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

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

PROJECT LABEL:

APNs:	0594-391-25-0000	USGS Quad:	Yucca Valley North, CA
Applicant:	Rick Schwartz 2267 N. Janis Drive Palm Springs, CA 92262	T, R, Section:	Township 1 North, Range 5 East, Section 19
Location	Between Mane Street and Pioneertown Road, just east of Roy Rogers Road, Pioneertown, CA	Thomas Bros	N/A
Project No:	PROJ-2020-00158	Community Plan:	None
Rep	Gary Gustat	LUZD:	SD-RES (Special Development)
Proposal:	A Minor Use Permit to develop a hotel with 14 individual trailers, connecting wood boardwalks, landscaping, perimeter western facades, parking, and landscaping.	Overlays:	Desert Tortoise

PROJECT CONTACT INFORMATION:

Lead agency: County of San Bernardino

Land Use Services Department 385 N. Arrowhead Avenue, 1st Floor San Bernardino, CA 92415-0182

Contact Jim Morrissey, Planner

person:

E-mail: jim.morrissey@lus.sbcounty.gov

ProjectRick SchwartzSponsor2267 N. Janis Drive

Palm Springs, CA 92262

PROJECT DESCRIPTION:

Summary

The proposed Conditional Use Permit will develop a 0.77 acre parcel with 14 separate hotel style rental units that could consist of pre-fabricated manufactured units, travel trailers, scoolies, buses and motorhomes that will vary in size between 20' x 8' and 11' in height and 10' x 40' and 16' in height. The design of the façade, primarily around the northerly and northwester portion of the property will attempt to replicate an old western town, including a partially abandoned building, with the individual units providing a rusted design to exhibit an older unit, even if newly purchased. The front or northerly portion that faces Mane Street will look like a western town with different features, including windows, doors and two-story variations in height up to approximately 22 feet.

Parking will occur in both the front and the back of the property, with most of the parking along the Pioneertown Road frontage.

Surrounding Land Uses and Setting

	Existing Land Use and Land Use Zoning Districts								
Location	Existing Land Use	Land Use Zoning District							
Project Site	Vacant unimproved	SD-RES (Special Development, with a focus on Planned Development)							
North	Single Family home	SD-RES (Special Development, with a focus on Planned Development)							
South	Vacant land	SD-RES (Special Development, with a focus on Planned Development)							
East	Single Family home	SD-RES (Special Development, with a focus on Planned Development)							
West	Vacant land	SD-RES (Special Development, with a focus on Planned Development)							

Project Site Location, Existing Site Land Uses and 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 July 2020.

The area of the proposed installation currently consists of a primarily unimproved, vacant dirt area adjacent near a residential building. Materials have been left on the property and an opaque wooden fence has been erected around the perimeter of the property. The surrounding area consists of limited residential and commercial development, as well as areas of undeveloped land.

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ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Federal: None.

State of California: None.

County of San Bernardino: Land Use Services Department-Building and Safety/Planning/Code

Enforcement/Land Development, Public Works, Special Districts, and Fire Department.

Regional: None. Local: None

Site Photographs



View from property across Mane Street to the north



View to the northwest from the property along Mane Street



View of subject property towards the southeast



View of adjoining property to the west looking toward the south from Mane Street

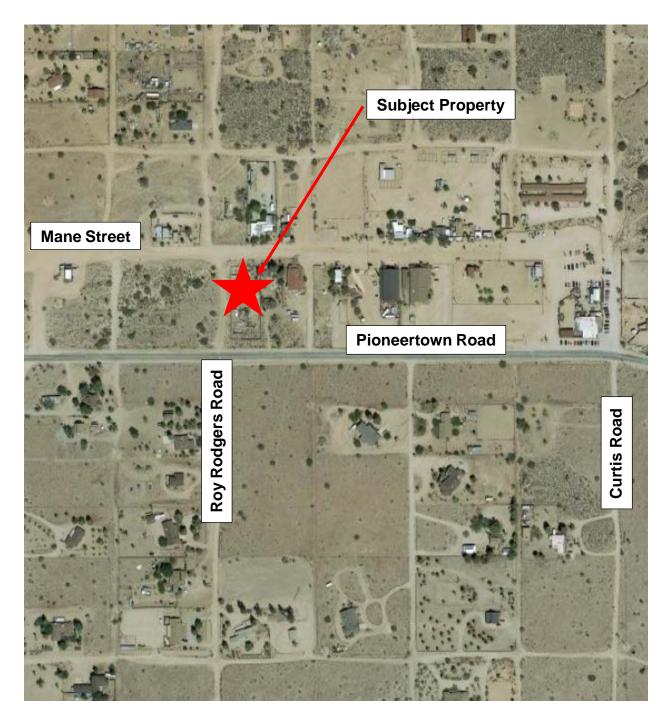


View inside the wooden perimeter fencing looking southeast.



View near the northerly portion of the property looking east.

Figure 1: Land Use of the Property



Project Site

Figure 2: Project Vicinity Map (Pioneertown)

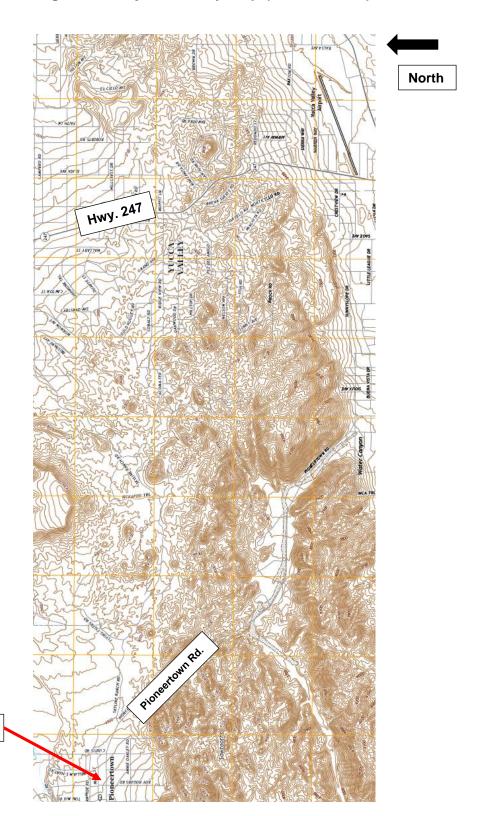
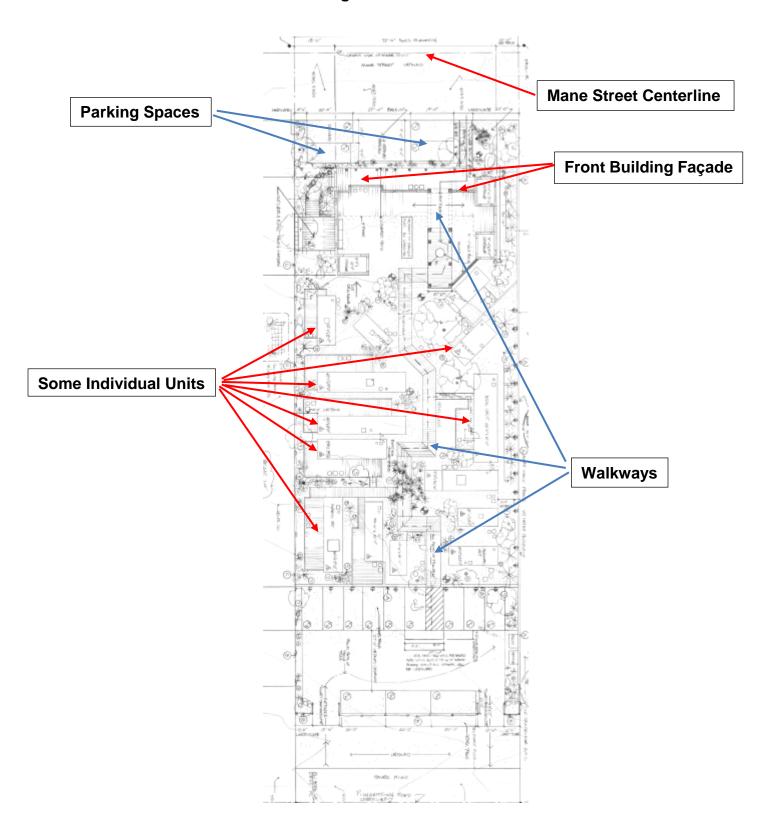
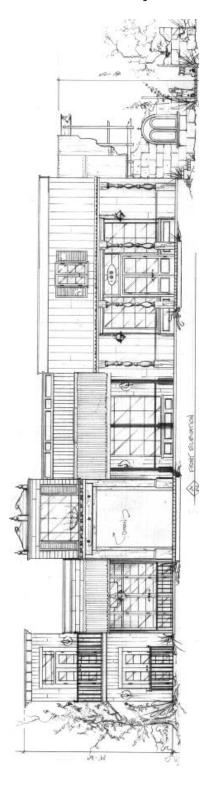


Figure 3: Site Plan



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Figure 4: Mane Street Façade Elevation



CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

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

Tribal Consultation has occurred with the San Manuel and Morongo Band of Mission Indians. Recommended mitigation measures were provided by the San Manuel Tribe and incorporated into this document as both mitigation measures and conditions of approval.

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

EVALUATION FORMAT

This Initial Study is prepared in compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of an Initial Study is guided by Section 15063 of the State CEQA Guidelines. This format of the study is presented as follows. The project is evaluated based on its effect on 20 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

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

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.

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- 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 listed.
- 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 listed within the EIR.

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

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

	The proposed project COULD NOT have a significant effect NEGATIVE DECLARATION shall be prepared.	ct on the environment, and a					
\boxtimes	Although the proposed project could have a significant effect on the environment, there shall not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION shall be prepared.						
	The proposed project MAY have a significant effect of ENVIRONMENTAL IMPACT REPORT is required.	n the environment, and an					
	The proposed project MAY have a "potentially signification significant unless mitigated" impact on the environment, been adequately analyzed in an earlier document pursuant and 2) has been addressed by mitigation measures based described on attached sheets. An ENVIRONMENTAL IMPART it must analyze only the effects that remain to be addressed.	out at least one effect 1) has to applicable legal standards, ed on the earlier analysis as ACT REPORT is required, but					
	Although the proposed project could have a significant because all potentially significant effects (a) have been ana EIR or NEGATIVE DECLARATION pursuant to applicable avoided or mitigated pursuant to that earlier EIR or including revisions or mitigation measures that are impose nothing further is required.	lyzed adequately in an earlier standards, and (b) have been NEGATIVE DECLARATION,					
	im Morrissey	444700					
	in Morrissey lature: Jim Morrissey, Planner	11/17/20					
Sign	rature. Jim Morrissey , Planner	Date					
(Phidanie	11-18-2020					
		Date					
Sign	nature: Chris Warrick, Supervising Planner						

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	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	
l.	AESTHETICS – Except as provided in project:	Public Resou	rces Code Sect	tion 21099,	would the
a)	Have a substantial adverse effect on a scenic vista?				
b)	Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				
c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				
d)	Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?				
SUBS	STANTIATION: San Bernardino C Census Urbanized			Federal R	Register; 201

- a) 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.

Scenic vistas are points or corridors that are accessible to the public and that provide a view of scenic areas and/or landscapes. A scenic vista in the vicinity of the Project site would be of the mountains located approximately ½ mile south of the Project site.

The Project would establish a 14-unit hotel rental project on approximately 0.77 acres, with a maximum building façade height of approximately 22 feet. As such, the Project would not block or completely obstruct views from surrounding public vantage points to the mountain visible in the horizon under existing conditions. Impacts are less than significant.

b) Less Than Significant Impact. California's Scenic Highway Program was created by the Legislature in 1963. Its purpose is to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, Sections 260 through 263.

According to the California Department of Transportation, the Project site is not located within a State Scenic Highway. However, according to the County of San Bernardino General Plan the Project site is located adjacent to Pioneertown Road which is a designated scenic route (Ref. General Plan EIR Pg. IV-18). The San Bernardino County Development Code requires a viewshed analysis "if it is determined through the preparation of an Initial Study...that the proposed project may have a significant negative impact on the scenic values of the subject parcel." (Section 82.19.040) The criteria applicable to Scenic Highways extends 200 feet beyond the edge of the right of way, which encompasses most of the subject parcel. Most of the proposed façade treatment at the north end of the parcel is beyond this distance, but all the individual units and most of the parking area is within this boundary.

The criteria for uses within this evaluation area include the following:

• <u>Building and structure placement</u>: The proposed use is not to detract from the visual setting or obstruct views.

<u>Evaluation</u>: Parking in the area currently occurs along Pioneertown Road with a designated parking area for uses approximately 600 feet to the east and a parking area is located behind a bowling alley approximately 480 feet to the east. Parking also occurs in front of a restaurant further to the east at the beginning of Pioneertown. The proposed unit height (11'-16') and façade height (21') would not visually obstruct views from Pioneertown Road. The proposed trailers/units are relatively small in height and interspersed throughout the site, with only a few being directly visible. In addition, wood fencing and landscaping would be placed in front of the trailers/units.

 Review area: The proposed use must blend into the natural landscape and terrain. In addition, the use must provide a natural open space area parallel to and visible from Pioneertown Road.

<u>Evaluation</u>: The proposed parking area improvement and the placement of parking along Pioneertown Road would be similar to other existing uses. The terrain would remain essentially in its current elevation, due to the lack of topographic changes.

Natural open space does not currently exist on the property, with opaque wooden fencing surrounding the site. A portion of natural open space does exist between the paved roadway and the property line, but is part of the required 52 foot street right of way and not on the Project site.

Access Drives: Access drives are to be minimized.

Evaluation: The applicant has only one access drive.

• <u>Landscaping</u>: The removal of native vegetation is to be minimized and replaced with suitable landscaping and the landscaping is not to obstruct significant views.

<u>Evaluation</u>: The proposed project would remove a minimal amount of landscaping and retain several Joshua trees.

Roads, pedestrian walkways, parking and storage areas: Parking and outside storage
is to be screened from view to the maximum extent possible.

<u>Evaluation</u>: The proposed parking area would be located behind fencing that is similar to other area fencing and the trash receptacles would be screened by landscaping. It should be noted another section of the Development Code requires complete screening of the storage area with landscaping and planting.

Above ground utilities: Utilities are to be placed underground.

<u>Comment</u>. The proposed Project is required to underground required facilities.

Grading: Alteration of the natural topography is to be minimized.

<u>Comment</u>: The Project site is on natural and relatively flat terrain that will not be notably altered.

Based upon the proposed Project design and its surrounding environment and land uses, a viewshed analysis has not been required. The proposed design features address the requirements of the Development Code. Therefore, the proposed Project would have a less than significant impact on the scenic corridor.

c) **Less Than Significant Impact.** The proposed Project will incorporate a Western theme façade along Mane Street, which is the property frontage, to screen the lodging facilities. The views from Pioneertown Road in the rear will not be screened in a similar manner, although the proposed lodging improvements would be setback approximately 44 feet from the edge of the 52 foot street right of way.

Pioneertown has been recently listed in the Federal Register as a Historic place. The County of San Bernardino does not have procedures or criteria that implement such a designation. Materials have been supplied to the County by a group that requested such a designation, which incorporated many of the materials in the actual Federal Register application.

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The use of the Western theme by the applicant is an attempt to reflect this theme. The façade includes not only the look of old style Western buildings, but a pedestrian boardwalk. Parking has also been modified to place most of the parking in the rear of the property, with only four parallel parking spaces located along Mane Street, which is associated with notable pedestrian use.

According to the Census 2010 Urbanized Area Reference Maps, the Project site is not located in an Urbanized Area and is beyond the Yucca Valley Urban Cluster boundary. The Project is subject to mandatory Development Code requirements governing scenic quality that stipulate new land uses and structures shall be designed, constructed, and established in compliance with the requirements in the Development Code, including but not limited to, Chapter 82.06 (Industrial and Special Purpose Land Use Zoning Districts), Chapter 83.02 (General Development and Use Standards), Chapter 83.06 Fences, Hedgers, and Walls), and Chapter 83.13 (Signs). Compliance with these mandatory Development Code requirements will ensure that the Project will not conflict with applicable zoning and other regulations governing scenic quality.

d) Less Than Significant Impact.

Light

The Project may increase the amount of light in the area above what is being generated by the vacant site by directly adding new lighting. High intensity white lights will not be used for site illumination. The California Green Building Code requires that all outdoor lighting be designed and installed to comply with California Green Building Standard Code or with a local ordinance lawfully enacted pursuant to California Green Building Standard Code Section 101.7, whichever is more stringent.

The San Bernardino County Development Code also requires the use of non-reflective colors on structures, poles, towers, antenna supports, antennas, and other components. As a requirement of development, the Project conditions of approval will require adherence with County Code that allows only hooded lighting, directed downward in a diffused pattern. There would be no hazard warning lights associated with this project. Because of the design of the Project, lighting restrictions, material requirements, and the nominal intensity of the lights, impacts from lighting are less than significant.

Glare

The San Bernardino County Development Code also requires the use of non-reflective colors on structures, poles or other components. As such, the Project will not create a new source of substantial glare, which will adversely affect day or nighttime views in the area. Impacts would be less than significant.

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

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II.	AGRICULTURE AND FORESTRY RES agricultural resources are significant environments.	ronmental eff	ects, lead agei	ncies may ref	er to the
	California Agricultural Land Evaluation an California Dept. of Conservation as an agriculture and farmland. In determining timberland, are significant environmental compiled by the California Department of inventory of forest land, including the Fore Legacy Assessment project; and forest car Protocols adopted by the California Air Re	optional mode whether implessed effects, lead Forestry and est and Range bon measure	del to use in a pacts to forest d agencies ma Fire Protection e Assessment ment methodol	assessing importances, in resources, in refer to information regarding the Project and the ogy provided	pacts on including ormation e state's increase the contraction in the
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				\boxtimes
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))?				
d)	Result in the loss of forest land or conversion of forest land to non-forest use?				
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.				

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SUBSTANTIATION:	(Check if project is located in the Important Farmlands Overlay):							ay):
San Bernardino County	General	Plan,	2007;	California	Department	of	Conservation	Farmland
Mapping and Monitoring	Program.							

a) **No Impact**. The Project site is not within a mapped portion of the Important Farmland Mapping system provided by the State of California. As such, the site does not contain any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. As a result, the proposed Project has no potential to convert such lands to a non-agricultural use and no impact would occur.

b) **No Impact**.

Agricultural Zoning

Generally, a conflict with existing zoning for agricultural use would occur if a project would intrude into agricultural areas and create conflicts between agriculture uses and non-agriculture uses. The Project site is currently zoned SD-RES (Special Development-Focus on Planned Development). The zoning is the same on the surrounding properties. The SD-RES land use zoning district provides for the development of lodging, including motels and hotels for more or less than 20 guest rooms.

Agriculture, residential, and commercial uses are also allowed in the Land Use District. The SD-RES land use zoning district provides sites for rural residential uses, incidental agricultural uses, and similar and compatible uses. The SD-RES Land Use zoning district is not considered an agricultural zone. In addition, there are no agricultural uses currently on the Project site or in the immediate vicinity. As such, the project will not create a conflict with agricultural zoning.

Williamson Act

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.

- c) No Impact. The Project site is in the SD-RES Land Use zoning district. 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.
- d) **No Impact**. The Project site and surrounding properties do not contain forest lands and are not zoned for forest lands. 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.

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e) **No Impact.** The proposed Project area consists of an unimproved, predominately vacant parcel. The surrounding area consists of limited residential and commercial development, as well as areas of undeveloped land. The Project would establish a lodging style development with individual units on approximately 0.77 acres. Therefore, the Project would not result in conversion of Farmland to non-agricultural use or forest land to non-forest use. No impacts will occur.

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

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	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impac
III.	AIR QUALITY - Where available, the sig quality management district or air pollution following determinations. Would the project the project that the project is a small project to the project that the project	on control distr			
a)	Conflict with or obstruct implementation of the applicable air quality plan?				
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?				
c)	Expose sensitive receptors to substantial pollutant concentrations?				
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?				
	IBSTANTIATION: (Discuss conformity Management Plan, if	applicable):	uth Coast Di	strict Air Qu	uality
Sali Dellialdi	no County General Plan, 2007; CalEEMod	ı Dala Srieets.			

a) Less Than Significant Impact. The Project site is located with the jurisdiction of the Mojave Desert Air Quality Management District ("District"). The 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 deemed non-conforming with an adopted Air Quality Plan if it conflicts with or delays implementation of any applicable attainment or maintenance of such a 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.

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The proposed Project is consistent with the zoning and land use classifications that were used to prepare the Attainment Plan (Special Development). 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. The Project would not significantly increase local air emissions and therefore would not conflict with or obstruct implementation of the Attainment Plans. Therefore, the potential impact is less than significant.

b) Less Than Significant Impact. For projects applying the emissions-based significance thresholds, project emissions quantification is required. In addition the environmental documentation must include support for the quantification methodology used, including emission factors, emission factors source, assumptions, and sample calculations where necessary. For projects using a calculation tool such as CalEEMod, the support section must specify the inputs and settings used for the evaluation.

A quantification based analysis was done for the Project although a lodging facility occupying a 0.77 acre site is not expected to generate construction or operational emissions that would exceed the emissions-based significance thresholds established by the Mojave Desert Air Quality Management District. Both construction and operational emissions for the Project were estimated by using 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 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.

Construction Emissions

Construction activities associated with the Project will result in emissions of CO, VOCs, NOX, SOX, PM10, and PM2.5. Construction emissions are expected from the following activities:

- Site Preparation;
- Grading:
- Wall and Building Construction; and
- Architectural Features.

The estimated maximum daily construction emissions without mitigation are summarized on Table 3 below for the Winter period. It is estimated construction of the project would take approximately 118 days. Annualized emission levels are substantially lower.

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Table 3. Construction Emissions (unmitigated)

Maximum Daily	y Emissions (pounds per day)						
Emissions	NOx	ROG	O	SOx	PM10	PM2.5	
	8.96	15.51	7.91	0.01	1.29	0.88	
Regional Threshold	137	137	548	137	82	65	
Exceeds Regional	NO	NO	ОИ	NO	NO	NO	
Threshold?							
Source: MDAQMD and CalEEMod 2016.3.2							

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, PM10, and PM2.5. Operational emissions would be expected from the following primary sources:

- Area Source Emissions (architectural coatings);
- Energy Source Emissions (combustion emissions associated electricity); and
- Mobile Source Emissions (vehicles, fugitive dust related to vehicular travel).

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

Table 4. Operational Emissions (Pounds per Day)

ranio ii operaniona Emissione (i camae per 24)								
Maximum Daily		Emissions (pounds per day)						
Emissions	NOx	ROG	CO	SOx	PM10	PM2.5		
	1.31	0.25	1.35	0.006	0.33	0.09		
Regional Threshold	137	137	548	137	82	65		
Exceeds Regional	NO	NO	NO	NO	NO	NO		
Threshold?								
Source: MDAQMD and CalEEMod 2016.3.2								

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.

c) Less Than Significant Impact. Residences, schools, daycare centers, playgrounds and medical facilities are considered sensitive receptor land uses. The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor land use must be evaluated using significance threshold criteria:

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- Any industrial project within 1000 feet;
- A distribution center (40 or more trucks per day) within 1000 feet;
- A major transportation project (50,000 or more vehicles per day) within 1000 feet;
- A dry cleaner using perchloroethylene within 500 feet;
- A gasoline dispensing facility within 300 feet.

The Project is a 14-unit lodge-type facility and is adjacent to a single family residence, which is an identified sensitive receptors. An evaluation of potential air quality impacts are listed below in Table 5. The emissions do not exceed threshold levels and are less than significant.

Table 5. Construction Emissions (Fugitive Dust Requirements)

Maximum Daily	Emissions (pounds per day)							
Emissions	NOx	ROG	СО	SOx	PM10	PM2.5		
	8.96	15.51	7.85	0.01	0.87	0.65		
Regional Threshold	137	137	548	137	82	65		
Exceeds Regional Threshold?	NO	NO	NO	NO	NO	NO		
Source: MDAQMD and CalEEMod 2016.3.2								

- d) 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. The only potential odor sources associated with the proposed Project may result from construction equipment exhaust. 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.

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

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	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
IV.	BIOLOGICAL RESOURCES - Would the p	roject:			
a)	Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?				
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?				
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?				
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				
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?				

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SUBSTANTIATION: (Check if project is located in the Biological Resources Overlay or

contains habitat for any species listed in the California Natural Diversity

Database ⊠):

San Bernardino County General Plan, 2007; Biological Technical Report, prepared by ECORP, August, 2020.

a) Less Than Significant Impact.

Existing Conditions

The area of the proposed installation currently consists of an unimproved, vacant dirt lot, adjacent to a single family residence.

Sensitive Species

A Biological Technical Report was prepared for the proposed Project by ECORP Consulting, Inc., dated August 2020. The report listed the site as "disturbed/landscaped land cover with small portions of disturbed snakeweed scrub habitat." (p. 20) The document further noted that several Joshua trees were on the property and it was likely the Joshua tree would be listed as threatened at the August 2020 California Department of Fish and Wildlife meeting. However, this action has been postponed until the Department's next meeting. Joshua trees are protected under the County Development Code and require a permit if they are to be removed. However, no special permit is required if the removal is in conjunction with a development project that considered the Project's effects upon the Joshua trees. It is possible for both of the trees to be incorporated into the design of the site plan.

Plants

Two species were discussed in the Technical Report: The Pinyon Rockcress and Latimer's woodland-gilia. The Report indicated the Pinyon Rockcress is not very threatened in California. The Report also noted Latimer's Woodland-gilia is fairly endangered in California and rare or endangered elsewhere. The biologist further found that the limited size of the property and existing disturbances in the disturbed snakeweed scrub habitat on the site "likely preclude" these species from occurring. (p. 16)

Wildlife

The Report noted the Project site is within the known range of the desert tortoise and burrowing owl, but that "these species are presumed absent from the site due to a lack of suitable habitat and existing levels of disturbance and development at the Project site..." (p. 19)

A field survey conducted by the Project biologist found that no suitable habitats capable of supporting the federally or state-listed species were observed within the limits of the Project site. As such, the proposed Project is not one that may affect listed, threatened or endangered species or designated critical habitats or is likely to jeopardize the continued existence of any proposed endangered or threatened species or is likely to result in the destruction or adverse modification of proposed critical habitats. There are no impacts.

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b) Less Than Significant with Mitigation Impact. There is no surface water on site or any riparian habitat or other sensitive natural community present on the Project site. An ephemeral drainage course exists along the northwesterly portion of the Project and according to the Technical Report, would not be subject to the Clean Water Act, Section 404. However, the drainage would be subject to the California Fish and Game Code, Section 1601, necessitating the filing a Streambed Alteration Agreement application with the California Department of Fish and Wildlife to determine its applicability/necessity.

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, but could be affected by the requirements of the California Department of Fish and Game. As such, the following mitigation measure is recommended:

BIO-1

Due to the existence of an ephemeral drainage course near the northerly Project boundary, the California Department of Fish and Wildlife (CDFW) must be notified per Fish and Game Code (FGC) §1602. A streambed alteration agreement with the Department of Fish and Wildlife shall be provided to the Land Development Division prior to grading permit issuance.

- c) No Impact. The U.S. Army Corps of Engineers (USACE) and the Environmental Protection Agency (EPA) define "wetlands" as "areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted to life in saturated soil conditions." In order to be considered a jurisdictional wetland under Section 404, an area must possess three wetland characteristics: Hydrophytic vegetation, hydric soils, and wetland hydrology. Each characteristic has a specific set of mandatory wetland criteria that must be satisfied in order for that wetland characteristic to be met. Several parameters may be analyzed to determine whether the criteria are satisfied. Based on the field survey, there are no wetlands on the Project site.
- d) No Impact. The area of the proposed installation currently consists of an unimproved lot that has been substantially disturbed. The Technical Report prepared for the property noted the existence of fencing around most of the property and that no suitable habitat, major drainage courses or washes exist that would supports a wildlife nursery site or corridor. There are no impacts.
- e) Less Than Significant with Mitigation Incorporated. Section 88.01.070 of the Development Code requires a Tree & Plant Removal Permit for the removal of any Native tree with a six inch or greater stem diameter or 19 inches in circumference measured 4.5 feet above natural grade level or a three or more palm trees in linear plantings, which are 50 feet or greater in length. The Project site does contain several Joshua trees that have the potential to remain on the property. However, a tree permit would not be required in this instance since the potential effect upon the trees is related to a development project and potential biological effects would be evaluated as part of the entire Project.

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However, should the trees need to be removed or relocated or be listed as threatened by the California Department of Fish and Wildlife, then measures consistent with both the County Code and State requirements would apply. As such, the following mitigation measure is recommended:

BIO-2

The applicant shall provide a plan to the Planning Division for approval prior to issuance of a grading permit identifying and demonstrating the method to be used to retain the two existing Joshua trees in their current location and ensure no adverse effects to the trees will occur during either the grading and operation of the proposed use. Should this not be possible, a relocation plan approved by either the County of San Bernardino and, if applicable, the Department of Fish and Wildlife, shall occur prior to issuance of a grading permit.

No Impact. The Project site is located within the planning area of the West Mojave f) California Desert Conservation Area Plan Amendment. The West Moiave 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 BLMmanaged 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.

Therefore, no significant adverse impacts are identified or anticipated with implementation of Mitigation measure BIO-1 AND BIO-2.

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	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact		
V.	CULTURAL RESOURCES - Would th	e project:					
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?						
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?						
c)	Disturb any human remains, including those outside of formal cemeteries?						
SUBSTANTIATION: (Check if the project is located in the Cultural or Paleontologic Resources overlays or cite results of cultural resource review):							
San Bernardino County General Plan, 2007; Federal Register.							

a) Less Than Significant 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.

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Archaeological sites are locations that contain resources associated with former human activities, and may contain such resources as human skeletal remains, waste from tool manufacture, tool concentrations, and/or discoloration or accumulation of soil or food remains.

Records Search

A cultural resources records search was conducted at the South Central Coastal Information Center (SCCIC), which is located at the California State University, Fullerton and conveyed to the County on April 17, 2019 for the purpose of identifying any cultural resources on or near the Project site. The records search indicated the site is within the boundaries of Pioneertown and that the area has not been evaluated for historical significance at either the State or Federal level. A District Record was created with the State of California Department of Parks and Recreation on May 8, 2013, that noted the use of Pioneertown for filming in the 1940's. Based on the results of the record search, no specific eligible or listed cultural resources are within a mile of the Project site nor did the search conclude the subject property is located within the boundaries or near the boundaries of a historic district that is eligible for listing on the National Register. The CHRIS report also noted the "subject property may or may not be a contributing property to the [Federal Register] district."

Pedestrian Survey

Subsequent to obtaining this information the area has been listed on the National Register. As noted previously, the County of San Bernardino does not have procedures or criteria that implement such a designation. The County acknowledges documentation has been supplied to the County by a group that requested the designation and that many of the materials contained in the actual Federal Register application were supplied to the County. The use of the Western theme frontage by the applicant has attempted to reflect this theme along Mane Street. The façade includes not only the vertical look of old style Western buildings, but a pedestrian boardwalk along the frontage of the façade similar to other properties along Mane Street. Parking has also been modified to place most of the parking in the rear of the property, with only four parallel parking spaces located along Mane Street.

Parking along Mane Street generally does not occur, although certain individual uses do have parking adjacent some structures, such as the post office or other nearby buildings to the east of the Project site. Mane Street is approximately 1,600 feet in length, extending from the Post Office to near Pappy and Harriet's. Mane Street is segmented into two separate sections, one of which utilizes wood posts and fencing in the Mane Street roadway to preclude vehicle traffic and the other which does not. The area precluding traffic is approximately 430 feet in length and located approximately 350 feet east of the subject property. Parking spaces for Pappy and Harriet's occurs over a portion of the Mane Street roadway and is located approximately 200 feet east of the restricted portion of Mane Street. As noted above, the Project site is located west of that portion of Mane Street restricted to pedestrian only use and has only a limited number of parking spaces located in front of the proposed Project, which may not be utilized on a continuous basis.

The Project site is generally unimproved vacant dirt lot, although an opaque wood fence surrounds most of the property. No impacts would occur upon historical resources.

b) Less Than Significant with Mitigation Incorporated. Archaeological sites are locations that contain resources associated with former human activities, and may contain such resources as human skeletal remains, waste from tool manufacture, tool concentrations, and/or discoloration or accumulation of soil or food remains. From the CHRIS survey, correspondence dated April 17, 2019, no archeological resources were recorded for the Project area or within one-mile radius of the subject property. The CHRIS report noted the "subject property may or may not be a contributing property to the [Federal Register] district."

The proposed Project was also distributed to area Indian Tribes for review, consistent with the AB 52 Tribal Consultation process. The San Manuel Band of Mission Indians responded on April 19, 2019, and requested inclusion of mitigation measures related to inadvertent finds, as noted below. The Morongo Band of Mission Indians responded via e-mail on April 5, 2019 and indicated they had no comments.

Mitigation Measure CR-1

- 1. 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.
- 2. 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.
- 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 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.

Based upon the background research and contact with Native American Tribes, including comments from the San Manuel Tribe and the inclusion of the mitigation measure listed above, the potential impacts upon archaeological resources are less than significant.

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c) 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 of obtaining access to the property, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. With mandatory compliance with California Health and Safety Code §7050.5 as well as Public Resources Code §5097 et. seq., impacts are less than significant.

Therefore, no significant adverse impacts are identified or anticipated with implementation of Mitigation measure CR-1.

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		Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact		
	VI.	ENERGY – Would the project:						
	a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?						
	b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?						
SU	SUBSTANTIATION: San Bernardino County General Plan, 2007; CalEEMod Data Sheets.							

a) Less Than Significant Impact.

Construction Impacts

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.

The amount of energy and fuel use anticipated by the Project's construction are less than typical for the type of construction proposed, because the lodging units are pre-assembled and self-contained, thereby less energy-intensive. Project construction equipment would conform to the applicable California Air Resources Board (CARB) emissions standards, acting to promote equipment fuel efficiencies. In addition, demand for construction-related electricity and fuels would be spread out over the life of the construction phases of the Project but would not require a permanent commitment of energy or diesel fuel resources for this purpose. (See analysis on following page.) The proposed construction estimates would be conservative since the new units would exist and not be assembled or built on-site. Therefore, impacts from energy use during short-term construction activities would be less than significant.

Operational Impacts

Operation of the Project would result in increases in demand for electricity as compared to the currently undeveloped Project site, which does not have any energy consuming uses. Since the Project area is already served by onsite electrical infrastructure, adequate electrical infrastructure capacity is available to accommodate the electricity demand during operation, the proposed Project would not require additional or expanded electrical infrastructure.

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Additionally, plans submitted for building permits of development projects in the Project area would be required to include verification demonstrating compliance with the 2019 Building and Energy Efficiency Standards and are also required to be reviewed. The Project would also be required to adhere to the provisions of CALGreen, which established planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants.

Table 6. Energy Consumption Estimate for Project Construction.

Construction Phase	Construction Worker a	Average Worker and Vendor Trips		Construction	Worker and Vendor Trips Gas & Fuel Use	
		Per Day		Energy Use (1)	Gas & Fuel Use (2)	(3)
Demolition	10	3	12,300		664.86	24.21
Site Preparation	1	5	2,272		122.81	4.03
Grading	2	8	4,118		222.59	12.91
Building Const., Paving, Arch. Coating	100	7	401,200		21,686.49	564.81
			TOTALS	3.01 kWh	22,696.75 Gal.	605.96 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 (3,300 s.f.) over the total duration of construction (5- months), at the rate of 8 cents per kilowatt hour (kWh).

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.

b) No Impact. The County of San Bernardino General Plan Renewable Energy and Conservation Element (REC Element) is an established regulatory framework, and is supportive of other county, state, and federal plans. REC Element Policy 1.1 states: "Continue implementing the energy conservation and efficiency measures identified in the County of San Bernardino Greenhouse Gas Emissions Reduction Plan. As noted in the analysis for Issue VIII-a and VIII-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. There is no impact and no mitigation measures are required.

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

^{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 10.8 miles and based on the average fuel economy of a light duty automobile of 26.77 miles per gallon.

^{4.} This calculation overstates the HP hours per construction phase because it does not apply a load factor.

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	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
VII.	GEOLOGY AND SOILS - Would the project:				
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				
	ii. Strong seismic ground shaking?				
	iii. Seismic-related ground failure, including liquefaction?				
	iv. Landslides?				\boxtimes
b)	Result in substantial soil erosion or the loss of topsoil?				
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?				
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?				
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				

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f) Directly or indirectly destripaleontological resource unique geologic feature?	•				
SUBSTANTIATION: (Check	if project is lo	cated in the Geo	ologic Haza	rds Overlay Dis	strict):
San Bernardino County General					
Pioneertown (F121C).			-	_	•

- ai) **No Impact.** The Project site is not located within an Alquist-Priolo Earthquake Fault Zone, based upon a review of the County's Geologic Hazard Overlays Map. 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.
- aii) 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 Project plans through building plan checks, issuance of a building permit, and inspection of the facilities during construction, which would ensure that all required California Building Code seismic safety measures are incorporated into the structures. Compliance with the California Building Code as verified by the County's review process, would reduce impacts related to strong seismic ground shaking to less than significant.
- aiii) Less Than Significant Impact. The Project site is not within an area identified on the San Bernardino County Hazard Maps as being subject to potential liquefaction. A geotechnical study would be required for construction that would identified potential groundwater depth and appropriate construction methods. Adherence to these criteria would reduce the potential impact to less than significant.
- aiv) **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.
- b) Less Than Significant Impact. The Project would not result in substantial soil erosion or the loss of topsoil because of the minimal size of the building footprint and land disturbance area associated with the Project. Storm water from construction projects that disturb one or more acres of soil or that disturb less than one acre but are part of a larger common plan of development, are required to obtain coverage under the statewide General Permit for Discharges of Storm Water Associated with Construction Activity (also referred to as the Construction General Permit or CGP). The Project site is not within the MS-4 area and does not require the preparation of a Water Quality Management Plan (WQMP). However, according to the Land Use Services Department Grading Plan Guidance document, grading plans shall include the following:
 - Adequate provisions should be made to intercept and conduct the tributary offsite/onsite
 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.

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• The drainage plan for the portions of the site that are to be utilized as a building site (building pad), including elevations of floors with respect to finish site grade and locations of proposed stoops, slabs and fences that may affect drainage. Proposed structures must be free of flood hazard. If a site is subject to inundation, overflow or erosion, a permit may not be issued unless provisions are made to eliminate the hazard. Therefore, plans must also show all mitigation measures to protect proposed structures and the drainage study justifying the design must be provided.

With implementation of mandatory grading requirements, impacts are less than significant.

c) Less Than Significant Impact.

Landslide

As noted in the response to Issue VII (a-iv) 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 VII (a-iv) above, the site is relatively flat and contains no slopes that may be subject 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. 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 facility plans through building plan checks, issuance of a building permit, and inspection of the facilities during construction, which would ensure that all required California Building Code seismic safety measures are incorporated into the structures. Compliance with the California Building Code as verified by the County's review process would reduce impacts related to subsidence to less than significant.

Liquefaction

According to San Bernardino County Geologic Hazard Map for Pioneertown (F121C), the Project site is not located within an area that is subject to liquefaction. 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 facility plans through building plan checks, issuance of a building permit, and inspection of the facilities during construction, which would ensure that all required California Building Code seismic safety measures are incorporated into the structures. Compliance with the California Building Code, as verified by the County's review process, would reduce impacts related to liquefaction to less than significant.

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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. As a mandatory condition of project approval, the Project would be required to construct the proposed structures in accordance with the California Building Code (CBC). The County's Building and Safety Department would review the facility plans through building plan checks, issuance of a building permit, and inspection of the facilities during construction, which would ensure that all required California Building Code seismic safety measures are incorporated into the structures. Compliance with the California Building Code, as verified by the County's review process, would reduce impacts related to collapse to less than significant.

- d) Less Than Significant Impact. The proposed Project would be required to comply with the most recent CBC requirements, which have been developed to property safeguard structures and occupants from land stability hazards, such as expansive soils. Although the specific soils type has not been identified, sandy and gravelly soils do not typically contain significant levels of clay that could adversely affect building footings. However, preparation of a soils report would identify the specific characteristics and appropriate construction methods. Therefore, impacts related to expansive soils would be less than significant.
- e) Less Than Significant Impact. The proposed Project would result in the production of waste water. Sewer systems do not exist in the area and private waste water disposal systems, such as septic tanks, would be required. In general, the soil is sandy and gravelly, according to the Biological Technical Report prepared for the Project site. This soil characteristic would not represent an impediment to the use of an on-site septic system. Such an on-site system would require submittal of applicable documentation to and approval from the San Bernardino County Environmental Health Services Department to become operational. Therefore, impacts related to the use of on-site waste discharge would be less than significant.
- f) Less Than Significant With Mitigation Incorporated. Paleontological resources are the preserved fossilized remains of plants and animals. Fossils and traces of fossils are preserved in sedimentary rock units, particularly fine- to medium grained marine, lake, and stream deposits, such as limestone, siltstone, sandstone, or shale, and in ancient soils. They are also found in coarse-grained sediments, such as conglomerates or coarse alluvium sediments. Fossils are rarely preserved in igneous or metamorphic rock units. Fossils may occur throughout a sedimentary unit and, in fact, are more likely to be preserved subsurface, where they have not been damaged or destroyed by previous ground disturbance, amateur collecting, or natural causes such as erosion.

No paleontological resources or unique geologic features are known to be present on the Project site. Notwithstanding this circumstance, the San Bernardino County General Plan EIR states that unknown paleontological resources have the potential to exist on properties that have not been disturbed by prior development activities involving excavation. Accordingly, the Project has the potential to result in significant adverse impacts to paleontological resources that may exist beneath the ground surface on the project site during site excavation and/or grading activities that would occur on the property during Project construction activities. To minimize the effects of this potential impact, Mitigation Measure GEO-1 is required.

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Mitigation Measure GEO-1: Treatment of Previously Unidentified Paleontological Resources. Prior to the issuance of a grading permit, the following note shall be included on the grading plans:

"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 paleontological 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.

Therefore, no significant adverse impacts are identified or anticipated with the implementation of Mitigation Measure GEO-1.

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	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
VIII.	GREENHOUSE GAS EMISSIONS - W	ould the proje	ect:		
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				
b)	Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?				

a) 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.

SUBSTANTIATION: San Bernardino County General Plan, 2007; CalEEMod Data Sheets

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 GHG 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 (MTCO₂E) 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.

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The proposed Project's primary contribution to greenhouse gas (GHG) emissions is attributable to construction activities. Since the Project is a lodging development, with preconstructed units, greenhouse gases would occur to a certain extent during construction and operation of the use. Project construction will result in greenhouse gas (GHG) emissions from the following construction-related sources: (1) construction equipment emissions such as grading, trenching, movement of materials, and energy used to power the equipment; and (2) emissions from construction workers personal vehicles traveling to and from the construction site. Construction-related GHG emissions vary in proportion to the level of activity, length of the construction period, specific construction operations, types of equipment, and number of personnel.

The primary emissions that would result from the proposed Project occur as carbon dioxide (CO2) from gasoline and diesel combustion, with more limited vehicle tailpipe emissions of nitrous oxide (N2O) and methane (CH4).

A GHG emissions inventory was conducted for the project utilizing the California Emissions Estimator Model (CalEEMod) as shown in Table 7.

Table 7. Project Greenhouse Gas Emissions

	•	GHG Emissions MT/yr.					
Source	N2O	CO2	CH4	CO2e			
Mobile Sources	0.000	91.48	0.009	91.70			
Area	0.000	0.0003	0.000	0.0003			
Energy	0.0004	29.64	0.001	29.77			
Solid Waste	0.000	1.56	0.092	3.86			
Water/Wastewater	0.0002	1.73	0.012	2.10			
30-year Amortized Construction GHG				1.50			
TOTAL				126.33			
MDAQMD Threshold				100,000			
Exceed Threshold?				NO			

As shown in Table 7, the Project's GHG emissions are less than the initial screening threshold of 3,000 MTCO₂E per year Projects that do not exceed this threshold require no further climate change analysis. However, Performance Standards 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, if applicable.

b) Less Than Significant Impact.

State Plan

The Climate Change Scoping Plan was first approved by the California Air Resources Board (CARB) in 2008 and must be updated every five years. The First Update to the Climate Change Scoping Plan was approved by CARB on May 22, 2014. The Climate Change Scoping Plan provides a framework for actions to reduce California's GHG emissions, and requires CARB and other state agencies to adopt regulations and other

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initiatives to reduce GHGs. As such, the *Climate Change Scoping Plan* is not directly applicable to the project in most instances. However, the Project is not in conflict with the *Climate Change Scoping Plan*, because its individual greenhouse gas emissions are below screening thresholds as noted in the response to Issue VIII(a) above and the Project will implement such greenhouse reduction measures as Title 24 Energy Efficiency Requirements and recycling and construction waste reduction requirements.

Regional Plan

As noted above, 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.

Performance Standard pursuant to the County of San Bernardino *Greenhouse Gas Emissions Reduction Plan* will be included as conditions of approval for the project, if applicable. Based on the analysis above, the Project will not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. Impacts are less than significant.

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	Issues	Potenti Signific Impa	eant ct	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
IX.	HAZARDS AND HAZARDOUS MATE	RIALS -	Would t	the project:		
a)	Create a significant hazard to the publi environment through the routine transport or disposal of hazardous materials?				\boxtimes	
b)	Create a significant hazard to the public environment through reasonably fore upset and accident conditions involving release of hazardous materials in environment?	seeable				
c)	Emit hazardous emissions or hazardous or acutely hazardous m substances, or waste within one-quarte an existing or proposed school?					
d)	Be located on a site which is included of hazardous materials sites compiled p to Government Code Section 65962.5 a result, would it create a significant hat the public or the environment?	ursuant and, as				
e)	For a project located within an airport laplan or, where such a plan has not adopted, within two miles of a public a public use airport, would the project resafety hazard or excessive noise for residing or working in the project area?	ot been irport or sult in a people				
f)	Impair implementation of or physically i with an adopted emergency response emergency evacuation plan?					
g)	Expose people or structures, either directly, to a significant risk of loss, ideath involving wildland fires?	•				
	UBSTANTIATION: Bernardino County General Plan, 2007	; San Be	ernardin	o County Haz	zard Overlay	Мар

San Bernardino County General Plan, 2007; San Bernardino County Hazard Overlay Map Pioneertown (F121B). October, 2020

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 reasonably 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 to, requirements imposed by the Environmental Protection Agency, California Department of Toxic Substances Control, and Mojave Desert Air Quality Management District. 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

During the operational phase of the project, hazardous or potentially hazardous materials would not be routinely handled, stored, or dispensed on the Project site in substantial quantities. Cleaning and degreasing solvents, fertilizers, pesticides, and other materials used in the regular maintenance of structures would be utilized on-site.

These potentially hazardous materials, however, would not be of a type or occur in sufficient quantities to pose a significant hazard to the public and safety or the environment. Businesses are required by law to ensure employee safety by identifying hazardous materials in the workplace, providing safety information to workers that handle hazardous materials, and adequately training workers. The Project would be required to comply with applicable federal, state, and local requirements related to the handling of hazardous materials. Thus, hazardous materials used during Project operation would not pose any substantial public health risk or safety hazards. Therefore, long-term operational impacts are less than significant.

c) No Impact. The Project site is not located within one-quarter (0.25) mile of a mile from an existing or proposed school. The nearest schools are in the City of Yucca Valley. Yucca Valley Elementary School, for example, is located approximately 4.0 miles southeast of the Project site. In addition, as discussed in the responses to issues VII (a-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.

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- d) **No Impact.** The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State and local agencies to comply with the California Environmental Quality Act requirements in providing information about the location of hazardous materials release sites pursuant to Government Code Section 65962.5. Below are the data resources that provide information regarding the facilities or sites identified as meeting the "Cortese List" requirements.
 - List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database.
 - List of Leaking Underground Storage Tank Sites from the State Water Board's GeoTracker database.
 - List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit.
 - List of "active" CDO and CAO from Water Board.
 - List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC.

Based on a review of the Cortese List maintained by the California Environmental Protection Agency website at https://calepa.ca.gov/SiteCleanup/CorteseList/ on August 24, 2020, the Project site is not identified on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

- e) **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 airport is the Yucca Valley Airport located approximately 5.2 miles to the southeast 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.
- f) No Impact. The Project site does not contain any emergency facilities nor does it serve as an emergency evacuation route. The Project would not result in a substantial alteration to the design or capacity of any public road that would impair or interfere with the implementation of evacuation procedures. Because the Project would not interfere with an adopted emergency response or evacuation plan, there is no impact.
- g) Less Than Significant 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. According to the San Bernardino County Hazard Map (F121B-Pioneertown), the Project site is within Fire Safety Overlay District FS2. It should be noted the FS2 designated areas have been merged with the FS1 designated areas, resulting in one overlay area. Building setbacks and design criteria applicable to this designation must be met. However, upon compliance with this requirement, the result would be less than significant. (Also see Section XX, Wildfire).

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

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SUBSTANTIATION:

San Bernardino County General Plan, 2007.

a) Less Than Significant Impact.

Waste Discharge Requirements

Waste Discharge Requirements (WDRs) are issued by the Colorado River Regional Board under the provisions of the California Water Code, Division 7 "Water Quality," Article 4 "Waste Discharge Requirements." These requirements regulate the discharge of wastes which are not made to surface waters, but which may impact the region's water quality by affecting underlying groundwater basins. Such WDRs are issued for Publically Owned Treatment Works' wastewater reclamation operations, discharges of wastes from industries, subsurface waste discharges such as septic systems, sanitary landfills, dairies and a variety of other activities which can affect water quality. The Project is a lodging facility that would generate wastewater. The San Bernardino County Environmental Health Services Division would be responsible for permitting the use of an on-site septic system to ensure its adequate performance. Impacts are less than significant.

Water Quality Requirements

The Porter-Cologne Act defines water quality objectives (i.e. standards) as "...the limits or levels of water quality constituents or characteristics which are established for the reasonable protection of beneficial uses of water or the prevention of nuisance within a specific area" (§13050 (h)).

Construction Impacts

Construction of the Project would involve clearing, grading, paving, utility installation, and structure construction, 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.

Storm water from construction projects that disturb one or more acres of soil, or that disturb less than one acre, but are part of a larger common plan of development, are required to obtain coverage under the statewide General Permit for Discharges of Storm Water Associated with Construction Activity (also referred to as the Construction General Permit or CGP). The Project site is contained on approximately 0.77 acres and is not part of a larger common plan for development, therefore, a Construction General Permit is not required. However, according to the Land Use Services Department Grading Plan Guidance document, grading plans shall include the following:

 Adequate provisions should be made to intercept and conduct the tributary offsite/onsite 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.

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• The drainage plan for the portions of the site that are to be utilized as a building site (building pad), including elevations of floors with respect to finish site grade and locations of proposed stoops, slabs and fences that may affect drainage. Proposed structures must be free of flood hazard. If a site is subject to inundation, overflow or erosion, a permit may not be issued unless provisions are made to eliminate the hazard. Therefore, plans must also show all mitigation measures to protect proposed structures and the drainage study justifying the design must be provided.

With implementation of mandatory grading requirements, impacts are less than significant.

Operational Impacts

Storm water pollutants commonly associated with the Project operation may include sediment/turbidity, nutrients, trash and debris, oxygen-demanding substances, organic compounds, bacteria and viruses, oil and grease, and pesticides. Surface runoff will be minimal given the small size of the facility. Impacts are less than significant.

- b) Less Than Significant Impact. The proposed Project area is within the Mojave Water Agency service area, specifically in the Morongo Subarea. The Project area is located in County Service Area (CSA) 70 W-4 for water service. The County has installed a water pipeline extending from Yucca Valley to provide water to the Pioneertown area. The water is obtain from a well in Yucca Valley. Yucca Valley wells have exhibited a variable depth over the years, with some well depths varying over 100 feet. The County's Special District Department has requested the applicant prepare a water feasibility study to ensure adequate service can be provided. Therefore, there are no impacts to groundwater supplies and recharge. Please refer to section XIX UTILITIES AND SERVICE SYSTEMS for additional information on water sources and the groundwater basin.
- c) Less than Significant Impact. According to the Land Use Services Department (i-v) Grading Plan Guidance document, grading plans shall include the following:
 - Adequate provisions should be made to intercept and conduct the tributary offsite/onsite drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties at the time the site is developed.
 - The drainage plan for the portions of the site that are to be utilized as a building site (building pad), including elevations of floors with respect to finish site grade and locations of proposed stoops, slabs and fences that may affect drainage. Proposed structures must be free of flood hazard. If a site is subject to inundation, overflow or erosion, a permit may not be issued unless provisions are made to eliminate the hazard. Therefore, plans must also show all mitigation measures to protect proposed structures and the drainage study justifying the design must be provided.

With implementation of mandatory grading requirements, impacts are less than significant.

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d) No Impact. According to County Hazard Map F121B-Pioneertown, the Project site is not located within a Flood Plain Safety Overlay District. As such, the Project shall not be subject to a Floodplain Development Standards Review conducted by the Building and Safety Division based upon the determination by the Land Development Division of the Land Use Services Department. No requirements are necessary to ensure that the proposed Project complies with this Development Code regarding flood protection measures.

According to the California Department of Conservation, California Official Tsunami Inundation Maps the site is not located within a tsunami inundation zone. There are no impacts.

Seismic seiches are standing waves set up on rivers, reservoirs, ponds, and lakes when seismic waves from an earthquake pass through the area. The Project site is not in close proximity to a water body that could create a seiche. Impacts are less than significant.

- e) Less Than Significant Impact. The Project site is located within the boundaries of the Colorado River Regional Water Quality Control Board, specifically the Lucerne Valley Planning Area, and is subject to the *Water Quality Control Plan for the Colorado River Basin Region* (Basin Plan). The Basin Plan implements a number of state and federal laws, the most important of which are the federal Clean Water Act (P.L. 92-500, as amended), and the State Porter-Cologne Water Quality Control Act (California Water Code § 13000 et seq.). Storm water from construction projects that disturb one or more acres of soil, or that disturb less than one acre but are part of a larger common plan of development, are required to obtain coverage under the statewide General Permit for Discharges of Storm Water Associated with Construction Activity (also referred to as the Construction General Permit or CGP). The Project site is less than one acre in size and the lodging facilities are proposed would be existing trailers. Therefore, a Construction General Permit is not required. However, according to the Land Use Services Department Grading Plan Guidance document, grading plans shall include the following:
 - Adequate provisions should be made to intercept and conduct the tributary offsite/onsite drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties at the time the site is developed.
 - The drainage plan for the portions of the site that are to be utilized as a building site (building pad), including elevations of floors with respect to finish site grade and locations of proposed stoops, slabs and fences that may affect drainage. Proposed structures must be free of flood hazard. If a site is subject to inundation, overflow or erosion, a permit may not be issued unless provisions are made to eliminate the hazard. Therefore, plans must also show all mitigation measures to protect proposed structures and the drainage study justifying the design must be provided.

With implementation of mandatory grading requirements, impacts are less than significant and the Project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

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	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XI.	LAND USE AND PLANNING – W	ould the proje	ect:		
a)	Physically divide an established community?				\boxtimes
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?				
	BSTANTIATION: Bernardino County General Plan, 20	007.			

- a) **No Impact.** An example of a project that has the potential to divide an established community includes the construction of a new freeway or highway through an established neighborhood. The proposed Project would establish a lodging facilities for 14 units on approximately 0.77 acres, with access to Mane Street at the north end of the parcel and Pioneertown Road at the south end of the parcel. As such, the project will not divide an established community and there are no impacts.
- b) Less Than Significant 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 Mojave Desert Air Quality Management District's Air Quality Management Plans, the County of San Bernardino Greenhouse Gas Emissions Reduction Plan, and the Water Quality Control Plan for the Colorado River Basin Region. 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 are less than significant.

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	Issues	Potentially Significant Impact	Less than Significant with Mitigatio Incorporated		No Impact
XII.	MINERAL RESOURCES - Would the project:				
	Would the project.				
a)	Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?				
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?				
SUE	SSTANTIATION: (Check if properties):	oject is locate	ed within the	Mineral Resourc	e Zone
San B	ernardino County General Plan, 200	07.			

a) Less Than Significant Impact. The California Department of Conservation (DOC) designates portions of the Project site as being located within Mineral Resource Zone (MRZ) - 4, based upon the Mineral Land Classification of a Part of Southwestern San Bernardino County: The Big Bear Lake – Lucerne Valley Area, California, 1994, which is defined as "Areas of no known mineral occurrences where geologic information does not rule out either the presence or absence of significant mineral resources." However, the mineral resource zone classifications assigned by the DOC focus solely on geologic factors and the potential value and marketability of a mineral resource, without regard to existing land use and ownership or the compatibility of surrounding land uses.

Due to small size of the Project site and the close proximity of other uses to the site, mineral resources extraction would not be feasible on-site. Lastly, the County's General Plan does not identify any important mineral resource recovery sites on- or in the proximity of the Project site. Accordingly, the Project would result in a less than significant impact related to the loss of availability of a known mineral resource.

b) **No Impact.** The Project site is not identified as a resource recovery site on the General Plan, a specific plan or other land use plan. The Project site is small and adjacent properties are developed making them inappropriate for resource recovery. Therefore, no impact is anticipated.

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	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact		
XIII.	NOISE - Would the project result	in:					
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?						
b)	Generation of excessive groundborne vibration or groundborne noise levels?						
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?						
SL	SUBSTANTIATION: (Check if the project is located in the Noise Hazard Overlay District ☐ or is subject to severe noise levels according to the General Plan Noise Element ☐):						
San E	Bernardino County General Plan, 2	007; Submitte	ed Project Materia	als			

a) Less Than Significant with Mitigation Incorporated.

Construction Noise

Noise generated by 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; and
- Facility Construction.

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Construction Noise Thresholds

The degree of construction noise will vary depending on the phase of construction and type of construction activity. Table 7 shows the typical noise levels generated by construction equipment.

Table 7. Typical Construction 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,					

These noise levels diminish with distance from the construction site at a rate of 6 dBA per doubling of distance. For example, a noise level of 82 dBA for a tractor measured at 50 feet from the noise source to the receptor would be reduced to 76 dBA at 100 feet from the source to the receptor, and would be further reduced to 64 dBA at 400 feet from the source to the receptor. The residential dwelling on the adjoining parcel to the east is very close to the existing property boundary.

Based on these factors, construction noise impacts from the Project are estimated to a maximum range of 82 dBA. In addition, construction noise sources are regulated within San Bernardino County under Section 83.01.090 (G) of the Development Code, which states that temporary construction, maintenance, repair, or demolition activities between 7AM to 7PM, except Sundays and Federal Holidays are exempt from the County's noise regulations. To minimize the potential higher construction noise levels on the adjoining parcel, noise curtains or other methods can be employed to reduce the noise levels.

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Implementation of these methods would reduce the potential impacts to less than significant.

N-1 Noise Mitigation. The builder/developer will submit for review and obtain approval of an agreement letter that stipulates that all construction contracts/subcontracts contain as a requirement that the following noise attenuation measures be implemented:

- a) Install temporary noise attenuation, if needed, to reduce noise levels to 65 dBA at the exterior of the residential structure on the adjacent residential property. The selection of the type of barrier, such as ½" plywood or sound absorption/attenuating blankets, and the height, thickness and location of the barrier shall be determined through the completion of an acoustical analysis acceptable to the County of San Bernardino Planning Division.
- b) Noise levels of any project use or activity will be maintained at or below adopted County noise standards (SBCC 83.01.080). The use of noise-producing signals, including horns, whistles, alarms, and bells, will be for safety warning purposes only.
- c) Exterior construction activities will be limited between 7 a.m. and 7 p.m. There will be no exterior construction activities on Sundays or National Holidays.
- d) Construction equipment will be muffled per manufacturer's specifications. Electrically powered equipment will be used instead of pneumatic or internal combustion powered equipment, where feasible.
- e) All stationary construction equipment will be placed in a manner so that emitted noise is directed away from sensitive receptors nearest the project site.

Operational Noise

An increase of 3 dBA is considered barely perceivable to most healthy ears. Typically an increase of 5 dBA or greater is considered one of significance, as it is considered readily perceivable. Individual lodging units will be located on the Project site for occupancy and would not generate significant noise levels.

Traffic Noise

The proposed Project is a lodging facility that would generate minimal vehicle trips for occupants and facility staff. Therefore, noise generated by vehicle traffic is minimal.

b) 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 construction activities most likely to cause vibration impacts are:

<u>Heavy Construction Equipment</u>: Although all heavy mobile construction equipment has the potential of causing at least some perceptible vibration while operating close to buildings, the vibration is usually short-term and is not of sufficient magnitude to cause building damage.

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<u>Trucks</u>: Trucks hauling building materials to construction sites can be sources of vibration intrusion if the haul routes pass through residential neighborhoods on streets with bumps or potholes. Repairing the bumps and potholes generally eliminates the problem.

Section 83.01.090 of the Development Code states:

"No ground vibration shall be allowed that can be felt without the aid of instruments at or beyond the lot line, nor shall any vibration be allowed which produces a particle velocity greater than or equal to two-tenths (0.2) inches per second measured at or beyond the lot line."

Given the nature of the Project, it Is not expected that large construction equipment will be required to construct the Western façade or the placement of trailers/units on-site or for the construction the wooden walkways for pedestrian access. It is assumed a bulldozer will be used which could produce up to 0.089 PPV at 25 feet which is conservation given the type of Project. The level of anticipated vibration does not exceed 0.20 PPV inch/second. As such, vibration would not result in the excessive groundborne vibration or groundborne noise levels impacting nearby properties.

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 adjacent to a major transportation facility or roadway. Therefore, the operational impacts associated with ground-borne vibration would be less than significant at nearby sensitive uses.

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 airport is the Yucca Valley Airport located approximately 5.2 miles to the southeast of the Project site. As such, the Project would not expose people residing or working in the project area to excessive noise levels. There is no impact.

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	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XIV.	POPULATION AND HOUSING - Wo	uld the projec	ot:		
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)?				
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				
SU	BSTANTIATION:				
San E	Bernardino County General Plan, 2007				
San E	Bernardino County General Plan, 2007				

- a) **No Impact.** The Project will not induce population growth in the area either directly or indirectly, because the Project will add lodging facilities. The Project is not proposing any new residential development and will make use of the existing roads and infrastructure. Therefore, there is no impact.
- b) **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. There is no impact.

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	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XV.	PUBLIC SERVICES				
a)	Would the project result in substar provision of new or physically altered altered governmental facilities, the environmental impacts, in order to ror other performance objectives for	d governmental e construction maintain accept	facilities, need of which cou able service ra	l for new or ph ıld cause siç	nysically gnificant
	Fire Protection?			\boxtimes	
	Police Protection?			\boxtimes	
	Schools?				\boxtimes
	Parks?				\boxtimes
	Other Public Facilities?				
SUE	BSTANTIATION:				
San B	Bernardino County General Plan, 20	007			

a) Less than Significant Impact and No Impact.

Fire Protection

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. The Project would increase the demand for fire protection services due to the development of the property, but it is not anticipated 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 the Yucca Valley Fire Station, #41, locate approximately five miles southeast of the Project site.

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 Project area from the Morongo Basin Patrol Station, approximately 13 miles from the Project site. The Project site is located within a rural area that is not routinely patrolled. 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

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facilities or need for new or physically altered sheriff facilities is not required. Impacts are less than significant.

Schools

The Project proposes construction of lodging facilities and would not result in the need for new housing creating a demand for additional school facilities. No impact would occur.

Parks

The Project proposes construction of lodging facilities and would not result in the need for new housing creating as additional park facilities. No impact would occur.

Other Public Facilities

The Project proposes construction of lodging facilities and would not generate substantial long-term increases in demand for roads, solid waste, or other public services or utilities. The proposed Project site would be accessed by the existing local circulation system and would not generate substantial long-term operational trips. Therefore, no impacts to public services or utilities would occur. No impact would occur.

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	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XVI.	RECREATION				
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?				
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?				
SUI	BSTANTIATION:				
San E	Bernardino County General Plar	n, 2007			

- a) **No Impact.** The proposed Project would construct a 14-unit lodging facility would not result in any increase in the overall population, necessitating neither construction nor expansion of area parks or recreational facilities. Therefore, no impact would occur.
- b) **No Impact.** Because the Project proposes the construction of a 14-unit lodging facility, it would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Therefore, no impact would occur.

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	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XVII.	TRANSPORTATION – Would the project:				
a)	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				
b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?				
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				
d)	Result in inadequate emergency access?				
SUE	BSTANTIATION:				
San E	Bernardino County General Plan,	2007.			

a) Less Than Significant Impact.

Motor Vehicle Analysis

According to the County of San Bernardino Traffic Impact Study Guidelines (April 2014), the requirement to prepare a traffic impact study is based upon, but not limited to, one or more of the following criteria:

- If a project generates 100 or more trips without consideration of pass-by trips during any peak hour.
- If the project is located within 300 feet of the intersection of two streets designated as Collector or higher in the County's General Plan or the Department's Master Plan, or (an) impacted intersection as determined by the Traffic Division.

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The project creates safety or operational concerns.

If a project generates less than 100 trips, without consideration of pass-by trips during any peak hour, a focused study may still be required if there are special concerns.

The applicant provided information indicating the proposed Project is a mini boutique hotel consisting of 13 nonmoving rental trailers and 1 manager trailer. It is estimated that 7 vehicles would enter and exit out daily, with 2 employees living on site. No deliveries would occur. Operational hours for check in would be 9am to 10pm. Therefore, the proposed Project is not forecast to generate more than 100 peak hour trips and it is not located within 300 feet of an intersection of two streets designated as Collector or higher category. There are no apparent traffic safety or operational concerns with implementation of the project. Therefore, the Project was not required to prepare a traffic impact study. Based on the low volume of traffic trips, it is not anticipated that the project would impact the performance of the circulation system related to motor vehicles.

Transit Service Analysis

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

Bicycle & Pedestrian Facilities Analysis

The project is an unmanned telecommunications facility. Therefore, the Project will not conflict with an applicable plan, ordinance or policy applying to non-motorized travel. Impacts are less than significant.

b) Less Than Significant Impact. CEQA Guidelines Section 15064.3 (b) describes specific considerations for evaluating a project's transportation impacts utilizing vehicle miles traveled (VMT). 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.

According to the *County of San Bernardino Transportation Impact Study Guidelines*, July 9, 2019, projects which serve the local community and have the potential to reduce VMT should not be required to complete a VMT assessment. The Project proposes the construction of a 14-unit motel type structure, including the managers unit. The Traffic Division of the County Public Works Department evaluated the proposed use and did not find that a VMT analysis was required. As such, it does not exceed the thresholds for completing a VMT assessment and, thus, would result in a less than significant impact.

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- c) **No Impact.** The proposed Project site is rectangular in shape and currently fronts on several roadways at the north and south end of the site, with an additional access drive on the west. The proposed use would involve primarily passenger vehicles with limited daily ingress and egress movements. As such, the project will not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections). The Project site is located in an area developed with a variety of residential and commercial land uses. There are no major agricultural uses in the vicinity of the site that would increase incompatible uses with farm equipment.
- d) **No Impact.** As noted in the previous response, the Project site borders several roadways and it relatively flat topographically. Emergency access is available from the north and south ends of Project site. As such, the Project will not result in inadequate emergency access.

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		Potentially	Less than	Less than	No		
	Issues	Significant	Significant	Significant	Impac		
		Împact	with				
		•	Mitigation				
			Incorporated				
XVIII.	TRIBAL CULTURAL RESOURCES		•				
a) Wo	uld the Project cause a substantial adve	erse change i	n the significar	nce of a tribal	cultura		
	ource, defined in Public Resources Code s						
land	dscape that is geographically defined in te	rms of the size	e and scope of	the landscape	, sacred		
plac	ce, or object with cultural value to a Californ	rnia Native Am	nerican tribe, ar	nd that is:			
			_				
i)	Listed or eligible for listing in the			\boxtimes			
	California Register of Historical						
	Resources, or in a local register of						
	historical resources as defined in						
	Public Resources Code section						
	5020.1(k), or						
ii)	A resource determined by the lead						
,	agency, in its discretion and supported						
	by substantial evidence, to be						
	significant pursuant to criteria set forth						
	in subdivision (c) of Public Resources						
	Code Section 5024.1. In applying the						
	criteria set forth in subdivision (c) of						
	Public Resource Code Section						
	5024.1, the lead agency shall consider						
	the significance of the resource to a						
	California Native American tribe?						
SUBSTANTIATION:							
San Bernardino County General Plan, 2007.							
Juli De	San Dernardino County General Flan, 2007.						

i) Less Than Significant 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.

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- 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.

Archaeological sites are locations that contain resources associated with former human activities, and may contain such resources as human skeletal remains, waste from tool manufacture, tool concentrations, and/or discoloration or accumulation of soil or food remains.

As noted in the Cultural Resources, Section V, a cultural resources records search was conducted by the South Central Coastal Information Center (SCCIC), which is located at the California State University, Fullerton and conveyed to the County on April 17, 2019, for the purpose of identifying any cultural resources on or near the project site. The records search indicated the site is within the boundaries of Pioneertown and that the area has not been evaluated for historical significance at either the State or Federal level. A District Record was created with the State of California Department of Parks and Recreation on May 8, 2013, that noted the use of Pioneertown for filming in the 1940's. Based on the results of the record search, no specific eligible or listed cultural resources are within a mile of the Project site nor did the search conclude the subject property is located within the boundaries or near the boundaries of a historic district that is eligible for listing on the National Register. The CHRIS report also noted the "subject property may or may not be a contributing property to the [Federal Register] district."

Section V of this document also noted that subsequent to obtaining this information the area has been listed on the National Register. As noted previously, the County of San Bernardino does not have procedures or criteria that implement such a designation. The County acknowledges documentation has been supplied to the County by a group that requested the designation and that many of the materials contained in the actual Federal Register application were part of the materials supplied to the County. The use of the Western theme frontage by the applicant has attempted to reflect this theme along Mane Street. The façade includes not only the vertical look of old style Western buildings, but a pedestrian boardwalk along the frontage of the façade similar to other properties along Mane Street. Parking has also been modified to place most of the parking in the rear of the property, with only four parallel parking spaces located along Mane Street.

Based upon the evaluation of existing land uses and the Project design contained in Section V, it was determined the proposed Project would not significantly affect the Historic Register listing of Pioneertown.

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

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- (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.

Assembly Bill (AB) 52

Archaeological sites are locations that contain resources associated with former human activities, and may contain such resources as human skeletal remains, waste from tool manufacture, tool concentrations, and/or discoloration or accumulation of soil or food remains. From the CHRIS survey, correspondence dated April 17, 2019, no archeological resources were recorded for the Project area or within one-mile radius of the subject property. The CHRIS report noted the "subject property may or may not be a contributing property to the [Federal Register] district."

The proposed Project notice was also distributed to area Indian Tribes for review, consistent with the AB 52 Tribal Consultation process, which created a process for consultation with California Native American Tribes as part of the CEQA evaluation 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. Notices were provided on March 19, 2019, to the following Tribes:

- San Manuel Band of Mission Indians.
- Morongo Band of Mission Indians.
- Twenty-Nine Palms Band of Mission Indians.
- Colorado River Indian Tribes.
- San Gabriel Band of Mission Indians

The San Manuel Band of Mission Indians responded on April 19, 2019, and requested inclusion of mitigation measures related to inadvertent finds, as noted below. The Morongo Band of Mission Indians responded via e-mail on April 5, 2019 and indicated they had no comments.

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Mitigation Measure-TCR-1

- 1. 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.
- 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.

Based upon the background research and contact with Native American Tribes, including comments from the San Manuel Tribe and the inclusion of the mitigation measure listed above, the potential impacts upon Tribal resources are less than significant.

Therefore, no significant adverse impacts are identified or anticipated with implementation of Mitigation measure TCR-1.

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	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact		
XIX.							
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?						
b)	Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?						
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?						
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?						
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?						
SUBSTANTIATION:							
County of San Bernardino General Plan 2007; Submitted Project Materials, CalEEMod Printouts (Appendix A), CalRecycle.							

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a) Less Than Significant Impact With Mitigation Incorporated. The proposed Project would require the relocation or construction of the following facilities:

Water

The proposed Project does not have a water connection and would need to utilize water provided by County Service Area (CSA 70 W-4). Water provided by the County to the Project area is derived from Well No. 2W, owned by Hi-Desert Water District (HDWD). HDWD is located within the overall service area of the Mojave Water Agency, which is one of 29 State Water Project (SWP) subcontractors. SWP water is conveyed to the area and represents the largest water source for the Yucca Valley area, according to the *Urban Water Supply Assessment* prepared for the Old Town Yucca Valley Specific Plan. This water supplements water within the Warren Valley Groundwater Basin, which provides HDWD approximately 80% of their water supply. One seventh of the SWP water allocated to Division 2 of the Mojave Water Agency, which covers the subject property and Yucca Valley, is then divided between four public water purveyors within Division 2 receive water, including HDWD (59%) and County Service Area 70 (5%), with the balance to Bighorn-Desert View Water Agency (9%) and Joshua Basin Water District (27%). The Urban Water Management Plan prepared by HDWD indicates adequate water supply is available for normal, dry, and multiple dry years.

Based upon the existing water allocation to the County, a water feasibility study is required prior to obtained water service to ensure adequate water supply is available to individual users. The feasibility study will be funded by the applicant and prepared by a consultant acceptable to the County. Once it is determined water can be feasibly be provided to the Project, a water connect will be permitted. Based upon the existing water allotment agreement and the requirement for a water feasibility study, adequate water is available within the groundwater basin for use in the project area.

To ensure the compliance with the process described above the following mitigation measure is recommended:

UTS-1

Applicant shall fund the preparation of a water feasibility study for the proposed use prior to providing water to the site. All provisions of that study shall be met, including, but not limited to, water facility installation methods, meter size, and number of lodging units.

Wastewater Treatment

The proposed Project will utilize a subsurface disposal system approved by the County of San Bernardino. Documentation will need to be supplied to the Environmental Health Services Division to verify the feasibility of the proposed system.

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Storm Drainage

An ephemeral drainage course exists along the northwest corner of the property, as noted in the Biological Technical Report completed for the proposed Project. Although the drainage is not subject to Section 404 of the Clean Water Act, the Biological report indicated it would be subject to Section 1601 of the California Gish and Game Code, necessitating completion of a Streambed Alteration Agreement. Please see BIO-1 Mitigation Measure below. This mitigation measure would respond to this topical issue. No storm drainage facilities are proposed.

Electric Power

The facility will be required to connect via an underground trench to existing SCE electrical service.

Natural Gas

No natural gas facilities are proposed.

Conclusions

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/Mitigated Negative Declaration. In instances where significant impacts have been identified, Mitigation Measures BIO-1, CR-1, GEO-1, TCR-1, and UTS-1 have been required to reduce impacts to less than significant levels. Accordingly, additional measures beyond those identified throughout this Initial Study/Mitigated Negative Declaration would not be required.

- b) Less Than Significant Impact. Based upon correspondence with Glenn Jacklin, Operations Manager, San Bernardino County Special Districts on September 8, 2020, the proposed Project area has access to water through County Service Area 70, which will utilize water pumped from the Hi-Desert Water District (HDWD). This water is primarily drawn from the Warren Valley Basin. Based upon the HDWD Urban Water Management Plan, adequate water supply is available for normal, dry, and multiple dry years. For further information also see response to item a) above and X b) HYDROLOGY AND WATER QUALITY.
- c) No Impact. The proposed Project proposes to utilize an underground waste disposal system or septic tank. Environmental Health Services is responsible for the review and approval of the on-site disposal system, consistent with their requirements. Completing this review and approval process would ensure the potential impact upon health and safety is reduced to a level that is less than significant.

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d) Less Than Significant Impact. The proposed Project will generate solid waste as part of the construction and operation of the use. The closest landfill is the Landers Landfill and the Trails End Transfer Station. The Landers Landfill has a design capacity of 13,983,500 cubic yards, a daily permitted tonnage of 1,200, and an estimated closure date of 2072. The Transfer Station, should it be necessary to use, is permitted to accept 120 cubic yards per day. The CalEEMod Air Quality analysis generated a default value factor of 7.67 tons of waste generated per year based upon the type of land use. This factor is significantly less than even the maximum daily tonnage permitted. As such, the potential effect upon the environment from waste generation is less than significant.

e) No Impact.

Construction Waste

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. Therefore, the Project is in compliance with federal, state, and local management and reduction statutes and regulations related to solid waste.

Operational Waste

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 facility are reduced in accordance with existing regulations.

Therefore, no significant adverse impacts are identified or anticipated with implementation of Mitigation Measure CR-1, GEO-1, TCR-1, and UTS-1.

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	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XX.	WILDFIRE: If located in or near state res			assified as ve	ry high
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?				
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?				
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				
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?				
SUBSTANTIATION: County of San Bernardino General Plan 2007:					

a-c) Less Than Significant Impact. A wildfire is a nonstructural fire that occurs in vegetative fuels, excluding prescribed fire. Wildfires can occur in undeveloped areas and spread to urban areas where the landscape and structures are not designed and maintained to be ignition resistant. A wildland-urban interface is an area where urban development is located in proximity to open space or "wildland" areas. The potential for wildland fires represents a hazard where development is adjacent to open space or within close proximity to wildland fuels or designated fire severity zones. Steep hillsides and varied topography within portions of the County also contribute to the risk of wildland fires. Fires that occur in wildland-urban interface areas may affect natural resources as well as life and property. The California Department of Forestry and Fire Protection (Cal Fire) has mapped areas of significant fire hazards in the state through its Fire and Resources Assessment Program (FRAP). These maps place areas of the state into different fire hazard severity zones (FHSZ) based on a hazard

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scoring system using subjective criteria for fuels, fire history, terrain influences, housing density, and occurrence of severe fire weather where urban conflagration could result in catastrophic losses. As part of this mapping system, land where Cal Fire is responsible for wildland fire protection and generally located in unincorporated areas is classified as a State Responsibility Area (SRA). Cal Fire currently identifies the Project site as an SRA and a high fire hazard severity zone.

In addition, the County has mapped areas that are susceptible to wildland 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. According to Hazard Map F121 B, the Project site is located within an area classified as very high fire hazard severity zone (FS 2). According to the San Bernardino County Fire Department all of the FS designations have been combined into the FS1 designation.

The County of San Bernardino requires development projects within the FS1 category to meet particular requirements. These requirements include a variety of items, such as two points of access, private drive and access, an evaluation of density based upon the topographic slope of the site, cul-de-sac length, fencing, water supply, fuel modification area, building setbacks, and a number of other items including building construction. The Project meets these requirements or is capable of meeting these requirements through compliance with conditions of approval, based upon the following factors:

- The project site abuts a paved roadway to the rear and existing dirt roadways along the front and west side of the property;
- The property is essentially clear of vegetation, except for several Joshua trees;
- No cul-de-sacs are proposed on or adjacent to the subject property;
- Building setbacks and improvements associated with the buildings and façade structures will be required to meet California Building Code requirements through the County's review of plans and inspections of the structures upon their completion, and;
- No new improvements would be required that could exacerbate a fire risk to the Project site or adjoining properties.

Water to the proposed Project will be conveyed to the Project site via a County water pipeline that was recently installed extending along Pioneertown Road from the Town of Yucca Valley. The County's Special Districts Division of the Public Works Department has established a two-step process whereby individual applicants will be provided water upon completion and acceptance of a water feasibility study and a separate application process that places projects on a priority list. The proposed Project is currently on that list. Based upon the Project's location, County improvement requirements, and the County's evaluation and compliance procedures, the potential effect of the proposal upon the environment will be reduced to less than significant.

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d) **No Impact.** The Project site is located on relatively flat land and abuts dirt roadways on the north and west sides of the property and a paved roadway on the south. People will not be placed at risk for flooding or landslides that may occur due to the proposals location, topography or evaluation of potential drainage and soil conditions. As such, no impact would upon the proposed Project.

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	Issues	Potentially Significant Impact		Less than Significant	No Impact
XXI.	MANDATORY FINDINGS OF SIGNIFICANCE:				
a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				
c)	Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?				
a)	Less Than Significant Impact With Mitigation Incorporated. In instances where significant impacts have been identified, Mitigation Measures BIO-1, CR-1, GEO-1, and TCR-1 are required to reduce impacts to less than significant levels. Therefore, the proposed 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.				

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- b) Less Than Significant Impact With Mitigation Incorporated. The Project would result in potentially significant project-specific impacts to cultural resources, paleontological resources, noise, and tribal cultural resources, In instances where these impacts have been identified, Mitigation Measures CR-1 GEO-1, and TCR-1 are required to reduce impacts to less than significant levels. In addition, future development in the surrounding area may impact these resources as well. However, implementation of the mitigation measures outlined in this document, and other CEQA documents for development projects in the area, will help reduce potential impacts to less than significant levels or to the maximum extent feasible. Therefore, the proposed Project does not have impacts that are cumulatively considerable.
- c) Less Than Significant Impact With Mitigation Incorporated. The proposed Project does not have impacts which will cause substantial adverse effects on human beings, either directly or indirectly, with the inclusion of Mitigations N-1 and UTS-1 to ensure adequate noise buffering and water service is available to the property. Impacts are less than significant.

MITGATION MEASURES.

(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

Due to the existence of an ephemeral drainage course near the northerly Project boundary, the California Department of Fish and Wildlife (CDFW) must be notified per Fish and Game Code (FGC) §1602. A streambed alteration agreement with the Department of Fish and Wildlife shall be provided to the Land Development Division prior to grading permit issuance.

Mitigation Measure CR-1

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.

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- B. If significant 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 (MTP). Should the significant resource be from the pre-contact era, the draft of the MTP shall be provided to SMBMI for review and comment, as detailed within CR-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.

<u>Mitigation Measure GEO-1: Treatment of Previously Unidentified Paleontological Resources.</u> Prior to the issuance of a grading permit, the following note shall be included on the grading plans:

"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 paleontological 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."

<u>Mitigation Measure N-1</u>. The builder/developer will submit for review and obtain approval of an agreement letter that stipulates that all construction contracts/subcontracts contain as a requirement that the following noise attenuation measures be implemented:

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- a) Install temporary noise attenuation, if needed, to reduce noise levels to 65 dBA at the exterior of the residential structure on the adjacent residential property. The selection of the type of barrier, such as ½" plywood or sound absorption/attenuating blankets, and the height, thickness and location of the barrier shall be determined through the completion of an acoustical analysis acceptable to the County of San Bernardino Planning Division.
- b) Noise levels of any project use or activity will be maintained at or below adopted County noise standards (SBCC 83.01.080). The use of noise-producing signals, including horns, whistles, alarms, and bells, will be for safety warning purposes only.
- c) Exterior construction activities will be limited between 7 a.m. and 7 p.m. There will be no exterior construction activities on Sundays or National Holidays.
- d) Construction equipment will be muffled per manufacturer's specifications. Electrically powered equipment will be used instead of pneumatic or internal combustion powered equipment, where feasible.
- e) All stationary construction equipment will be placed in a manner so that emitted noise is directed away from sensitive receptors nearest the project site.

Mitigation Measure-TCR-1

- 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.

Mitigation Measure UTS-1.

Applicant shall fund the preparation of a water feasibility study for the proposed use prior to providing water to the site. All provisions of that study shall be met, including, but not limited to, water facility installation methods, meter size, and number of lodging units.

GENERAL REFERENCES

2015 UWMP Update, Hi-Desert Water District, July 2016.

California Department of Conservation. https://maps.conservation.ca.gov/mineralresources/

California Department of Transportation. *Caltrans Scenic Highway Corridor Map.* http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm

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California Department of Water Resources, Water Data Library (WDL) Station Maps, https://wdl.water.ca.gov/waterdatalibrary/

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

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 *General Plan 2007* http://www.sbcounty.gov/Uploads/lus/GeneralPlan/FINALGP.pdf

County of San Bernardino Greenhouse Gas Emissions Reduction Plan, September 2011, www.sbcounty.gov/Uploads/lus/GreenhouseGas/FinalGHGFull.pdf

County of San Bernardino Hazard Overlay Map F121B (Pioneertown). http://cms.sbcounty.gov/lus/Planning/ZoningOverlayMaps/HazardMaps.aspx

Initial Study/Environmental Assessment, Old Town Yucca Valley Specific Plan, Town of Yucca Valley, June 2006.

Mojave Desert Air Quality Management District, https://www.mdagmd.ca.gov/

State of California, Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, https://www.conservation.ca.gov/dlrp/fmmp

State of California, Department of Conservation, DOC Maps, Mines and Mineral Resources, https://maps.conservation.ca.gov/mineralresources/

Water Quality Control Plan for the Colorado River Basin Region, State Water Resources Control Board, January 2019, https://www.waterboards.ca.gov/coloradoriver/water_issues/programs/basin_planning/docs/20 20/rb7bp e2019.pdf

Water Supply Assessment, Old Town Yucca Valley Specific Plan, RBF Consulting, December 2006.

PROJECT-SPECIFIC REFERENCES

Appendices: (Under Separate Cover or on Compact Disk)

- A. Biological Technical Report, August 2020, prepared by ECORP
- B. CalEEMod Data Sheets, March 14, 2020.
- C. Glenn Jacklin, Division Manager, Operations, San Bernardino County Special Districts, Correspondence, September 8, 2020.