11N R: 5E      **Sec:** 1

**Thomas Bros.:** Page 350, Grid: A-5

**Planning Area:** Baker  
**Land Use Zoning:** RC (Resource Conservation)

**Overlays:** Burrowing Owl/Desert Tortoise Overlays & AR4

**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:** Reuben Arceo, Contract Planner,  
**Phone No:** (909) 387-4387 Fax No.: (909) 387-3223  
**E-mail:** reuben.arceo@lus.sbcounty.gov

**Project Sponsor:** Ravinder Grewal (Happy Highway Inc.)  
72363 Baker Blvd.  
Baker CA 92309  
**Phone No:** 760-733-4505

**PROJECT DESCRIPTION:**

The Project consists of the following components:

**General Plan/Zoning Map Amendment**

Change the land use zoning district from Resource Conservation (RC) to Rural Commercial (CR) for a 7 acre portion of the overall 60.41 acre site.

**Conditional Use Permit**

Exhibit 2

Construct and operate the following:

- 7,300 square foot market/restaurant building.
- 3,570 square foot auto service with towing office.
- 6,912 square foot fueling canopy with 8 fueling islands.
- 480 square foot truck canopy/mini-truck stop.
- Impound lot.

**Tentative Parcel Map**  
**Exhibit 3**

Subdivide the 60.41 acre parcel into three (3) parcels as follows:

- Parcel 1. 7 acres to accommodate the development footprint proposed by the Conditional Use Permit described above.
- Parcel 2: 37.39 acres. No development proposed.
- Parcel 3: 37.39 acres. No development proposed.

***Roadway Improvements***

The Project proposes the following roadway improvements adjacent to Parcel 1:

**Dunn Road (Local – 60')**

- **Street Improvements.** Design AC Dike with match up paving 18 feet from centerline with a minimum 26 ft. paved road section within a 40 foot right-of-way.
- **Curb Return Dedication.** A 20 foot radius return grant of easement is required at the intersection of Dunn Road and Afton Canyon Road.
- **Driveway Approach.** Design driveway approach per San Bernardino County Standard 129B, and located per San Bernardino County Standard 130.

**Afton Canyon Road (Local – 60')**

- **Street Improvements.** Design AC Dike with match up paving 18 feet from centerline with a minimum 26 ft. paved road section within a 40 foot right-of-way.
- **Driveway Approach.** Design driveway approach per San Bernardino County Standard 129B, and located per San Bernardino County Standard 130.

***Drainage Improvements***

.Construct on-site infiltration basin via curb and gutter on the southwest corner of the Project site.

**Water and Wastewater Improvements**

A new water well and tank are proposed to provide water service.

A new septic system is proposed to provide wastewater treatment.

Construction Duration

Project construction is anticipated to occur over an approximately 9-month period.

**ENVIRONMENTAL/EXISTING SITE CONDITIONS:**

CEQA Guidelines §15125 establishes requirements for defining the environmental setting to which the environmental effects of a proposed project must be compared. The environmental setting is defined as "...the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation is published, or if no Notice of Preparation is published, at the time the environmental analysis is commenced..." (CEQA Guidelines §15125[a]).

The Project does not require the preparation of an Environmental Impact Report and a Notice of Preparation is not required. Thus, the environmental setting for the Project is the approximate date that the Project's Initial Study Checklist commenced in March, 2018.

The proposed Project site is adjacent to the I-15 north Afton Road off-ramp, at the intersection of Afton Road and County Road (Dunn Road). The property supports a native plant community primarily composed of creosote bush, white bursage, desert holly, and flowering annuals. The USGS Dunn, CA Quadrangle does not show any blueline channels on the property. Surrounding land uses and Land Use/Overlay districts are shown in Table 1.

**Table 1. Existing Land Use and Land Use/Overlay Districts**

AREA	EXISTING LAND USE	LAND USE DISTRICT	OVERLAY DISTRICT
Site	Vacant land.	RC (Resource Conservation)	AR4 (Airport Safety Review Area 4)
North	Vacant land followed by I-15	RC (Resource Conservation)	AR4 (Airport Safety Review Area 4)
South	Vacant land	RC (Resource Conservation)	AR4 (Airport Safety Review Area 4)
East	Vacant land and outdoor storage	RC (Resource Conservation)	AR4 (Airport Safety Review Area 4)
West	Vacant land	RC (Resource Conservation)	AR4 (Airport Safety Review Area 4)

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

Federal: None.

State of California: Lahontan Water Board.

County of San Bernardino: Land Use Services Department-Building and Safety; Geologist, Public Health-Environmental Health Services, Special Districts, and Land Development Public Works: Surveyor, Traffic, Solid Waste Management, HazMat.

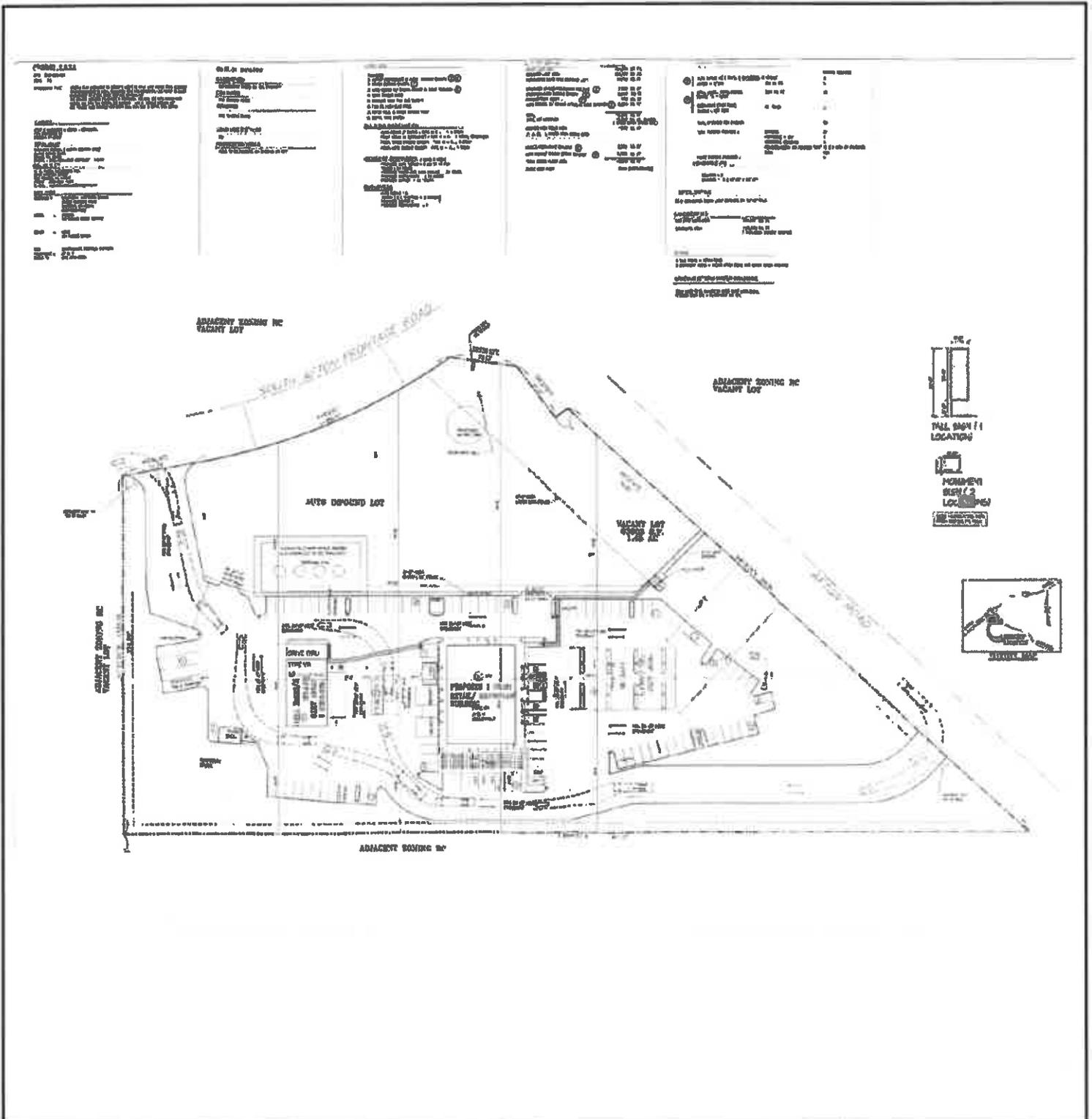
Regional: Mojave Desert Air Quality Management District.

Local: San Bernardino County Fire Department.



**Location Map/Aerial Photo**

**Exhibit 1**



Site Plan

Exhibit 2



**EVALUATION FORMAT**

This initial study is prepared in compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of an Initial Study is guided by Section 15063 of the State CEQA Guidelines. This format of the study is presented as follows. The project is evaluated based 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 Impact With Mitigation Incorporated	Less than Significant Impact	No Impact
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Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

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

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

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

**Because none of the environmental factors above are "checked", the Project does not require the preparation of an Environmental Impact Report.**

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

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

<input type="checkbox"/>	The proposed project <b>COULD NOT</b> have a significant effect on the environment, and a <b>NEGATIVE DECLARATION</b> shall be prepared.
<input checked="" type="checkbox"/>	Although the proposed project could have a significant effect on the environment, there shall not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A <b>MITIGATED NEGATIVE DECLARATION</b> shall be prepared.
<input type="checkbox"/>	The proposed project <b>MAY</b> have a significant effect on the environment, and an <b>ENVIRONMENTAL IMPACT REPORT</b> is required.
<input type="checkbox"/>	The proposed project <b>MAY</b> 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 <b>ENVIRONMENTAL IMPACT REPORT</b> is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or <b>NEGATIVE DECLARATION</b> pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or <b>NEGATIVE DECLARATION</b> , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: Reuben Arceo, Planner

Date

11/25/2019

Signature: David Prusch, Supervising Planner

Date

11/25/2019

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
<b>I. AESTHETICS - Except as provided in Public Resources Code Section 21099, would the project</b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>SUBSTANTIATION</b>	(Check <input type="checkbox"/> if project is located within the view-shed of any Scenic Route listed in the General Plan):			

la) **Less Than Significant Impact.** County of San Bernardino 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 hills located approximately 1 mile east of the Project site meet the criteria of a scenic vista pursuant to County of San Bernardino General Plan Open Space Element Policy OS 5.1.

The public views of this feature are from the public right-of-way of Dunn Road and Afton Canyon Road adjacent to the Project site. Public views of the hills will not be impacted because the proposed structures (convenience store and gas station canopy) only cover approximately 0.6% of the site and the structure height is restricted to a maximum height of 35 feet by the Development Code.

Based on the analysis above, public views of the hills north and southeast will not be impacted and the Project will have a less than significant impact on a scenic vista.

- lb) **No Impact.** According to the California Department of Transportation, I-15 adjacent to the Project site is designated as "Eligible for Scenic Designation" but is not considered a State Scenic Highway absent an official designation as such. However, according to the County of San Bernardino General Plan, Interstate 15 from the junction with Interstate 215 northeast to the Nevada state line, with some exceptions, is considered to be a County Scenic Route. (General Plan p. VI -16). The Project site does not contain any scenic resources, trees, rock outcroppings, or historic buildings. As such, the Project will not have an impact on such resources within a County Scenic Route.
- lc) **Less than Significant Impact.** According to the Census 2010 Urbanized Area Outline Maps, the Project site is not located within an Urbanized Area. 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.

The Project site is in an area largely characterized by desert vacant and a commercial facility to the north of I-15. The Project site is proposed for commercial development and will consist of a market/restaurant building; auto service with towing office; fueling canopy with 8 fueling islands; truck canopy/mini-truck stop; and an impound lot. This type of development will not be visually incompatible or visually unexpected for a site adjacent to freeway ramp along I-15 in the desert region. As such, impacts are less than significant.

- ld) **Less Than Significant Impact.** The 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 onsite lighting is required to be fully shielded to prevent light trespass. The standards listed in Chapter 83.07-Glare and Outdoor Lighting of the Development Code ensure that any impact caused by outdoor lighting and glare is reduced to a level below significance.

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

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

- IIa) **No Impact.** The site does not contain any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as mapped by the State Department of Conservation Farmland Mapping and Monitoring Program. As such, the Project has no potential to convert such lands to a non-agricultural use and no impact would occur.
- IIb) **No Impact.** Generally, a conflict with existing zoning for agriculture use would occur if a project would intrude into agricultural areas and create conflicts between agriculture uses and non-agriculture uses. The Project site's land use designation is RC (Resource Conservation). The Project proposes to change the land use designation to CR (Rural Commercial) which is a land use designation intended

for commercial development and not agricultural use. There are no agricultural uses on the Project site. As such, there is no impact with respect to conflicting with agricultural zoning...

Pursuant to the California Land Conservation Act of 1965, a Williamson Act Contract enables private landowners to voluntarily enter into contracts with local governments for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive lower property tax assessments based upon farming and open space uses as opposed to full market value. The Project site is not under a Williamson Act Contract. As such, there is no impact with respect to a Williamson Act Contract.

- IIc) **No Impact.** The Project site's land use designation RC (Resource Conservation). The Project proposes to change the land use designation to CR (Rural Commercial). The Project site does not contain any forest lands, timberland, or timberland zoned as Timberland Production, nor are any forest lands or timberlands located on or nearby the Project site. Because no lands on the Project site are zoned for forestland or timberland, the Project has no potential to impact such zoning.
- IIId) **No Impact.** The Project site and surrounding properties do not contain forest lands, are not zoned for forest lands, nor are they identified as containing forest resources by the General Plan. Because forest land is not present on the Project site or in the immediate vicinity of the Project site, the proposed Project has no potential to result in the loss of forest land or the conversion of forest land to non-forest use.
- IIe) **No Impact.** The Project site is located in an area largely characterized by vacant desert land with sparse development. The site is mostly cleared and supports a highly disturbed desert scrub community with a limited number of plant species on the site. There is no agricultural activity occurring on the Project site or the nearby surrounding properties.

Based on the analysis above, the Project would not result in conversion of Farmland to non-agricultural use or forest land to non-forest use and no impacts would occur.

ISSUES	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorp.	Less than Significant Impact	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) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

The following analysis is based in part on the *Air Quality/Greenhouse Gas Study*, Birdseye Planning Group, May, 2016, (Appendix A).

The Project Site is located in the Mojave Desert Air Basin The Mojave Desert Air Quality Management District has jurisdiction over air quality issues and regulations within the Mojave Desert Air Basin. To assist local agencies to determine if a project's emissions could pose a significant threat to air quality, the Mojave Desert Air Quality Management District has prepared *the California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, August 2016*. The air and dust emissions from the operational use of the Project were evaluated and compared to the Mojave Desert Air Quality Management District standards and evaluated against the most recent thresholds applicable.

III a) **Less than Significant Impact.** The Mojave Desert Air Quality Management District ("District") is responsible for preparing and updating an Air Quality Management Plan. The primary purpose of an Air Quality Management Plan is for controlling emissions to maintain all federal and state ambient air standards for the District. The District has adopted a variety of attainment plans for a variety of non-attainment pollutants which together comprise the Air Quality Management Plan for the District.

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

increases the number of trips, and/or increases the overall vehicle miles traveled in an affected area (relative to the applicable land use plan).

The current land use designation for the Project site is RC (Resource Conservation). The RC (Resource Conservation) land use zoning district provides sites for open space and recreational activities, single-family homes on very large parcels and similar and compatible uses.

The Project proposes to change the land use designation to CR (Rural Commercial). The purpose of the land use designation change is to accommodate the truck proposed uses which is not allowed under the existing land use designation of RC (Resource Conservation). The Project does not propose any residential units, thus, it will not increase the gross number of dwelling units. The Project is intended to attract vehicle trips that are already traveling on I-15. Therefore, it will not increase the number of trips, and/or increase the overall vehicle miles traveled in the based. In addition, based on Table 3 below, Project-generated emissions generated will not exceed District emission thresholds. Therefore, the Project's emissions are in compliance with the thresholds established by the District.

Based on the analysis above, the Project will not conflict with or obstruct implementation of the Attainment Plans. Therefore, impacts are less than significant.

**IIIb) Less than Significant Impact.**

Both construction and operational emissions for the Project were estimated by using the *California Emissions Estimator Model* which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. The model can be used for a variety of situations where an air quality analysis is necessary or desirable such as California Environmental Quality Act (CEQA) documents and is authorized for use by the Mojave Desert Air Quality Management District ("District").

*Construction Emissions*

Construction activities associated with the Project will result in emissions of CO, VOCs, NOX, SOX, PM<sub>10</sub>, and PM<sub>2.5</sub>. Construction related emissions are expected from the following construction activities:

- Site Preparation;
- Grading;
- Building Construction;
- Paving; and
- Architectural Coating.

Project construction is anticipated to occur over an approximately 5-month period. The estimated maximum daily construction emissions without mitigation are summarized on Table 3.

**Table 3. Maximum Daily Construction Emissions (Pounds per Day)**

Year	ROG (VOC)	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
2019	28	24	17	4	2.4
<b>MDAQMD Threshold (lbs/day)</b>	<b>137</b>	<b>137</b>	<b>548</b>	<b>82</b>	<b>65</b>
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Air Quality/Greenhouse Gas Study, Appendix A.

Emissions resulting from the Project construction would not exceed thresholds established by the District for emissions of any criteria pollutant. As such, the Project will have a less than significant impact during construction activity and no mitigation is required.

**Operational Emissions**

Operational activities associated with the proposed Project will result in emissions of VOC, NOX, CO, SOX, PM<sub>10</sub>, and PM<sub>2.5</sub>. Operational emissions would be expected from the following primary sources:

- Area Source Emissions (architectural coatings, consumer products, landscape maintenance equipment);
- Energy Source Emissions (combustion emissions associated with natural gas and electricity);and
- Mobile Source Emissions (vehicles, fugitive dust related to vehicular travel).

The estimated maximum daily worst case peak operational emissions without mitigation are summarized on Table 4 below.

**Table 4.Operational Emissions (Pounds per Day)**

Source	ROG (VOC)	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Area Source	1.18	<0.01	0.012	<0.01	<0.01	<0.01
Energy Source	<0.01	0.03	0.03	<0.01	<0.01	<0.01
Mobile Source	41	52	342.5	0.23	13.2	3.9
<b>Total Peak (lbs/day)</b>	<b>42.2</b>	<b>52.6</b>	<b>342.5</b>	<b>0.23</b>	<b>13.2</b>	<b>3.9</b>
MDAQMD Threshold (lbs/day)	137	137	548	137	82	82
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>		<b>No</b>	<b>No</b>

Source: Air Quality/Greenhouse Gas Study, Appendix A.

Emissions resulting from the Project operation would not exceed thresholds established by the District for emissions of any criteria pollutant. As such, the Project will have a less than significant impact during on-going operational activity and no mitigation is required.

IIIc) **No Impact.** The Mojave Desert Air Quality Management District defines sensitive receptors as residences, schools, daycare centers, playgrounds and medical facilities. There are no sensitive receptors in the vicinity of the Project site. As such, the Project will not expose sensitive receptors to substantial pollutant concentrations.

IIIId) **Less Than Significant Impact.** Land uses generally associated with odor complaints include:

- Agricultural uses (livestock and farming);
- Wastewater treatment plants;
- Food processing plants;
- Chemical plants;
- Composting operations;
- Refineries;
- Landfills;

- Dairies; and
- Fiberglass molding facilities.

The Project does not contain any of the above described land uses typically associated with emitting objectionable odors. Potential odor sources associated with the proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the proposed Project's (long-term operational) uses. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant.

All retail service stations under MDAQMD jurisdiction have Phase I and II vapor recovery systems to control gasoline emissions and reduce odors. Phase I vapor recovery refers to the collection of gasoline vapors displaced from storage tanks when cargo tank trucks make gasoline deliveries. Phase II vapor recovery systems control the vapors displaced from the vehicle fuel tanks during refueling. In addition, all gasoline is stored underground with valves installed on the tank vent pipes to further control gasoline emissions.

It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the County's solid waste regulations. The Project would also be required to comply with MDAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors associated with the proposed Project construction and operations would be less than significant and no mitigation is required.

ISSUES	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorp.	Less than Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES - Would the project:</b>				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION**

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

The following analysis is based in part on the General Biological Resources Assessment, Davey Resource Group, July 1, 2016 (Appendix B) and the *Rare Plant Survey*, Davey Resources Group, April 20, 2018, (Appendix C).

IVa) **Less Than Significant Impact With Mitigation Incorporated.**

**Sensitive Plant Species**

The entire site consisted of one vegetation community; Mojave creosote bush scrub). Common shrubs included creosote bush *Larrea tridentata*, white bursage *Ambrosia dumosa*, and desert holly *Atriplex hymenelytra*. Common annuals included desert dandelion *Malacothrix glabrata*, desert poppy *Eschscholzia glyptosperma*, and desert chicory *Rafinesqula californica*. No plant species listed as "threatened", "endangered", "special species", or "species of concern" by the Federal government or State of California are located on the site.

**Sensitive Wildlife Species**

The property currently experiences relative disturbance due to its proximity to I-15. Noise, light pollution and human presence are all factors that can contribute to the low numbers of wildlife individuals found on the property. Notwithstanding the above, the property is located within an area where Burrowing Owl and Desert Tortoise have the potential to be present.

**Burrowing Owl:** Burrowing Owls utilize a variety of natural and modified habitats for nesting and foraging where the vegetation is low-growing. Typical habitats for the species includes native and non-native grasslands, interstitial grassland within shrub lands, shrubs lands with low density cover, drainage ditches, earthen berms, pasture lands, and fallow fields (CDFW, 1992). Burrowing owls typically utilize abandoned fossorial burrows which have been excavated by various mammals such as coyotes, foxes, ground squirrels, badgers, and dogs. Owls may also use man-made structures such as electrical vaults, cement culverts, man-made structures, and large debris piles. Based on the results of the field surveys, the property does not currently support any population of burrowing owls. However, given that burrowing owls could possibly occupy the site in the future, the following mitigation measure is required:

**Mitigation Measure-BIO-1: Pre-Construction Burrowing Owl Survey.** A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the Land Use Services Department-Planning Division prior to issuance of a grading permit. Map (Statements in quotations shall be verbatim):

***"Within 30 calendar days prior to grading for any phase, a qualified biologist shall conduct a survey of the Project's proposed impact footprint and make a determination regarding the presence or absence of the burrowing owl. The determination shall be documented in a report and shall be submitted, reviewed, and accepted by the County of San Bernardino Land Use Services Department-Planning Division prior to the issuance of a grading permit and subject to the following provisions:***

***a. In the event that the pre-construction survey identifies no burrowing owls in the impact area, a grading permit may be issued without restriction.***

***b. In the event that the pre-construction survey identifies the presence of burrowing owl, then prior to the issuance of a grading permit and prior to the commencement of ground-disturbing activities on the property, the qualified biologist shall follow the methods recommended by the California Department of Fish and Wildlife (CDFW, 2012) for passive or active relocation of burrowing owls. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the***

***biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow California Department of Fish and Wildlife relocation protocol. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow California Department of Fish and Wildlife relocation protocol. The biologist shall provide evidence in writing to the Planning Division that the species has fledged or been relocated prior to the issuance of a grading permit. Project contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by County of San Bernardino staff or its designee to confirm compliance. These notes also shall be specified in bid documents issued to prospective construction contractors.***

**Desert Tortoise:** No tortoises or any potential tortoise burrows or tortoise sign (scats, etc.) were noted during the field investigations conducted on the site. Although no desert tortoise was observed on the Project site, the following mitigation measure is recommended to ensure that tortoises have not occupied the site since the survey was conducted.

**Mitigation Measure-BIO-2: Desert Tortoise.** A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the Land Use Services Department-Planning Division prior to issuance of a grading permit. Map (Statements in quotations shall be verbatim):

***"1. All employees, subcontractors, construction personnel, and other individuals who work on-site shall participate in a desert tortoise awareness program. The program shall be administered by the Project Biologist or Environmental Monitor. The program may be given in the field prior to the start of construction activities, and shall include truck drivers, delivery personnel, and other project-related to personnel who have attended the training.***

***2. An authorized biological monitor shall be present, as needed, during construction to ensure that tortoises or any other special status species enter the construction area and to remove or rescue any individuals that may be injured. Mortality of any tortoise shall be reported to wildlife agency staff.***

***Project contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by County of San Bernardino staff or its designee to confirm compliance. These notes also shall be specified in bid documents issued to prospective construction contractors.***

With implementation of Mitigation Measures BIO-1 and BIO-2, impacts are less than significant.

- IVb) **No Impact.** There is no surface water on site or any riparian habitat or other sensitive natural community. As such, the Project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service or have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- IVc) **No Impact.** No state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) exist on the site.

- IVd) **No Impact.** The Project will not substantially interfere 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 as none exist on the site.
- IVe) **No Impact.** The County's Plant Protection and Management Ordinance requires a Tree & Plant Removal Permit for the removal of any Native Desert Plant listed in Chapter 88.01.060(c) of the Development Code or listed in Food and Agriculture Code Section 80001 et seq. None of the species listed in Chapter 88.01.060(c) or in Food and Agriculture Code Section 80001 et seq.) were identified on site.
- IVf) **No Impact.** The Project site is located within the planning area of the *West Mojave California Desert Conservation Area Plan Amendment*. The *West Mojave California Desert Conservation Area Plan Amendment* was adopted by the Bureau of Land Management in 2006. The Record-of-Decision applies only to 3.3 million acres of BLM-managed lands. To date no approvals have been issued for the Habitat Conservation Plan component by the U.S. Fish and Wildlife Service or the California Department of Fish and Wildlife. All land within the Project site is located on private property outside of the Bureau of Land Management; therefore the *West Mojave California Desert Conservation Area Plan* does not apply. Additionally, the Project site is located within the boundaries of the *Desert Renewable Energy Conservation Plan*. Phase I of the *Desert Renewable Energy Conservation Plan* was approved by the Bureau of Land Management on September 14, 2016 and applies to Bureau of Land Management land only. Phase II which would apply to non-federal land is an on-going process and no implementing agreements have been issued. All land within Project site is located on private property outside of the Bureau of Land Management land; therefore the *Desert Renewable Energy Conservation Plan* does not apply.

ISSUES	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorpor.	Less than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES - Would the project</b>				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) 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 Resources overlays or cite results of cultural resource review):

The following analysis is based in part on the *Cultural Resources Assessment*, ASM Affiliates, December 10, 2015, (Appendix D).

Va) **No Impact.** Historic resources generally consist of buildings, structures, improvements, and remnants associated with a significant historic event or person(s) and/or have a historically significant style, design, or achievement. Damaging or demolition of historic resources is typically considered to be a significant impact. Impacts to historic resources can occur through direct impacts, such as destruction or removal, and indirect impacts, such as a change in the setting of a historic resource.

CEQA Guidelines §15064.5(a) clarifies that historical resources include the following:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources.
2. A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements [of] section 5024.1(g) of the Public Resources Code.
3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.

Based on the results of the Cultural Resources Assessment prepared for the Project, no cultural resources, including prehistoric or historic archaeological sites or historic buildings pursuant to §15064.5 were discovered.

As such, there will be no impact with respect to historical resources as a result of the Project and no mitigation measures are required.

Vb) **Less Than Significant Impact With Mitigation Incorporated:** Archaeological sites are locations that contain resources associated with former human activities, and may contain such resources as

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human skeletal remains, waste from tool manufacture, tool concentrations, and/or discoloration or accumulation of soil or food remains. As noted under Issue Va) above, the Cultural Resources Assessment prepared for the Project site found no surface archaeological resources. Although no surface archaeological resources were discovered, because the site is undeveloped, deeper excavation required during grading activities may result in inadvertent discoveries of archaeological resources. The following mitigation measure is recommended to ensure that any inadvertent discoveries of sub-surface archaeological resources discovered during earth moving activities are not significantly impacted:

**Mitigation Measure CR-1: Inadvertent Discoveries.** A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the Land Use Services Department-Planning Division prior to issuance of a grading permit. Map (Statements in quotations shall be verbatim):

***"1. In the event that pre-contact cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting the Secretary of the Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during the assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within Mitigation Measure TCR-2, if any such find occurs and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal Input with regards to significance and treatment.***

***2. If significant pre-contact resources, as defined by CEQA (as amended 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within Mitigation Measure TCR-2. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.***

***3. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5."***

With implementation of Mitigation Measure CR-1, impacts are less than significant.

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- Vc) **Less Than Significant Impact.** The Project site does not contain a cemetery and no known formal cemeteries are located within the immediate site vicinity. In the event that human remains are discovered during Project grading or other ground disturbing activities, the Project would be required to comply with the applicable mandatory provisions of California Health and Safety Code §7050.5 as well as Public Resources Code §5097 et. seq. California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner. If the Coroner determines the remains to be Native American, the California Native American Heritage Commission (NAHC) must be contacted and the NAHC must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.
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ISSUES	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorp.	Less than Significant Impact	No Impact
<b>VI. ENERGY - Would the project</b>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION**

Via) **Less Than Significant Impact.**

*Short-Term Construction Impacts*

Construction of the Project would create temporary increased demands for electricity and vehicle fuels compared to existing conditions. Construction of the Project would require electricity use to power some of the construction-related equipment. The electricity use during construction would vary during different phases of construction, where the majority of construction equipment during grading would be gas-powered or diesel-powered, and the later construction phases would require electricity-powered, such as interior construction and architectural coatings. Table 5 below shows the estimated energy consumption for Project construction.

**Table 5. Energy Consumption Estimate for Project Construction.**

Construction Phase	Number of Construction Days	Average Worker and Vendor Trips Per Day	Horse Power Hours per Construction Phase	Construction Equipment		Worker and Vendor Trips Gas & Fuel Use (3)
				Energy Use (1)	Gas & Fuel Use (2)	
Site Preparation	2	8	4,001		216.27	12.91
Grading	4	8	3,283		177.46	25.82
Building Const., Paving, Architectural Coating.	220	47	7,972		430.92	8,343.10
<b>TOTALS</b>				21.81 kWh	824.65 Gal.	8,381.83 Gal.

1: Calculation is based on an average construction energy cost of \$2.28 per month of energy use per 1,000 square feet of building space (10,870.00 s.f. ) over the total duration of construction (11-months), at the rate of 8 cents per kilowatt hour (kWh).  
 2: Calculation is based on expected horsepower (HP) hours and an average factor of 1 gallon of fuel per 18.5 horsepower-hour.

3: Calculation is based on number of expected worker and vendor trips per day, multiplied by an average trip length of 10.80 miles and based on the average fuel economy of a light duty automobile of 28.77 miles per gallon.  
4. This calculation overstates the HP hours per construction phase because it does not apply a load factor.

Since the Project site is already served by onsite electrical infrastructure, adequate electrical infrastructure capacity is available to accommodate the electricity demand during construction would not require additional or expanded electrical infrastructure.

The construction contractors are anticipated to minimize idling of construction equipment during construction and reduce construction and demolition waste by recycling. Such required practices would limit wasteful and unnecessary fuel and electrical energy consumption. Thus, impacts from energy use during short-term construction activities would be less than significant.

#### *Long-Term Operational Impacts*

Operation of the Project would create additional demands for electricity and natural gas as compared to existing conditions, and would result in increased transportation energy use. Operational use of energy would include heating, cooling, and ventilation of buildings; operation of electrical systems, security and control center functions, use of on-site equipment and appliances; and indoor, outdoor, perimeter, and parking lot lighting.

#### *Electricity*

The Project site is located within the service area of Southern California Edison (SCE). The Project would create a net increase in electricity demand of approximately 184,783 kWh per year. This net increase is well within SCE's system wide net increase in electricity supplies of approximately 15,273 GWh annually over the 2012-2024 period (CEC, Electricity Consumption by County, 2018). Therefore, there are sufficient planned electricity supplies in the region for the estimated net increase in electricity demands, and buildout under the proposed Project would not require expanded electricity supplies.

#### *Natural Gas*

The Project site is located within the service area of Southwest Gas. Southern California Gas (SoCal Gas) provides natural gas to Southwest Gas. SoCal Gas receive gas supplies from several sedimentary basins in the western United States and Canada including supply basins located in New Mexico (San Juan Basin), West Texas (Permian Basin), Rocky Mountains, Western Canada, and local California supplies. Gas supply available to So Cal Gas (including SDG&E) from California sources averaged 323 MMcf/day in 2017. The Project would create a net increase in natural gas demand of approximately 133,243 kBtu per year. The Project's demand is negligible based on the available supply.

According to 2018 California Gas Report prepared in part by California Gas and Electric Utilities, SoCal Gas, projects total gas demand to decline at an annual rate of 0.74 percent from 2018 to 2035. The decline in throughput demand is due to modest economic growth, CPUC-mandated energy efficiency (EE) standards and programs, tighter standards created by revised Title 24 Codes and Standards, renewable electricity goals, the decline in commercial and industrial demand, and conservation savings linked to Advanced Metering Infrastructure (AMI).

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**Conclusion**

Plans submitted for building permits of development projects in the Project area would be required to include verification demonstrating compliance with the 2016 Building and Energy Efficiency Standards and are also required to be reviewed. The Project would also be required adhere to the provisions of CALGreen, which established planning and design standards for sustainable site development, energy efficiency.

Based on the above analysis, the proposed Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation

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- Vlb) No Impact:** The County of San Bernardino General Plan Renewable Energy and Conservation Element RE Policy 1.1 states: *"Continue implementing the energy conservation and efficiency measures identified in the County of San Bernardino Greenhouse Gas Emissions Reduction Plan. The County's Greenhouse Gas Emissions Reduction Plan is considered a "local plan" for renewable energy or energy efficiency."* As noted in the analysis for Issue VIIIa-b, *Greenhouse Gas Emissions*, the Performance Standards for Commercial and Industrial Project pursuant to Appendix F of the County of San Bernardino *Greenhouse Gas Emissions Reduction Plan* will be included as Conditions of Approval for the Project. As such, the Project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency
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ISSUES	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorp.	Less than Significant Impact	No Impact
<b>VII. GEOLOGY AND SOILS - Would the project:</b>				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 181B of the California Building Code (2001) creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

The following analysis is based in part on the *Limited Engineering Geologic Report*, RGS Engineering Geology., January 20, 2019 (Appendix E).

VIIai) **No Impact.** The Project site is not located within an Alquist-Priolo Earthquake Fault Zone, and no known faults underlie the site. Because there are no faults located on the Project site, there is no potential for the Project to expose people or structures to adverse effects related to ground rupture.

- VIa ii)** **Less Than Significant Impact.** The Project site is located in a seismically active area of Southern California and is expected to experience moderate to severe ground shaking during the lifetime of the Project. This risk is not considered substantially different than that of other similar properties in the southern California area. As a mandatory condition of Project approval, the Project would be required to construct the proposed structures in accordance with the California Building Code. The County's Building and Safety Department would review the building plans through building plan checks, issuance of a building permit, and inspection of the buildings during construction, which would ensure that all required California Building Code seismic safety measures are incorporated into the buildings. Compliance with the California Building Code as verified by the County's review process, would reduce impacts related to strong seismic ground shaking.
- VIa iii)** **Less Than Significant Impact.** The property is underlain by older alluvial deposits consisting of gravel with silt and sand. Groundwater reported occurs at a depth of more than 250 feet below the ground surface. These geologic conditions are not susceptible to liquefaction. In addition, detailed design-level geotechnical studies and building plans pursuant to the California Building Code are required prior to approval of construction. Compliance with the recommendations of the geotechnical study for soils conditions, is a standard practice and would be required by the County Building and Safety Department. Therefore, compliance with the requirements of the California Building Code as identified in a site specific geotechnical design would be reviewed by the County for appropriate inclusion, as part of the building plan check and development review process, would reduce the low potential for liquefaction to a less than significant level.
- VIa iv)** **No Impact.** The site is relatively flat and contains no slopes that may be subject to landslides. Therefore the site is not considered susceptible to seismically induced landslides. As such, there are no impacts.
- VIb)** **Less Than Significant Impact.** During construction, the Project has the potential to contribute to soil erosion and the loss of topsoil. Grading and excavation activities that would be required for the Project would expose and loosen topsoil, which could be eroded by wind or water. A Construction General Permit would be obtained and a Storm Water Pollution Prevention Plan (SWPPP) would be prepared prior to construction. Potential impacts would be mitigated for through sediment, erosion, and non-storm water control methods identified in the SWPPP pursuant to the requirements of the NPDES General Construction Permit. Implementation of a SWPPP would ensure the project does not result in significant impacts to water quality due to construction-related activities.

The Project includes paving and installation of landscaping throughout the Project site and areas of loose topsoil that could erode by wind or water would not exist upon operation of the proposed use. In addition, as described in Section X, *Hydrology and Water Quality*, the hydrologic features of the proposed Project have been designed to slow, filter, and retain stormwater on the Project site, which would also reduce the potential for stormwater to erode topsoil. Potential impacts related to substantial soil erosion or loss of topsoil would be less than significant.

- VIc)** **Less Than Significant Impact.**

*Landslide*

As noted in the response to Issue VIIaiv above, the site is relatively flat and contains no slopes that may be subject to landslides. Therefore, the site is not considered susceptible to landslides

*Lateral Spreading*

Lateral spreading is a term referring to landslides that commonly form on gentle slopes and that have rapid fluid-like flow horizontal movement. Most lateral spreading is caused by earthquakes but it is also caused by landslides. As noted in the response to Issue VIIaiv above, the site is relatively flat and contains no slopes that may be subject to landslides. Therefore, the site is not considered susceptible to lateral spreading.

#### *Subsidence*

Subsidence is the downward movement of the ground caused by the underlying soil conditions. Certain soils, such as clay soils are particularly vulnerable since they shrink and swell depending on their moisture content. Subsidence is an issue if buildings or structures sink which causes damage to the building or structure. Considering the coarse nature of relative density of the earth material that underlies the site, the potential for subsidence induced by seismic activity is low. In addition, detailed design-level geotechnical studies and building plans pursuant to the California Building Code are required prior to approval of construction. Compliance with the recommendations of the geotechnical study for soils conditions, is a standard practice and would be required by the County Building and Safety Department. Therefore, compliance with the requirements of the California Building Code as identified in a site specific geotechnical design would be reviewed by the County for appropriate inclusion, as part of the building plan check and development review process, would reduce the potential for subsidence to a less than significant level.

#### *Liquefaction*

As noted in the response to Issue VIIaiii above, the potential for exposure to liquefaction is not expected because the depth of groundwater is approximately 250 feet.

#### *Collapse*

Collapse occurs in saturated soils in which the space between individual particles is completely filled with water. This water exerts a pressure on the soil particles that influences how tightly the particles themselves are pressed together. The soils lose their strength beneath buildings and other structures. Considering the coarse nature of relative density of the earth material that underlies the site, the potential for collapse induced by seismic activity is low. In addition, detailed design-level geotechnical studies and building plans pursuant to the *California Building Code* are required prior to approval of construction. Compliance with the recommendations of the geotechnical study for soils conditions, is a standard practice and would be required by the County Building and Safety Department. Therefore, compliance with the requirements of the *California Building Code* as identified in a site specific geotechnical design would be reviewed by the County for appropriate inclusion, as part of the building plan check and development review process, would reduce the low to moderate potential for collapse to a less than significant level.

- VIIId) **Less Than Significant Impact.** The property is underlain by older alluvial deposits consisting of gravel with silt and sand. These soils have a very low expansion potential. Detailed design-level geotechnical studies and building plans pursuant to the *California Building Code* are required prior to approval of construction. Compliance with the recommendations of the geotechnical study for soils conditions, is a standard practice and would be required by the County Building and Safety Department and will ensure that impacts are less than significant.

- VIIe) **Less Than Significant Impact.** Soils on the Project site consist of silty sands and poorly graded sands with silt and are considered suitable to accommodate a septic system. The Project will require an Environmental Health Services approved wastewater treatment device since no public sewer is available. The County's Environmental Health Services Department reviewed the Project and has approved the site for on-site wastewater treatment subject to an approved percolation report.
- VIIIf) **Less Than Significant Impact With Mitigation Incorporated.** Paleontological resources are the preserved fossilized remains of plants and animals. The Project area is located in the Northern and Eastern Mojave planning area of the *California Desert Conservation Area Plan*. According to Figure III.10-2 of the Plan, *Potential Fossil Yield Classification of Geology - Subarea Index Map* of the Draft DRECP and EIR/EIS (August 2014), the Project area is identified as having the potential to contain paleontological resources. To minimize the effects of this potential impact, Mitigation Measure GEO-1 is recommended.

**Mitigation Measure GEO-1: Treatment of Previously Unidentified Paleontological Resources.**

A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the Land Use Services Department-Planning Division prior to issuance of a grading permit. Map (Statements in quotations shall be verbatim):

***"If previously unidentified paleontological resources are unearthed during construction activities, construction work in the immediate area of the find shall be halted and directed away from the discovery until a qualified Paleontologist assesses the significance of the resource. The County of San Bernardino Land Use Services Department shall make the necessary plans for treatment of the find(s) and for the evaluation and mitigation of impacts if the finds are found to be historically significant according to CEQA (CEQA Guidelines Section 15064.5 (a)). The plan shall include, but not be limited to:***

- 1. Preparation of recovered specimens to a point of identification and permanent preservation including washing of sediments to recover small invertebrates and vertebrates.***
- 2. Identification and curation of specimens into an established, accredited museum repository with permanent retrievable paleontologic storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. Mitigation of adverse impact to significant paleontological resources is not complete until such curation into an established repository has been fully completed and documented.***
- 3. Preparation of a report of findings with an appended Itemized Inventory of specimens. The report and inventory, when submitted to the County Land Use Services Department-Current Planning along with confirmation of the curation of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources."***

With implementation of Mitigation Measure GEO-1, impacts are less than significant.

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

**SUBSTANTIATION**

The following analysis is based in part on the *Air Quality/Greenhouse Gas Study*, Birdseye Planning Group, May, 2016 (Appendix A).

VIIIa) **Less Than Significant Impact.** In December September 2011, the County of San Bernardino adopted the "*Greenhouse Gas Emissions Reduction Plan*" ("GHG Plan"). The purpose of the GHG Plan is to reduce the County's internal and external GHG emissions by 15 percent below current (2011) levels by year 2020 in consistency with State climate change goals pursuant to AB32. 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.

Section 5.6 of the GHG Plan identifies the procedures for reviewing development projects for consistency with the GHG 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 climate change analysis but are required to implement mandatory reducing measures in the project's conditions of approval.

Projects exceeding this threshold must meet a minimum 31 percent emissions reduction in order to garner a less than significant determination. This can be met by either (1) achieving 100 points from a menu of mitigation options provided in the GHG Plan or (2) quantifying proposed reduction measures. Projects failing to meet the 31 percent reduction threshold would have a potentially significant impact related to climate change and greenhouse gas emissions.

A GHG emissions inventory was conducted for the Project utilizing the California Emissions Estimator Model (CalEEMod) as shown on Table 5 below.

**Table 5. Combined Annual (GHG) Emissions**

Source	GHG Emissions MT/yr
Annual construction related emissions amortized over 30 years	8
Area	2
Energy	60
Mobile Sources	2,323
Waste	8
Water Usage	5
<b>TOTAL CO<sub>2</sub>E (All Sources)</b>	<b>2,406</b>
<b>Screening Threshold</b>	<b>3,000</b>
<b>Exceed Threshold?</b>	<b>NO</b>
Source: <i>Greenhouse Gas Analysis, Urban Crossroads, October 3, 2018 (Appendix D).</i>	

As shown on Table 5 above, the Project's GHG emissions are less than the initial screening threshold of 3,000 MTCO<sub>2</sub>E per year. Projects that do not exceed this threshold require no further climate change analysis. However, Performance Standards for Commercial and Industrial Project pursuant to Appendix F of the County of San Bernardino *Greenhouse Gas Emissions Reduction Plan* will be included as Conditions of Approval for the Project.

VIIIb) **Less Than Significant Impact.** The State and local regulatory programs for GHG emissions and climate change are described in the response to Issue VIIIa above. The Performance Standards described above will ensure that there would be no conflict with any applicable plan, policy, or regulation; therefore, impacts will be less than significant, and no mitigation would be required.

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

**SUBSTANTIATION**

**IX a-b) Less Than Significant Impact.**

*Construction Activities*

Heavy equipment that would be used during construction of the Project would be fueled and maintained by substances such as oil, diesel fuel, gasoline, hydraulic fluid, and other liquid materials that would be considered hazardous if improperly stored or handled. In addition, materials such as paints, roofing materials, solvents, and other substances typically used in building construction would

be located on the Project site during construction. Improper use, storage, or transportation of hazardous materials could result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. The potential for accidental releases and spills of hazardous materials during construction is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with future development that would be a reasonable consequence of the Project than would occur on any other similar construction site.

Construction contractors are required to comply with all applicable federal, state, and local laws and regulations regarding hazardous materials, including but not limited requirements imposed by the Environmental Protection Agency, California Department of Toxic Substances Control, Mojave Desert Air Quality Management District, and the Lahontan Regional Water Quality Control Board. As such, impacts due to construction activities would not cause a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials

#### *Operational Activities*

Because the Project will handle and/or stores substantial quantities of hazardous materials (e.g. motor vehicle fuels), it will be subject to the requirements of the Hazardous Materials Division of the San Bernardino County Fire Department. Typical conditions applied to planning projects include obtaining permits, filing a business emergency/contingency plan, preparing a Risk Management Plan, filing construction plans and obtaining construction permits for the installation of underground storage tanks.

With mandatory regulatory compliance imposed by the Hazardous Materials Division of the San Bernardino County Fire Department, potential hazardous materials impacts associated with long-term operation of the truck service center is not expected to pose a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials, nor would the Project increase the potential for accident operations which could result in the release of hazardous materials into the environment.

- IXc) **No Impact.** The Project site is not located within one-quarter (0.25) mile of a mile from an existing or proposed school. In addition, as discussed in the responses to issues IXa-b above, the all hazardous or potentially hazardous materials would comply with all applicable federal, State, and local agencies and regulations with respect to hazardous materials.
- IXd) **No Impact.** The Project Site is not identified on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The operator would comply with all applicable federal and state safety rules and regulations regarding hazardous materials. Therefore, less than significant impact is anticipated.
- IXe) **No Impact.** The Project site is not located within an airport land use plan or within 2 miles of a public airport or public use airport. The nearest airport is Baker Airport located approximately 15 miles to the southwest of the Project site. As such, the Project would not result in safety hazard impacts to or from aircraft-related uses. No impact is anticipated.
- IXf) **No Impact.** Activities associated with the Project would not impede existing emergency response plans for the Project Site and/or other land uses in the Project vicinity. All vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Therefore, implementation of the Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. No impact is anticipated.

**IXg) No Impact.** The County has mapped areas that are susceptible to wild land fires within the Fire Hazard Overlay. The Project site is not located within a Fire Hazard Overlay.

<b>ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less than Significant Impact with Mitigation Incorp.</b>	<b>Less than Significant Impact</b>	<b>No Impact</b>
<b>X. HYDROLOGY AND WATER QUALITY - Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:				
i) Result in substantial erosion or siltation on- or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) (iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION**

The following analysis is based in part on the *Hydrology and Hydraulic Report* Sake Engineering, May, 2018 (Appendix F).

**Xa) Less Than Significant Impact.**

*Construction Impacts*

Construction of the Project would involve clearing, grading, paving, utility installation, building construction, and the installation of landscaping, which would result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints, and other solvents with the potential

to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during construction activities in the absence of any protective or avoidance measures.

Pursuant to the requirements of the Lahontan Regional Water Quality Control Board and the County of San Bernardino, the Project will be required to obtain a National Pollutant Discharge Elimination System Municipal Stormwater Permit for construction activities. The National Pollutant Discharge Elimination System permit is required for all Projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one acre of total land area.

In addition, the Project will be required to comply with the Lahontan Regional Water Quality Control Board's *Basin Plan*. Compliance with the National Pollutant Discharge Elimination System permit and the *Basin Plan* involves the preparation and implementation of a Storm Water Pollution Prevention Plan for construction-related activities, including grading. The Storm Water Pollution Prevention Plan would specify the Best Management Practices that the Project would be required to implement during construction activities to ensure that all potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the Project site.

#### Operational Impacts

Storm water pollutants commonly associated with the type of land uses that could occupy the proposed buildings include sediment/turbidity, nutrients, trash and debris, oxygen-demanding substances, organic compounds, bacteria and viruses, oil and grease, and pesticides.

Pursuant to the requirements of CalGreen Code Section 5.106.2 *Stormwater Pollution Prevention for Projects that Disturb One or More Acres of Land*, the Project is subject to NPDES permits that require post-construction runoff (post-project hydrology) to match the preconstruction runoff (pre-project hydrology) with the installation of post-construction stormwater management measures. The NPDES permits emphasize runoff reduction through on-site stormwater use, interception, evapotranspiration, and infiltration through nonstructural controls, such as Low Impact Development (LID) practices, and conservation design measures. Stormwater volume that cannot be addressed using nonstructural practices is required to be captured in structural practices and be approved by the enforcing agency.

In the developed condition, runoff will be conveyed to an on-site infiltration basin and gutter to be located on the southwest corner of the site. The infiltration basin is designed to capture the runoff difference between the post and pre-development conditions. The infiltration basin is large enough to hold the difference and eliminate changes to the runoff hydrograph and sediment supply resulting from land use modifications for downstream properties.

Based on the analysis above, impacts will be less than significant.

- Xb) **Less Than Significant Impact.** A new water well is proposed to provide water service. The Project site is located within the boundaries of the Mojave Water Agency (MWA). According to the MWA 2015 *Urban Water Management Plan*, The MWA has four existing sources of water supply – State Water Project (SWP) imports, natural local surface water flows, return flow from pumped groundwater not consumptively used, and wastewater imports from outside the MWA service area. Almost all of the water use within MWA is supplied by pumped groundwater. Natural surface supply, return flow, wastewater imports, and SWP imports recharge the groundwater basins.

For management purposes under the Mojave Basin Judgment, MWA split the Mojave River watershed and associated groundwater basins into five separate "Subareas." The locations of the

five Subareas are; 1) Oeste, 2) Este, 3) Alto, 4) Centro and 5) Baja. The Project site is located within the Baja Subarea.

The Mojave Basin Judgment assigned Base Annual Production (BAP) rights to each producer using 10 acre-feet or more, based on historical production during the period 1986-1990. Parties to the Judgment are assigned a variable Free Production Allowance (FPA), which is a percentage of the BAP set for each Subarea each year by the Watermaster. The BAP is reduced or "ramped-down" over time until FPA comes within 5 percent of the Production Safe Yield (PSY) as defined by the Judgment. The FPA for the Alto Subarea is 80 percent of BAP for agriculture and 60 percent of BAP for municipal and industrial uses. Any Producer that pumps more than their FPA must purchase Replacement Water from the Watermaster equal to the amount of production in excess of their total available FPA, or transfer unused FPA from another party within their Subarea. Funds collected for Replacement Water are then used by the MWA for purchase of SWP supplies and recharged into the Subarea they were produced from.

The long term supply to each Subarea, and the Basin Area as a whole, is assumed to be available in all year types, normal, single dry year and multiple dry year. A premise of the Judgment is that all demands are met. The Judgment requires that any deficit in any year, must be purchased and recharged the following year. During dry periods water will be depleted from groundwater storage (as measured against the long term average) and replaced into storage during wet periods. Annual Deficits in each Subarea are to be resolved by importation of SWP imports. Because water use within the MWA service area is supplied entirely by groundwater, MWA does not have any inconsistent water sources that cause reduced deliveries to users within the service area.

Based on the above analysis, impacts to groundwater supplies and recharge would be less than significant and no mitigation measures are required.

- Xci) **Less Than Significant Impact.** Development of the Project site will create impervious surfaces and increase the amount of surface runoff. In the developed condition, runoff will be conveyed to an on-site infiltration basin and gutter to be located on the southwest corner of the site. The infiltration basin is designed to capture the runoff difference between the post and pre-development conditions. The infiltration basin is large enough to hold the difference and eliminate changes to the runoff hydrograph and sediment supply resulting from land use modifications for downstream properties. Impacts are less than significant.
- Xcii ) **Less Than Significant Impact.** In the developed condition, the site will drain to curb openings and catch basins and ultimately to an infiltration basin which will provide storm runoff detention that will reduce the peak runoff leaving the property to less than the pre-development condition. As such, the Project will not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite...
- Xiv) **Less Than Significant Impact.** The Project site is located within FEMA Zone D (per FEMA National Flood Hazard Map 06071C3425H) and is not subject to flooding. The Project site is also not significantly impacted by offsite storm water runoff. As such, the Project will not Impede or redirect flood flows
- Xd) **No Impact.** The Project site is located within FEMA Zone D (per FEMA National Flood Hazard Map 06071C3425H) and is not subject to flooding. According to the California Department of Conservation, California Official Tsunami Inundation Maps the site is not located within a tsunami inundation zone. The Project would not be at risk from seiche because there are no upstream waterbodies large enough to produce a seiche in close proximity to the Project site.

Xe) **Less Than Significant Impact.** With construction of the water quality infiltration basin, the Project will not conflict with or obstruct implementation of the *Lahontan Basin Plan*.

ISSUES	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>XI. 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) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION**

- XIa) **No Impact.** The Project site is located in a sparsely developed area adjacent to the northbound off-ramp of Interstate 15 at Afton canton Road. There is no established community in the immediate vicinity of the Project site. As such, there is no impact..
- XIb) **No Impact.** As demonstrated throughout this Initial Study/Mitigated Negative Declaration, the Project would otherwise not conflict with any applicable goals, objectives, and policies of the County of San Bernardino General Plan or Development Code. Additionally, the Project would not conflict with any applicable policy document, including, without limitation, the *California Desert Conservation Area Plan*, the Mojave Desert Air Quality Management District's *Air Quality Management Plan*, and the County of San Bernardino *Greenhouse Gas Emissions Reduction Plan*. The purpose of these plans is to avoid or mitigate an environmental effect.

In conclusion, the Project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating adverse environmental effects and impacts would be less than significant.

ISSUES	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorp.	Less than Significant Impact	No Impact
<b>XII. MINERAL RESOURCES - Would the project:</b>				
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):

- XIIa) **No Impact.** The Project site is located within the MRZ-3a overlay identified by the *Mineral Land Classification of a Part of Southwestern San Bernardino County: The Barstow-Victorville-Area, California* report. MRZ-3a Areas of undetermined mineral resource significance. The site has never been used for mining purposes and is therefore of little importance or value for mining purposes.
- XIIb) **No Impact.** The Project site is not currently identified as a mineral resources recovery site on the General Plan, a specific plan or other land use plan. A land use designation change from RC (Resource Conservation) to CR (Rural Commercial) is being proposed which if approved, would not allow for mining activities. Therefore, no impact is anticipated.

ISSUES	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorp.	Less than Significant Impact	No Impact
<b>XIII. NOISE - Would the project:</b>				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>SUBSTANTIATION</b>	(Check if the project is located in the Noise Hazard Overlay District <input type="checkbox"/> or is subject to severe noise levels according to the General Plan Noise Element <input type="checkbox"/> ):			

**XIIIa) Less Than Significant Impact.**

*Construction Noise*

Noise generated by the Project construction equipment will include a combination of trucks, power tools, concrete mixers, and portable generators that when combined can reach high levels. The number and mix of construction equipment is expected to occur in the following stages:

- Site Preparation;
- Grading;
- Building Construction;
- Paving; and
- Architectural Coating.

As shown on Table 6 below, noise levels generated by heavy construction equipment can range from approximately 68 dBA to 99 dBA when measured at 50 feet.

**Table 6. Typical Construction Equipment Noise Levels**

Type of Equipment	Range of Sound Levels Measured (dBA at 50 feet)
Pile Drivers	81 to 96
Rock Drills	83 to 99
Jack Hammers	75 to 85
Pneumatic Tools	78 to 88
Pumps	68 to 80
Dozers	85 to 90
Tractors	77 to 82
Front-End Loaders	86 to 90
Graders	79 to 89
Air Compressors	76 to 86
Trucks	81 to 87
Source: "Noise Control for Buildings and Manufacturing Plants", Bolt, Beranek & Newman, 1987,	

Even though construction of the Project will generate noise levels as described above, there are no noise sensitive receivers within several miles of the Project site. As such, impacts are less than significant.

***Operational Noise (Stationary)***

The Project would introduce new commercial land uses on vacant land. On-site operational noise would include noise from HVAC equipment and activities at the fueling stations. In addition, the Project would generate new traffic on the Project site and off-site on Afton Canyon Road and Dunn Cady Road, increasing roadway noise. It is assumed that the commercial facility would operate 24-hours per day, thereby generating daytime and nighttime operational noise.

Even though operation of the Project will generate new sources of noise in the vicinity of the Project site, there are no noise sensitive receivers within several miles of the Project site. As such, impacts are less than significant.

**XIIIb) Less Than Significant Impact.**

***Construction Vibration***

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. It is expected that ground-borne vibration from Project construction activities would cause only intermittent, localized intrusion. The Project's construction activities most likely to cause vibration impacts are heavy construction equipment and trucks hauling building materials to the site. Even though construction of the Project will generate vibration, there are no noise sensitive receivers within several miles of the Project site. As such, impacts are less than significant.

*Operational Vibration*

Typically, groundborne vibration sources that could potentially affect nearby properties are from rail roads and trucks traveling at higher speeds on freeways and highways. The Project does not have rail access nor is it a major transportation facility or roadway. Therefore, the operational impacts associated with ground-borne vibration would be less than significant.

- XIIIc) **No Impact.** The Project site is not located within an airport land use plan or within 2 miles of a public use airport or private airstrip. The nearest public use airport is the Baker Airport located approximately 15 miles to the southwest of the Project site. As such, the Project would not expose people residing or working in the Project area to excessive noise levels. No impact is anticipated.

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

**SUBSTANTIATION**

- XIVa) **Less Than Significant Impact.** The Project would not directly result in population growth because it does not propose any residential dwelling units. It is anticipated that any employees generated by the Project would be within commuting distance and would not generate needs for any new housing. As such, impacts are less than significant.
- XIVb) **No Impact.** The Project would not displace substantial numbers of existing people or existing housing units, or require the construction of replacement housing, as no housing units exist on the site.

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

**SUBSTANTIATION**

**XVa) Less Than Significant Impact.**

**Fire Protection**

The San Bernardino County Fire Department provides fire protection services to the Project area. The Project would be primarily served by Baker Station #53 located approximately 26 miles southwest of the Project site at 72734 Baker Road in Baker, CA.

Development of the Project would impact fire protection services by placing an additional demand on existing fire protection resources. The Project would be conditioned by the Fire Department to provide a minimum of fire safety and support fire suppression activities, including compliance with State and local fire codes, fire sprinklers, a fire hydrant system, paved access, and secondary access routes. Although the Project would increase the demand for fire protection services, it is not anticipated that it would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities as the Fire Department has reviewed the Project and will provide fire protection services from existing facilities.

Based on the above analysis, impacts related to fire protection are less than significant.

### **Police Protection**

The San Bernardino County Sheriff's Department provides police protection services to the Project site. The Project site would be primarily served by the Barstow Patrol Station located at 225 East Mt. View in Barstow. Deputy Sheriffs assigned to the Barstow Patrol Station patrol the area in which the Project site is located. The Sheriff's Department has indicated that it can provide police protection services to the Project site from existing facilities so the provision of new or physically altered sheriff facilities or need for new or physically altered sheriff facilities is not required.

### **Schools**

The Project does not propose any housing and would not directly create additional students to be served by a school district. However, the Project would be required to contribute fees to the applicable school district in accordance with the Leroy F. Greene School Facilities Act of 1998 (Senate Bill 50). Pursuant to Senate Bill 50, payment of school impact fees constitutes complete mitigation under CEQA for Project-related impacts to school services.

### **Parks**

The Project will not create an additional need for housing thus directly increasing the overall population of the County and generating additional need for parkland.

### **Other Public Facilities**

The Project would not result in a direct increase in the population of the Project area and would not increase the demand for public services, including public health services and library services which would require the construction of new or expanded public facilities.

ISSUES	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorp.	Less than Significant Impact	No Impact
<b>XVI. RECREATION</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility 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 type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION**

- XVIa) **Less Than Significant Impact.** The Project would not increase the use of park facilities or other recreational facilities in the region because it does not result in a direct increase in the population that would use parks.
- VIIb) **No Impact.** The Project is a small commercial facility and does not propose any recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment.

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

**SUBSTANTIATION**

The following analysis is based in part on the *Traffic Impact Analysis*, KOA Corporation, September 29, 2016. (Appendix G).

**XVIIa) Less Than Significant Impact.**

***Motor Vehicle Analysis***

Significance Thresholds

The San Bernardino County General Plan Circulation Element states that peak hour intersection operations of Level of Service C or better are generally acceptable in the Desert Region. Therefore, any intersection operating at a Level of Service D to F will be considered deficient. In addition, a traffic impact is considered significant if the Project both: i) contributes measureable traffic to and ii) substantially and adversely changes the Level of Service at any off-site location projected to experience deficient operations under foreseeable cumulative conditions, where feasible improvements consistent with the County of San Bernardino General Plan cannot be constructed.

Study Area Intersections

The following intersections were analyzed:

1. Interstate 15 Westbound Ramps.
2. Interstate 15 Eastbound Ramps.
3. Project Driveway #1.
4. Project Driveway #2.

### Study Scenarios

The following study scenarios were analyzed:

- Existing Condition (2016)
- Project Opening Year 2018 Condition.
- Buildout Year 2040 Condition.

### Existing Conditions

All of the intersections are operating at Level of Service D or better during the Friday and Sunday peak hours. Impacts are less than significant.

### Project Opening Year 2018 Condition

It has been established that ambient traffic in the study area has historically increased at a rate of about 2% per year compounded. Future increases in the background traffic volumes due to local and regional growth continued at this rate in the vicinity of the Project. All study intersections were forecasted to operate at Level of Service D or better. Impacts are less than significant.

The project **will contribute to a cumulative impact** during the Friday and/or Sunday peak hour at the following study intersection:

- Interstate 15 Eastbound Ramps at Afton Canyon Road (Sunday Peak Hour).

### Buildout Year 2040 Condition

The Buildout Year 2040 Condition evaluates impacts of forecasted regional growth to the Year 2040 with the Project traffic added. Under Project Opening Year 2018 Conditions. The project **will contribute to a cumulative impact** during the Sunday peak hour at the following study intersections:

- Interstate 15 Westbound Ramps at Afton Canyon Road.
- Interstate 15 Eastbound Ramps at Afton Canyon Road.

For both the Opening Year (2018) and the Build Out Year (2040), the intersection between the Interstate 15 eastbound ramps and Afton Road has a delay greater than 45 seconds during the Sunday Peak Hour, which is the threshold set by the County of San Bernardino. Two options are provided regarding mitigation:

- Installation of a traffic signal
- Implementation of a roundabout

Both of the intersections will operate at acceptable levels of service if either of the proposed improvements are provided per Mitigation Measure TRAN-1 below:

**Mitigation Measure- TRAN-1. I-15 Ramp Improvements.** Prior to the Issuance of a building permit, the proposed Project shall contribute on a fair share basis, through an adopted traffic impact fee program, in the implementation of either of the options recommended for the I-15 Freeway ramp improvements (either a traffic signal or roundabout) as shown in the approved Traffic Impact Analysis prepared for the Project at the following rates:

- **Interstate 15 Westbound Ramps at Afton Canyon Road (18.7%).**
- **Interstate 15 Eastbound Ramps at Afton Canyon Road (35.18%).**

The proposed Project's fair share improvements for the Build Out Year (2040) for the installation of roundabouts was estimated to cost \$80,826.05 In September, 2016. The proposed Project's fair share improvements for the Build Out Year (2040) for the installation of signals at both ramps was estimated to cost \$215,536.13 In September, 2016. These costs may be adjusted to reflect the costs at the time a building permit is requested.

With implementation of Mitigation Measure TRAN-1, impacts are less than significant.

#### **Transit Service Analysis**

There is no transit service available to the Project site. In addition, the Project is not proposing to construct any improvements that would interfere with any future transit service.

#### ***Bicycle & Pedestrian Facilities Analysis***

The Project is not proposing to construct any improvements that will interfere with bicycle and pedestrian use. The Project will construct frontage improvements to County standards along Afton Canyon Road and Dunn Road and bicycle and pedestrian access will be facilitated with the construction of these improvements. motorized travel. Impacts are less than significant.

- XVIIb) **No Impact.** CEQA Guidelines Section 15064.3 (b) describes specific considerations for evaluating a project's transportation impacts. Generally, vehicle miles traveled (VMT) is the most appropriate measure of transportation impacts. For purposes of this section, "vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a project. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact.

*Note: On September 27, 2013, SB 743 was signed into law. SB 743 fundamentally changed the way the transportation impact analysis as part of CEQA compliance is conducted. Automobile delay, as described solely by level of service (LOS) or similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment. There will be an opt-in period until July 1, 2020. A lead agency may elect to be governed by the provisions of this section immediately. Beginning on July 1, 2020, the provisions of this section shall apply statewide. To date, the County of San Bernardino has not adopted a VMT threshold. As such, this threshold is not applicable to the Project.*

- XVIIc) **No Impact.** The Project will construct frontage improvements to County standards along Afton Canyon Road and Dunn Road. As such, the Project will not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections. There are no agricultural uses in the vicinity of the site which would increase incompatible uses with farm equipment.

- XVIIId) **No Impact.** The project will not result in inadequate emergency access because there are a minimum of two access points and the Project will construct frontage improvements to County standards along Afton Canyon Road and Dunn Road...

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
<b>XVIII. TRIBAL CULTURAL RESOURCES</b> - Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**

The following analysis is based in part on the *Cultural Resources Assessment*, ASM Affiliates, December 10, 2015, (Appendix D).

XVIII) **No Impact.** Historic resources generally consist of buildings, structures, improvements, and remnants associated with a significant historic event or person(s) and/or have a historically significant style, design, or achievement. Damaging or demolition of historic resources is typically considered to be a significant impact. Impacts to historic resources can occur through direct impacts, such as destruction or removal, and indirect impacts, such as a change in the setting of a historic resource.

CEQA Guidelines §15064.5(a) clarifies that historical resources include the following:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources.

2. A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements [of] section 5024.1(g) of the Public Resources Code.

3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.

The South Central Coastal Information Center (SCCIC) at California State University, Fullerton conducted a record search of previously documented cultural resources and cultural resource surveys and studies conducted on the property and within half mile radius of the subject property. No historical resources pursuant to §15064.5 have been previously recorded within the Project area.

The Project area was also examined for the presence of any cultural resources, including prehistoric or historic archaeological sites or historic buildings. No historical resources pursuant to §15064.5 were discovered.

As such, there will be no impact with respect to historical resources as a result of the Project and no mitigation measures are required.

ii) **Less Than Significant Impact With Mitigation Incorporated.** Tribal Cultural Resources are either of the following:

*(1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:*

*(A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.*

*(B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.*

*(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.*

**Senate Bill (SB) B18**

Because the project involves a General Plan Amendment, the requirements of SB 18 apply. SB18 requires local agencies to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process, thereby providing tribes an opportunity to participate in local land use decisions at an early planning stage. SB 18 notification was initiated for this project as required by SB18. As of the date of publishing this document, no tribes have responded.

**Assembly Bill (AB) B52**

AB 52 also created a process for consultation with California Native American Tribes in the CEQA process. Tribal Governments can request consultation with a lead agency and give input into potential impacts to tribal cultural resources before the agency decides what kind of environmental assessment is appropriate for a proposed project.

Through the AB52 notification process, the County Land Use Services Department received comments from the following tribe:

- San Manuel Band of Mission Indians.

As a result of the AB52 consultation, the following mitigation measure is recommended:

**Mitigation Measure TCR-2: San Manuel Band of Mission Indians**

**1. The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to the Plan. This plan shall allow for a monitor to be present that represents SMBMI for the remainder of grading activities, should SMBMI elect to place a monitor on-site.**

**2. Any and all archaeological/cultural documents created as part of the project (insolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and lead Agency for dissemination to SMBMI. The Lead Agency/ or applicant, in good faith, shall consult with SMBMI until concluded per PRC 21082.3.2(b)(1)-(2),**

With implementation of Mitigation Measures TCR-1, impacts are less than significant.

ISSUES	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorp.	Less than Significant Impact	No Impact
<b>XIX. UTILITIES AND SERVICE SYSTEMS - Would the project:</b>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water, drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION**

XIXa) **Less Than Significant Impact.** The Project would require the construction of a new water well, septic system, storm water drainage facilities, electric power, and telecommunications facilities to serve the Project.

The installation of the above described facilities as proposed by the Project would result in physical impacts to the surface and subsurface of the Project site. These impacts are considered to be part of the Project's construction phase and are evaluated throughout this Initial Study. In instances where significant impacts have been identified, Mitigation Measures have been required to reduce impacts to less-than-significant levels. Accordingly, additional measures beyond those identified throughout this Initial Study would not be required.

XIXb) **Less Than Significant Impact.** The following analysis is based in part on the *Final 2015 Water Management Plan for Mojave Water Agency* (available at <https://www.mojavewater.org/uwm-plan.html>).

As noted in the response to Issue Xb under *Hydrology and Water Quality*, a new water well is proposed to provide water service. The Project site is located within the boundaries of the Mojave Water Agency (MWA). According to the *MWA 2015 Urban Water Management Plan*, the project site is located within the Baja Subarea of the Mojave Water Agency (MWA).

The Mojave Basin Judgment assigned Base Annual Production (BAP) rights to each producer using 10 acre-feet or more, based on historical production during the period 1986-1990. Parties to the Judgment are assigned a variable Free Production Allowance (FPA), which is a percentage of the BAP set for each Subarea each year by the Watermaster. The BAP is reduced or "ramped-down" over time until FPA comes within 5 percent of the Production Safe Yield (PSY) as defined by the Judgment. The FPA for the Alto Subarea is 80 percent of BAP for agriculture and 60 percent of BAP for municipal and industrial uses. Any Producer that pumps more than their FPA must purchase Replacement Water from the Watermaster equal to the amount of production in excess of their total available FPA, or transfer unused FPA from another party within their Subarea. Funds collected for Replacement Water are then used by the MWA for purchase of SWP supplies and recharged into the Subarea they were produced from.

Water use generated during the operation of the Project is estimated to be 3.13 AFY per year based on the California Emissions Estimator Model (CalEEMod) which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies to quantify potential air quality criteria pollutant emissions associated with both construction and operations from a variety of land use projects. The model can also be used to estimate water use for various types of land uses for analysis in CEQA documents

MWA has a net natural supply of 57,349 AFY, including surface and subsurface water flows to the five Subareas in the Mojave Basin area and to the Morongo Area. Because the definition of the net natural supply is long-term natural supply estimates, the supplies are going to remain constant regardless of any annual changes in hydrology. Annual fluctuations in natural supplies do not impact the long-term sustainability of the groundwater basins; therefore, the supply is assumed to be 100 percent available in single-dry year and multiple-dry year conditions.

Based on the analysis above, the Project will have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple years and impacts are less than significant.

- XIXc) **No Impact.** A wastewater treatment provider does not serve the Project site. Wastewater is proposed to be treated by a septic system.
- XIXd) **Less Than Significant Impact.** Waste generated during the construction phase of the Project would primarily consist of discarded materials from the construction of streets, common areas, infrastructure installation, and other project-related construction activities.

#### *Construction Waste*

Waste generated during the construction phase of the Project would primarily consist of discarded materials from the construction of streets, common areas, infrastructure installation, and other project-related construction activities. The California Green Building Standards Code ("CALGreen"), requires all newly constructed buildings to prepare a Waste Management Plan and divert construction waste through recycling and source reduction methods. The County of San Bernardino, Department of Public Works, Solid Waste Management Division reviews and approves all new construction projects required

to submit a Waste Management Plan. Mandatory compliance with CALGreen solid waste requirements will ensure that construction waste impacts are less than significant.

### *Operational Waste*

Waste generated during the operation of the Project is estimated to be 35 tons per year based on the California Emissions Estimator Model (CalEEMod) which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies to quantify potential air quality criteria pollutant emissions associated with both construction and operations from a variety of land use projects. The model can also be used to estimate solid waste generation rates for various types of land uses for analysis in CEQA documents

Solid waste generated in the Project area is generally transported to the Barstow Sanitary Landfill. According to the Cal Recycle Facility/Site Summary Details website accessed on June 14, 2019 (<https://www2.calrecycle.ca.gov/swfacilities/Directory/36-AA-0045/>), the Barstow Sanitary Landfill has a remaining capacity of 71,481,660 cy and is not anticipated to reach capacity until 2071. As such, the Project will not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

- XIXe) No Impact.** The California Integrated Waste Management Act established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. In addition, the Act established a 50% waste reduction requirement for cities and counties by the year 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted. Per the requirements of the Integrated Waste Management Act, the San Bernardino County Board of Supervisors adopted the *County of San Bernardino Countywide Integrated Waste Management Plan* which outlines the goals, policies, and programs the County and its cities will implement to create an integrated and cost effective waste management system that complies with the provisions of California Integrated Waste Management Act and its diversion mandates.

The Project operator(s) will be required to coordinate with the waste hauler to develop collection of recyclable materials for the Project on a common schedule as set forth in applicable local, regional, and State programs. Recyclable materials that would be recycled by the commercial facility include paper products, glass, aluminum, and plastic.

Additionally, the Project's waste hauler would be required to comply with all applicable local, State, and Federal solid waste disposal standards, thereby ensuring that the solid waste stream to the landfills that serve the commercial facility are reduced in accordance with existing regulations.

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

**SUBSTANTIATION**

XXa-d) **No Impact.** The County has mapped areas that are susceptible to wild land fires within the Fire Hazard Overlay. The Fire Hazard Overlay is derived from areas designated in high fire hazard areas in the General Plan and locations derived from the California Department of Forestry, U.S. Forest Service, and the County Fire Department. The Project site is not located within a Fire Safety Area. As such, there is no impact.

ISSUES	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorp.	Less than Significant Impact	No Impact
<b>XXI. MANDATORY FINDINGS OF SIGNIFICANCE:</b>				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION**

- XXIa) **Less Than Significant Impact With Mitigation Incorporated.** In instances where significant impacts have been identified, Mitigation Measures BIO-1, BIO-2, CR-1 and GEO-1 are required to reduce impacts to less than significant levels. Therefore, Project does not have impacts which would 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.
- XXIb) **Less Than Significant Impact With Mitigation Incorporated.** In instances where impacts have been identified, Mitigation Measures BIO-1, BIO-2, CR-1, GEO-1, TRAN-1, and TCR-1 are required to reduce impacts to less than significant levels. Therefore, Project does not have impacts that are cumulatively considerable.
- XXIc) **Less Than Significant Impact.** In instances where impacts have been identified, Mitigation Measure TRAN-1 is required to reduce impacts effects on human beings, either directly or indirectly, are less than significant and no mitigation measures are required.

**XVIII MITIGATION MEASURES. Include mitigation measures here.**

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

**Mitigation Measure-BIO-1: Pre-Construction Burrowing Owl Survey.** A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the Land Use Services Department-Planning Division prior to issuance of a grading permit. Map (Statements in quotations shall be verbatim):

***"Within 30 calendar days prior to grading for any phase, a qualified biologist shall conduct a survey of the Project's proposed impact footprint and make a determination regarding the presence or absence of the burrowing owl. The determination shall be documented in a report and shall be submitted, reviewed, and accepted by the County of San Bernardino Land Use Services Department-Planning Division prior to the issuance of a grading permit and subject to the following provisions:***

***a. In the event that the pre-construction survey identifies no burrowing owls in the impact area, a grading permit may be issued without restriction.***

***b. In the event that the pre-construction survey identifies the presence of burrowing owl, then prior to the issuance of a grading permit and prior to the commencement of ground-disturbing activities on the property, the qualified biologist shall follow the methods recommended by the California Department of Fish and Wildlife (CDFW, 2012) for passive or active relocation of burrowing owls. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow California Department of Fish and Wildlife relocation protocol. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow California Department of Fish and Wildlife relocation protocol. The biologist shall provide evidence in writing to the Planning Division that the species has fledged or been relocated prior to the issuance of a grading permit. Project contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by County of San Bernardino staff or its designee to confirm compliance. These notes also shall be specified in bid documents issued to prospective construction contractors."***

**Mitigation Measure-BIO-2: Desert Tortoise.** A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the Land Use Services Department-Planning Division prior to issuance of a grading permit. Map (Statements in quotations shall be verbatim):

***"1. All employees, subcontractors, construction personnel, and other individuals who work on-site shall participate in a desert tortoise awareness program. The program shall be administered by the Project Biologist or Environmental Monitor. The program may be given in the field prior to the start of construction activities, and shall include truck drivers, delivery personnel, and other project-related to personnel who have attended the training.***

***2. An authorized biological monitor shall be present, as needed, during construction to ensure that tortoises or any other special status species enter the construction area and to remove or rescue any individuals that may be injured. Mortality of any tortoise shall be reported to wildlife agency staff.***

***Project contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by County of San Bernardino staff or its designee to confirm compliance. These notes also shall be specified in bid documents issued to prospective construction contractors."***

**Mitigation Measure CR-1: Inadvertent Discoveries.** A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the Land Use Services Department-Planning Division prior to issuance of a grading permit. Map (Statements in quotations shall be verbatim):

***"1. In the event that pre-contact cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting the Secretary of the Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during the assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within Mitigation Measure TCR-2, if any such find occurs and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.***

***2. If significant pre-contact resources, as defined by CEQA (as amended 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within Mitigation Measure TCR-2. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.***

***3. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5."***

**Mitigation Measure GEO-1: Treatment of Previously Unidentified Paleontological Resources.**

A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the Land Use Services Department-Planning Division prior to issuance of a grading permit. Map (Statements in quotations shall be verbatim):

***"If previously unidentified paleontological resources are unearthed during construction activities, construction work in the immediate area of the find shall be halted and directed away from the discovery until a qualified Paleontologist assesses the significance of the resource. The County of San Bernardino Land Use Services Department shall make the necessary plans for treatment of the find(s) and for the evaluation and mitigation of impacts if the finds are found to be historically significant according to CEQA (CEQA Guidelines Section 15064.5 (a)). The plan shall include, but not be limited to:***

***1. Preparation of recovered specimens to a point of identification and permanent preservation including washing of sediments to recover small invertebrates and vertebrates.***

***2. Identification and curation of specimens into an established, accredited museum repository with permanent retrievable paleontologic storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. Mitigation of adverse impact to significant paleontological resources is not complete until such curation into an established repository has been fully completed and documented.***

**3. Preparation of a report of findings with an appended itemized inventory of specimens. The report and inventory, when submitted to the County Land Use Services Department-Current Planning along with confirmation of the curation of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources."**

**Mitigation Measure- TRAN-1. I-15 Ramp Improvements.** Prior to the issuance of a building permit, the proposed Project shall contribute on a fair share basis, through an adopted traffic impact fee program, in the implementation of either of the options recommended for the I-15 Freeway ramp improvements (either a traffic signal or roundabout) as shown in the approved Traffic Impact Analysis prepared for the Project at the following rates:

- Interstate 15 Westbound Ramps at Afton Canyon Road (18.7%).
- Interstate 15 Eastbound Ramps at Afton Canyon Road (35.18%).

The proposed Project's fair share improvements for the Build Out Year (2040) for the installation of roundabouts was estimated to cost \$80,826.05 in September, 2016. The proposed Project's fair share improvements for the Build Out Year (2040) for the installation of signals at both ramps was estimated to cost \$215,536.13 in September, 2016. These costs may be adjusted to reflect the costs at the time a building permit is requested.

**Mitigation Measure TCR-2: San Manuel Band of Mission Indians**

1. The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended 2015), a cultural resources monitoring and treatment plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to the plan. This plan shall allow for a monitor to be present that represents SMBMI for the remainder of grading activities, should SMBMI elect to place a monitor on-site.

2. Any and all archaeological/cultural documents created as part of the project (insolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and lead Agency for dissemination to SMBMI. The Lead Agency/ or applicant, in good faith, shall consult with SMBMI until concluded per PRC 21082.3.2(b) (1)-(2),

**GENERAL REFERENCES**

Bureau of Land Management, *West Mojave California Desert Conservation Area Plan Amendment*, 2006.

Bureau of Land Management, *Desert Renewable Energy Conservation Plan. Phase I*, September 14, 2016.

Cal Recycle, Solid Waste Information System (SWIS), <https://www2.calrecycle.ca.gov/SWFacilities/Directory/>

California Department of Transportation. *Caltrans Scenic Highway Corridor Map*.  
[http://www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm)

California Department of Conservation. *Mineral Land Classification of a Part of Southwestern San Bernardino County: The Barstow-Victorville Area, California*.

California Energy Commission, *Electricity Consumption by County*, 2017  
<http://ecdms.energy.ca.gov/elecbycounty.aspx>

Census 2000 Urbanized Area Maps. <https://www.census.gov/geo/maps-data/maps/ua2kmaps.html>.

CEQA Guidelines, Appendix G.

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

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

County of San Bernardino Greenhouse Gas Emissions Reduction Plan, September 2011,  
[www.sbcounty.gov/Uploads/lus/GreenhouseGas/FinalGHGFull.pdf](http://www.sbcounty.gov/Uploads/lus/GreenhouseGas/FinalGHGFull.pdf)

County of San Bernardino Hazard Overlay Map FHO7B.  
<http://cms.sbcounty.gov/lus/Planning/ZoningOverlayMaps/HazardMaps.aspx>

Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10<sup>th</sup> Edition

Mojave Desert Air Quality Management District, *California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, August 2016*, <http://mdaqmd.ca.gov/rules/overview>

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

Mojave Desert Air Quality Management District, *Rule 403-2 Fugitive Dust Control for the Mojave Desert Planning Area*. 1996. <http://www.arb.ca.gov/DRDB/MOJ/CURHTML/R403-2.HTM>

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

National Institute for Occupational Safety and Health, *Criteria for Recommended Standard: Occupational Noise Exposure*, 1998

South Coast Air Quality Management District, *Risk Assessment Procedures for Rules 1401, 1401.1 & 212*

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

## PROJECT SPECIFIC REFERENCES

### Appendices: (Under Separate Cover or on Compact Disk)

- A. *Air Quality/Greenhouse Gas Study*, Birdseye Planning Group, May, 2016.
- B. *General Biological Resources Assessment*, Davey Resource Group, Inc., July 1, 2016
- C. *Rare Plant Survey*, Davey Resource Group, Inc., April 20, 2018
- D. *Cultural Resources Assessment*, ASM Affiliates, December 10, 2015.

- E. *Limited Engineering Geologic Report*, RGS Engineering Geology, January 30, 2019.
- F. *Hydrology and Hydraulic Report*, Sake Engineers Inc., May 2018...
- G. *Traffic Impact Analysis*, KOA Corporation, September 29, 2016.

CEQA ADDENDUM TO

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR A PROPOSED

- A) General Plan Amendment to change the Land Use District on seven (7) acres of a 60.41 acre parcel from Resource Conservation (RC) to Rural Commercial (CR).
- B) Tentative Parcel Map No. 19938 to create three (3) parcels.
- C) Conditional Use Permit to develop a Truck Stop Center, consisting of a 7,300 square-foot retail market and fast food restaurant, and a 3,570 square-foot automotive repair shop, impound yard, and vehicle and truck fueling stations on seven (7) acres.

APPLICANT: RAVINDER S. GREWAL- HAPPY HIGHWAY – P201600525

APN: 0542-131-54

This addendum, is intended to clarify Mitigation Measure TRAN-1-Condition of Approval # 109, within the Project Conditions of Approval. Mitigation Measure TRAN-1, which was included in the circulated IS/MND for this Project, identified a fair share contribution for the developer of this Project to pay relative to the cost of installing two 4-way traffic signals at the Interstate 15 Westbound at Afton Canyon Road and Interstate 15 at Afton Canyon Road intersections, as well as the cost of installing two roundabouts at the northbound and southbound ramps to Interstate 15. This mitigation measure identified the fair share dollar amount to be paid to the County of San Bernardino towards the cost of the installation of these two traffic signals or the two roundabouts.

Based on the final determination of the County Department of Public Works – Traffic Division, it was found that the roundabouts would not be a preferred mitigation. This option was removed and the fair share amounts were updated to reflect the conclusions of the final traffic report. The following minor technical changes are hereby identified within this Addendum to modify Mitigation Measure TRAN-1:

*Traffic Report Fair Share. The total fair share contribution for this project is required based on the traffic report dated 07/29/2019 from KOA Corporation. The fair share breakdown for these improvements is shown below:*

INTERSECTION	ESTIMATED COST	FAIR SHARE-%	ESTIMATED CONTRIBUTION
<b>I-15 Southbound Ramps at Afton Road</b>		%	%
Install a 4-way Traffic Signal	\$ 400,000	32.08%	\$ 128,338.76
<b>I-15 Northbound Ramps at Afton Road</b>		%	%
Install a 4-way Traffic Signal	\$ 400,000	52.79%	\$ 211,158.80
<b>Total Fair Share Paid to the County of San Bernardino</b>			<b>\$ 339,497.56</b>

*Fair Share Contribution.* The total fair share contribution will be based on the fair share percentages listed above and the estimated construction costs at the time of application for a building permit and shall be paid to the Department of Public Works - Traffic Division. At the present time, the estimated cost is \$339,497.56. This amount will be adjusted to reflect actual construction costs incurred, if available, or will be adjusted to account for future construction costs using the Caltrans Construction Cost Index.

These minor technical changes do not raise important new issues about the significant effect of this Project on the environment, nor do these changes lessen the adequacy of the proposed Mitigated Negative Declaration, which was circulated for public comment prior to the Planning Commission hearing.

# **EXHIBIT C**

## **CUP Conditions of Approval**

## **CONDITIONS OF APPROVAL**

Ravinder S. Grewal  
Conditional Use Permit

### **GENERAL REQUIREMENTS** Ongoing and Operational Conditions

#### **LAND USE SERVICES DEPARTMENT– Planning Division (909) 387-8311**

1. **Project Description.** Conditional Use Permit (CUP) to permit the development and operation of Truck Stop Center, containing a 7,300 square foot retail market, a fast food restaurant, and a 3,570 sq. ft. automotive repair shop, impound lot, and vehicle and truck fueling stations on approximately seven (7) acres. This Project is approved to be constructed and operated in compliance with the San Bernardino County Code (SBCC) and the California Building Codes (CBC), the San Bernardino County Fire Code (SBCFC), the Conditions of Approval contained herein, the approved site plan and all other approved reports and/or displays (e.g. elevations). The developer shall provide a copy of the approved conditions and approved site plan to every current and future developer to facilitate compliance with these conditions of approval and continuous use requirements for the project site.  
Project No. P201600525; Project APN: 0542-131-54.
2. **Concurrent Applications:** The following concurrent applications have also been approved for this project:
  - Tentative Parcel Map 19938 to create three parcels on 60.4 acres.
  - General Plan Land Use Zoning District Amendment from Resource Conservation (RC) to Rural Commercial (CR) on seven acres.
3. **Project Location.** The Project site is located at 45101 Afton Canyon Road, Baker.
4. **Revisions.** Any proposed change to the approved use/activity on the site or any increase in the developed area of the site or any expansion or modification to the approved facilities, including changes to the height, location, bulk or size of structure or equipment shall require an additional land use review and application subject to approval by the County. The developer shall prepare, submit with fees and obtain approval of the application prior to implementing any such revision or modification. (SBCC §86.06.070)
5. **Indemnification.** In compliance with SBCC §81.01.070, the developer shall agree, to defend, indemnify, and hold harmless the County or its “indemnitees” (herein collectively the County’s elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitees' "passive" negligence but does not apply to the indemnitees' "sole" or "active" negligence or "willful misconduct" within the meaning of Civil Code Section 2782.

6. Expiration. This project permit approval shall expire and become void if it is not "exercised" within three (3) years of the effective date of this approval, unless an extension of time is approved. The permit is deemed "exercised" when either:
- The permittee has commenced actual construction or alteration under a validly issued building permit, or
  - The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a building permit. (SBCC §86.06.060)
  - Occupancy of approved land use occupancy of completed structures and operation of the approved and exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs:
    - Construction permits for all or part of the project are not issued or the construction permits expire before the structure is completed and the final inspection is approved.
    - The land use is determined by the County to be abandoned or non-conforming.
    - The land use is determined by the County to be not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination.

PLEASE NOTE: This will be the ONLY notice given of this approval's expiration date. The developer is responsible to initiate any Extension of Time application.

7. Continuous Effect/Revocation. All of the conditions of this project approval are continuously in effect throughout the operative life of the project for all approved structures and approved land uses/activities. Failure of the property owner or developer to comply with any or all of the conditions at any time may result in a public hearing and possible revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner, developer or other interested party to correct the non-complying situation.
8. Extension of Time. Extensions of time to the expiration date (listed above or as otherwise extended) may be granted in increments each not to exceed an additional three years beyond the current expiration date. An application to request consideration of an extension of time may be filed with the appropriate fees no less than thirty days before the expiration date. Extensions of time may be granted based on a review of the application, which includes a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications. (SBCC §86.06.060)
9. Project Account. The Project account number is P201600525. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works, and County Counsel). Upon notice, the "developer" shall deposit additional funds to maintain or return the account to a positive balance. The "developer" is responsible for all expense charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use.

10. **Condition Compliance:** In order to obtain construction permits for grading, building, final inspection and/or tenant occupancy for each approved building, the developer shall process a Condition Compliance Release Form (CCRF) for each respective building and/or phase of the development through the Planning Division in accordance with the directions stated in the Approval letter. The Planning Division shall release their holds on each phase of development by providing to County Building and Safety the following:
- **Grading Permits:** a copy of the signed CCRF for grading/land disturbance and two “red” stamped and signed approved copies of the grading plans.
  - **Building Permits:** a copy of the signed CCRF for building permits and three “red” stamped and signed approved copies of the final approved site plan.
  - **Final Occupancy:** a copy of the signed CCRF for final inspection of each respective building or use of the land, after an on-site compliance inspection by the Planning Division.
11. **Development Impact Fees.** Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
12. **Additional Permits.** The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use. These may include but not limited to:
- a. **FEDERAL:** N/A;
  - b. **STATE:** Lahontan RWQCB, Mojave AQMD, California Department of Fish and Wildlife, Caltrans
  - c. **COUNTY:** Land Use Services – Building and Safety/Code Enforcement/Land Development, County Fire/HazMat; Public Health – Environmental Health Services, Public Works –Traffic/Solid Waste, County Surveyor, and
  - d. **LOCAL:** N/A
13. **Continuous Maintenance.** The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to:
- a) **Annual maintenance and repair:** The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety.
  - b) **Graffiti and debris:** The developer shall remove graffiti and debris immediately through weekly maintenance.
  - c) **Landscaping:** The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying.
  - d) **Dust control:** The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided.
  - e) **Erosion control:** The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability.
  - f) **External Storage:** The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls.
  - g) **Metal Storage Containers:** The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals.
  - h) **Screening:** The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view.
  - i) **Signage:** The developer shall maintain all on-site signs, including posted area signs (e.g. “No Trespassing”) in a clean readable condition at all times. The developer shall remove all graffiti and repair

vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan.

j) Lighting: The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules.

k) Parking and on-site circulation: The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires the Planning Division review and approval. The markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled space and access path of travel, directional designations and signs, stop signs, pedestrian crossing, speed humps and "No Parking", "Carpool", and "Fire Lane" designations.

l) Fire Lanes: The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including "No Parking" designations and "Fire Lane" designations.

14. Performance Standards. The approved land uses shall operate in compliance with the general performance standards listed in the County Development Code Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration, and the disposal of liquid waste.
15. Lighting. Lighting shall comply with Table 83-7 "Shielding Requirements for Outdoor Lighting in the Desert Region" of the County's Development Code (i.e. "Dark Sky" requirements). All lighting shall be limited to that necessary for maintenance activities and security purposes. This is to allow minimum obstruction of night sky remote area views. No light shall project onto adjacent roadways in a manner that interferes with on-coming traffic. All signs proposed by this project shall only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign, by direct stationary neon lighting or in the case of an approved electronic message center sign, an alternating message no more than once every five seconds.
16. Clear Sight Triangle. Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90 degree angle intersections of public rights-of-way and private driveways. All signs, structures and landscaping located within any clear sight triangle shall comply with the height and location requirements specified by County Development Code (SBCC§ 83.02.030) or as otherwise required by County Traffic.
17. Cultural Resources. During grading or excavation operations, should any potential paleontological or archaeological artifacts be unearthed or otherwise discovered, the San Bernardino County Museum shall be notified and the uncovered items shall be preserved and curated, as required. For information, contact the County Museum, Community and Cultural Section, telephone (909) 798-8570.
18. Underground Utilities. No new above-ground power or communication lines shall be extended to the site. All required utilities shall be placed underground in a manner that complies with the California Public Utilities Commission General Order 128, and avoids disturbing any existing/natural vegetation or the site appearance.
19. Construction Hours. Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the County of San Bernardino Development Code standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.
20. Construction Noise. The following measures shall be adhered to during the construction phase of the project:

- All construction equipment shall be muffled in accordance with manufacturer's specifications.
- All construction staging shall be performed as far as possible from occupied dwellings. The location of staging areas shall be subject to review and approval by the County prior to the issuance of grading and/or building permits.
- All stationary construction equipment shall be placed in a manner so that emitted noise is directed away from sensitive receptors (e.g. residences and schools) nearest the project site.

21. **GHG – Operational Standards.** The developer shall implement the following as greenhouse gas (GHG) mitigation during the operation of the approved project:
- a. **Waste Stream Reduction.** The “developer” shall provide to all tenants and project employees County-approved informational materials about methods and need to reduce the solid waste stream and listing available recycling services.
  - b. **Vehicle Trip Reduction.** The “developer” shall provide to all tenants and project employees County-approved informational materials about the need to reduce vehicle trips and the program elements this project is implementing. Such elements may include: participation in established ride-sharing programs, creating a new ride-share employee vanpool, designating preferred parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles with benches in waiting areas, and/or providing a web site or message board for coordinating rides.
  - c. **Provide Educational Materials.** The developer shall provide to all tenants and staff education materials and other publicity about reducing waste and available recycling services. The education and publicity materials/program shall be submitted to County Planning for review and approval.
  - d. **Landscape Equipment.** The developer shall require in the landscape maintenance contract and/or in onsite procedures that a minimum of 20% of the landscape maintenance equipment shall be electric-powered.

#### **LAND USE SERVICES DEPARTMENT– Code Enforcement Division (909) 387-8311**

22. **Enforcement.** If any County enforcement activities are required to enforce compliance with the conditions of approval, the property owner and “developer” shall be charged for such enforcement activities in accordance with the County Code Schedule of Fees. Failure to comply with these conditions of approval or the approved site plan design required for this project approval shall be enforceable against the property owner and “developer” (by both criminal and civil procedures) as provided by the San Bernardino County Code, Title 8 – Development Code; Division 6 – Administration, Chapter 86.09 – Enforcement.
23. **Weed Abatement.** The applicant shall comply with San Bernardino County weed abatement regulations and periodically clear the site of all non-complying vegetation. This includes removal of all Russian thistle (tumbleweeds).

#### **LAND USE SERVICES DEPARTMENT – Land Development Division – Drainage Section (909) 387-8311**

24. **Tributary Drainage.** 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.
25. **Natural Drainage.** The natural drainage courses traversing the site shall not be occupied or obstructed.
26. **Additional Drainage Requirements.** In addition to drainage requirements stated herein, other "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

27. Erosion Control Installation. Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.

**PUBLIC HEALTH - Environmental Health Services (800) 442-2283**

28. Refuse Storage/Removal. All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least **1** time per week, or as often as necessary to minimize public health nuisances. Refuse containing garbage shall be removed from the premises at least **2** times per week, or as often if necessary to minimize public health nuisances, by a permitted hauler to an approved solid waste facility in conformance with San Bernardino County Code Chapter 8, Section 33.0830 et. seq. For information, please call DEHS/LEA at: (800) 442-2283.

29. OWTS. The Onsite Wastewater Treatment System (OWTS) shall be maintained so as not to create a public nuisance and shall be serviced by a DEHS permitted pumper or qualified service provider. For information, please call DEHS/Wastewater Section at: 1-800-442-2283

30. Noise. Noise level(s) shall be maintained at or below County Standards, Development Code §83.01.080

**COUNTY FIRE DEPARTMENT–Community Safety Division (760)995-8190**

31. Construction Permits. Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred within 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.

32. Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein ("Fire Department"). Prior to any construction occurring on any parcel, the developer shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department.

33. Additional Requirements. In addition to the Fire requirements stated herein, other on site and off site improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

**DEPARTMENT OF PUBLIC WORKS – Solid Waste Management – (909) 386-8701**

34. Recycling Storage Capacity. The developer shall provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the County in compliance with the recycling requirements of Assembly Bill (AB) 2176.

35. Mandatory Commercial Recycling. Beginning July 1, 2012 all businesses defined to include a commercial or public entity that generates 4 or more cubic yards of commercial waste a week or is a multi-family

residential dwelling of 5 units or more are required to arrange for recycling services. The County is required to monitor commercial recycling and will require businesses to provide recycling information. This requirement is to assist the County in compliance with AB 341.

36. Mandatory Commercial Organics Recycling. As of January 1, 2017, AB 1826 (Enacted October 2014), requires businesses that generate eight (4) cubic yards of organic waste per week to recycle. A business generating organic waste shall arrange for the recycling services in a manner that is consistent with state and local laws and requirements, including a local ordinance or local jurisdiction's franchise agreement, applicable to the collection, handling, or recycling of solid and organic waste or arrange for separate organic waste collection and recycling services, until the local ordinance or local jurisdiction's franchise agreement includes organic waste recycling services. A business that is a property owner may require a lessee or tenant of that property to source separate their organic waste to aid in compliance. **Additionally, all businesses that contract for gardening or landscaping services must stipulate that the contractor recycle the resulting gardening or landscaping waste.** Residential multifamily dwellings of five (5) or more units are required to recycle organics; however they are not required to arrange for recycling services specifically for food waste. Applicant will be required to report to the County on efforts to recycle organics materials once operational.

**PRIOR TO ISSUANCE OF GRADING PERMITS  
OR LAND DISTURBING ACTIVITIES**

The Following Shall Be Completed

**LAND USE SERVICES DEPARTMENT– Planning Division (909) 387-8311**

37. GHG – Construction Standards. The developer shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce GHG emissions and submitting documentation of compliance. The developer/construction contractors shall do the following:
- a) Implement the approved Coating Restriction Plans.
  - b) Select construction equipment based on low GHG emissions factors and high-energy efficiency. All diesel/gasoline-powered construction equipment shall be replaced, where possible, with equivalent electric or CNG equipment.
  - c) Grading contractor shall provide and implement the following when possible:
    - 1) training operators to use equipment more efficiently.
    - 2) identifying the proper size equipment for a task can also provide fuel savings and associated reductions in GHG emissions.
    - 3) replacing older, less fuel-efficient equipment with newer models.
    - 4) use GPS for grading to maximize efficiency.
  - d) Grading plans shall include the following statements:
    - “All construction equipment engines shall be properly tuned and maintained in accordance with the manufacturers specifications prior to arriving on site and throughout construction duration.”
    - “All construction equipment (including electric generators) shall be shut off by work crews when not in use and shall not idle for more than 5 minutes.”
  - e) Schedule construction traffic ingress/egress to not interfere with peak-hour traffic and to minimize traffic obstructions. Queuing of trucks on and off site shall be firmly discouraged and not scheduled. A flagperson shall be retained to maintain efficient traffic flow and safety adjacent to existing roadways.
  - f) Recycle and reuse construction and demolition waste (e.g. soil, vegetation, concrete, lumber, metal, and cardboard) per County Solid Waste procedures.
  - g) The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew and educate all construction workers about the required waste reduction and the availability of recycling services.
38. Air Quality. Although the Project does not exceed Mojave Desert Air Quality Management District thresholds, the Project proponent is required to comply with all applicable rules and regulations as the Mojave Desert Air Basin is in non-attainment status for ozone and suspended particulates [PM<sub>10</sub> and PM<sub>2.5</sub> (State)]. To limit dust production, the Project proponent must comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures for each fugitive dust source. This would include, but not be limited to, the following Best Available Control Measures. Compliance with Rules 402 and 403 are mandatory requirements and thus not considered mitigation measures:
- a. The Project proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.
    1. The Project proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading. Portions of the site that are actively being graded shall be watered to ensure that a crust is formed on the ground surface, and shall be watered at the end of each workday.
    2. The Project proponent shall ensure that all disturbed areas are treated to prevent erosion.

3. The Project proponent shall ensure that all grading activities are suspended when winds exceed 25 miles per hour.
  - b. Exhaust emissions from vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, will increase NO<sub>x</sub> and PM<sub>10</sub> levels in the area. Although the Project will not exceed Mojave Desert Air Quality Management District thresholds during operations, the Project proponent will be required to implement the following requirements:
    1. All equipment used for grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
    2. The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site haul trucks in order to minimize exhaust emissions from truck idling.
39. **Diesel Regulations.** The operator shall comply with all existing and future California Air Resources Board and Mojave Desert Air Quality Management District regulations related to diesel-fueled trucks, which among others may include: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment. Mojave Desert Air Quality Management District rules for diesel emissions from equipment and trucks are embedded in the compliance for all diesel fueled engines, trucks, and equipment with the statewide California Air Resources Board Diesel Reduction Plan. These measures will be implemented by the California Air Resources Board in phases with new rules imposed on existing and new diesel-fueled engines.
40. **Mitigation Measure-BIO-1: Pre-Construction Burrowing Owl Survey.**

***Within 30 calendar days prior to grading for any phase, a qualified biologist shall conduct a survey of the Project's proposed impact footprint and make a determination regarding the presence or absence of the burrowing owl. The determination shall be documented in a report and shall be submitted, reviewed, and accepted by the County of San Bernardino Land Use Services Department-Planning Division prior to the issuance of a grading permit and subject to the following provisions:***

***a. In the event that the pre-construction survey identifies no burrowing owls in the impact area, a grading permit may be issued without restriction.***

***b. In the event that the pre-construction survey identifies the presence of burrowing owl, then prior to the issuance of a grading permit and prior to the commencement of ground-disturbing activities on the property, the qualified biologist shall follow the methods recommended by the California Department of Fish and Wildlife (CDFW, 2012) for passive or active relocation of burrowing owls. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow California Department of Fish and Wildlife relocation protocol. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow California Department of Fish and Wildlife relocation protocol. The biologist shall provide evidence in writing to the Planning Division that the species has fledged or been relocated prior to the issuance of a grading permit. Project contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by County of San Bernardino staff or its designee to confirm compliance. These notes also shall be specified in bid documents issued to prospective construction contractors.***

41. **Mitigation Measure-BIO-2: Desert Tortoise.**

***1. All employees, subcontractors, construction personnel, and other individuals who work on-site shall participate in a desert tortoise awareness program. The program shall be administered by the Project Biologist or Environmental Monitor. The program may be given in the field prior to the start of construction activities, and shall include truck drivers, delivery personnel, and other project-related to personnel who have attended the training.***

***2. An authorized biological monitor shall be present, as needed, during construction to ensure that tortoises or any other special status species enter the construction area and to remove or rescue any individuals that may be injured. Mortality of any tortoise shall be reported to wildlife agency staff.***

***Project contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by County of San Bernardino staff or its designee to confirm compliance. These notes also shall be specified in bid documents issued to prospective construction contractors.***

42. **Mitigation Measure CR-1: Inadvertent Discoveries.**

***1. In the event that pre-contact cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting the Secretary of the Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during the assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within Mitigation Measure TCR-2, if any such find occurs and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.***

***2. If significant pre-contact resources, as defined by CEQA (as amended 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within Mitigation Measure TCR-2. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.***

***3. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5.***

43. **Mitigation Measure GEO-1: Treatment of Previously Unidentified Paleontological Resources.**

***If previously unidentified paleontological resources are unearthed during construction activities, construction work in the immediate area of the find shall be halted and directed away from the discovery until a qualified Paleontologist assesses the significance of the resource. The County of San Bernardino Land Use Services Department shall make the necessary plans for treatment of the find(s) and for the evaluation and mitigation of impacts if the finds are found to be historically significant according to CEQA (CEQA Guidelines Section 15064.5 (a)). The plan shall include, but not be limited to:***

**1. Preparation of recovered specimens to a point of identification and permanent preservation including washing of sediments to recover small invertebrates and vertebrates.**

**2. Identification and curation of specimens into an established, accredited museum repository with permanent retrievable paleontologic storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. Mitigation of adverse impact to significant paleontological resources is not complete until such curation into an established repository has been fully completed and documented.**

**3. Preparation of a report of findings with an appended itemized inventory of specimens. The report and inventory, when submitted to the County Land Use Services Department-Current Planning along with confirmation of the curation of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.**

**44. Mitigation Measure TCR-2: San Manuel Band of Mission Indians**

**1. The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to the Plan. This plan shall allow for a monitor to be present that represents SMBMI for the remainder of grading activities, should SMBMI elect to place a monitor on-site.**

**2. Any and all archaeological/cultural documents created as part of the project (insolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and lead Agency for dissemination to SMBMI. The Lead Agency/ or applicant, in good faith, shall consult with SMBMI until concluded per PRC 21082.3.2(b) (1)-(2),**

**45. CUL Mitigation Measures San Manuel Band of Mission Indians Cultural Resources Department (SMBMI)**

a. In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

b. If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

c. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

**46. TCR Mitigation Measures San Manuel Band of Mission Indians Cultural Resources Department (SMBMI)**

- a. The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.
- b. Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.

**LAND USE SERVICES DEPARTMENT – Building and Safety Division (909) 387-8311**

47. Geotechnical (Soil) Report: A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits.

**LAND USE SERVICES DEPARTMENT – Land Development Division – Drainage Section (909) 387-8311**

48. Erosion & Sediment Control Plan. An erosion and sediment control plan shall be submitted to and approved by the Building Official.
49. Erosion Control Installation. Erosion control devices must be installed at all perimeter openings and slopes. No sediment is to leave the job site.
50. Drainage Improvements. A Registered Civil Engineer shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a safety manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$550 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
51. FEMA Flood Zone. The Project is located within Flood Zone D according to FEMA Panel Number 06071C3425H dated 08/28/2008. Flood Hazards are undetermined in this area but possible.
52. Topo Map. A topographic map shall be provided to facilitate the design and review of necessary drainage facilities.
53. Grading Plans. Grading plans and Erosion control plans shall be submitted for review and approval obtained prior to construction. All Drainage improvements shall be shown on the Grading plans according to the approved Drainage study. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.

54. NPDES Permit. An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. [www.swrcb.ca.gov](http://www.swrcb.ca.gov)
55. Regional Board Permit. Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.

### **COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190**

56. Water System. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix IIIA of the Uniform Fire Code.
57. Fire Fee. The required fire fees are due at time of submittal; and paid to the San Bernardino County Fire Department/Community Safety Division. This fee is in addition to fire fees that are paid to other City or County offices.
58. Combustible Vegetation. Combustible vegetation shall be removed as follows: " Where the average slope of the site is less than 15% - Combustible vegetation shall be removed a minimum distance of thirty (30) feet from all structures or to the property line, whichever is less. " Where the average slope of the site is 15% or greater - Combustible vegetation shall be removed a minimum one hundred (100) feet from all structures or to the property line, whichever is less. County Ordinance # 3586

### **DEPARTMENT OF PUBLIC WORKS – Surveyor – (909) 387-8149**

59. Survey Monumentation. If **any** activity on this project will disturb any land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying **prior** to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor (Section 8771(b) Business and Professions Code).
60. Record of Survey. Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code a Record of Survey of Corner Record shall be filed under any of the following circumstances:
- Monuments set to mark property lines or corners;
  - Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or boundary establishment/mapping of the subject parcel.
  - Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

**PRIOR TO ISSUANCE OF BUILDING PERMITS**

The Following Shall Be Completed:

**LAND USE SERVICES DEPARTMENT – Planning (909) 387-8311**

61. Architecture. Architectural elevations are considered conceptual. Final details with colors and material samples shall be submitted to the Planning Division for approval prior to building plan check submittal.
62. Outdoor Lighting Plans. The developer shall submit for review and approval to County Planning a photometric study demonstrating that the project light does not spill onto the adjacent properties, or public streets. Lighting fixtures shall be oriented and focused to the onsite location intended for illumination (e.g. walkways). Lighting shall be shielded away from adjacent sensitive uses, including the adjacent residential development, to minimize light spillover. The glare from any luminous source, including on-site lighting, shall not exceed 0.5 foot-candle at the property line. The lighting plan shall be submitted for plan review with appropriate fees and shall be approved and permits obtained, prior to any lighting installation. This shall be done to the satisfaction of County Planning, in coordination with County Building and Safety.
63. Landscape and Irrigation Plan. Landscape and Irrigation Plans shall be prepared in conformance with Chapter 83.10, Landscaping Standards, of the County Development Code. The developer shall submit four copies of a landscape and irrigation plan to County Planning.
64. GHG – Design Standards. The developer shall submit for review and obtain approval from County Planning evidence that the following measures have been incorporated into the design of the project. These are intended to reduce potential project greenhouse gas (GHGs) emissions. Proper installation of the approved design features and equipment shall be confirmed by County Building and Safety prior to final inspection of each structure.
- a. Meet Title 24 Energy Efficiency requirements implemented July 1, 2014. The Developer shall document that the design of the proposed structures meets the current Title 24 energy-efficiency requirements. County Planning shall coordinate this review with the County Building and Safety. Any combination of the following design features may be used to fulfill this requirement, provided that the total increase in efficiency meets or exceeds the cumulative goal (100%+ of Title 24) for the entire project (Title 24, Part 6 of the California Code of Regulations; Energy Efficiency Standards for Residential and Non Residential Buildings, as amended January 7 2, 2013; Cool Roof coatings performance standards as amended January 24, 2013.
- Incorporate dual paned or other energy efficient windows,
  - Incorporate energy efficient space heating and cooling equipment,
  - Incorporate energy efficient light fixtures, photocells, and motion detectors,
  - Incorporate energy efficient appliances,
  - Incorporate energy efficient domestic hot water systems,
  - Incorporate solar panels into the electrical system,
  - Incorporate cool roofs/light colored roofing,
  - Incorporate other measures that will increase energy efficiency.
  - Increase insulation to reduce heat transfer and thermal bridging.
  - Limit air leakage throughout the structure and within the heating and cooling distribution system to minimize energy consumption.
- b. Plumbing. All plumbing shall incorporate the following:
- All showerheads, lavatory faucets, and sink faucets shall comply with the California Energy Conservation flow rate standards.
  - Low flush toilets shall be installed where applicable as specified in California State Health and Safety Code Section 17921.3.

- All hot water piping and storage tanks shall be insulated. Energy efficient boilers shall be used.
- c. Lighting. Lighting design for building interiors shall support the use of:
  - Compact fluorescent light bulbs or equivalently efficient lighting.
  - Natural day lighting through site orientation and the use of reflected light.
  - Skylight/roof window systems.
  - Light colored building materials and finishes shall be used to reflect natural and artificial light with greater efficiency and less glare.
  - A multi-zone programmable dimming system shall be used to control lighting to maximize the energy efficiency of lighting requirements at various times of the day.
  - Provide a minimum of 2.5 percent of the project's electricity needs by on-site solar panels.
- d. Building Design. Building design and construction shall incorporate the following elements:
  - Orient building locations to best utilize natural cooling/heating with respect to the sun and prevailing winds/natural convection to take advantage of shade, day lighting and natural cooling opportunities.
  - Utilize natural, low maintenance building materials that do not require finishes and regular maintenance.
  - Roofing materials shall have a solar reflectance index of 78 or greater.
  - All supply duct work shall be sealed and leak-tested. Oval or round ducts shall be used for at least 75 percent of the supply duct work, excluding risers.
  - Energy Star or equivalent appliances shall be installed.
  - A building automation system including outdoor temperature/humidity sensors will control public area heating, vent, and air conditioning units
- e. Landscaping. The developer shall submit for review and obtain approval from County Planning of landscape and irrigation plans that are designed to include drought tolerant and smog tolerant trees, shrubs, and groundcover to ensure the long-term viability and to conserve water and energy. The landscape plans shall include shade trees around main buildings, particularly along southern and western elevations, where practical.
- f. Irrigation. The developer shall submit irrigation plans that are designed, so that all common area irrigation areas shall be capable of being operated by a computerized irrigation system, which includes either an on-site weather station, ET gauge or ET-based controller capable of reading current weather data and making automatic adjustments to independent run times for each irrigation valve based on changes in temperature, solar radiation, relative humidity, rain and wind. In addition, the computerized irrigation system shall be equipped with flow sensing capabilities, thus automatically shutting down the irrigation system in the event of a mainline break or broken head. These features will assist in conserving water, eliminating the potential of slope failure due to mainline breaks and eliminating over-watering and flooding due to pipe and/or head breaks.
- g. Recycling. Exterior storage areas for recyclables and green waste shall be provided. Where recycling pickup is available, adequate recycling containers shall be located in public areas. Construction and operation waste shall be collected for reuse and recycling.
- h. Transportation Demand Management (TDM) Program. The project shall include adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. Preferred carpool/vanpool spaces shall be provided and, if available, mass transit facilities shall be provided (e.g. bus stop bench/shelter). The developer shall demonstrate that the TDM program has been instituted for the project or that the buildings will join an existing program located within a quarter mile radius from the project site that provides a cumulative 20% reduction in unmitigated employee commute trips. The TDM Program shall publish ride-sharing information for ride-sharing vehicles and provide a website or message board for coordinating rides. The Program shall ensure that appropriate bus route information is placed in each building.

65. **Signs.** All proposed on-site signs shall be shown on a separate plan, including location, scaled and dimensioned elevations of all signs with lettering type, size, and copy. Scaled and dimensioned elevations of buildings that propose signage shall also be shown. The applicant shall submit sign plans to County Planning for all existing and proposed signs on this site. The applicant shall submit for approval any additions or modifications to the previously approved signs. All signs shall comply with SBCC Chapter 83.13, Sign Regulations, SBCC §83.07.040, Glare and Outdoor Lighting Mountain and Desert Regions, and SBCC Chapter 82.19, Open Space Overlay as it relates to Scenic Highways (§82.19.040), in addition to the following minimum standards:

- a. All signs shall be lit only by steady, stationary shielded light; exposed neon is acceptable.
- b. All sign lighting shall not exceed 0.5 foot-candle.
- c. No sign or stationary light source shall interfere with a driver's or pedestrian's view of public right-of-way or in any other manner impair public safety.
- d. Monument signs shall not exceed four feet above ground elevation and shall be limited to one sign per street frontage.

#### **LAND USE SERVICES DEPARTMENT – Building and Safety (909) 387-8311**

66. **Temporary Use Permit.** A Temporary Use Permit (T.U.P.) for the office trailer will be required or it must be placed on a permanent foundation per State H.C.D. guidelines. A T.U.P. is only valid for a maximum of five (5) years.”

67. **Construction Plans:** Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division.

#### **LAND USE SERVICES DEPARTMENT – Land Development Division – Road Section (909) 387-8311**

68. **Road Dedication/Improvements.** The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California.

##### **Dunn Road (Local – 60')**

- **Street Improvements.** Design AC Dike with match up paving 18 feet from centerline with a minimum 26 ft. paved road section within a 40 foot right-of-way.
- **Curb Return Dedication.** A 20 foot radius return grant of easement is required at the intersection of Dunn Road and Afton Canyon Road
- **Driveway Approach.** Design driveway approach per San Bernardino County Standard 129B, and located per San Bernardino County Standard 130.

##### **Afton Canyon Road (Local – 60')**

- **Street Improvements.** Design AC Dike with match up paving 18 feet from centerline with a minimum 26 ft. paved road section within a 40 foot right-of-way.
- **Driveway Approach.** Design driveway approach per San Bernardino County Standard 129B, and located per San Bernardino County Standard 130.

69. **Road Standards and Design.** All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road

sections shall be designed to Desert Road Standards of San Bernardino County, and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.

70. Street Improvement Plans. The developer shall submit for review and obtain approval of street improvement plans prior to construction. Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction, and any such utility shall be relocated as necessary without cost to the County. Street improvement plans shall not be approved until all necessary right-of-way is acquired.
71. Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.
72. Soils Testing. Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to San Bernardino County and a written report shall be submitted to the Transportation Operations Division, Permits Section of County Public Works, prior to any placement of base materials and/or paving.
73. Transitional Improvements. Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing, shall be required as necessary.
74. Street Gradients. Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of County Public Works confirming the adequacy of the grade.
75. Slope Tests. Slope stability tests are required for road cuts or road fills per recommendations of the Geotechnical Engineer to the satisfaction of County Public Works.

#### **COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190**

76. Building Plans. No less than three (3) complete sets of Building Plans shall be submitted to the Fire Department for review and approval. [F42]
77. Water System Commercial. A water system approved and inspected by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. All fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than three hundred [300] feet from any portion of a structure.
78. Access. The development shall have a minimum two (2) points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. Standard 902.2.1
79. Primary Access Paved. Prior to building permits being issued to any new structures, the primary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions, (Fire #F-9) including width, vertical clearance and turnouts, if required.

80. Secondary Access Paved. Prior to building permits being issued to any new structure, the secondary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirements conditions (Fie #F-9), including width, vertical clearance and turnouts, if required.
81. Fire Lanes. The applicant shall submit a fire lane plan to the Fire Department for review and approval. Fire lane curbs shall be painted RED. The "No Parking, Fire Lane" signs shall be installed on public/private roads in accordance with the approved plan. Standard 901.4.
82. Single Story Road Access Width: All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions.
83. Multi-Story Road Access Width: Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height.
84. Turnaround. An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of forty five (45) foot radius for all turns. In the FS1, FS2 or FS-3 Fire Safety Overlay District areas, there are additional requirements. Standard 902.2.1
85. Rural Water System Commercial. In areas without water serving utilities, the fire protection water system shall be designed to NFPA 1142 and shall be operational prior to framing. All NFPA 1142 systems shall provide an approved permanent water supply. Water supply systems may be mitigated with an approved NFPA 13 or 13 R fire sprinkler system.
86. Water System Certification. A letter from a licensed structural (or truss) engineer shall be submitted with an original wet stamp at time of fire sprinkler plan review, verifying the roof is capable of accepting the point loads imposed on the building by the fire sprinkler system design. [F59A]
87. Access – 150+ Feet. Roadways exceeding one hundred fifty (150) feet in length shall be approved by the Fire Department. These shall be extended to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building.
88. Access - 30% slope. Where the natural grade between the access road and building is in excess of thirty percent (30%), an access road shall be provided within one hundred and fifty (150) feet of all buildings. Where such access cannot be provided, a fire protection system shall be installed. Plans shall be submitted to and approved by the Fire Department. Standard 902.2.1
89. Water System Certification. The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustibles materials on the job site.
90. Hood and Duct Suppression. An automatic hood and duct fire extinguishing system is required. A fire department approved designer/installer shall submit three (3) sets of detailed plans (minimum 1/8" scale) with manufactures' specifications in sheets to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.

91. Haz-Mat Approval. The applicant shall contact the San Bernardino County Fire Department/Hazardous Materials Division (909) 386-8400 for review and approval of building plans, where the planned use of such buildings will or may use hazardous materials or generate hazardous waste materials.

### **DEPARTMENT OF PUBLIC WORKS – Solid Waste Management – (909) 386-8701**

92. Construction and Demolition Waste Management Plan (CWMP) Part 1 – The developer shall prepare, submit, and obtain approval from SWMD of a CDWMP Part 1 for each phase of the project. The CWMP shall list the types and weights or volumes of solid waste materials expected to be generated from demolition. The CWMP shall include options to divert from landfill disposal, materials for reuse or recycling by a minimum of 65% of total weight or volume. Forms can be found on our website at <http://cms.sbcounty.gov/dpw/solidwastemanagement.aspx>. An approved CDWMP Part 1 is required before a demolition permit can be issued.

### **PUBLIC HEALTH – Environmental Health Services (800) 442-2283**

93. Public Water Supply. A public water supply permit may/will be required and concurrently approved by the State Water Resources Control Board – Division of Drinking Water. Applicant shall submit preliminary technical report at least 6 months before initiating construction of any water-related development. Source of water shall meet water quality and quantity standards. Test results, which show source meets water quality and quantity standards shall be submitted to the Division of Environmental Health Services (DEHS). For information, contact the Water Section at 1-800-442-2283 and SWRCB-DDW at 916-449-5577.
94. Method of Sewage Disposal. Method of sewage disposal shall be **approved agency** or EHS approved.
95. Sewage Disposal. Method of sewage disposal shall be an EHS approved onsite wastewater treatment system(s) (OWTS) and conform to the Local Agency Management Program
96. Sewer Connection Service. If sewer connection and/or service are unavailable, onsite wastewater treatment system(s) (OWTS) may then be allowed under the following conditions:
- A soil percolation report shall be submitted to DEHS for review and approval. If the percolation report cannot be approved, the project may require an alternative OWTS. For information, please contact the Wastewater Section at 1-800-442-2283.  
iCommercial projects utilizing a conventional OWTS are limited to 250 gallons per day per 0.5 acre.
  - An Alternative Treatment Permit, if applicable, shall be required.
97. Wastewater Treatment. Existing onsite wastewater treatment system (OWTS) can be used if applicant provides OWTS certification from a qualified professional (i.e., Professional Engineer (P.E.), Registered Environmental Health Specialist (REHS), C42 contractor, Certified Engineering Geologist (C.E.G.), etc.) that the system functions properly, meets code, and has the capacity required for the proposed project. Applicant shall provide documentation outlining methods used in determining function. For information on the OWTS Certification form, contact DEHS at 1-800-442-2283.
98. Acoustical Information. Submit preliminary acoustical information demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standard(s), San Bernardino Development Code Section 83.01.080. The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance to noise standards, a project specific acoustical analysis shall be required. Submit information/analysis to the DEHS for review and approval. For information and acoustical checklist, contact DEHS at 1-800-442-2283.

99. **Food Establishments.** Plans for food establishments shall be reviewed and approved by DEHS. For information, call DEHS/Plan Check at: 1-800-442-2283
100. **Refuse.** All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that visual or other impacts, and environmental public health nuisances are minimized and complies with San Bernardino County Code Chapter 8, Section 33.081 et. seq. For information, please call DEHS/Local Enforcement Agency (LEA) at: 1-800-442-2283. The recycling center must maintain an amount of less than 10% residual amount of solid waste from the separated waste for reuse; a less than 1% putrescible wastes from the separated waste for reuse material received by weight. As long as the above conditions are met, the facility will not be subject to the Transfer/Processing Regulatory Requirements, pursuant to 14 CCR §17402.5. If the facility exceeds the above stated limitations, a Full Solid Waste Facility Permit will be required.

**LAND USE SERVICES DEPARTMENT – Building and Safety (909) 387-8311**

101. The existing near-surface soils within the proposed building area shall be overexcavated and recompact to a depth of at least 5 feet below the existing or finish grades, whichever is greater. The overexcavation area shall extend at least 5 feet beyond the building perimeter and foundations.
102. All fills shall be compacted to at least 90% of the maximum dry density, as determined by ASTM D1557.
103. Seismic design of the proposed structures shall be performed in accordance with the current edition of the California Building Code (CBC) and the seismic design parameters in the above referenced report.
104. The upper 12 inches of pavement subgrade soils shall be overexcavated and recompact to at least 90% of the maximum dry density, as determined by ASTM D1557.
105. Building footings shall extend at least 18 inches below finish grade. Canopy foundations shall consist of 10 feet deep caissons or pad footings in accordance with the design parameters in the reports referenced above.
106. Surface drainage shall be directed away from foundations toward the streets or approved drainage devices. Ponding of water adjacent to the foundations and retaining walls shall be avoided.
107. The geotechnical consultant shall be provided with copies of the rough and precise grading and foundation plans, when they become available, for review with regard to the conclusions, recommendations, and assumptions contained within the reports referenced above.
108. The geotechnical consultant shall inspect and approve all overexcavation depths and areas prior to placing any fills and inspect and approve foundation excavations before placing forms, steel, or concrete.

**DEPARTMENT OF PUBLIC WORKS – Traffic Division – (909) 387-8186**

109. **Mitigation Measure- TRAN-1. I-15 Ramp Improvements.**

***Traffic Report Fair Share. The total fair share contribution for this project is required based on the traffic report dated 07/29/2019 from KOA Corporation. The fair share breakdown for these improvements is shown below:***

INTERSECTION	ESTIMATED COST	FAIR SHARE-%	ESTIMATED CONTRIBUTION
<b>I-15 Southbound Ramps at Afton Road</b>			
Install a 4-way Traffic Signal	\$ 400,000	32.08%	\$ 128,338.76
<b>I-15 Northbound Ramps at Afton Road</b>			
Install a 4-way Traffic Signal	\$ 400,000	52.79%	\$ 211,158.80
<b>Total Fair Share Paid to the County of San Bernardino</b>			<b>\$ 339,497.56</b>

***Fair Share Contribution.*** The total fair share contribution will be based on the fair share percentages listed above and the estimated construction costs at the time of application for a building permit and shall be paid to the Department of Public Works - Traffic Division. At the present time, the estimated cost is \$339,497.56. This amount will be adjusted to reflect actual construction costs incurred, if available, or will be adjusted to account for future construction costs using the Caltrans Construction Cost Index.

**PRIOR TO FINAL INSPECTION OR OCCUPANCY**

The Following Shall Be Completed

**LAND USE SERVICES DEPARTMENT – Planning Division (909) 387-8311**

110. Fees Paid. Prior to final inspection by Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, the applicant shall pay in full all fees required under actual cost job number P201600525
111. Shield Lights. Any lights used to illuminate the site shall include appropriate fixture lamp types as listed in SBCC Table 83-7 and be hooded and designed so as to reflect away from adjoining properties and public thoroughfares and in compliance with SBCC Chapter 83.07, "Glare and Outdoor Lighting" (i.e. "Dark Sky Ordinance).
112. CCRF/Occupancy. Prior to occupancy/use, all Condition Compliance Release Forms (CCRF) shall be completed to the satisfaction of County Planning with appropriate authorizing signatures from each reviewing agency.
113. Screen Rooftop. All roof top mechanical equipment is to be screened from ground vistas.
114. Landscaping/Irrigation. All landscaping, dust control measures, all fences, etc. as delineated on the approved Landscape Plan shall be installed. The developer shall submit the Landscape Certificate of Completion verification as required in SBCC Section 83.10.100. Supplemental verification should include photographs of the site and installed landscaping.
115. Installation of Improvements. All required on-site improvements shall be installed per approved plans.
116. GHG – Installation/Implementation Standards. The developer shall submit for review and obtain approval from County Planning of evidence that all applicable GHG performance standards have been installed, implemented properly and that specified performance objectives are being met to the satisfaction of County Planning and County Building and Safety. These installations/procedures include the following:
  - a) Design features and/or equipment that cumulatively increases the overall compliance of the project to exceed Title 24 minimum standards by five percent.
  - b) All interior building lighting shall support the use of fluorescent light bulbs or equivalent energy-efficient lighting.
  - c) Installation of both the identified mandatory and optional design features or equipment that have been constructed and incorporated into the facility/structure.

**LAND USE SERVICES DEPARTMENT – Land Development Division – Drainage Section (909) 387-8311**

117. Drainage Improvements. All required drainage improvements if any shall be completed by the applicant. The private registered engineer shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.

**LAND USE SERVICES DEPARTMENT – Land Development Division – Road Section (909) 387-8311**

118. LDD Requirements. All LDD requirements shall be completed by the applicant prior to occupancy.

119. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works. Completion of road and drainage improvements does not imply acceptance for maintenance by the County.
120. Open Roads/Cash Deposit. Existing County roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, during actual construction. A cash deposit shall be made to cover the cost of grading and paving prior to issuance of road encroachment permit. Upon completion of the road and drainage improvement to the satisfaction of the Department of Public Works, the cash deposit may be refunded.
121. Structural Section Testing. A thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to County Public Works.
122. Parkway Planting. Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by County Public Works and Current Planning and shall be maintained by the adjacent property owner or other County-approved entity.

#### **COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190**

123. Commercial Addressing. Commercial and industrial developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum six (6) inches in height and with a three quarter (3/4) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances. Standard 901.4.4
124. Street Sign. This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustibles material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent sign shall be installed.
125. Combustible Protection. Prior to combustibles, being placed on the project site an approved paved road with curb and gutter and fire hydrants with an acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until the final inspection and occupancy.
126. Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road. Standard 901.4.3. [F80]
127. Material Identification Placards. The applicant shall install Fire Department approved material identification placards on the outside of all buildings and/or storage tanks that store or plan to store hazardous or flammable materials in all locations deemed appropriate by the Fire Department. Additional placards shall be required inside the buildings when chemicals are segregated into separate areas. Any business with an N.F.P.A. 704 rating of 2-3-3 or above shall be required to install an approved key box vault on the premises, which shall contain business access keys and a business plan.
128. Inspection by the Fire Department. Permission to occupy or use the building (Certification of Occupancy or Shell Release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for the “fire final”.

**COUNTY FIRE - Hazardous Material Division (909) 386-8401**

129. Permits. Prior to occupancy, the business operator shall be required to apply for one or more of the following permits, or apply for exemption from hazardous materials laws and regulations: a Hazardous Materials Permit, a Hazardous Waste Permit, Aboveground Storage Tank Permit or an underground Storage Tank Permit. Application for one of these permits shall occur by submitting a hazardous materials business plan using the California Environmental Reporting System (CERS) <http://cers.calepa.ca.gov/>

Additional information can be found at <http://www.sbctfire.org/ofm/hazmat/PoliciesProcedures.aspx> or contact the Office of the Fire Marshal, Hazardous Materials Division at (909) 386-8401.

**PUBLIC HEALTH – Environmental Health Services (800) 442-2283**

130. Public Water System Permit. A Public Water System Permit which meets Title 22, CCR requirements pertaining to the type of water system, shall be required. For information, contact DEHS at: 1-800-442-2283.

131. Alternative Treatment System. Alternative Treatment System Permit, if applicable, shall be required. For information, contact DEHS at: 1-800-442-2283.

132. Annual Permit. An annual health permit for food facility, for information, contact DEHS/Community Environmental Health at 1-800-442-2283.

**DEPARTMENT OF PUBLIC WORKS – Solid Waste Management – (909) 386-8701**

133. Construction and Demolition Waste Management Plan (CDWMP) Part 2 – The developer shall complete SWMD's CDWMP Part 2 for construction and demolition. This summary shall provide documentation of actual diversion of materials including but not limited to receipts, invoices or letters from diversion facilities or certification of reuse of materials on site. The CDWMP Part 2 shall provide evidence to the satisfaction of SWMD that demonstrates that the project has diverted from landfill disposal, material for reuse or recycling by a minimum of 65% of total weight or volume of all construction waste.

**DEPARTMENT OF PUBLIC WORKS – Traffic Division – (909) 387-8186**

134. The applicant shall construct, at 100% cost to the applicant all roadway improvements as shown on their approved street improvement plans. This shall include any software and/or hardware to implement the approved signal coordination plan.

**END OF CONDITIONS**

## **EXHIBIT D**

### **TPM Conditions of Approval**

## CONDITIONS OF APPROVAL

Tentative Parcel Map **Map No. 19938**

### GENERAL REQUIREMENTS Ongoing and Operational Conditions

#### PROJECT DESCRIPTION

1. Project Approval Description. Tentative Parcel Map (TPM) 19938 to subdivide a 60.4 acre lot into three (3) parcels. The Project site is located at 45101 Afton Canyon Road, Baker.
2. Concurrent Applications: The following concurrent applications have also been approved for this project:
  - Conditional Use Permit (CUP) to permit the development and operation of Truck Stop Center, containing a 7,300 square foot retail market, a fast food restaurant, and a 3,570 sq. ft. automotive repair shop, impound lot, and vehicle and truck fueling stations on approximately seven (7) acres.
  - General Plan Land Use Zoning District Amendment from Resource Conservation (RC) to Rural Commercial (CR) on seven acres.

#### NOTICES

3. Expirations/TPM. This conditional approval of the Tentative Parcel Map shall become null and void unless all conditions have been completed and the Tentative Map has been deemed complete by the County Surveyor for purposes of recordation before the expiration date.

PLEASE NOTE: This will be the ONLY notice given of the approval expiration date. The developer is responsible for initiation of any extension request.

3. Extension of Time/TPM. Where circumstances cause delays, which do not permit compliance with the required recordation time limit, the developer may submit for review and approval an application requesting an extension of time. County Land Use Services may grant such requests for extensions of time in compliance with the State Map Act Section 66452.6. An Extension of Time may be granted upon a successful review of an Extension of Time application, which includes a justification of the delay in recordation, a plan of action for completion and submittal of the appropriate fee, not less than 30 days prior to the expiration date. The granting of an extension request is a discretionary action that may be subject to additional or revised conditions of approval.
4. Revisions/TPM. Any proposed change to the approved Tentative Parcel Map and/or the conditions of approval shall require that an additional land use application (e.g.

Ravinder S. Grewal

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Revision to an Approved Action) be submitted to County Land Use Services for review and approval.

5. Condition Compliance. Condition compliance confirmation for purposes of Parcel Map recordation will be coordinated by the County Surveyor.
  
6. Project Account. The Job Costing System (JCS) account number is Project No. P201600525. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works and County Counsel). Upon notice, the developer shall deposit additional funds to maintain or return the account to a positive balance. The developer is responsible for all expenses charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$500.00 shall be in the project account at the time of project approval and the initiation of the Condition Compliance Review. Sufficient funds shall remain in the account to cover all estimated charges that may be made during each compliance review. All fees required for processing shall be paid in full prior to recordation.
  
7. Indemnification. In compliance with SBCC §81.01.070, the developer shall agree, to defend, indemnify, and hold harmless the County or its “indemnitees” (herein collectively the County’s elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

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This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer’s indemnification obligation applies to the indemnitees’ “passive” negligence but does not apply to the indemnitees’ “sole” or “active” negligence or “willful misconduct” within the meaning of Civil Code Section 2782.

**PRIOR TO RECORDATION OF THE PARCEL MAP  
The Following Shall Be Completed**

**LAND USE SERVICES DEPARTMENT – Planning Division (909) 387-8311**

8. Composite Development Plan (CDP). A Composite development plan (“CDP”), complying with the County Development Code, shall be submitted for review and approval by the County Surveyor and filed with Land Use Services prior to recordation of the Parcel Map.
9. CDP/Planning Division. The following shall be delineated or noted on the CDP (Statements in quotations shall be verbatim):
  - “Land Use Services Department- Planning Division (909) 387-8311”
  - “Utilities. All proposed utility lines shall be placed underground.”

**LAND USE SERVICES DEPARTMENT-Land Development Division-Drainage Section (909) 387-8311**

10. Drainage Improvements. A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a safety manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$550 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
11. FEMA Flood Zone. The project is located within Flood Zone D according to FEMA Panel Number 06071C3425H dated 08/28/2008. Flood Hazards are undetermined in this area but possible.
12. Topo Map. A topographic map shall be provided to facilitate the design and review of necessary drainage facilities.
13. Grading Plans. Grading plans shall be submitted for review and approval obtained, prior to construction. All Drainage improvements shall be shown on the Grading plans according to the approved Drainage study. Fees for grading plans will be

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collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.

**LAND USE SERVICES – Land Development Division– Road Section (909) 387-8311**

15. Road Dedication. The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications.

**Dunn Road (Local – 60')**

16. Curb Returns Dedication. A 20 foot radius return grant of easement is required at the intersection of Dunn Road and Afton Canyon Road.

**DEPARTMENT OF PUBLIC WORKS – Surveyor (909) 387-8149**

17. Parcel Map. A Parcel Map is required in compliance with the Subdivision Map Act and the San Bernardino County Development Code.

18. Easements. Easements within the reminder portion of the map are to be dedicated by separate document.

19. Non-Interference letter. Subdivider shall present evidence to the County Surveyor's Office that he has tried to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries

20. Easements of Record. Easements of record not shown on the tentative map shall be relinquished or relocated. Lots

21. Review of the Parcel Map by our office is based on actual cost, and requires an initial \$3000.00 deposit. Prior to recordation of the map all fees due to our office for the project shall be paid in full.

22. Title Report. A. current Title Report prepared for subdivision purposes is required at the time the map is submitted to our office for review.

23. Monumentation. If any activity on this project will disturb any land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying prior to commencement of any activity with the potential to disturb said monumentation, and appropriate

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documents shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.

24. Final Monumentation. Final Monumentation, not set prior to recordation, shall be bonded with a cash amount deposited with the office of the county surveyor as established per the county fee schedule 16.0215B (c) (6).

**PUBLIC HEALTH – Environmental Health Services (800) 442-2283**

25. Watery Purveyor. The water purveyor shall be approved agency or EHS approved.
26. Verification Letter. Applicant shall procure a verification letter from the water agency with jurisdiction. This letter shall state whether or not water connection and service shall be made available to the project by the water agency. This letter shall reference the File Index Number and Assessor’s Parcel Number(s).
27. Water Company. If an approved water company cannot serve the project, individual wells are authorized for each daughter parcel providing that County Development Code infrastructure requirements can be met. Conceptual plans, showing that wells and septic system locations meet setback requirements, may be required (§ 83.09.060). If wells are approved, the following notes shall be placed on the Composite Development Plan (CDP), “An individual well shall be utilized as the domestic water source for each lot. The well shall be installed, pump tested, and the pump test results reviewed and approved by DEHS prior to the issuance of building permits for each lot.”
28. Existing Wells. Any existing wells on the lot shall (1) be properly destroyed under permit OR (2) have been constructed to “California Well Standards” and be used as a source of water (industrial and/or domestic) for the project. Contact DEHS/Water Section for more information at 1-800-442-2283.
29. Method of sewage disposal shall be an EHS approved onsite wastewater treatment system (OWTS) and conform to the Local Agency Management Program.
30. Sewer Connection. If sewer connection and/or service is unavailable, Onsite Wastewater Treatment system(s) in conformance with the Local Agency Management Program May 2017 will be allowed under the following conditions: A soil percolation report shall be submitted to DEHS for review and approval. The following note shall be placed on a Composite Development Plan (CDP): “An approved percolation report, (DEHS reference number) prepared by (person/firm name & credentials) on (date prepared), is on file with DEHS.” For information, please contact Water / Wastewater / Land Use Section at 1-800-442-2283.
31. Treatment System. Existing onsite wastewater treatment system can be used if applicant provides OWTS certification from a qualified professional (i.e., Professional Engineer

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(P.E.), Registered Environmental Health Specialist (REHS), C42 contractor, Certified Engineering Geologist (C.E.G.), etc.) that the system functions properly, meets code, and has the capacity required for the proposed project. Applicant shall provide documentation outlining methods used in determining function. For information on the OWTS Certification form, contact DEHS at 1-800-442-2283.

**ADDITIONAL NOTICES**

32. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
33. Additional Permits. The property owner, developer, and land use operator are all responsible to ascertain and comply with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies as are applicable to the development and operation of the approved land use and project site.

**END OF CONDITIONS**

# EXHIBIT E

## Findings

**FINDINGS - GENERAL PLAN AMENDMENT.** General Plan Amendment (GPA) to change the General Plan Land Use District from Resource Conservation (RC) to Rural Commercial (CR) to insure zoning compatibility for the proposed use. The proposed CR zoning district is consistent with the proposed Truck Stop Center and proposed impound yard as the intent of the CR District is to provide suitable locations for retail and service commercial establishments intended to meet the daily convenience needs of the traveling public.

**1. THE PROPOSED RURAL COMMERCIAL ZONING DISTRICT (CR) GPA IS INTERNALLY CONSISTENT WITH ALL OTHER PROVISIONS OF THE RESPECTIVE PLAN AND THE GENERAL PLAN AS IT IS CONSISTENT WITH THE FOLLOWING GOALS AND POLICIES OF THE COUNTY GENERAL PLAN:**

Purpose: To provide sites in rural areas where a range of commercial services intermixed with residential uses can be established which are limited in scope and intensity and meet the needs of the remote population and the traveling public

- **GOAL LU1.** – The County will have a compatible and harmonious arrangement of land uses by providing a type and mix of functionally well-integrated land uses that are fiscally viable and meet general social and economic needs of the residents

Goal Implementation: The amendment will allow commercial opportunities, employment and services that will also generate local jobs and interest in the adjacent community area and ultimately serve as a commercial, retail and services center. The addition of the Rural Commercial designation provides for commercial and services uses that cannot be provided with the current Resource Conservation zoning designation.

- **Policy LU 1.1** – Develop a well-integrated mix of residential, commercial and public uses that meet the social and economic needs of the Desert.

Policy Implementation: The project will not be developed in phases and will consist of a well-integrated retail, and services mix center that is intended to function and develop as rest stop, retail and services center for commuters traveling on Interstate Highway 15.

- **GOAL LU3.** The unincorporated communities within the County will be sufficiently served by commercial land uses through a combination of commercial development within cities and unincorporated communities.

Goal Implementation: The project will operate as a Truck Stop Center, containing a 3,000 square foot retail market, a fast food restaurant, an automotive repair operation, impound lot, and vehicle and truck fueling stations located within

approximately seven (7) acres. Moreover, the project will contain a retail market and 75 seat restaurant and will operate within a 7,300 square foot one-story building facility. A separate 3,570 square foot building will contain the 2- bay auto service use with towing office and drive through. Two fueling stations will service both autos and trucks. The truck fueling station contains one pump and 2 nozzles, whereas the auto fueling station contains 16 pump stations and 32 fueling nozzles.

- Policy LU 3.1 Protect areas best suited for commercial uses by virtue of their location, access to major arterials and availability of infrastructure and other utilities from other incompatible uses.

Policy Implementation: The site is currently vacant with no commercial centers located within two to five miles of the proposed truck stop and retail center. With implementation of the project, the site will function as a retail and services hub.

2. **THE PROPOSED AMENDMENT WOULD NOT BE DETRIMENTAL TO THE PUBLIC INTEREST, HEALTH, SAFETY, CONVENIENCE, OR WELFARE OF THE COUNTY,** because the amendment facilitates a Project that has incorporated appropriate conditions of approval and mitigation measures to protect and enhance public health and safety.

- GOAL S4. The County will minimize damage due to wind and water erosion where possible.

Goal Implementation: The geotechnical study conducted by RGS Engineering dated, January 30, 2019, concludes that the site is considered feasible for development from an engineering geologic standpoint provided the findings of the report are considered during site design and construction. The RGS report findings and conditions are included into the project's conditions of approval, therefore it meets Goal S-4.

3. **THE PROPOSED LAND USE ZONING DISTRICT CHANGE IS IN THE PUBLIC INTEREST, THERE WILL BE A COMMUNITY BENEFIT, AND OTHER EXISTING AND ALLOWED USES WILL NOT BE COMPROMISED.**

The Project will provide the opportunity for economic stability and growth in the surrounding desert communities, and provides a retail and services hub to the surrounding community. The amendment does not compromise existing or other planned uses, because the Project includes appropriate mitigation measures and conditions of approval to ensure performance standards are met.

- GOAL ED 1. The County will have a vibrant and thriving local economy that spans a variety of industries, services and other sectors.

Goal Implementation: The Project is located along the I-15 Freeway, south of Afton Canyon Road interchange exit No. 221. Afton and Dunn Road provide direct access to the site. Both roads are currently unimproved. There are currently no existing commercially zoned centers along the I-15 Freeway within approximately three to five miles of the site except for a previously existing commercial store formerly known as Jimbo's Bar and Grill located north of Dunn Road. The subject Project, will operate as a Truck Stop Center, containing a 3,000 square foot retail market, a fast food restaurant, an automotive repair operation, impound lot, and vehicle and truck fueling stations located within approximately seven (7) acres. The truck stop will also provide permanent employment opportunity for county residents. The Project meets the intent of Goal ED 1.

- **GOAL ED 4.** The County will assist development of small businesses and encourage new businesses of all sizes.

Goal Implementation: The site is currently vacant and there are no commercially developed centers within 3 to 5 miles of the site, which will be located along the I-15 Freeway. The project Applicant intends to construct the Project in one phase. In conjunction with the site and public improvement upgrades the project proposes establishing a Truck Stop Center, containing a 3,000 square foot retail market, a fast food restaurant, an automotive repair operation, impound lot, and vehicle and truck fueling stations located within approximately seven (7) acres. The Project meets the intent of Goal ED 4.

**4. THE PROPOSED LAND USE ZONING DISTRICT CHANGE WILL PROVIDE A REASONABLE AND LOGICAL EXTENSION OF THE EXISTING LAND USE PATTERN IN THE SURROUNDING AREA.**

The proposed rezoning from Resource Conservation to Rural Commercial (CR) is a reasonable and logical change in the zoning designation given the project's proximity to Interstate Highway 15 and the high incidence of commuters using the freeway that will benefit from the rest stop and retail services center.

- **GOAL ED 9.** The County will promote increased capacity to serve tourist within the county's established tourist attractions to bring more destination spending into San Bernardino.
- **GOAL ED 10.** The County will have a strong diversified economic base.
- **Policy 10.2** Encourage the expansion of existing business and efforts at business retention.

Goal and Policy Implementation: The new truck stop and services center which will help to initiate the promotion of future commercial retail services in the general area and help to create a strong and diversified economic base in the area.

**5. THE PROPOSED LAND USED ZONING DISTRICT CHANGE DOES NOT CONFLICT WITH THE PROVISIONS OF THE DEVELOPMENT CODE.**

The applicant is proposing a GPA to rezone the site to Rural Commercial (CR) from Resource Conservation to insure zoning compatibility for the proposed use. The proposed CR zoning district is consistent with the proposed Truck Stop and Retail Center as the intent of the CR District is to provide suitable locations for retail and service commercial establishments intended to meet the daily convenience needs of the traveling public. Furthermore, the project meets the locational criteria of the CR zone in that:

- The project site is intended to be occupied by a relatively contiguous grouping of businesses that provide transient services to travelers on major highway; and,
- The project is designed to preserve a block of land for the use of small somewhat isolated transient commercial uses along major highways.
- The project is consistent with the both the General Plan and Development Code provisions.
- **GOAL ED 15.** Major economic development activity will be within urbanized or urbanizing areas in proximity to existing transportation facilities and other infrastructure.

Goal and Policy Implementation: The 7-acre project site provides diversified retail, commercial and services uses within a central hub area and will provide services and employment currently not as available in the adjacent nearby communities.

**6. THE PROPOSED LAND USE ZONING DISTRICT CHANGE WILL NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON SURROUNDING PROPERTY,** because the Project includes appropriate mitigation measures and conditions of approval to ensure performance standards are met.

The Project meets the goals and policies of the County General Plan and will not conflict with surrounding land uses. The project is encompassed by vacant properties. Noise levels will be measured to demonstrate the operation's compliance with the Development Code ambient noise standards to ensure noise levels are maintained and do not exceed the County's ambient noise standards. Moreover, the

proposed (CR) zoning district is consistent with the proposed Truck Stop and commercial facility as the intent of the (CR) District is to provide suitable locations for retail and service commercial establishments intended to meet the daily convenience needs of the traveling public.

7. **THE AFFECTED SITE IS PHYSICALLY SUITABLE IN TERMS OF DESIGN, LOCATION, SHAPE, SIZE, OPERATING CHARACTERISTICS, AND THE PROVISION OF PUBLIC AND EMERGENCY VEHICLE (E.G., FIRE AND MEDICAL) ACCESS AND PUBLIC SERVICES AND UTILITIES (E.G., FIRE PROTECTION, POLICE PROTECTION, POTABLE WATER, SCHOOLS, SOLID WASTE COLLECTION AND DISPOSAL, STORM DRAINAGE, WASTEWATER COLLECTION, TREATMENT, AND DISPOSAL, ETC.), TO ENSURE THAT THE PROPOSED OR ANTICIPATED USES AND/OR DEVELOPMENT WILL NOT ENDANGER, JEOPARDIZE, OR OTHERWISE CONSTITUTE A HAZARD TO THE PROPERTY OR IMPROVEMENTS IN THE VICINITY IN WHICH THE PROPERTY IS LOCATED.**

In accordance with the CUP conditions of approval and mitigation measures, the site has been conditioned to ensure adequate water and wastewater needs of the Project have been met. Fire protection will also be provided by the County Fire Department which has reviewed the Project and provided appropriate conditions of approval. The Project will have sufficient permitted solid waste storage and landfill capacity to accommodate the Project's solid waste disposal needs. The County has evaluated drainage associated with the Project and determined that impacts will be less than significant with the implementation of specified conditions of approval.

**FINDINGS: CONDITIONAL USE PERMIT.** Conditional Use Permit (CUP) to permit the development and operation of Truck Stop Center, containing a 7,300 square foot retail market, a fast food restaurant, and a 3,570 sq. ft. automotive repair shop, impound lot, and vehicle and truck fueling stations on approximately seven (7) acres.

1. **THE NEWLY SUBDIVIDED SEVEN (7) ACRE SITE FOR THE PROPOSED USE IS ADEQUATE IN TERMS OF SHAPE AND SIZE TO ACCOMMODATE THE PROPOSED USE AND ALL LANDSCAPING, OPEN SPACE, SETBACKS, WALLS AND FENCES, YARDS, AND OTHER REQUIRED FEATURES PERTAINING TO THE APPLICATION.** All setbacks meet or exceed the requirements of the Development Code for the proposed land use and the existing zoning.
2. **THE SITE FOR THE PROPOSED USE HAS ADEQUATE ACCESS WHICH MEANS THAT THE SITE DESIGN INCORPORATES APPROPRIATE STREET AND HIGHWAY CHARACTERISTICS TO SERVE THE PROPOSED USE.** Interstate Highway 15 provides physical access to the Project site, and the proposed conditions of approval require road improvements to allow safe pedestrian access and vehicular transit across the streets.

Road improvements on Afton Road, and Dunn Road are to be completed in accordance with the project's timed construction.

3. **THE PROPOSED USE WILL NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON ABUTTING PROPERTIES OR THE ALLOWED USE OF THE ABUTTING PROPERTIES, WHICH MEANS THAT THE USE WILL NOT GENERATE EXCESSIVE NOISE, TRAFFIC, VIBRATION, LIGHTING, GLARE, OR OTHER DISTURBANCE. IN ADDITION, THE USE WILL NOT SUBSTANTIALLY INTERFERE WITH THE PRESENT OR FUTURE ABILITY TO USE SOLAR ENERGY SYSTEMS.** The proposed Project incorporates sufficient road improvements. In addition, the conditions of approval ensure that the Project will conform to performance standards, including those for noise and vibration, to reduce any potential impacts to the nearby residences. Further, the use will not interfere with the present or future ability to use solar energy systems.
4. **THE PROPOSED USE AND MANNER OF DEVELOPMENT ARE CONSISTENT WITH THE GOALS, MAPS, POLICIES, AND STANDARDS OF THE COUNTY GENERAL PLAN AND ANY APPLICABLE COMMUNITY OR SPECIFIC PLAN,** as enumerated in the General Plan Amendment Findings.
5. **THERE IS SUPPORTING INFRASTRUCTURE, EXISTING OR AVAILABLE, CONSISTENT WITH THE INTENSITY OF THE DEVELOPMENT, TO ACCOMMODATE THE PROPOSED PROJECT WITHOUT SIGNIFICANTLY LOWERING SERVICE LEVELS.** The developer will be required to construct road improvements, in accordance with the project's phasing plan.

6. **THE LAWFUL CONDITIONS STATED IN THE APPROVAL ARE DEEMED REASONABLE AND NECESSARY TO PROTECT THE OVERALL PUBLIC HEALTH, SAFETY AND GENERAL WELFARE** because the conditions of approval include mitigation measures to reduce impacts to the environment, including biological resources, cultural resources and traffic. In addition, the conditions will ensure the Project meets the required performance standards.
7. **THE DESIGN OF THE SITE HAS CONSIDERED THE POTENTIAL FOR THE USE OF SOLAR ENERGY SYSTEMS AND PASSIVE OR NATURAL HEATING AND COOLING OPPORTUNITIES.** The project incorporates solar energy designed elements into the project.

### **FINDINGS: TENTATIVE PARCEL MAP 19938**

The findings, in accordance with Chapter 87.02.060 of the San Bernardino County Development Code, and the State Subdivision Map Act (Government Code Section 66410 et. seq.), to approve P201800229/Tentative Parcel Map, are as follows:

1. **THE PROPOSED MAP, SUBDIVISION DESIGN, AND IMPROVEMENTS ARE CONSISTENT WITH THE GENERAL PLAN, ANY APPLICABLE COMMUNITY PLAN, AND ANY APPLICABLE SPECIFIC PLAN.**

The proposed map, subdivision design and improvements are consistent with the General Plan, any applicable community plan, and any applicable specific plan. The proposed subdivision is consistent with the Desert Region Development Standards for the Rural Commercial Land Use Zoning District, in that the minimum parcel area, parcel width, parcel depth and parcel ratio are met for each proposed parcel. The proposed subdivision is consistent with the General Plan's Rural Commercial (CR) zoning density requirement. There is adequate room, to provide for the 3,570 sq. ft. automotive repair operation, impound lot, and 7,300 square foot retail market with office and fast food restaurant.

- **GOAL ED 4.** The County will assist development of small businesses and encourage new businesses of all sizes.

2. **THE SITE IS PHYSICALLY SUITABLE FOR THE TYPE AND PROPOSED DENSITY OF DEVELOPMENT.**

The site is physically suitable for the type and proposed density of development. The proposed Tentative Parcel Map is adequately sized for the proposed development of a

truck stop, 3,570 sq. ft. automotive repair operation, impound lot, and 7,300 square foot retail market with office and fast food restaurant and while adhering to setback and circulation and parking standards. The project site is consistent with the density requirements of the Rural Commercial Land Use Zoning District and all other applicable County Development Standards and Ordinances in effect at the time of project acceptance. The density of the Rural Commercial Zone (2 Units per acre) has been found to be an appropriate density for this location.

**3. THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.**

The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The project proposes to develop only the seven acre parcel the remaining 2 parcel will remain undeveloped. The seven acre parcel is adequate in size to accommodate the proposed, 3,570 sq. ft. automotive repair operation, impound lot, and 7,300 square foot retail market with office and fast food restaurant.

**4. THE DESIGN OF THE SUBDIVISION OR TYPE OF IMPROVEMENTS IS NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH OR SAFETY PROBLEMS.**

The design of the subdivision or type of improvements is not likely to cause serious public health or safety problems. The design of the subdivision follows a logical and orderly progression of development. The proposed subdivision has been reviewed by all agencies with jurisdiction over the project and has been found to not cause serious public health or safety problems, either through design, or through the adoption of conditions of approval.

**5. THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF, PROPERTY WITHIN THE PROPOSED SUBDIVISION. THIS FINDING MAY ALSO BE MADE IF THE REVIEW AUTHORITY FINDS THAT ALTERNATE EASEMENTS FOR ACCESS OR USE WILL BE PROVIDED, AND THAT THEY WILL BE SUBSTANTIALLY EQUIVALENT TO ONES PREVIOUSLY ACQUIRED BY THE PUBLIC. THIS FINDING SHALL APPLY ONLY TO EASEMENTS OF RECORD, OR TO EASEMENTS ESTABLISHED BY JUDGMENT OF A COURT OF COMPETENT JURISDICTION, AND NO AUTHORITY IS HEREBY GRANTED TO THE REVIEW AUTHORITY TO DETERMINE THAT THE PUBLIC AT LARGE HAS ACQUIRED EASEMENTS OF ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.**

The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision. The approval of the Tentative Map will require all existing easements to remain in place and unobstructed and no improvements are required that would conflict with any easements of record.

**6. THE DISCHARGE OF SEWAGE FROM THE PROPOSED SUBDIVISION INTO THE COMMUNITY SEWER SYSTEM WILL NOT RESULT IN VIOLATION OF EXISTING REQUIREMENTS PRESCRIBED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD.**

As a septic system is proposed as Sewer service is unavailable in the area. The Project will require an Environmental Health Services approved wastewater treatment device since no public sewer is available. Pursuant to the requirements of the Lahontan Regional Water Quality Control Board and the County of San Bernardino, the Project will be required to obtain a National Pollutant Discharge Elimination System Municipal Stormwater Permit for construction activities. The National Pollutant Discharge Elimination System permit is required for all Projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one acre of total land area.

**7. THE DESIGN OF THE SUBDIVISION PROVIDES, TO THE EXTENT FEASIBLE, PASSIVE OR NATURAL HEATING AND COOLING OPPORTUNITIES.**

The design of the subdivision provides, to the extent feasible, passive or natural heating and cooling opportunities. The design of the subdivision allows for future structures to be designed in any alignment to take advantage of passive or natural heating and cooling opportunities that exist on the project site.

**8. THE PROPOSED SUBDIVISION, IT'S DESIGN, DENSITY, AND TYPE OF DEVELOPMENT AND IMPROVEMENTS CONFORMS TO THE REGULATIONS OF THIS DEVELOPMENT CODE AND THE REGULATIONS OF ANY PUBLIC AGENCY HAVING JURISDICTION BY LAW.**

The proposed subdivision, its design, density and type of development and improvements conforms to the regulations of this Development Code and the regulations of any public agency having jurisdiction by law. The proposed subdivision design meets the minimum lot size, depth, width, and gross acreage requirements of the Rural Commercial Land Use Zoning District for the Desert Region. Agencies having jurisdiction by law have reviewed the proposed subdivision and have provided conditions of approval to ensure regulations of the Development Code and any applicable federal, state, and local laws are met.

**ENVIRONMENTAL FINDINGS:**

*Findings*

*Ravinder S. Grewal*

*APN: 0542-131-54/P201600525*

*Planning Commission Hearing: February 20, 2020*

Exhibit A

There is no substantial evidence that the project will have a significant effect on the environment because an Initial Study has been completed for the proposed project and it is determined, on the basis of staff's independent evaluation, that the project will not have a significant adverse impact on the environment with the implementation of all the conditions of approval and environmental mitigation measures. The Mitigated Negative Declaration for this project reflects the County's independent judgment in making this decision. Therefore, adoption of a Mitigated Negative Declaration is recommended.

# **EXHIBIT F**

## **CUP Site Plan**

**PROJECT DATA**  
 APN : 542-131-54  
 ZONE : RC  
 APPLICATION TYPE : GENERAL PLAN AMENDMENT TO REZONE 7 ACRES OF 60.41 ACRE PARCEL FROM RESOURCE CONSERVATION (RC) TO RURAL COMMERCIAL (C2) AND CONDITIONAL USE PERMIT TO ALLOW DEVELOPMENT OF A GAS STATION AND IMPOUND LOT  
 THE PROJECT INCLUDES (1) MARKET & RESTAURANT BUILDING (2) AUTO REPAIR SHOP SERVICE BAY WITH TOW SERVICE, (3) CANOPIES AND A VEHICLE IMPOUND LOT  
 THE PROJECT ALSO INCLUDES NEW WATER WELL WITH TANK & SEPTIC TANK SYSTEM

**OWNER**  
 JESSE R. MICROBERTS & EVELYN F. MICROBERTS  
 1774 SACREDRUSH DR  
 SHERIDAN WY 82801

**APPLICANT**  
 RAVINDER GREWAL (HAPPY HIGHWAY INC.)  
 22383 BAKER BLVD.  
 BAKER, CA 92309  
 PHONE : 760-733-4505 (CONTACT : NONO)  
 E-MAIL : ngpatelarchitects@sbglobal.net

**ARCHITECT**  
 N. G. PATEL ARCHITECTS INC.  
 6220 GOSHEN STREET  
 SIMI VALLEY, CA 93063  
 PHONE : 805-522-7159  
 E-MAIL : ngpatelarchitects@sbglobal.net

**UTILITIES**  
 ELECTRICITY : SOUTHERN CALIFORNIA EDISON  
 30553 RIMROCK ROAD  
 BARSTOW, CA 92311  
 800-655-4555  
 WATER : PRIVATE  
 NO PUBLIC WATER SUPPLY  
 SEWER : NONE  
 NO PUBLIC SEWER  
 GAS : INDEPENDENT PROPANE SUPPLIER  
 TELEPHONE : AT & T  
 CABLE TV : 800-310-2355

**DISTRICT : BARSTOW**

**EASEMENTS:**  
 NO EASEMENT EXISTS ON THE PROPERTY

**DRAINAGE**  
 PER GRADING PLANS

**GRADING**  
 PER GRADING PLANS

**LAND USE DISTRICT**  
 RC

**PROTECTED TREES**  
 NONE TO BE REMOVED OR EXISTING ON SITE

**LAND USE**

PROPOSED  
 1. MARKET/RESTAURANT & AUTO FUELING CANOPY (A, D)  
 2. TRUCK FUELING CANOPY (C)  
 3. AUTO REPAIR W/ TOWING OFFICE & DRIVE THROUGH (E)  
 4. OPEN TRELIS PATIO  
 5. PROPANE TANK FOR GAS SUPPLY  
 6. 100 FT. HIGH FLAG POLE  
 7. WATER WELL & WATER STORAGE TANK  
 8. SEPTIC TANK SYSTEM

**BUILDING INFORMATION**  
 AUTO REPAIR / TOWING : TYPE IIB, M OCCUPANCY - 1 STORY  
 PROP. RETAIL & RESTAURANT : TYPE VA, 1 STORY, SPRINKLERS  
 PROP. TRUCK FUELING CANOPY : TYPE IIB, M OCCUPANCY, 1 STORY  
 PROP. AUTO FUELING CANOPY : TYPE IIB, M OCCUPANCY, 1 STORY

**HOURS OF OPERATION** : 7 DAYS A WEEK  
 PROPOSED AUTO REPAIR : 9 AM TO 10 P.M.  
 TOWING : 24 HOURS  
 PROPOSED TRUCK AND AUTO FUELING : 24 HOURS  
 PROPOSED RESTAURANTS : 24 HOURS  
 PROPOSED MARKET : 24 HOURS

**EMPLOYEES**  
 AUTO REPAIR : 2  
 TOWING : 3 ( 1 OFFICE + 2 DRIVERS)  
 PROPOSED MARKET : 1  
 PROPOSED RESTAURANTS : 4

**LOT COVERAGE**

GROSS LAND AREA : 304,909 SQ. FT.  
 DEVELOPED LAND AREA : 250,177 SQ. FT.  
 UNDEVELOPED LAND AREA (IMPOUND LOT) : 54,732 SQ. FT.

PROPOSED MARKET/RESTAURANT BUILDING : 7,300 SQ. FT. (A)  
 PROPOSED AUTO FUELING CANOPY : 6,912 SQ. FT. (B)  
 PROPOSED TRUCK FUELING : 480 SQ. FT. (C)  
 AUTO SERVICE W/ TOWING OFFICE & DRIVE THROUGH : 3,570 SQ. FT. (D)

TOTAL : 18,262 SQ. FT.  
 TOTAL LOT COVERAGE : 18,262 SQ. FT. (5.99%)  
 (BASED UPON GROSS SITE)  
 F. A. R. : (BASED UPON GROSS SITE) : 1500 SQ. FT.

MARKET/RESTAURANT BUILDING (A) : 7,300 SQ. FT.  
 AUTO REPAIR/ TOWING OFFICE BUILDING (D) : 3,570 SQ. FT.  
 TOTAL GROSS FLOOR AREA : 10,870 SQ. FT.  
 FLOOR AREA RATIO : 0.036 (10870/304909)

**PARKING ANALYSIS**

	PARKING REQUIRED
AUTO REPAIR - ( 2 BAYS, 3 EMPLOYEES, 0 VEHICLE : OFFICE - 1/200 )	9
RETAIL, LOBBY, OFFICE, KITCHEN, STORAGE ETC. - 1/200	15
RESTAURANT (FAST FOOD) SEATING : 1/3 SEAT	25
TOTAL REQUIRED FOR PROJECT	50
TOTAL PARKING PROVIDED :	85
STANDARD - VAN ACCESSIBLE - STANDARD	1
STANDARD - CLEAN AIR VEHICLES "CAV" ( 8 WITH EV CHARGING )	4
TOTAL	101

TRUCK PARKING PROVIDED :  
 LOADING ZONE

REQUIRED : 2  
 PROVIDED : 2 ( 20'-0" X 20'-0" )

**SITE LIGHTING**  
 DOWNWARD FACING LIGHT FIXTURES ON 14'-0" POLE

**LANDSCAPING**  
 DEVELOPED LAND AREA : 250,177 SQ. FT.  
 LANDSCAPE AREA : 107,700 SQ. FT. ( INCLUDES GRADED SLOPES )

**SIGNS**  
 1 TALL SIGNS - AFTON ROAD.  
 2 MONUMENT SIGNS - ALONG AFTON ROAD AND SOUTH AFTON FRONTAGE

**GRADING /STORM WATER DRAINAGE**  
 STORM WATER TO BE MANAGED VIA SHEET FLOW/ CATCH BASINS, RETENTION BASIN ETC. - NO DISCHARGE OFF SITE.

**GRADING /STORM WATER DRAINAGE**  
 STORM WATER TO BE MANAGED VIA SHEET FLOW/ CATCH BASINS, RETENTION BASIN ETC. - NO DISCHARGE OFF SITE.

**N. G. PATEL ARCHITECTS INC.**  
 6220 GOSHEN STREET  
 SIMI VALLEY, CA 93063  
 PH. : (805) 522-7159  
 E-MAIL : ngpatelarchitects@sbglobal.net

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**REVISIONS**

NO.	DATE	DESCRIPTION

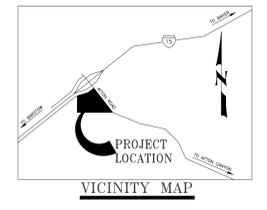
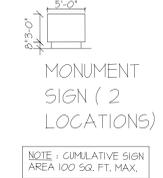
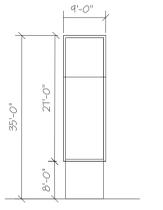
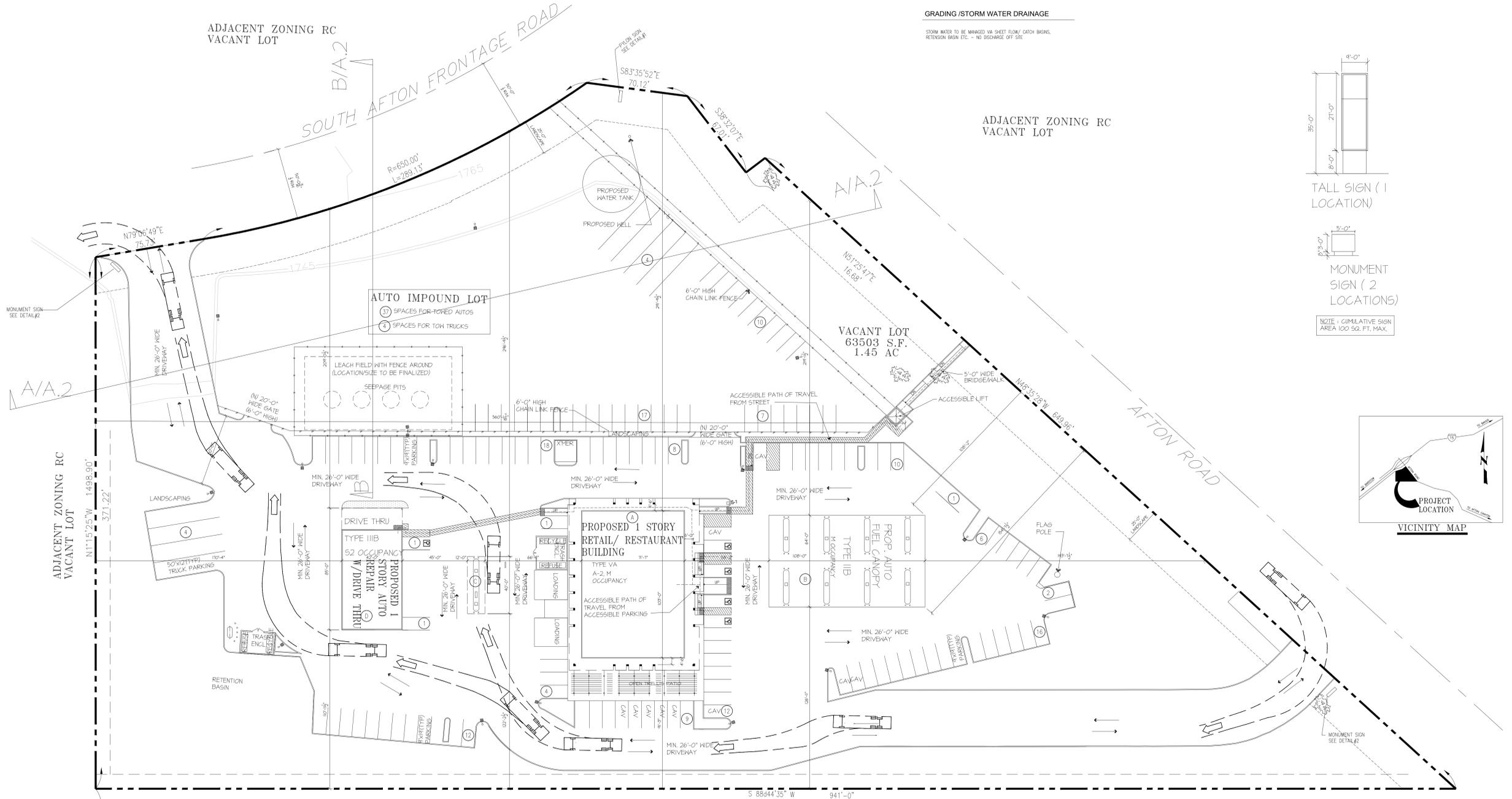
**PROJECT**  
 AFTON TRAVEL PLAZA  
 HAPPY HIGHWAY INC  
 APN : 542-131-54  
 45101 AFTON CANYON ROAD., BAKER, CA 92309  
 MR. RAVINDER GREWAL/HAPPY HIGHWAY INC.  
 P.O. BOX 729.  
 BAKER, CA 92309

**PROJECT NO.**  
 227T

**SHEET TITLE**  
 SITE PLAN

**DATE**  
 08-16-18

**A . 1**



**SITE PLAN**  
 SCALE : 1" = 30'-0"



N. G. PATEL  
ARCHITECTS  
INC.

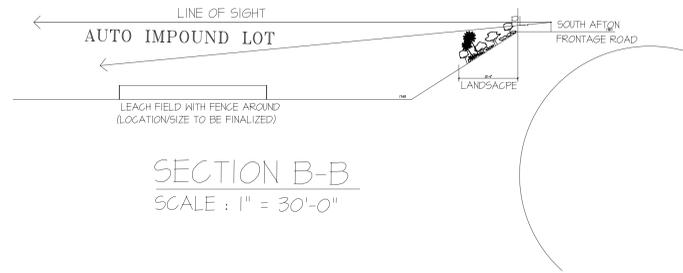
6220 GOSHEN STREET  
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SECTION A-A  
SCALE : 1" = 30'-0"



SECTION B-B  
SCALE : 1" = 30'-0"

REVISIONS

NO.	DATE	DESCRIPTION

PROJECT

PROJECT : AFTON TRAVEL PLAZA  
HAPPY HIGHWAY INC  
APN : 542-131-54  
45101 AFTON CANYON ROAD., BAKER, CA 92309  
Applicant/  
Owner: MR. RAVINDER GREWAL/HAPPY HIGHWAY INC.  
P.O. BOX 729.  
BAKER, CA 92309

PROJECT NO.

A2

SHEET TITLE

LINE OF SIGHT

DATE

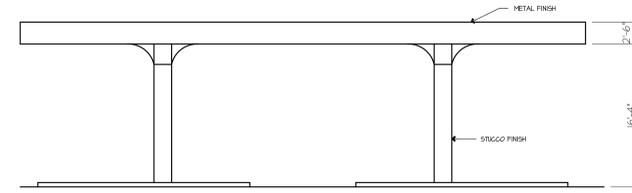
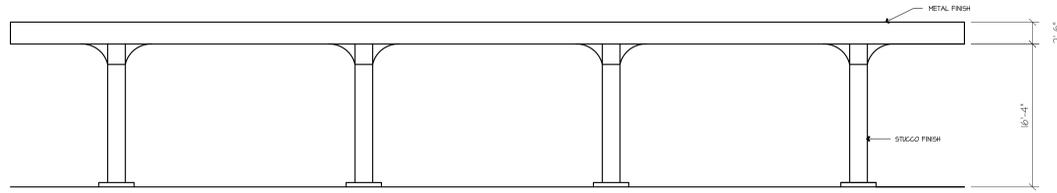
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A .2

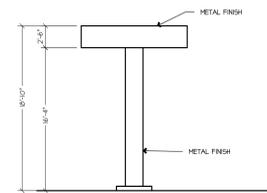
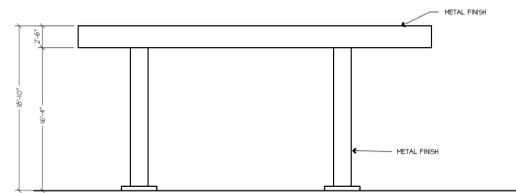
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AUTO FUELING CANOPY ELEVATIONS  
SCALE : 3/16"=1'-0"



TRUCK FUELING CANOPY ELEVATIONS  
SCALE : 3/16"=1'-0"

REVISIONS

NO.	DATE	DESCRIPTION

PROJECT

PROJECT : AFTON TRAVEL PLAZA  
HAPPY HIGHWAY INC  
APN : 542-131-54  
45101 AFTON CANYON ROAD., BAKER, CA 92309  
Applicant/  
Owner: MR. RAVINDER GREWAL/HAPPY HIGHWAY INC.  
P.O.BOX 729  
BAKER, CA 92309

PROJECT NO.

2277

SHEET TITLE

FUEL CANOPY  
ELEVATIONS

DATE

08-16-18

A. 3

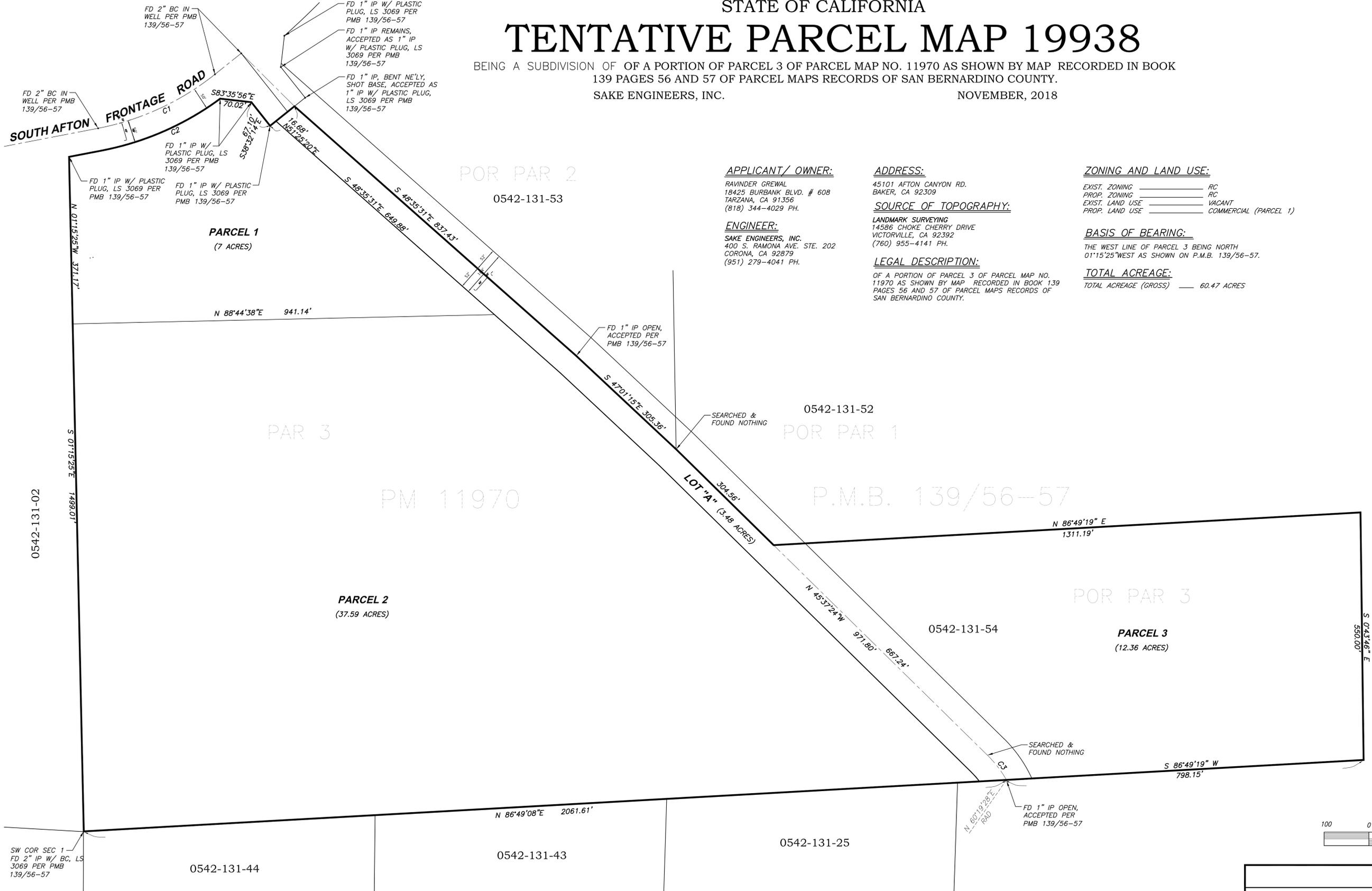
# **EXHIBIT G**

**TPM 19938**

IN THE UNINCORPORATED TERRITORY OF SAN BERNARDINO COUNTY,  
STATE OF CALIFORNIA

# TENTATIVE PARCEL MAP 19938

BEING A SUBDIVISION OF A PORTION OF PARCEL 3 OF PARCEL MAP NO. 11970 AS SHOWN BY MAP RECORDED IN BOOK 139 PAGES 56 AND 57 OF PARCEL MAPS RECORDS OF SAN BERNARDINO COUNTY.  
SAKE ENGINEERS, INC. NOVEMBER, 2018



**APPLICANT/ OWNER:**

RAVINDER GREWAL  
18425 BURBANK BLVD. # 608  
TARZANA, CA 91356  
(818) 344-4029 PH.

**ADDRESS:**

45101 AFTON CANYON RD.  
BAKER, CA 92309

**ZONING AND LAND USE:**

EXIST. ZONING \_\_\_\_\_ RC  
PROP. ZONING \_\_\_\_\_ RC  
EXIST. LAND USE \_\_\_\_\_ VACANT  
PROP. LAND USE \_\_\_\_\_ COMMERCIAL (PARCEL 1)

**ENGINEER:**

SAKE ENGINEERS, INC.  
400 S. RAMONA AVE. STE. 202  
CORONA, CA 92679  
(951) 279-4041 PH.

**SOURCE OF TOPOGRAPHY:**

LANDMARK SURVEYING  
14586 CHOKE CHERRY DRIVE  
VICTORVILLE, CA 92392  
(760) 955-4141 PH.

**BASIS OF BEARING:**

THE WEST LINE OF PARCEL 3 BEING NORTH  
01°15'25" WEST AS SHOWN ON P.M.B. 139/56-57.

**LEGAL DESCRIPTION:**

OF A PORTION OF PARCEL 3 OF PARCEL MAP NO. 11970 AS SHOWN BY MAP RECORDED IN BOOK 139 PAGES 56 AND 57 OF PARCEL MAPS RECORDS OF SAN BERNARDINO COUNTY.

**TOTAL ACREAGE:**

TOTAL ACREAGE (GROSS) \_\_\_\_\_ 60.47 ACRES

Curve	Radius	Length	Delta
C1	600.00'	289.70'	27°39'50"
C2	650.00'	289.41'	25°30'39"
C3	250.00'	65.59'	15°56'52"

PREPARED UNDER THE DIRECTION OF:

SAM AKBARPOUR P.E. R.C.E. 053038



REVISIONS	DATE	BY

**TENTATIVE PARCEL MAP 19938  
COUNTY OF SAN BERNARDINO**

SCALE 1" = 100'	DATE 9/12/2018	J.N. 3011
DRAWN: RLADINEZ	DESIGNED: SA	SHEET 1
CHECKED: SA	FILE: \\SERVER\DATA\PROJECTS\13011\CIVIL\1901PLAN.DWG	OF 1 SHEETS
PLN CK REF:		DWG. NO.

