

**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:	0467-101-02	USGS Quad:	Helendale, CA 7.5
Applicant:	Abraham Maida & Salam Maida	T, R, Section:	T07N R04W Sec. 05
Location:	15444 Vista Road, Helendale, CA 92342	Thomas Bros:	N/A
Project No:	PROJ-2020-00135	Community Plan:	Community of Helendale
Rep:	Mark Maida	LUC: Zone:	Commercial (C) General Commercial (CG)
Proposal:	A Conditional Use Permit (CUP) to establish a new convenience store to include 3,705 sq. ft. of retail space and a 2,724 sq. ft. fuel canopy; and to bring into full compliance all structures and operations including existing retail structures, a 1,768 sq. ft. pub and an 804 sq. ft. salon, and a type 20 alcohol license on 3.71 acres.	Overlays:	Biotic Resource Overlay for Mojave Ground Squirrel Habitat and Desert Tortoise Habitat

PROJECT CONTACT INFORMATION:

Lead agency: County of San Bernardino
 Land Use Services Department
 385 North Arrowhead Avenue, 1st floor
 San Bernardino, CA 92415

Contact person: Reuben J. Arceo, Contract Planner
Phone No: (909) 387-4110 **Fax No:** (760) 995-8167
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Environmental Consultant: CASC Engineering and Consulting
 1470 E. Cooley Drive
 Colton, CA 92324
 (855) 381-0101

PROJECT DESCRIPTION:

Summary

The Applicant/Owner of the property requests the approval of a Conditional Use Permit (CUP) for a new gas station and a 3,705 sq. ft. convenience store with four (4) fuel dispenser islands, a 2,724 sq. ft. fuel canopy, a 206 sq. ft. trash enclosure, a 10' 4" -foot tall vertical propane tank, and a 241 sq. ft. loading area ("Project") (See *Figure 5*). The proposed facility will be staffed with 2-3 working employees and will be operational twenty-four (24) hours a day, seven days a week. The Project will also include a Type 20 alcohol license. The Applicant proposes standard allowed hours for sale of alcohol, 6am-2am, and the coolers will be locked during non-sales hours.

The Project site is comprised of one (1) parcel, Accessor Parcel Number (APN) 0467-101-02, and is located within unincorporated San Bernardino County ("County") (see *Figure 1, Regional Vicinity*). The Project site is located at the northwest corner of Vista Road and National Trails Highway in the unincorporated area of Helendale, as illustrated in *Figure 2, Aerial Imagery*. The Countywide Policy Plan designates the Project site within the Commercial Land Use Category (see *Figure 3, General Plan Land Use Map*). The Project site has a zoning designation of General Commercial (CG) (see *Figure 4, Zoning Map*). The General Commercial (CG) zoning designation is consistent with the Commercial Land Use Category. The Project site has two (2) existing buildings, Dempsey's Pub and Joie's Salon/Pat's Barber shop that contain 1,768 sq. ft. and 804 sq. ft. respectively (see *Figure 5, Proposed Site Plan & Existing Structural Facilities*). The existing buildings total 2,570 sq. ft. on the 3.71-acre parcel.

Surrounding Land Uses and Setting

The Project site is within the boundaries of the unincorporated Community of Helendale, County of San Bernardino. As shown on the County of San Bernardino Land Use Map, the Project site is within a Commercial Land Use Category. The following table lists the existing adjacent land uses and zoning.

Existing Land Use and Land Use Category			
Location	Existing Land Use	Land Use Category	Zoning
Project Site	Commercial (Retail Store)	Commercial	General Commercial (CG)
North	Undeveloped and Vacant; Commercial (Retail Store)	Commercial Limited Industrial	Community Industrial (IC)
South	Commercial (Retail Store); Single Family Residential; Commercial (Convenience Store / Gas)	Commercial	General Commercial (CG) Rural Living (RL)
East	Undeveloped and Vacant	Rural Living	Rural Living (RL)

West	Undeveloped and Vacant; Single Family Residential; Public Facilities (Railroad)	Rural Living	Rural Living – 5 acre minimum (RL-5)
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Project Site Location, Existing Site Land Uses and Conditions

The Project site is located along the National Trails Highway (Route 66), in the unincorporated Community of Helendale in the County of San Bernardino. The Project site is bound by Vista Road to the south, vacant land to the north, national Trails Highway to the east, and the Topeka and Santa Fe Railway to the west. The 3.71-acre site is currently developed with two (2) existing buildings that house a restaurant/bar and a salon and barber shop. The Project site is located within the Commercial Land Use Category and has a zoning designation of General Commercial (CG). The proposed Project is pending approval of a Conditional Use Permit (CUP). Surrounding land uses include vacant land to the north and east, commercial uses and single-family residences to the south, and a railway to the west with vacant land and single-family residences further west.

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Federal: None.

State of California: Caltrans

County of San Bernardino: Land Use Services Department: Planning, Building & Safety, Code Enforcement, Land Development; Public Health: Environmental Health Services; Special Districts; and Public Works: County Surveyor, Solid Waste Management, and Traffic.

Regional: Mojave Desert Air Quality Management District

Local: None

SITE PHOTOGRAPHS



2022 Google, Image capture: Feb 2021

Facing northwest on National Trails Highway and Vista Road looking towards the Project site.



2022 Google, Image capture: Feb 2021

Facing north on Vista Road looking towards the existing structures on the Project site.



Facing northeast on Vista Road looking towards the existing structures on the Project site.



Facing northeast on Vista Road looking towards the Project site.



Facing west on National Trails Highway looking towards the Project site.



Facing southwest on National Trails Highway looking towards the Project site.

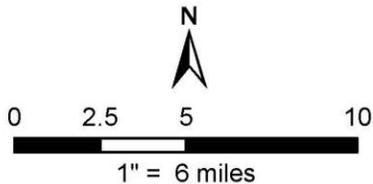
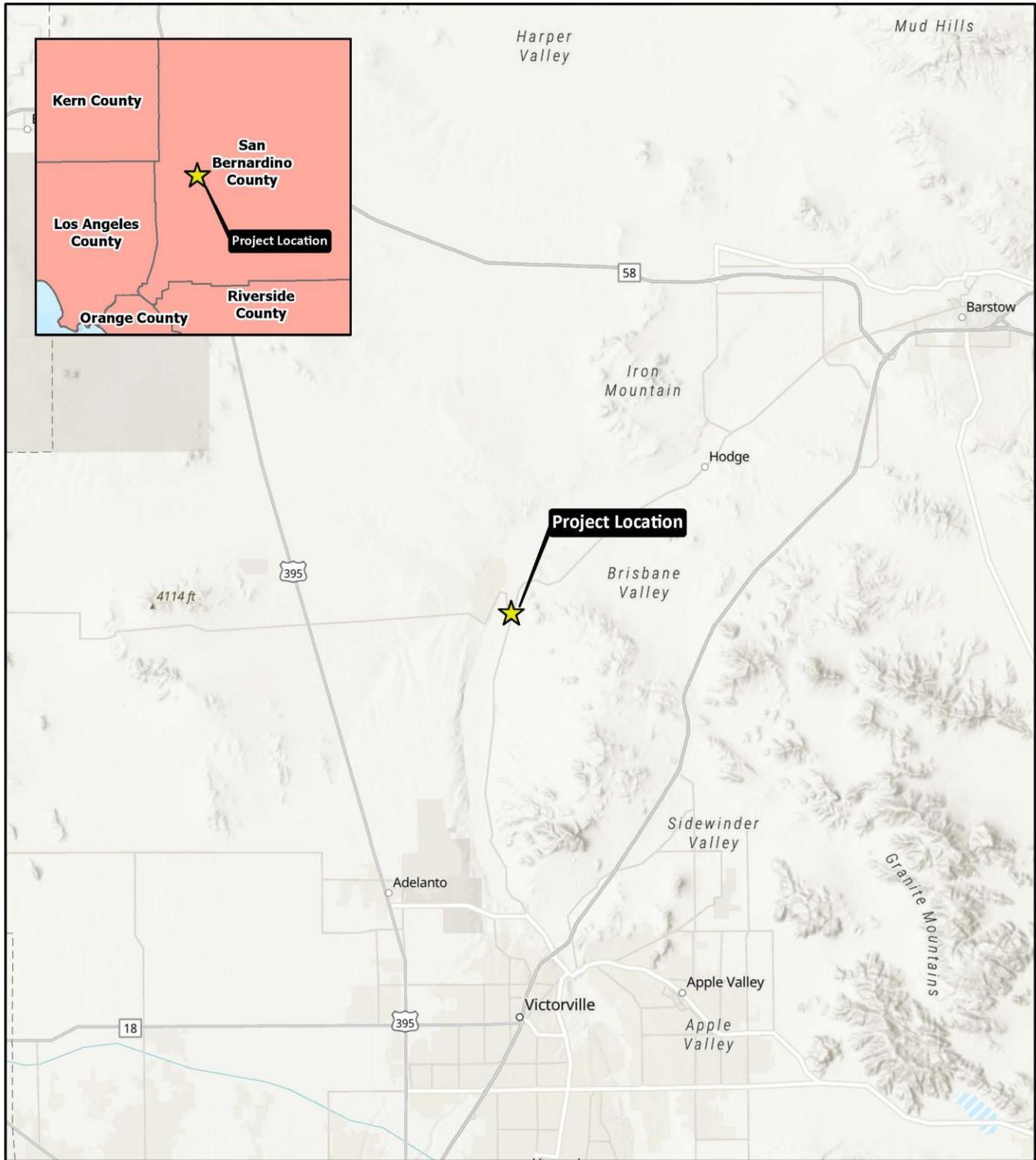
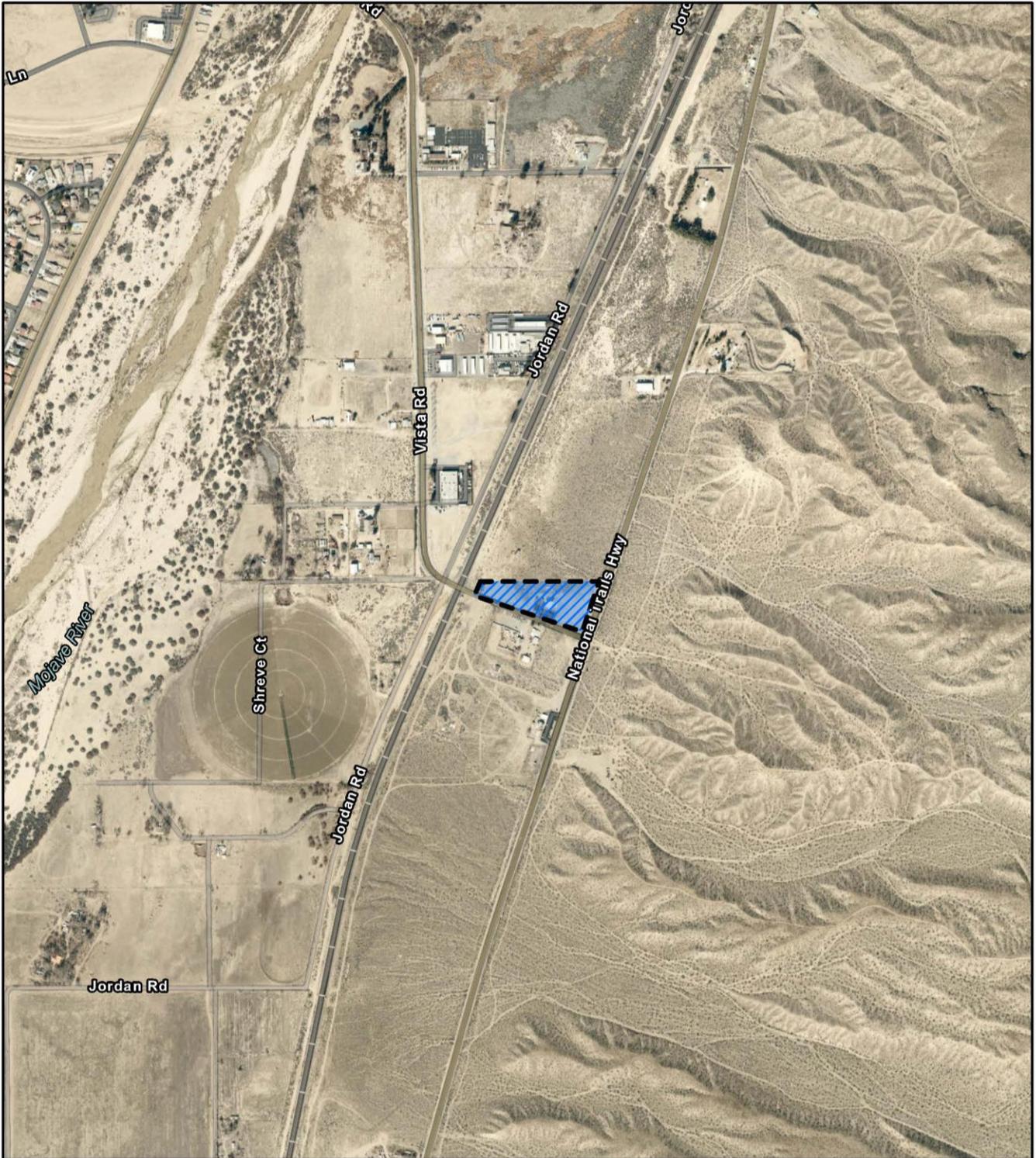


Figure 1
Regional Vicinity

Helendale Mobil Gas Station & Convenience Store
 San Bernardino County, CA



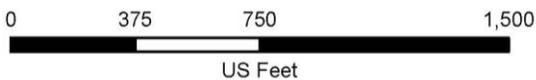
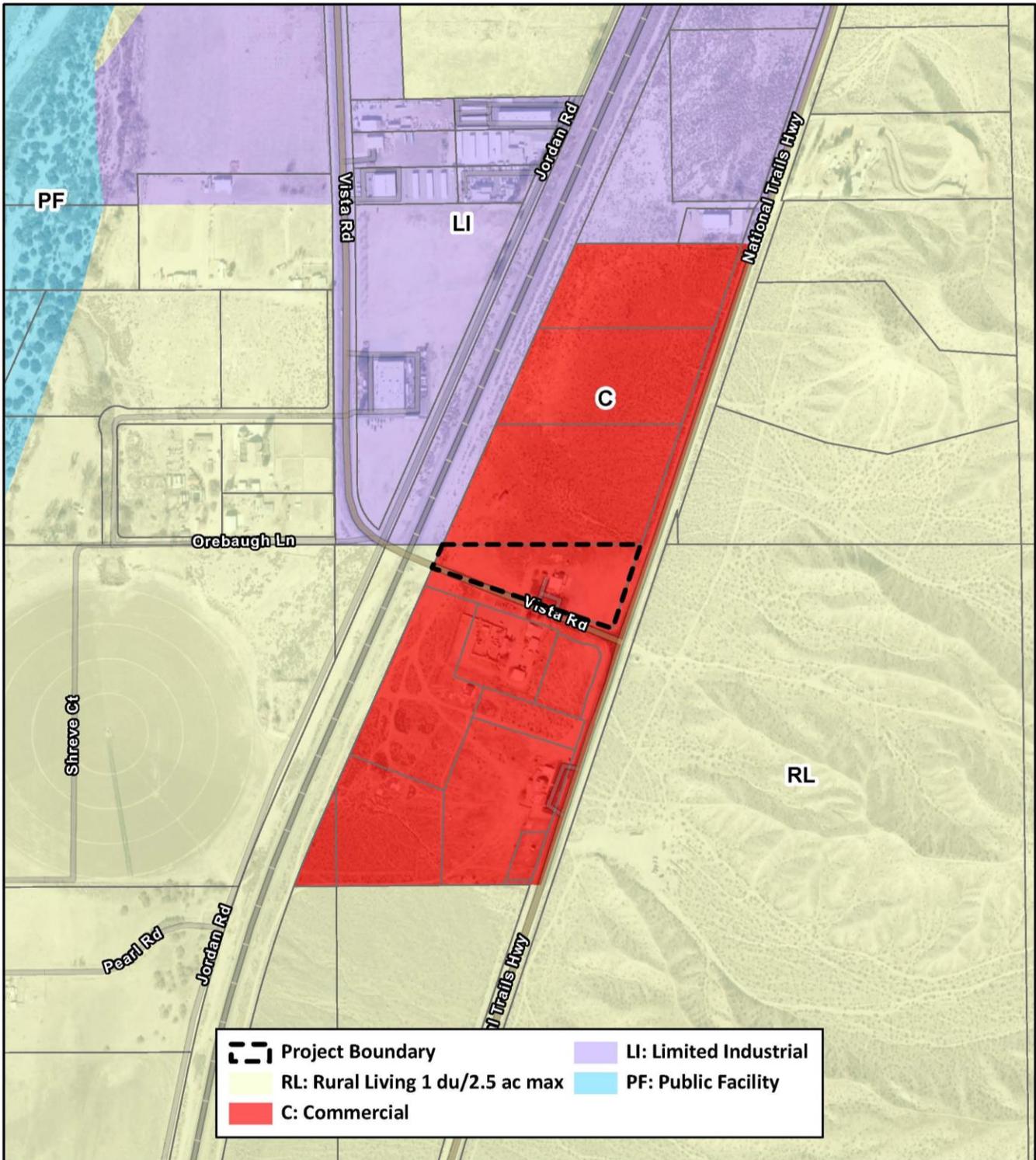


Figure 3
General Plan Land Use Map

Helendale Mobil Gas Station & Convenience Store
 San Bernardino County, CA

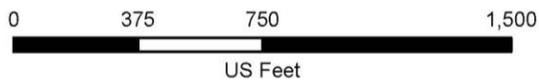
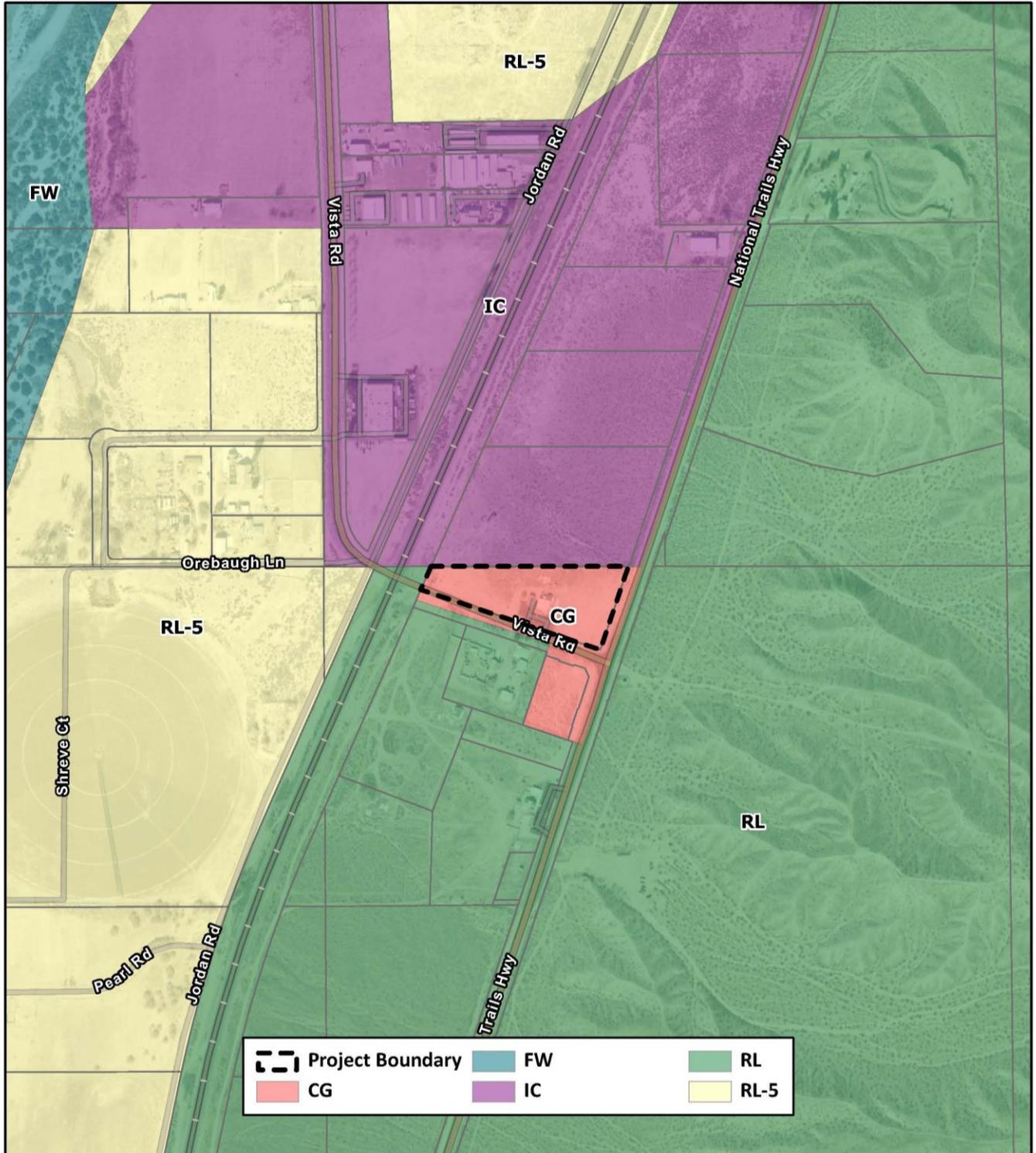


Figure 4
Zoning Map

Helendale Mobil Gas Station & Convenience Store
 San Bernardino County, CA

CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

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

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.

The County, Lead Agency, commenced the AB 52 process by transmitting letters of notification to the California Native American tribes traditionally and culturally affiliated with the Project area on June 21, 2019. The Lead Agency received two responses, from the San Manuel Band of Mission Indians and the Morongo Band of Mission Indians on July 17, 2019, and July 30, 2019, respectively. The Lead Agency conducted consultation with the San Manuel Band of Mission Indians regarding the Project and the results of consultation have been incorporated into this Initial Study. The Morongo Band of Mission Indians had no information to provide. No other responses have been received at this time. Consultation will continue through grading operations as required by AB 52.

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

1. **No Impact:** No impacts are identified or anticipated, and no mitigation measures are required.
2. **Less than Significant Impact:** No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

3. **Less than Significant Impact with Mitigation Incorporated:** Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List of mitigation measures)
4. **Potentially Significant Impact:** Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are (List of the impacts requiring analysis within the EIR).
5. At the end of the analysis the required mitigation measures are restated and categorized as being either self- monitoring or as requiring a Mitigation Monitoring and Reporting Program.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

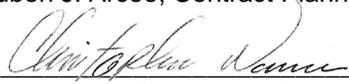
- | | | |
|---|--|--|
| <input type="checkbox"/> <u>Aesthetics</u> | <input type="checkbox"/> <u>Agriculture and Forestry Resources</u> | <input type="checkbox"/> <u>Air Quality</u> |
| <input type="checkbox"/> <u>Biological Resources</u> | <input type="checkbox"/> <u>Cultural Resources</u> | <input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

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

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


 Signature: (Reuben J. Arceo, Contract Planner)

February 24, 2023
 Date


 Signature: (Chris Warrick, Supervising Planner)

February 17, 2023
 Date

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

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

San Bernardino Countywide Plan, approved October 27, 2020, adopted November 27, 2020; San Bernardino Countywide Plan Draft EIR, released June 17, 2019; Caltrans California State Scenic Highway System; Helendale Community Action Guide, updated May 2019; San Bernardino County Development Code; Submitted Project Materials

Findings of Fact: The community of Helendale is surrounded by desert landscape with small sandy hills and distant mountains. Historic Route 66/National Trails Highways runs along the eastern boundary of Helendale.¹ Route 66 is designated as a County Scenic Route due to its historic beginnings as one of the original federal highway routes, established on November 11, 1926. The Highway served as a major migratory road west, especially during the Great Depression as it extended 2,347 miles from Chicago through Illinois, Missouri, Kansas, Oklahoma, Texas, New Mexico, and Arizona before ending in Santa Monica, California.²

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

¹ County of San Bernardino. NR-3 Scenic Route & Highways web map. Accessed September 24, 2020.

² County of San Bernardino. Countywide Plan Helendale Community Action Guide. Page 18.

The proposed Project is located along the eastern boundary of Helendale in the County of San Bernardino. The Project site is adjacent to Route 66/National Trails Highway, which is identified as a County Scenic Route. The designated land uses surrounding the Project include Commercial, Limited Industrial, and Rural Living. The current surroundings consist of primarily undeveloped scrub-like desert landscape with scattered commercial and residential developments. The property adjacent to the proposed Project, south of Vista Road, contains a gas station and convenience store. Therefore, the proposed Project would be consistent with the existing developments and would not greatly alter the character of the area. Additionally, there are two (2) existing buildings on the Project site with a combined footprint of 2,572 sq. ft. (see *Site Photographs*). The proposed Project would add a new gas station and convenience store on the vacant land within the developed parcel. The Project is consistent with the Countywide Plan, zoning designation, and development standards and would be required to follow the County's policies regarding scenic resource preservation. Therefore, the Project would have a less than significant impact on a scenic vista.

Less Than Significant Impact

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

The Project site is not located within or adjacent to a state scenic highway corridor. The nearest Eligible State Scenic Highway is a portion of State Route 48 and a portion Interstate 15 which are both approximately 17 miles northeast of the site.³ The Project site has two (2) existing buildings and does not contain unique or unusual features within or adjacent to the site. The vacant portion of the Project site appears to be utilized for additional parking and has been well-traversed with motorized vehicles.⁴ The Project site does not contain any designated historic buildings and would not substantially damage trees or rock outcroppings. Therefore, the Project would result in a less than significant impact.

Less Than Significant Impact

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

The Applicant is requesting a Conditional Use Permit (CUP) for the construction of a new gas station and convenience store and a Type 20 alcohol license. The proposed Project is compliant with the existing land use and zoning designations. The Project site is partially developed, and the vacant portion is well-traversed with motorized vehicles. Consequently, the vacant portion of the Project site does not have an appealing visual character. Implementation of the proposed Project would not have a substantial adverse

³ Caltrans. California State Scenic Highway System Map, Accessed September 24, 2021. [California State Scenic Highway System Map \(arcgis.com\)](#).

⁴ Google. Google Maps. Accessed September 24, 2020.

effect on the existing visual character or quality of public views, a less than significant impact would occur.

Less Than Significant Impact

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

Excessive or inappropriately directed lighting can adversely impact night-time views by reducing the ability to see the night sky and stars. Glare can be caused by unshielded or misdirected lighting sources, as well as reflective surfaces. The County's Development Code Section 83.07.040 includes design standards for outdoor lighting that apply to all development in the Mountain and Desert regions.⁵ The Development Code lighting standards govern the placement and design of outdoor lighting fixtures to ensure adequate lighting for public safety while also minimizing light pollution and glare and precluding public nuisances. Although the proposed Project would be required to adhere to the applicable requirements of the County's Development Code, the Project would introduce new sources of light at the developed Project site, including the fueling area, parking area, security, and on-site signage. The standards listed in Chapter 83.07-Glare and Outdoor Lighting of the Development Code ensure that any impact caused by outdoor lighting and glare is reduced to a level below significance. The additional on-site light sources due to the Project are not anticipated to be substantial enough to adversely affect day or nighttime views in the area. Additionally, as a condition of approval for the Project, the Applicant will be required to submit a photometric plan for review and approval, to ensure adherence with lighting regulations. Therefore, a less than significant impact would occur.

Less Than Significant Impact

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

⁵ San Bernardino County. Development Code. Section 83.07.040

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

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

The California Department of Conservation's (CDC) Farmland Mapping and Monitoring Program (FMMP) identifies and maps significant farmland. Farmland is classified using a system of five categories including Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance or Potential, and Grazing Land. The classification of farmland is determined by a soil survey conducted by the Natural Resources Conservation Service (NRCS) which analyzes the suitability of soils for agricultural production. The Project site is classified as mostly "Nonagricultural or Natural Vegetation" with a portion of "Grazing Land".⁶ Therefore, the proposed Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. No impact would occur.

No Impact

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

The Project site has a land use designation of Commercial and is zoned General Commercial (CG). The proposed Project is consistent with the current Countywide Plan and zoning designation. Furthermore, no properties are zoned for agricultural land uses in the Project's vicinity. Therefore, implementation of the Project has no potential to conflict with existing zoning for agricultural use. Additionally, the Project site has already been partially developed and is not under a Williamson Act Contract.⁷ As such, no impact would occur.

No Impact

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

There are no lands located within the Project site or within the vicinity of the Project site that are zoned for forest land, timberland, or timberland zoned Timberland Production. Therefore, the Project has no potential to conflict with any areas currently zoned as forest, timberland, or Timberland Production and would not result in the rezoning of any such lands. As such, no impact would occur.

No Impact

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

⁶ California Department of Conservation. California Important Farmland Finder GIS Application. Accessed September 23, 2021. <https://maps.conservation.ca.gov/dlrp/ciff/app/>.

⁷ County of San Bernardino. NR-5 Agricultural Resources Zones web map. Accessed September 23, 2021.

Neither the Project site nor the surrounding areas possess any forestland; thus, the proposed Project would not result in the loss of forest land or the conversion of forest land to non-forest use. As such, no impact would occur.

No Impact

- e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

As previously discussed under Section II (a), the Project site is classified as mostly “Nonagricultural or Natural Vegetation” with a portion of “Grazing Land” by the California Department of Conservation and does not meet the definition of Farmland (i.e., “Prime Farmland”, “Unique Farmland”, or “Farmland of Statewide Importance”). The Project site consists of two (2) existing buildings and does not contain active agricultural uses under existing conditions. Therefore, no changes in the existing environment would result in conversion of Farmland to non-agricultural uses or conversion of forest land to non-forest use. Thus, no impacts would occur.

No Impact

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

Issues	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management district or air pollution control district might be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUBSTANTIATION: <i>(Discuss conformity with the Mojave Desert Air Quality Management Plan, if applicable):</i>				
Countywide Plan; San Bernardino Countywide Plan Draft EIR; Submitted Project Materials; Air Quality and Greenhouse Gasses Study, prepared March 27, 2020 (Appendix A)				

Regulatory Setting: The Project site is located in the Mojave Desert Air Basin (MDAB) within the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The MDAQMD encompasses approximately 20,000 square miles including San Bernardino County's High Desert and Riverside County's Palo Verde Valley. The MDAQMD is responsible for bringing air quality in areas under its jurisdiction into conformity with federal and state air quality standards through the implementation of an Air Quality Management Program (AQMP). The 2016 AQMP builds and references the SCAQMP for the attainment of federal PM and ozone standards and highlights the significant number of reductions needed and the need to engage in interagency coordinated planning of mobile sources to meet all of the federal criteria pollutant standards.

The determination of whether a region's air quality is healthful or unhealthful is determined by comparing contaminant levels in ambient air samples to the state and federal standards. The U.S. EPA has set National Air Quality Standards (NAAQS) and monitoring requirements for six principal pollutants, which are called "criteria pollutants," including Ozone (O3), Particular Matter (PM) (including both PM10 and PM2.5), carbon monoxide (CO), nitrogen dioxide (NO2), sulfur dioxide (SO2), and lead (Pb). The MDAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause regional and/or localized exceedances of

the federal and/or state ambient air quality standards, such as the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS). Currently, the MDAB is in nonattainment for Ozone (O₃) under state and federal air quality standards, and PM₁₀ and PM_{2.5} under state air quality standards. The federal Clean Air Act (CAA) requires areas that are not attaining the national ambient air quality standards (NAAQS) to develop and implement an emission reduction strategy that will bring the area into attainment in a timely manner. The MDAQMD has adopted a series of Air Quality Management Plans (AQMPs) to meet the state and federal ambient air quality standards. The most recent AQMP for the MDAB was published in 2016 and demonstrates attainment of the federal 24-hour PM_{2.5} standard by 2027. The MDAQMD has developed regional and localized significance thresholds (LST) for criteria pollutants, which indicate that any Projects in the MDAB with daily emissions that exceed any of the indicated thresholds should be considered having an individually and cumulatively significant air quality impact. Pursuant to the methodology provided in MDAQMD CEQA Air Quality Handbook, consistency with the AQMP is affirmed when a Project (1) does not increase the frequency or severity of an air quality standards violation or cause a new violation and (2) is consistent with the growth assumptions in the AQMP.

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

The MDAQMD Air Quality Management Plan (AQMP) establishes thresholds for criteria pollutants; projects that exceed any of the indicated daily thresholds should be considered as having an individually and cumulatively significant air quality impact and are not in compliance with the AQMP. The primary purpose of the air quality plans is to bring an area that does not attain federal and state air quality standards into compliance with those standards pursuant to the requirements of the Clean Air Act and California Clean Air Act. A proposed project should be considered to be consistent with the AQMP if it furthers one or more policies and does not obstruct other policies. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

- (1) Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.
- (2) Whether the project will exceed the assumptions in the AQMP, or increments based on the year of project buildout and phase.

As shown on Tables 3-1 and 3-2 in Section III (b) below, emissions during construction and operations will not exceed the thresholds established by the MDAQMD for any of the six criteria pollutants listed; therefore, the Project would not conflict with or obstruct implementation of the MDAQMD Air Quality Management Plan (AQMP) or any other applicable air quality plan. As analyzed in the Air Quality Impact Analysis prepared by Landin & Associates, the Project would not result in or cause NAAQS or CAAQS violations. The proposed Project is not a Project of statewide, regional, or area wide significance that would require intergovernmental review under Section 15206 of the CEQA Guidelines. Furthermore, the Project would not exceed any applicable regional or local thresholds, including those enforced by the MDAQMD. As such, the Project is therefore considered to

be consistent with the AQMP. The Project would not conflict with or obstruct implementation of an applicable air quality plan. A less than significant impact would occur.

Less Than Significant Impact

- 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?*

Construction Emissions:

Construction activities associated with the Project will result in emissions of NO_x, CO, PM₁₀, and PM_{2.5}. Construction related emissions are expected from the following construction activities: demolition, grading (including soil import), building construction, painting (architectural coatings), paving (curb, gutter, flatwork, and parking lot), and construction workers commuting (*Appendix A*). Exhaust emissions from construction activities envisioned on the site would vary daily as construction activity levels change. As shown below in *Table 3-1 MDAQMD Regional and Localized Criteria Pollutant Threshold & Project Construction Emissions*, the Project construction on a regional and local scale would not exceed any MDAQMD Regional or Localized Threshold.

Table 3-1 MDAQMD Regional and Localized Criteria Pollutant Threshold & Project Construction Emissions

On-Site Construction Emissions	Emissions (pounds/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Maximum Daily Emissions	6.969	5.498	0.968	0.625
MDAQMD Localized Threshold	137	548	82	65
MDAQMD Regional Threshold	137	548	82	54
Threshold Exceeded?	No	No	No	No

Source: CalEEMod Model

Operational Emissions:

Operational activities associated with the proposed Project will result in limited emissions of Volatile Organic Compounds (VOCs), Nitrogen Oxide (NO_x), Carbon Monoxide (CO), Sulfur Oxides (SO_x), and Particulate Matter (PM₁₀ and PM_{2.5}). Operational emissions would be expected from the following primary sources—area source emissions, energy source emissions, and mobile source emissions. Under the assumed scenarios established in the report, emissions resulting from the Project operations would not exceed the numerical thresholds established by the MDAQMD for any criteria pollutant. (*Appendix A*) Therefore, a less than significant impact would occur, see *Table 3-2: Peak Operational Emissions Summary*.

Table 3-2 Peak Operational Emissions Summary.

Operational Activities	Emissions (pounds/day)					
	VOC	NO _x	CO	SO _x	PM10	PM2.5
Area Source	3.214	0.000	0.005	0.000	0.000	0.000
Energy Source	0.151	1.377	1.157	0.008	0.105	0.105
Mobile	1.828	16.792	19.988	0.083	5.234	1.450
Maximum Daily Emissions	5.193	18.170	21.150	0.091	5.369	1.555
MDAQMD Regional Threshold	137	137	548	137	82	54
Threshold Exceeded?	No	No	No	No	No	No

Source: CalEEMod Model

The storage, transfer and dispensing of gasoline is not expected to generate significant ROG (VOC) emissions. The enhanced vapor recovery systems required by MDAQMD Rule 461 would substantially reduce VOC emissions and mitigate any potential for the Project to exceed the daily emissions thresholds set by MDAQMD. Therefore, the impact of any additional VOC from the storage, transfer and dispensing of gasoline is considered less than significant and no additional impacts would occur.

The Project would not 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. Thus, there is a less than significant impact and no mitigation measures are required.

Less Than Significant Impact

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

Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. The MDAQMD identifies the following as sensitive receptors: long-term healthcare facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, childcare centers, and athletic facilities. The CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. The sensitive receptors near the proposed Project site are the nearest occupied residential uses, located approximately 40 feet southwest of the Project site and residential homes 0.17 miles to the west.

As explained in Section III (b) above, construction emissions would not exceed the applicable MDAQMD Localized Significant Thresholds (LSTs) for any criteria pollutant. Sensitive receptors in the vicinity of the Project site would not be exposed to substantial pollutant concentrations in violation of MDAQMD LSTs during construction or operation of the proposed Project. As the proposed Project will not cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard identified by MDAQMD at the nearest residence or sensitive receptor, impacts would be less than significant.

Less Than Significant Impact

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

The Project will not involve land uses that are typically associated with odor complaints, as are agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Potential odor sources associated with the proposed Project may result from construction equipment exhaust and the application of asphalt during construction activities and the temporary storage of typical solid waste (refuse) and intermittent diesel delivery truck emissions associated with the Project's (long-term operational) uses. Standard construction requirements would minimize odor impacts from construction. 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. Regarding operational odors, the Project would be required to comply with MDAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors associated with the Project construction and operations would be less than significant and no mitigation is required.

Less Than Significant Impact

Therefore, no significant adverse impacts will occur with the incorporation of mitigation measures.

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

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

Countywide Plan; San Bernardino Countywide Plan Draft EIR; Helendale Community Action Guide; California Department of Fish and Wildlife; USGS National Map Viewer

- 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?*

Although the Project site is located within the Biotic Resource Overlay for Mojave Ground Squirrel Habitat and Desert Tortoise Habitat (Category 2)⁸ the Project site has been developed with two (2) buildings that have a combined footprint of 2,572 sq. ft. and a paved parking lot. The vacant portion of the Project site appears to be utilized for additional parking beyond the paved parking area. The vacant space has been cleared of natural vegetation and is well-traversed; therefore, the Project site does not appear to be a viable location for animal habitat.

According to the California Department of Fish and Wildlife, the USGS 7.5 Helendale quadrangle includes a number of threatened or endangered species, such as northern harrier, merlin, prairie falcon, yellow-headed blackbird, yellow-breasted chat, loggerhead shrike, burrowing owl, least Bell's vireo, Mohave river vole, pallid San Diego Pocket mouse, Mohave ground squirrel, silver-haired bat, western pond turtle, desert tortoise, western Joshua Tree, Mojave fish-hook cactus, Beaver Dam breadroot, solitary blazing star, and Mojave monkeyflower.⁹

The Project site is heavily disturbed due to the existing development and continuous on-site activity. Additionally, the undeveloped portion of the property contains little vegetation such as scattered shrubs. Due to the Project site's existing conditions, the proposed Project would not cause a substantial adverse effect on any species identified as a candidate, sensitive or special status species. Therefore, a less than significant impact would occur.

Less Than Significant Impact

- 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?*

The Project site does not contain any habitat areas, sensitive natural communities, wetlands, or migratory wildlife corridors. Additionally, the site does not contain a designated watershed such as the North Lake – Mojave River subwatershed, located approximately 750 feet to the west. An aerial imagery review identifies a potential drainage course north of the Project site (see *Drainage Course Aerial Image* below); however, the drainage course does not appear to cross the Project boundary. The Mojave River is approximately 2,600 feet west of the Project site. Other bodies of water in proximity to the Project include the Silver Lakes Country Club South Lake and North Lake, located approximately 0.94 miles west and 1.2 miles northwest of the Project site, respectively. The proposed Project will not have substantial adverse effects on riparian

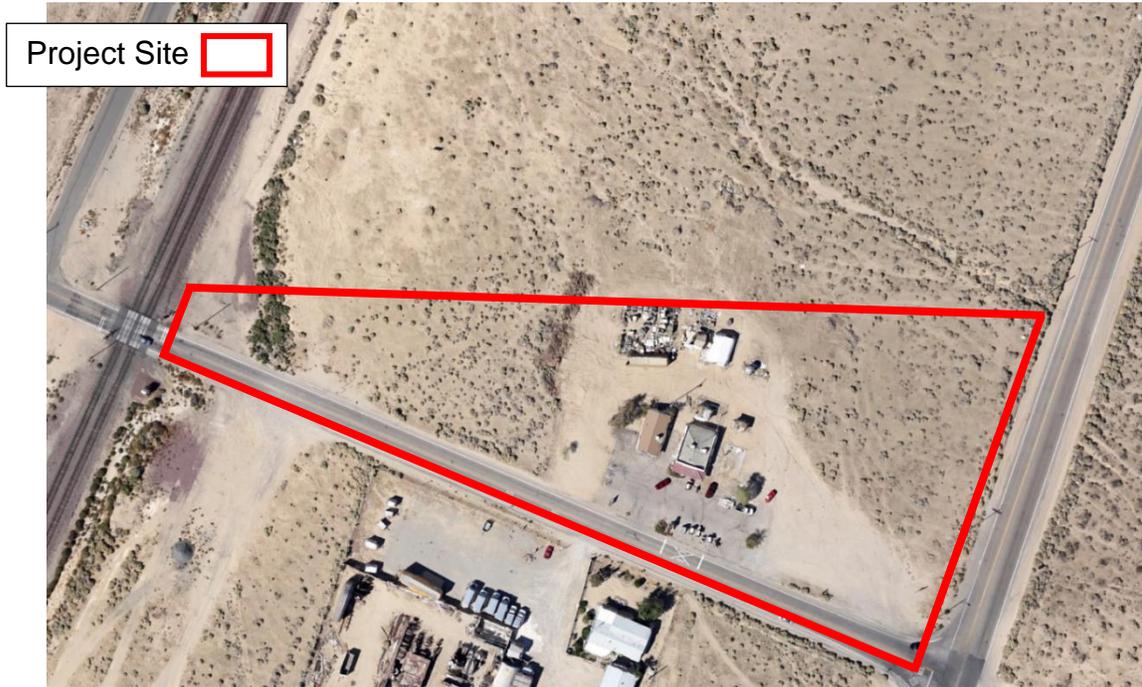
⁸ County of San Bernardino, Biotic Resource Overlay Map. Updated December 4, 2012.

⁹ California Department of Fish and Wildlife. BIOS Habitat Connectivity Web Viewer. Accessed October 6, 2021.

habitat or other sensitive natural communities, as none exist within the Project site, a less than significant impact would occur.

Less Than Significant Impact

Drainage Course Aerial Image



- 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?*

An aerial imagery review does not identify any wetlands within the Project site as defined by Section 404 of the Clean Water Act. The soil on the Project site is classified as a well-draining, sandy loam that does not support vegetation typically adapted for life in saturated soil conditions. The Project site does not contain state or federally protected wetlands such as marshes, vernal pools, streams, or rivers. Therefore, the Project would not cause a substantial adverse effect on state or federally protected wetlands. Thus, no impact would occur.

No Impact

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

Wildlife movement and the fragmentation of wildlife habitat are recognized as critical issues that must be considered in assessing impacts to wildlife. Habitat fragmentation is the division or breaking up of larger habitat areas into smaller areas that may or may not

be capable of independently sustaining wildlife and plant populations. Habitat linkages provide connections between larger habitat areas that are separated by development. Wildlife corridors are similar to linkages but provide specific opportunities for animals to disperse or migrate between areas. The Project site is surrounded by vacant land to the north and east, commercial uses and single-family residences to the south, and a railway to the west, with vacant land and more single-family residences further west. As shown in the California Department of Fish and Wildlife's Bio Habitat Connectivity Viewer, the Project site is located within the California Desert Linkage Network.¹⁰ The Project site has two (2) existing buildings, is heavily disturbed, and has developed surrounding land use; therefore, the Project site is not ideal to act as a wildlife corridor. The Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. A less than significant impact would occur.

Less Than Significant Impact

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

The Project site does not contain biological resources that are subject to any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, in effect at the Project site. Therefore, the Project would not conflict with any local policies or ordinances protecting biological resources. Although the County regulates the removal of native plants such as Joshua, mesquite, and Palo Verde trees, the site does not contain any trees and has a minimal number of shrubs. Thus, no impact would occur.

No Impact

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

The Project site is not located within the planning area of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan as identified in the California Department of Fish and Wildlife's California Natural Community Conservation Plans Map.¹¹ The Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan; therefore, no impact would occur.

No Impact

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

¹⁰ California Department of Fish and Wildlife. BIOS Habitat Connectivity Viewer. Accessed October 6, 2021.

¹¹ California Department of Fish and Wildlife. Natural Community Conservation Plan Summaries map. Accessed October 6, 2021.

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

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

Countywide Plan; San Bernardino Countywide Plan Draft EIR; Helendale Community Action Guide; Cultural Resources Inventory Report for the Helendale Mobil Project, ECORP Consulting, Inc., prepared April 3, 2020 (Appendix B); Submitted Project Materials

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

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

A Cultural Resources Inventory Report, dated April 3, 2020, was prepared for the proposed Project by ECORP Consulting. The purpose of the assessment was to identify and document any cultural resources that may potentially occur within the Project site. The investigation was completed for compliance with the California Environmental Quality Act (CEQA), as amended, the San Bernardino County Policies and guidelines, and the California Office of Historic Preservation’s *Archaeological Resource Management Reports: Recommended Contents and Format*. A cultural resources records search of the California Historical Resources Information System was conducted by ECORP on January 28, 2020, at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.

The purpose of the records search was to determine the extent and location of previous surveys, previously identified prehistoric or historic archaeological site locations, architectural resources, historic properties, cultural landscapes, or ethnic resources within a one-mile radius of the Project area. The records search found that fifteen (15) previous cultural resource investigations have been conducted within one mile of the Project site. The records search identified two (2) cultural resources that have been recorded within one mile of the Project, including one (1) historical site and one (1)

pre-contact site (pending site). The pre-contact resource is approximately 0.8 miles from the Project area, and it is unlikely that the Project site contains any portion of the pre-contact resource.

Additional record searches with the National Register Information System (NPS), the Office of Historic Preservation's *California Historical Landmarks*, and the Historic GLO land patent records from the Bureau of Land Management failed to reveal any eligible or listed properties, any California Historical Landmarks, or any issued patents within the Project area.¹²

On February 7, 2020, ECORP archaeologist conducted an intensive pedestrian field survey of the Project area. The survey found disturbances associated with vehicular parking and resulted in four (4) newly identified historic-period resources. Two (2) utility poles and two (2) buildings were identified as historic-period resources within the Project site. The four (4) resources have not been evaluated using the California Register of Historical Resources (CRHR) eligibility criteria. Therefore, the Historical Resource status of the four (4) identified resources under CEQA is currently unknown. Mitigation Measure **CUL-1** is identified to require the Lead Agency to evaluate the CRHR eligibility of the four (4) newly identified historic-period resources, prior to any grading or demolition activity.

According to the U.S. Department of Agriculture's (USDA) Web Soil Survey website, Cajon Gravelly Sand is located within the Project Area.¹³ The entire soil matrix from the ground surface to 60 inches below surface is a gravelly sand. Additionally, due to the Project site's location within an alluvial fan at the base of Silver Mountain and proximity to the Mojave River, surface sediments within the Project area consist of alluvium. These Holocene sediments are considered to hold potential for subsurface cultural resources because they were deposited concurrently with human occupation of the region. Therefore, there is a potential that archaeological resources could be uncovered during digging or earthwork. Thus, Mitigation Measure **CUL-2** is identified to require archaeological consultation to evaluate the significance of any find, if subsurface deposits believed to be cultural or human in origin are discovered during construction, and all work must halt within a 100-foot radius of the discovery.¹⁴ Project impacts would be less than significant with incorporation of the recommended mitigation measures.

Less than Significant with Mitigation

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

The Project site contains existing development and has been heavily disturbed, therefore, no human remains, or cemeteries are anticipated to be disturbed by the proposed Project. The likelihood of encountering human remains during Project

¹² ECORP Consulting. Inc., April 3, 2020. Cultural Resources Inventory Report for the Helendale Mobil Project. Prepared for Mark Maida. (Confidential)

¹³ United States Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey. Accessed October 13, 2021.

¹⁴ ECORP Consulting. Inc., April 3, 2020. Cultural Resources Inventory Report for the Helendale Mobil Project. Prepared for Mark Maida. (Confidential)

development is minimal; however, these findings do not preclude the existence of unknown human remains located below the ground surface, which may be encountered during construction excavations associated with the proposed Project. As a result, Mitigation Measure **CUL-3** has been identified to reduce potentially significant impacts to human remains that may be unexpectedly discovered during Project implementation. Based on compliance with existing State and County regulations and the provided mitigation measures, the Project's potential to disturb human remains is considered less than significant.

Less than Significant with Mitigation

Mitigation Measures

Mitigation:

V.

(a,b)

CUL-1 California Register of Historical Resources (CRHR) Eligibility

Prior to any ground-disturbing activity or demolition, the Lead Agency shall concur with the identification and evaluation of CRHR eligibility of the four (4) historic-period resources identified in the intensive pedestrian field study conducted on February 7, 2020. If the resources are not presumed eligible, then the process of evaluation requires archival research to assess the sites for eligibility for the CRHR. If the resources are found to be eligible for the CRHR, a determination would need to be made about whether the proposed Project would have a significant impact on the qualities that made the resources significant. If any significant resources would be impacted by the Project, then efforts to avoid, reduce, or mitigate those impacts would be needed.

(a, b)

CUL-2 Archaeological Consulting

If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgement. The following notifications shall apply, depending on the nature of the find:

- If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and no agency notifications are required.
- If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the County of San Bernardino and the landowner. The agency shall consult on finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical Resource under CEQA, as

defined in Section 15064.5(a) of the CEQA Guidelines. Work may not resume within the no-work radius until the Lead Agency, through consultation as appropriate, determines that the site either :1) is not a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to its satisfaction.

(c)

CUL-3 Inadvertent Discoveries

In the event that human remains are found, the archaeologist shall notify the San Bernardino County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, and § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project. The designated MLD will have 48 hours from the time access is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate. If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed. This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the County in which the property is located. Work may not resume within the no-work radius until the Lead Agency determines that the treatment measures have been completed to its satisfaction.

Therefore, no significant adverse impacts are identified or anticipated when mitigation measures CUL-1, CUL-2 and CUL-3 are incorporated.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:
California Air Resources Board; Building Standards Commission Title 24; Submitted Project Materials

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

The construction activities for the Project would include grading of the Project site, construction of a new gas station and convenience store, totaling 3,705 sq. ft., a 2,724 sq. ft. fuel canopy, a 206 sq. ft. trash enclosure, a 241 sq. ft. loading area, and creation of a new parking lot. The Project would consume energy resources during construction in three (3) general forms:

1. Petroleum-based fuels used to power off-road construction vehicles and equipment on the Project site, construction worker travel to and from the Project site, as well as delivery and haul truck trips (e.g., importing concrete materials, base, etc.);
2. Electricity associated with the conveyance of water that would be used during Project construction for dust control (supply and conveyance) and electricity to power any necessary lighting during construction, electronic equipment, or other construction activities necessitating electrical power; and
3. Energy used in the production of construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Construction-Related:

Energy:

The Project would consume electricity to construct the new building and infrastructure. Electricity would be supplied to the Project by Southern California Edison and would be obtained from the existing electrical lines in the vicinity of the Project site. The use of

electricity from existing power lines rather than temporary diesel or gasoline powered generators would minimize impacts on energy use. Electricity consumed during Project construction would vary throughout the construction period based on the construction activities being performed. Various construction activities include electricity associated with the conveyance of water that would be used during Project construction for dust control (supply and conveyance) and electricity to power any necessary lighting during construction, electronic equipment, or other construction activities necessitating electrical power. Such electricity demand would be temporary, nominal, and would cease upon the completion of construction. Overall, construction activities associated with the Project would not be expected to have an adverse impact on available electricity supplies and infrastructure. The use of electricity during Project construction would not be wasteful, inefficient, or unnecessary.

Since the Project site contains two (2) existing buildings and is located within a developed area, it is anticipated that only nominal improvements would be required to Southern California Edison distribution lines and equipment with the additional development of the Project site. Where feasible, any new service installations and connections would be scheduled and implemented in a manner that would not result in electrical service interruptions to other properties. Compliance with County guidelines and requirements would ensure that the Project fulfills its responsibilities relative to infrastructure installation, coordinates any electrical infrastructure removals or relocations, and limits any impacts associated with grading, construction, and development. Construction or modifications of the Project's electrical infrastructure is not anticipated to adversely affect the electrical infrastructure serving the surrounding uses or utility system capacity. Therefore, potential impacts associated with the electricity and infrastructure would be less than significant.

Natural Gas:

Construction of the Project typically would not involve the consumption of natural gas. Natural gas would not be supplied to support construction activities, thus there would be no demand generated by construction. Development of the Project would likely not require extensive infrastructure improvements to serve the Project site. Therefore, potential impacts associated with the natural gas supply and infrastructure would be less than significant.

Petroleum Fuel:

Petroleum-based fuel usage represents the highest amount of energy potentially consumed during construction from off-road equipment operating on the Project site and on-road automobiles transporting workers to and from the Project site and on-road trucks transporting equipment and supplies to the Project site. Construction activities associated with the proposed Project would adhere to all State and Mojave Desert Air Quality Management District (MDAQMD) regulations for off-road equipment and on-road trucks, which provide minimum fuel efficiency standards. All construction equipment is subject to the California Air Resources Board (CARB) In-Use Off Road Diesel-Fueled Fleets Regulation. This regulation, which applies to all off-road diesel vehicles 25 horsepower or greater, limits unnecessary idling to five (5) minutes, requires all construction fleets to be labeled and reported to CARB, bans Tier 0 equipment, phases out Tier 1 and 2 equipment, and requires that fleets comply with Best Available Control Technology requirements,

which would increase construction equipment fuel efficiency.¹⁵ Construction activities for the Project would not result in wasteful, inefficient, and unnecessary consumption of energy resources. Impacts regarding transportation energy would be less than significant. Development of the Project would not result in the need to manufacture construction materials or create new building material facilities specifically for the Project. It is difficult to measure the energy used in the production of construction materials such as asphalt, steel, lumber, and concrete; however, it is reasonable to assume that the production of building materials such as concrete, steel, etc. would employ all reasonable energy conservation practices in the interest of minimizing the cost of doing business.

Operation-Related:

Energy:

The on-going operations of the Project would require the use of energy resources for multiple purposes including, but not limited to, gas pumps, heating/ventilating/air conditioning (HVAC), refrigeration, lighting, appliances, and electronics. Energy would also be consumed during operations related to water usage, solid waste disposal, landscape equipment and vehicle trips. Operations would result in consumption of electricity at the Project site. The Project would comply with all Federal, State, and County requirements related to the consumption of electricity, which includes California Code of Regulations (CCR) Title 24, Part 6 Building Energy Efficiency Standards and CCR Title 24, Part 11: California Green Building Standards as standard conditions of approval. The CCR Title 24, Part 6 and Part 11 standards require numerous energy efficiency measures to be incorporated into the proposed buildings, including enhanced insulation, use of energy efficient lighting and appliances as well as requiring a variety of other energy efficiency measures to be incorporated into all of the proposed structures.¹⁶ It is anticipated that the Project would be designed and built to minimize electricity use and that existing and planned electricity capacity and electricity supplies would be sufficient to support the Project's electricity demand; therefore, impacts with regard to electrical supply and infrastructure capacity would be less than significant.

Natural Gas:

Project operations would result in increased consumption of natural gas at the Project site. The Project would comply with all Federal, State, and County requirements related to the consumption of natural gas, which includes CCR Title 24, Part 6 Building Energy Efficiency Standards and CCR Title 24, Part 11: California Green Building Standards as standards conditions of approval. The CCR Title 24, Part 6 and Part 11 standards require numerous energy efficiency measures to be incorporated into the proposed structures, including enhanced insulation as well as use of efficient natural gas appliances and HVAC units. It is anticipated the Project will be designed and built to minimize natural gas use and that existing and planned natural gas capacity and natural gas supplies would be sufficient to support the Project's natural gas demand and impacts with regard to natural gas supply and infrastructure capacity would be less than significant.

¹⁵ California Air Resources Board. Guide to Off-Road Vehicle & Equipment Regulations. Accessed October 7, 2021.

¹⁶ Building Standards Commission. California Building Standards Code (2019 Triennial Edition of Title 24).

Petroleum Fuel:

Fuel consumption associated with the Project's operational phase would primarily be attributable to customers, employees, and delivery trucks commuting to and from the Project. Over the lifetime of the Project, the fuel efficiency of vehicles being used by citizens and delivery services is expected to increase. As such, the amount of petroleum consumed because of vehicular trips to and from the Project site during operation is anticipated to decrease over time. Additionally, many of the vehicle trips to and from the Project would be local serving, potentially reducing overall vehicle miles traveled by improving the convenience of fueling close to homes. The Project would increase petroleum use in the region during operation; however, the use would be a small fraction of the statewide use and due to energy efficiency increase, would diminish over time. As such, petroleum consumption associated with the Project would not be considered inefficient or wasteful and would result in a less than significant impact.

Less Than Significant Impact

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

The applicable state plans that address renewable energy and energy efficiency are CALGreen, the California Energy Code, and California's Renewable Portfolio Standard (RPS). Under the RPS, the State of California is transitioning to renewable energy through California's Renewable Energy Program. Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. Electricity production from renewable sources is generally considered carbon neutral. Executive Order S-1408, signed in November 2008, expanded the state's renewable portfolios standard (RPS) to 33 percent renewable power by 2020. This standard was adopted by the legislature in 2011 (SB X1-2). Senate Bill 350 (de Leon) was signed into law September 2015 and establishes tiered increases to the RPS—40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. Senate Bill 350 also set a new goal to double the energy-efficiency savings in electricity and natural gas through energy efficiency and conservation measures. On September 10, 2018, Governor Brown signed SB 100, which supersedes the SB 350 requirements. Under SB 100, the RPS for public owned facilities and retail sellers consist of 44 percent renewable energy by 2024, 52 percent by 2027, and 60 percent by 2030. Additionally, SB 100 also established a new RPS requirement of 50 percent by 2026. The bill also established a state policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all state agencies by December 31, 2045. Under SB 100 the state cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

The statewide RPS goal is not directly applicable to individual development projects, but to utilities and energy providers such as SoCal Edison (SCE), which is the utility that would provide all the electricity needs for the Project. Compliance of SCE in meeting the RPS goals would ensure the State in meeting its objective in transitioning to renewable energy. Additionally, the Project would comply with the Building Energy Efficiency Standards and CALGreen. Therefore, implementation of the Project would not conflict or obstruct plans for renewable energy. Thus, a less than significant impact would occur.

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Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

Countywide Plan; San Bernardino Countywide Plan Draft EIR; United States Department of Agriculture Natural Resources Conservation; Submitted Project Materials

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

The Project site does not occur within an Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zone. As shown in the California Department of Conservation's "Earthquake Hazards Zone" web application, the nearest fault is approximately 4.46 miles from the Project site. Although the potential for rupture on-site cannot be dismissed, it is considered low due to the absence of known faults within the immediate vicinity. Nonetheless, the proposed Project would be required to comply with the California Building Code requirements and the Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Compliance with these codes and standards would address potential impacts resulting from an earthquake event. Furthermore, the proposed Project is subject to review by the County of San Bernardino and shall comply with all conditions of approval required by the County. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required. Thus, a less than significant impact would occur.

Less Than Significant Impact

- ii) *Strong seismic ground shaking?*

No active faults pass through, or within the vicinity of the Project site.¹⁷ Additionally, the Project site has a low-medium ranking for earthquake shaking potential and will experience a lower level of shaking with low frequency.¹⁸ However, ground shaking resulting from earthquakes associated with nearby and more distant faults may occur at the Project site, as is the case for most areas within Southern California. The design of any structures on-site would incorporate measures to accommodate projected seismic ground shaking in accordance with the California Building Code (CBC) and San Bernardino County Building Code. The CBC is designed to preclude significant adverse effects associated with strong seismic ground shaking. Compliance can ensure that the proposed Project would not expose people or structures to substantial adverse effects,

¹⁷ San Bernardino Countywide Plan Draft EIR. Geology and Soils. Figure 5.6-1 "Alquist-Priolo Fault Zones and County Fault Hazard Zones."

¹⁸ San Bernardino Countywide Plan Draft EIR. Geology and Soils. Figure 5.6-2 "Earthquake Shaking Potential."

including loss, injury, or death, involving seismic ground shaking. Therefore, a less than significant impact would occur.

Less Than Significant Impact

iii) Seismic-related ground failure, including liquefaction?

Liquefaction refers to loose, saturated sand or silt deposits that behave as liquid and lose their load-supporting capability when strongly shaken. The potential for liquefaction exists in areas with relatively loose, sandy soils and high groundwater that has been disturbed during long-duration strong ground shaking. The Project site is not situated in an area that is susceptible to liquefaction and would not expose people or structures to substantial adverse effects, including loss, injury, or death, involving seismic-related ground failure.¹⁹ Therefore, a less than significant impact would occur.

Less Than Significant Impact

iv) Landslides?

Landslides result from downward movement of earth or rock materials that have been influenced by gravity. In general, landslides occur due to various factors including steep slope conditions, erosion, rainfall, groundwater, adverse geologic structure, and grading impacts. The Project site is relatively flat, level with the surrounding area, and is not located within an area susceptible to landslides. Therefore, the proposed Project would not expose people or structure to substantial adverse effects, including loss, injury, or death, involving landslides. Thus, no impact would occur.

No Impact

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

Implementation of the proposed Project would disturb more than one (1) acre of soil. Therefore, the Project would be required to adhere to standard regulatory requirements, including, but not limited to, requirements of the County's National Pollutant Discharge Elimination System (NPDES) Construction General Permit, which requires adoption of an appropriate Storm Water Pollution Prevention Plan (SWPPP) and implementation of Best Management Practices (BMPs) to reduce erosion from storm water runoff. Construction activities associated with the Project would involve earth movement and the exposure of soil, which would temporarily increase soil erosion susceptibility. In the long-term, development of the Project site would increase impervious surface cover and permanent landscaping, thereby reducing the potential for erosion and loss of topsoil that currently occurs. The Project does not propose to significantly alter the existing topography. Based on the preceding, potential impacts associated with erosion or changes in topography, including loss of topsoil are considered less than significant.

¹⁹ San Bernardino Countywide Plan Draft EIR. Geology and Soils. Figure 5.6-3 "Liquefaction and Landslide Susceptibility."

Less Than Significant Impact

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

Refer to the discussion of Section VI ((a)(iii)) and (iv) for a discussion of hazards associated with liquefaction and landslide hazards. As noted, landslide hazards are not anticipated to affect or result from the Project, and the site is in an area of low potential for liquefaction-related hazards.

Seismically induced lateral spreading involves lateral movement of earth materials over a deeper layer which has liquified due to ground shaking. It differs from a slope failure in that ground failure involving a large movement does not occur due to the flatter slope of the initial ground surface. Lateral spreading is characterized by near vertical cracks with predominantly horizontal movement of the soil mass involved over the liquified soils. Due to the low risk of liquefaction under the current groundwater conditions, lateral spreading is not considered a risk. Further, the Project would be required to comply with the California Building Code (CBC) that would act to minimize any unstable soils, unstable geologic units that may be encountered. Furthermore, the Project site already contains two (2) existing buildings that total 2,570 sq. ft. On this basis, the potential for the Project to 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 is less than significant.

Less Than Significant Impact

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

Expansive soils contain significant amounts of clay particles that swell considerably when wetted and shrink when dried. Foundations constructed on these soils are subject to uplifting forces caused by the swelling. Without proper mitigation measures, heaving and cracking of both building foundations and slabs on-grade could result. According to the United States Department of Agriculture's Web Soil Survey website, the Project site is comprised of cajon gravelly sand.²⁰ Therefore, the subsurface soils at the Project site are considered non-expansive and a less than significant impact would occur.

Less Than Significant Impact

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

²⁰ United States Department of Agriculture Natural Resources Conservation Service Web Soil Survey. Accessed October 4, 2021.

The Project proposes the construction of an on-site septic system that will be required to meet all current County and state standards pertaining to septic systems. Additionally, the system will need to be certified through the San Bernardino County Division of Environmental Health and will need to obtain approval from the California Regional Water Quality Control Board, Lahontan Region. Therefore, existing regulations would ensure that construction of the septic tank would have a less than significant impact.

Less Than Significant Impact

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

No paleontological resources have been discovered or are known to exist on the site. Implementation of the Project will require some grading and installation of underground service facilities. Given the highly disturbed condition of the Project site, the discovery of paleontological resources is unlikely; nonetheless Mitigation Measures **CUL-2** and **CUL-3** are identified to evaluate and salvage discoveries, if any, that occur. Ultimately, the likelihood of directly or indirectly destroying a unique paleontological resource or site or unique geologic feature is extremely low, due to the lack of presence of paleontological resources; however, there is still a potential to uncover paleontological resources during excavation of the Project site. By adhering to Mitigation Measures **CUL-2** and **CUL-3**, the potential to destroy a unique paleontological resource or site or unique geologic feature will be minimized. Therefore, with mitigation incorporated, the Project would result in a less than significant impact.

Less than Significant with Mitigation

Therefore, no significant adverse impacts are identified or anticipated when mitigation measures CUL-2 and CUL-3 are incorporated.

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

SUBSTANTIATION:
Countywide Plan; San Bernardino Countywide Plan Draft EIR; Submitted Project Materials; Air Quality and Greenhouse Gasses Study, prepared March 27, 2020 (Appendix A)

Findings of Fact: The Project would be required to comply with regulations imposed by the State of California and the Mojave Desert Air Quality Management District (MDAQMD) aimed at the reduction of air pollutant emissions. Those that are directly and indirectly applicable to the Project and that would assist in the reduction of GHG emissions include:

- Global Warming Solutions Act of 2006 (Assembly Bill (AB) 32)
- Regional GHG Emissions Reduction Targets/Sustainable Communities Strategies (Senate Bill (SB) 375)
- Pavley Fuel Efficiency Standards (AB 1493). Establishes fuel efficiency ratings for new vehicles.
- California Building Code (Title 24 California Code of Regulations (CCR)). Establishes energy efficiency requirements for new construction.
- Low Carbon Fuel Standard (LCFS). Requires carbon content of fuel sold in California to be 10 percent (%) less by 2020.
- Statewide Retail Provider Emissions Performance Standards (SB 1368). Requires energy generators to achieve performance standards for GHG emissions
- Renewable Portfolio Standards (SB 1078 – also referred to as RPS). Requires electric corporations to increase the amount of energy obtained from eligible renewable energy resources to 20 % by 2010 and 33% by 2020.

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

As shown in *Table 8-1 Project-Related Greenhouse Gas Emissions*, the Project would generate 1,714.09 MTCO_{2e} per year (*Appendix A*). According to the threshold of significance, a cumulative global climate change impact would occur if the GHG

emissions created from the on-going operations of the proposed Project would exceed the SCAQMD threshold of 3,000 MTCO₂e per year. Therefore, since the Project will not exceed the threshold of significance, the Project does not have the potential to result in a cumulatively considerable impact with respect to GHG emissions and a less than significant impact will occur.

Table 8-1 Project-related Operational Greenhouse Gas Emissions

Total (MT/yr)	CO ₂	CH ₄	N ₂ O	CO ₂ e
Area	0.002	0.000	0.000	0.002
Energy	783.003	0.026	0.009	786.451
Waste	40.679	2.404	0.000	100.782
Water	0.345	0.001	0.000	0.388
Total MTCO₂e	1,714.092			

Source: CalEEmod Model

Less Than Significant Impact

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

The Project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing GHG emissions. Applicable plans adopted for the purpose of reducing GHG emissions include the California Air Resources Board (CARB) Scoping Plan. The County does not have the expertise to develop plans or policies regarding GHG and relies on the expertise of the MDAQMD and utilizes the MDAQMD CEQA handbook for environmental review.

CARB Scoping Plan

CARB's Scoping Plan is California's GHG reduction strategy to achieve the state's GHG emissions reduction target established by AB 32, which is to return to 1990 emission levels by year 2030 (CARB 2017). The CARB Scoping Plan is applicable to state agencies and is not directly applicable to cities/counties and individual projects. Nonetheless, the Scoping Plan has been the primary tool that is used to develop performance-based and efficiency-based CEQA criteria and GHG reduction targets for climate action planning efforts.

On December 24, 2017, CARB adopted the Final 2017 Climate Change Scoping Plan Update to address the new 2030 interim target to achieve a 40 percent reduction below 1990 levels by 2030, established by SB 32 (CARB 2017). Statewide strategies to reduce GHG emissions include the Low Carbon Fuel Standard (LCFS), California Appliance Energy Efficiency regulations, California Renewable Energy Portfolio standard, changes in the Corporate Average Fuel Economy (CAFE) standards, and other early action measures as necessary to ensure the state is on target to achieve the GHG emissions reduction goals of AB 32. While measures in the Scoping Plan apply to state agencies and not the proposed Project, the Project's GHG emissions would be reduced from compliance with statewide measures that have been adopted

since AB 32 and SB 32 were adopted. Therefore, the proposed Project would not obstruct implementation of the CARB Scoping Plan and impacts would be less than significant.

The Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. Given this consistency, the Project's incremental contribution to greenhouse gas emissions and their effects on climate change would be less than significant.

Less Than Significant Impact

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

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

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

Construction-Related:

Construction of the proposed Project would require the use and transport of materials such as soil, gravel, rock, concrete, and lumber. Equipment used at the site during construction activities and equipment stored at the site during Project operation could use substances considered by regulatory bodies as hazardous, such as diesel fuel and gasoline from typical construction equipment and would therefore have the potential to discharge hazardous materials during construction and operation. These types of materials are not acutely hazardous, and all storage, handling, use, and disposal of these materials are regulated by federal and state requirements, which the Project construction activities are required to strictly adhere to. The use, transport, storage, and disposal of hazardous materials must comply with existing regulations established by several agencies, including the Department of Toxic Substances Control (DTSC), the Environmental Protection Agency (EPA), the US Department of Transportation (USDOT), the Occupational Safety and Health Administration (OSHA), the California Code of Regulations (CalOSHA), and the State Unified Hazardous Waste and Hazardous Materials Management Regulatory Program.

Operation-Related:

Project operations would involve the operation of the convenience store and fuel service pumps, along with associated landscape and maintenance. Hazardous or potentially hazardous materials would be routinely handled, stored, and dispensed on the Project site, such as gasoline. The Project involves the construction and operation of a service station, which would include the installation and maintenance of underground storage tanks (UST) for the on-site storage of gasoline. Service stations are subject to routine inspection by federal, state, and local regulatory agencies with jurisdiction over fuel dispensing facilities. The service station's storage and delivery of the hazardous materials would comply with all applicable federal, state, and local regulation in order to functionally operate, including but not limited to Section 2540.7 – Motor Fuel Dispensing Facilities and Service Stations, of the California Occupational Safety and Health Regulations (CalOSHA); Chapter 38 – Liquefied Petroleum Gases, and the California Fire Code (CFC); the Resource Conservation and Recovery Act (RCRA); and the San Bernardino County Fire standards. These regulatory requirements minimize health risk to the public associated with fuel service stations' hazardous materials. Without routine inspection, regulation, required compliance with applicable federal, state, and local laws surrounding service station operation, delivery, storage, and fuel dispensing the Project would result in a significant impact; however, due to routine inspection, heavy regulation, required compliance with federal, state, and local laws, no significant impact is anticipated. Therefore, a less than significant impact would occur.

Less Than Significant Impact

- b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

As mentioned in Section IX(a), any handling activities associated with hazardous or potentially hazardous materials would comply with all applicable federal, state, and local agencies and regulations. Both short-term construction and long-term operation of the proposed Project would comply with all applicable federal, state, and local agencies and regulations with the policies and programs established by agencies such as the EPA, Department of Transportation, Department of Toxic Substances Control, CalOSHA, Resource Conservation and Recovery Act, and the State Unified Hazardous Waste and Hazardous Materials Mandatory Regulatory Program. Adherence to the applicable policies and programs of these agencies would ensure that any transport or interaction with hazardous materials would occur in the safest possible manner, reducing the opportunity for the accidental release of hazardous materials into the environment. Any handling of hazardous materials would be limited in both quantities and concentrations. Therefore, a less than significant impact would occur.

Less Than Significant Impact

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

The closest schools to the Project site are Helendale Elementary School, Riverview Middle School, and ACE Charter School, approximately 1.7 miles and 3.0 miles from the Project site, respectively. As previously mentioned, handling activities associated with hazardous or potentially hazardous materials would comply with all applicable federal, state, and local agencies and regulations. Construction and operation of the Project is anticipated to handle and use diesel fuel and gasoline. Any handling of hazardous materials would be limited in both quantities and concentrations. Given that there are no schools within one-quarter mile of the proposed Project, no impact would occur.

No Impact

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

Government Code Section 65962.5 describes that before an application for a development project is completed the Applicant and/or Lead Agency shall indicate whether the site is included on any of the lists compiled pursuant to that section and to identify which list(s). According to the Cortese List, the Project site is not included on a list of hazardous materials sites, nor are there any hazardous materials sites listed in the vicinity of the Project site.²¹ EnviroStor tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. No hazardous materials sites are located within or in the

²¹ California Department of Toxic Substances Control, EnviroStor Database. Accessed October 5, 2021. [EnviroStor Database \(ca.gov\)](#) & [EnviroStor \(ca.gov\)](#)

immediate vicinity of the Project site. Therefore, no impacts are identified or are anticipated.

No Impact

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

The Project site is not within an airport safety review area or Airport Runaway Protection Zone.²² The Project site is not located within the vicinity of a private or public airstrip. The nearest airport to the Project site is Southern California Logistics Airport, approximately 16.5 miles southwest of the site. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area. Thus, no impact would occur.

No Impact

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

The Project site is in the general vicinity of two (2) potential evacuation routes. The I-15 and US-395 are Interstate Freeway evacuation routes within the Desert Region of San Bernardino County.²³ The nearest evacuation route is the I-15, at approximately 7.2 miles east of the Project site, followed by US-395, at approximately 7.4 miles west of the Project site. The Project site is situated along National Trails Highway within a moderate Fire Hazard Severity Zone.²⁴ The Project site and immediate surroundings do not contain emergency shelters or facilities. Additionally, the Project will not result in substantial changes to road design or capacity that could affect evacuation routes. Therefore, the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Thus, no impact would occur.

No Impact

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

The Project site is not located within a High or Very High Fire Hazard Severity Zone.²⁵ Additionally, the Project site is relatively flat and does not contain considerable slopes that would exacerbate wildfire risk; furthermore, the surrounding wildland conditions

²² San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-2 "Airport Safety Zones."

²³ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Table 5.8-10 "Evacuation Routes in San Bernardino County."

²⁴ County of San Bernardino. HZ-5 Fire Hazard Severity Zone web map. Accessed September 23, 2021.

²⁵ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-5 "Fire Severity and Growth Areas in the North Desert Region."

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consist of sparse desert vegetation. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statues, codes, ordinances, and standards of the San Bernardino County Fire Department. Therefore, the proposed Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Thus, a less than significant impact would occur.

Less Than Significant Impact

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

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

SUBSTANTIATION:

Countywide Plan; San Bernardino Countywide Plan Draft EIR; FEMA Map; 2020 Mojave Water Agency UWMP; Submitted Project Materials

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

Construction-Related:

The proposed Project would involve grading, paving, underground storage tank installation, building construction, and landscaping installation, which could result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints and other pollutants with the potential to affect water quality. All new development projects equal to one acre or more are subject to San Bernardino County National Pollutant Discharge Elimination System (NPDES). The proposed Project would disturb approximately 3.71 acres of land and therefore, will be subject to NPDES permit requirements during construction activities. Additionally, pursuant to Development Code Section 85.11.030, the Project shall prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) for the Project site prior to commencement of Project construction activities. The SWPPP provides temporary measures to control discharges of sediment and other pollutants and includes methods to minimize water quality impacts and stabilize disturbed surfaces throughout the Project site during construction. The Project shall implement BMPs to prevent such deterioration and shall identify the manner of implementation pursuant to Development Code Section 85.11.030. Therefore, construction related impacts would be less than significant.

Operation-Related:

Urban runoff is typically associated with impervious surfaces, such as rooftops, streets, and other paved areas, where various types of pollutants may build up and eventually be washed into the offsite waters. However, the Project conforms with the zoning designation and the Countywide land use designation, which is consistent with the Countywide Plan EIR. Furthermore, the Project would be developed and operated in compliance with all applicable County and Regional Water Quality Control Board (RWQCB) regulations and water quality standards. The proposed Project is subject to review by the County of San Bernardino and shall comply with all conditions of approval required by the County. Therefore, urban pollutants entering and potentially polluting the local water system would not be expected to occur as a result of the proposed Project and a less than significant impact would occur.

Less Than Significant Impact

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

The Project proposes to utilize an existing water well on the Project site that currently services Dempsey's Pub and Joie's Salon/Pat's Barber shop. The Project will not substantially decrease groundwater supplies or interfere with groundwater recharge to the extent that the Project impedes sustainable groundwater management of the basin. The proposed Project does not include a land use that requires a substantial amount of water such as agricultural uses.

The Project site is located within the Mojave Basin Alto Transition Zone subarea. The Mojave Water Agency 2020 Urban Water Management Plan (UWMP) indicates that groundwater levels within the region are stable and have the capacity to sustain normal conditions, a single dry year, or a multi-year drought. The long-term natural water supply availability is projected to remain constant through 2065. Additionally, the proposed Project complies with the current Countywide plan and zoning designation.

The Mojave Basin Area is currently under an adopted Judgement to regulate groundwater extraction. A Base Annual Production (BAP) has been established and a variable Free Production Allowance (FPA), which is a percentage of the BAP, has been established for each area by the Watermaster. The 2020-2021 Alto Subarea FPA allows 65 percent of BAP for agriculture and 55 percent of BAP for municipal and industrial uses. If any water user pumps more than their allotted FPA in any year, the user is required to buy replacement water equal to the amount extracted. This cost equates to paying the Watermaster to purchase imported water from the Mojave Water Agency or by temporarily transferring unused FPA from another party involved in the Judgement. Therefore, Project implementation would have a less than significant impact on groundwater supply and recharge.

Less Than Significant Impact

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

The Project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site. There were no waterways, wetlands, pits, lagoons, or ponds seen to exist on the Project site currently or previously. Additionally, the Project must comply with the County's conditions regarding construction erosion and dust control. Therefore, a less than significant impact would occur.

Less Than Significant Impact

- ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;*

The proposed Project would increase the percentage of impervious surfaces on site which would increase the potential for surface runoff. However, the Project site is located within Federal Emergency Management Agency (FEMA) Flood Zone X, which designates areas that are outside of the 100-year flood zone or are protected from the 100-year flood zone by levees.²⁶ The Project site is relatively flat and is currently developed with impervious surfaces. Additionally, The County Public Works Department will review the final drainage plan prior to construction of the Project. Therefore, the Project is not anticipated to substantially increase the amount of runoff or rate of surface runoff located on-site. A less than significant impact would occur.

Less Than Significant Impact

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

As stated above in Section X (c(ii)), the Project site is currently developed with impervious surfaces. Although the proposed Project will increase the percentage of impervious surfaces on site, as a condition of approval, the County Public Works Department will review the final drainage plan prior to construction of the Project. Therefore, the Project will follow the County's regulations regarding stormwater runoff and treatment for gasoline service stations and a less than significant impact would occur.

Less Than Significant Impact

iv) Impede or redirect flood flows?

According to Countywide Plan, the Project site is not located in an identified flood hazard area.²⁷ Furthermore, according to the FEMA Flood Insurance Rate Map, the Project Site is an area of minimal flood hazard. The Project would not alter the course of a stream or river and therefore would not redirect flood flows. As the Project is not within a floodplain, the Project will not impede flood flows and no impact would occur.

Less Than Significant Impact

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

The Project site is not located in a flood hazard, tsunami, or seiche zone. The Pacific Ocean is located over 83 miles southwest of the Project site; consequently, there is no potential for tsunamis to impact the Project. In addition, no steep hillsides subject to mudflow are located on or near the Project site. According to the Countywide Plan, the Project site is not located in an identified dam inundation area,

²⁶ Federal Emergency Management Agency. FEMA Flood Map No. 06071C5150J. USGS The National Map October 2020. Accessed October 23, 2021.

²⁷ County of San Bernardino. HZ-4 Flood Hazards web map. Accessed October 23, 2021.

and there is no levee located within the vicinity of the Project site. There is no potential for inundation. Accordingly, the Project site has no potential to be impacted by seiches, mudflows, and/or tsunamis. Therefore, no impact would occur.

No Impact

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

The Project requires CUP approval and will be designed to meet County regulations regarding construction and operation for the gasoline service station and related activities. The Project will comply with County water quality control plans and sustainable groundwater management plans to reduce impact to a less than significant impact level.

Less Than Significant Impact

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

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

SUBSTANTIATION:

Countywide Plan; Submitted Project Materials

- a) *Physically divide an established community?*

According to the Countywide Plan, the Project site has a land use classification of Commercial. The surrounding area includes Limited Industrial, Commercial, and Rural Living land uses, and the Project site consists of two (2) existing commercial buildings that will remain in place with the implementation of the proposed Project. Therefore, no established communities exist within the Project site, nor does the Project propose or require elements or operations that would divide an off-site community. Based on the preceding, the Project would not physically divide an established community and no impact would occur.

No Impact

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

The proposed Project conforms with the Countywide Plan land use classification which is consistent with the Countywide Plan EIR. The Project also aligns with the intent of the Helendale Community Action Guide and the current zoning designation. Therefore, the implementation of the proposed Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation, a less than significant impact would occur.

Less Than Significant Impact

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

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

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

Countywide Plan; San Bernardino Countywide Plan Draft EIR; Mineral Land Classification

Findings of Fact: The County of San Bernardino prioritizes the conservation of land area with mineral resources by prohibiting or discouraging development of land that would substantially preclude the future development of mining facilities. SMARA regulations govern the extraction of mineral resources and eventual reclamation of mining operations, allowing for the mining of any locally important mineral resources while precluding or minimizing potentially adverse environmental effects. The State Geologist as specified by the Surface Mining and Reclamation Act (SMARA, PRC 2710 et seq.) of 1975 produces mineral Land Classification (MLC) studies.

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?*

The Project site is located within the North Desert region of San Bernardino County. According to the California Department of Conservation, Mineral Land Classification map, the Project site is part of the 1994 Open File Report (OFR) 94-04 and the 1993 OFR 92-06.²⁸ The Project site is not located within an area known to be underlain by regionally- or locally-important mineral resources, and the Project site does not have an MRZ classification.²⁹ Therefore, Project implementation would have little effect on the availability of known mineral resources that would be of value to the region and the residents of the state, thus the Project would have a less than significant impact.

Less Than Significant Impact

²⁸ California Department of Conservation, Mineral Land Classification of a Part of Southwestern San Bernardino County: Open-File Report 94-04.

²⁹ County of San Bernardino. NR-4 Mineral Resources Zones web map. Accessed September 23, 2021.

- 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?*

As stated above in Section XII. (a), the Project site is not located within an area known to be underlain by regionally or locally important mineral resources. Additionally, the proposed Project complies with the zoning designation and Countywide Plan, which is congruent with the General Plan EIR. Therefore, Project implementation would have a less than significant impact and no further analysis of this subject is required.

Less Than Significant Impact

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

Issues	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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):

Countywide Plan; San Bernardino Countywide Plan Draft EIR; Submitted Project Materials

- 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?*

The Project site is surrounded by vacant land to the north and east, commercial and residential uses to the south, and a railway to the west with vacant land and residential uses further west. The Project site is located within the Commercial land use category and is zoned General Commercial (CG). The San Bernardino Countywide Plan Draft EIR allows commercial land uses to have an acceptable decibel range within 70 dBA.³⁰ The proposed Project is consistent with the designated land use and would produce noises that are associated with commercial uses such as moving vehicles and deliveries for the convenience store and gas tank, as well as noise from condensers, HVAC equipment, landscape maintenance, and waste hauling activities. The noise produced by Project

³⁰ San Bernardino Countywide Plan Draft EIR. Noise. Table 5.12-4 “Community Noise and Land Use Compatibility.”

operation would not exceed what is expected of a commercial site and a less than significant impact would occur.

Construction-Related:

The County of San Bernardino's Development Code Section 83.01.080 exempts construction activities from 7AM to 7PM, except on Sunday and federal holidays, from the County's noise standards.³¹ Noise generated by the Project construction equipment will include a combination of trucks, power tools, concrete mixers, and other equipment that when combined can reach high levels. As previously stated, temporary construction noise is exempt from the Noise Standards of the County's Development Code. The Project would not generate excessive noise during operation; therefore, impacts would be less than significant.

Less Than Significant Impact

- b) *Generation of excessive ground-borne vibration or ground-borne noise levels?*

Project construction can generate varying degrees of ground-borne vibration, depending on the construction procedure and the construction equipment employed. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. As vibration waves propagate from a source, the energy is spread over an ever-increasing area such that the energy level striking a given point is reduced with the distance from the energy source.³² Ground-borne vibration decreases rapidly with distance. The proposed Project would generate ground-borne vibration during site grading and construction activities; however, the ground-borne vibration and ground-borne noise levels would not be considered excessive. As described in Section XII(a) above, construction activities are exempt from the County's Development Code, provided they occur between the hours of 7AM and 7PM Monday through Saturday, except on federal holidays. The potential impacts associated with construction vibration would be less than significant and the operations of the Project would not create any ground-borne vibration or ground-borne noise. Thus, impacts would be less than significant.

Less Than Significant Impact

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

The Project site is not within an airport safety review area or Airport Runaway Protection Zone.³³ The Project site is not located within the vicinity of a private or public airstrip. The nearest airport to the Project site is Southern California Logistics Airport, approximately

³¹ San Bernardino Countywide Plan Draft EIR. Noise, Pg. 5.12-10.

³² San Bernardino Countywide Plan Draft EIR. Noise, Pg. 5.12-4.

³³ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-2 "Airport Safety Zones."

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16.5 miles southwest of the Project site. Therefore, no impacts are identified or anticipated. Thus, no impact would occur.

No Impact

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

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

SUBSTANTIATION:

Countywide Plan; San Bernardino Countywide Plan Draft EIR

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

The proposed Project does not include new residential development and would not directly contribute to population growth within the surrounding areas. The Project proposes the construction of a new gas station and convenience store. The existing personnel pool within the unincorporated area of Helendale and the neighboring communities would likely fill project-related employment demands. Therefore, significant population growth is not anticipated to occur as an indirect result of Project implementation. Furthermore, the Project is proposed on a partially developed parcel that is served by roadways, utilities, and other infrastructure. Therefore, development proposed by the Project, and any associated infrastructure improvements are unlikely to encourage unanticipated population growth. Based on the preceding, the potential for the Project to induce substantial growth directly or indirectly is considered less than significant.

Less Than Significant Impact

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

The Project site is currently developed with commercial land uses. No houses currently exist within the site, and the Project does not propose uses or activities that would otherwise displace housing assets or persons. Based on the preceding, the proposed Project would have no impact related to displacement of housing or displacement of people.

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No Impact

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

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

SUBSTANTIATION:

Countywide Plan; Helendale Community Action Guide

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

i. *Fire Protection?*

Fire protection services to the Project site are provided by the San Bernardino County Fire Department. The Project site is served by the San Bernardino County Fire Station 4, located at 27089 Helendale Road, approximately 1.2 miles northwest of the Project site. Additional services in the area are provided by the San Bernardino County Fire Station 56, located at 37284 Flower Road, Hinkley, CA, approximately 19 miles north of the Project site. As discussed in Section XIV(a), *Population and Housing*, of this Initial Study, significant population growth is not anticipated to occur as a direct or indirect result of Project implementation. Thus, the Project would be adequately served by fire protection services, and no new or expanded unplanned facilities would be required. Based on the foregoing, the proposed Project would receive adequate fire protection services and would not result in the need for new or physically altered fire protection facilities. Impacts to fire protection facilities would be less than significant.

Less Than Significant Impact

ii. Police Protection?

The San Bernardino County Sheriff's Department provides police protection and law enforcement services to the unincorporated community of Helendale and the surrounding area. The Project site is served by the Victor Valley Sheriff's Station located at 11613 Bartlett Avenue, Adelanto, CA, approximately 11.6 miles south of the Project site. The Project would introduce a new building structure and 2-3 working employees to the Project site, which would result in an incremental increase in demand for police protection services. However, the Project is not anticipated to require or result in the construction of new or physically altered police facilities. Based on the foregoing, the proposed Project would receive adequate police protection services, and would not result in the need for new or physically altered police protection facilities. Impacts on police protection facilities would therefore be less than significant.

Less Than Significant Impact

iii. Schools?

Nearby schools include Helendale Elementary School, located approximately 1.7 miles northwest of the Project site and Riverview Middle School, located approximately 3.0 miles west of the Project site. The proposed Project would not create a direct demand for public school services, as the Project would contain non-residential uses that would not generate school-aged children requiring public education. The proposed Project is not expected to draw new residents to the region and would not directly or indirectly generate school-aged students. Therefore, the Project would not cause or contribute to a need to construct new or physically altered public school facilities. There would be no impact on public schools and no further analysis of this subject is required.

No Impact

iv. Parks?

The proposed Project would not induce residential development nor significantly increase the use of existing neighborhood and regional parks or other recreational facilities. Therefore, the Project would not create a demand for public park facilities and would not result in the need to modify existing or construct new park facilities. No impact would occur.

No Impact

v. Other Public Facilities?

As discussed under sections (iii) and (iv) above, the proposed Project would not cause an increase in population and would therefore not increase the demand for public facilities/services, including libraries, community recreation centers, post offices, and animal shelters. As such, implementation of the proposed Project would not adversely affect other public facilities or require the construction of new or modified public facilities and no impact would occur.

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No Impact

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

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

SUBSTANTIATION:

Countywide Plan; California Government Code § 66477

Findings of Fact: The County of San Bernardino coordinates with other jurisdictions and agencies to create a system of well-planned and maintained parks, trails, and open space that provides recreation opportunities for residents, attracts visitors from across the region and around the country, and preserves the natural environment. Under the Quimby Act, commercial land uses are not required to dedicate a portion of land or pay fees for the development of new or rehabilitation of existing parks and recreational facilities.³⁴

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

The Project proposes to develop the Project site with commercial land uses. The Project does not include residential uses or any other land use that may generate a population that would increase the utilization of existing neighborhood and regional parks, or other recreational facilities. Accordingly, implementation of the proposed Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park. Thus, a less than significant impact would occur, and no further analysis of this subject is required.

Less Than Significant Impact

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

³⁴ Cal. Gov't Code § 66477

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The Project does not propose to construct any new on- or off- site recreation facilities. Additionally, the Project would not expand any existing off-site recreational facilities. Therefore, environmental effects related to the construction or expansion of recreational facilities would not occur with implementation of the proposed Project. No impact would occur, and no further analysis of this subject is required.

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

Countywide Plan; San Bernardino Countywide Plan Draft EIR; Submitted Project Materials; Traffic Impact Analysis, Albert Wilson 7 Associates, prepared February 10, 2021 (Appendix C)

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

Albert Wilson & Associates prepared a Traffic Impact Analysis, dated February 10, 2021, to address potential traffic impacts and circulation needs associated with the proposed Project. The study was performed in conformity with County of San Bernardino Traffic Impact Study Guidelines dated July 9, 2019. The study addresses County of San Bernardino site specific requests provided in the Traffic Impact Study Scoping Agreement dated January 23, 2020. Additionally, this TIA was prepared to satisfy the requirements set forth per California Environmental Quality Act (CEQA).

The TIA presents an analysis of the operating conditions for Project driveways and nearby intersections during the morning and evening peak hours for the following time frames: Existing year 2020, Project opening year 2022, and horizon forecast year 2040. The TIA concluded that the daily vehicle trips associated with the intersections and driveways of the proposed Project will continue to allow satisfactory levels of service. The Project is expected to generate a total of fifty-two (53) new AM and eighty-three (83) new PM vehicle trips during peak hour, and a total of 861 daily trips. In the Project opening year 2022, the study intersection and driveways are found to operate at satisfactory levels of service with no significant impact from the new project traffic and existing project traffic. In the forecast year 2040, the study intersection and driveways

are found to operate at satisfactory levels of service with no significant impact from the new project traffic and existing project traffic.³⁵

The Project site is situated on the corner of National Trails Highway and Vista Road. National Trails Highway is a State Highway and is designated as a Transit Route.³⁶ The Project site is not within the vicinity of any bike routes and contains nominal pedestrian facilities. The proposed Project would add additional traffic along Vista Road and National Trails Highway during the construction phase; however, this traffic will be minimal and temporary in nature. Therefore, the proposed Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Thus, a less than significant impact would occur.

Less Than Significant Impact

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

CEQA Guidelines Section 15064.3 subdivision (b) pertains to Vehicle Miles Traveled (VMT) and whether the land use project will generate vehicle miles traveled in excess of an applicable threshold of significance. The State of California Governor's Office of Planning and Research (OPR) Technical Advisory provides project screening criteria and guidance for analysis of VMT assessments under SB 743. With the adopted guidelines, transportation impacts are to be evaluated based on a project's effect on vehicle miles traveled. The proposed Project is compliant with the County's zoning designation and land use designation, which is congruent with the General Plan EIR. Additionally, the TIA concluded that the daily vehicle trips associated with the intersections and driveways of the proposed Project will continue to allow surrounding intersections and driveways to operate at satisfactory levels of service. Therefore, the project does not conflict and is consistent with CEQA Guidelines. No impact would occur.

No Impact

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

The proposed Project does not include any sharp curves or dangerous intersections, nor does the Project introduce any incompatible uses. The proposed Project does not include major street modifications regarding geometric design or traffic pattern. Project implementation would cause a less than significant impact.

³⁵ County of San Bernardino Traffic Impact Analysis for Land Use Permit on New Convenience Store, Gas Station, and Full Land Use Permit Compliance of Existing Structures at 1544 Vista Road, Helendale, Ca, February 10, 2021, prepared by Albert Wilson & Associates.

³⁶ San Bernardino Countywide Plan Draft EIR, Figure 5.16-2 *Existing Transit Routes – Desert Region*. Accessed October 13, 2021.

Less Than Significant Impact

d) *Result in inadequate emergency access?*

The proposed Project would be compatible with the design and operation of the street network and would not result in any major modifications to the existing access or circulation features. The Project will provide vehicular access via two (2) unsignalized driveways located along National Trails Highway and Vista Road. The driveway on National Trails Highway is proposed to be 40-foot wide to satisfy the necessary width for California design truck access. The existing Vista Road driveway will be removed and replaced with a single driveway that is 56 feet wide. The Project will conform with local, state, and federal regulations regarding circulation and traffic pattern design, and will provide adequate emergency access. Thus, a less than significant impact would occur.

Less Than Significant Impact

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

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

- a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
- i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
 - 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:

Countywide Plan; San Bernardino Countywide Plan Draft EIR; Helendale Community Action Guide; Cultural Resources Inventory Report for the Helendale Mobil Project, ECORP Consulting, Inc., prepared April 3, 2020 (Appendix B); Submitted Project Materials

Findings of Fact: As of July 1, 2015, Public Resources Code Sections 21080.1, 21080.3.1, and 21080.3.2 require public agencies to consult with California Native American tribes recognized by the Native American Heritage Commission (NAHC) for the purpose of mitigating impacts to tribal cultural resources. This law does not preclude agencies from initiating consultation with the tribes that are culturally and traditionally affiliated with their jurisdictions.

In accordance with Public Resources Code Section 21080.1(d), a lead agency is required to provide formal notification of intended development Projects to Native American tribes that have requested to be on the lead agency’s list for receiving such notification. The formal notification is required to include a brief description of the Project and its location, lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation for tribal cultural resources.

- a) *i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or;*

As discussed in Section V, *Cultural Resources*, of this Initial Study, a records search found that fifteen (15) previous cultural resource investigations have been conducted within one mile of the Project site. The records search identified two (2) cultural resources that have been recorded within one mile of the Project, including one (1) historic site and one (1) pre-contact site (pending site). The pre-contact resource is approximately 0.8 miles from the Project area, and it is unlikely that the Project site contains any portion of the pre-contact resource.

A field survey identified four (4) historic-period resources within the Project site including two utility poles and the two buildings that house Joie's Salon/Pat's Barber Shop and Dempsey's Pub. The proposed Project will not alter the existing buildings and will only relocate the utility poles as directed by the County.

According to the Cultural Resources Inventory Report, previously recorded and newly identified historic-period resources are unlikely to have subsurface components. However, surface sediments within the Project area consist of alluvium (Dibblee 1960).³⁷ Mitigation measure **CUL-2** would reduce potentially significant impacts to cultural resources discovered during Project implementation.

Less than Significant with Mitigation

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?

The County initiated consultation with California Native American tribes traditionally and culturally affiliated with the Project area in June 2019. The San Manuel Band of Mission Indians (SMBMI) identified the general area as being within the Serrano ancestral territory and therefore, being of interest to the tribe. The community of Helendale was once a Serrano Village. Documentation of the village was provided by Spanish explorers in the 1700s, which was then referenced in the ethnographic literature of the Serrano people. However, the SMBMI Cultural Resources Management Department noted that subsurface archaeological testing was completed for a development adjacent to the Project site, and the results were negative. Due to the prior testing, the Project site is ultimately not an area of concern; however, the SMBMI Cultural Resources Management Department provided the mitigation measures **TCR-1** and **TCR-2** described below.

³⁷ ECORP Consulting, Inc., April 3, 2020. Cultural Resources Inventory Report for the Helendale Mobil Project. Prepared for Mark Maida. (Confidential).

The Morongo Band of Mission Indians stated that the tribe has no information to provide regarding the Project area at this time. No further comments were received regarding the AB 52 notification.

ECORP Consulting, Inc initiated consultation with the Native American Heritage Commission (NAHC) to inquire about any recorded sacred or religious sites in Project site. The search results were negative, meaning that a search of the Sacred Lands File by the NAHC failed to indicate the presence of Native American Sacred Lands in the Project area.

Less than Significant with Mitigation

Mitigation Measures

Mitigation:

XVIII.

(b)

TCR-1: SMBMI Resource Discovery

The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in **CUL-2**, of any pre-contact and/or post-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 resource 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.

TCR-2: SMBMI Consultation

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.

Therefore, no significant adverse impacts are identified or anticipated with incorporation of mitigation measures CUL-2, TRC-1, and TRC-2.

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

SUBSTANTIATION:

Countywide Plan; Submitted Project Materials

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

The Project would construct a gas station and a 3,705 sq. ft. convenience store with a 2,727 sq. ft. canopy and four (4) fuel dispenser islands. Additional property improvements include a new underground storage tank, vertical propane tank, trash

dumpster, signage, landscape, site paving, and street improvements (rolled curb, gutter, and driveways).

Water and Wastewater Treatment Effects:

The proposed Project will utilize an existing underground water well and implement a new septic system. Therefore, the Project would not result in the relocation or construction of new or expanded water or wastewater treatment and no impact would occur.

Electric Power:

Southern California Edison (SCE) provides electricity to the Project site. The site currently has two (2) existing buildings that will remain in place with the implementation of the proposed Project. The existing buildings on site have a combined building footprint of approximately 1,572 sq. ft. Anticipated electric power uses for the Project include indoor and outdoor lighting, refrigeration appliances, perimeter lighting, electricity for the pumps, and security systems. All electrical uses associated with the Project would connect to the existing electric power system. Further, all utility connections to the proposed Project would be required to comply with applicable federal, state, and local regulations related to electric power supply. Therefore, relocation and expansion of existing facilities and construction of new facilities would not be required. Impacts would be less than significant.

Natural Gas:

The Southwest Gas Corporation will provide natural gas to the Project. Southwest Gas is a wholesale utilities customer of the Southern California Gas Company (SoCalGas). SoCalGas's 2020 California Gas Report (CGR) projects total system demand to decline at an annual average rate of 1.0 percent between 2020 and 2035. Project development would not require the Southwest Gas Corporation to obtain new or expanded natural gas supplies and impacts would be less than significant.

Telecommunication Facilities:

The Project site is supported by Verizon for telecommunication services. The Project site would be required to comply with all Federal, State and local regulations for installation and wiring of telecommunications to the Project. With adherence to the existing San Bernardino County Electrical, Building and Safety code requirements, the Project would have a less than significant impact.

Less Than Significant Impact

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

The proposed Project would utilize an existing water well. Therefore, the water supply to the Project would be sufficient and no impact would occur.

No Impact

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

The proposed Project would implement a new septic tank and would not rely on a wastewater treatment provider. No impact would occur.

No Impact

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

The Helendale Community Service District (CSD) provides trash service to the Project site through Burrtec, a private trash hauling company. Significant impacts could occur if the Project were to exceed the existing permitted landfill capacity or were to violate State or local standards and regulations. However, the Project complies with County zoning regulations and the Countywide Plan, which is congruent with the Countywide Plan EIR. The County abides by AB 939, AB 341, and AB 1826, which aim to reduce solid waste and divert waste from landfills through recycling, source reduction, composting, and land disposal of waste. Based on the preceding, the potential for the Project to 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 is less than significant.

Less Than Significant Impact

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

The Project would be implemented and operated in compliance with applicable Countywide Plan Goals and Policies, and would comport with County Zoning regulations—specifically, the Project would comply with local, state and federal initiatives and directives acting to reduce and divert solid waste from landfill waste streams. The proposed Project is required to comply with all applicable federal, state, and County statutes and regulations related to solid waste as a standard project condition of approval. Therefore, a less than significant impact would occur.

Less Than Significant Impact

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

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

SUBSTANTIATION:

Countywide Plan; San Bernardino Countywide Plan Draft EIR: Hazards and Hazardous Materials; Helendale Community Action Guide; CalFire Fire Hazard Severity Zones Maps

Findings of Fact: The California Department of Forestry and Fire Protection (CAL FIRE) has designated Fire Hazard Severity Zones (FHSZs) throughout the state based on factors such as fuel, slope, and weather to indicate varying degrees of fire hazard (i.e., moderate, high, and very high). FHSZ maps evaluate physical conditions that create a likelihood that an area will burn over a 30- to 50-year period.

Wildland fire protection in California falls under the responsibility of either the State, Local, or Federal government. The Project site is located within a Local Responsibility Area (LRA) and fire protection is provided by the San Bernardino County Fire Department.³⁸

³⁸San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-3 “Fire Responsibility Areas.”

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

The Project site is located approximately 7.6 miles east of San Bernardino County evacuation route US-395 and 7.2 miles west of evacuation route I-15.³⁹ The Project site is situated along National Trails Highway within a Moderate Fire Hazard Severity Zone.⁴⁰ The Project is not located near a designated evacuation route and complies with the Countywide Plan and zoning designation. Therefore, the proposed Project would not substantially impair an adopted emergency response plan nor an emergency evacuation plan. Thus, a less than significant impact would occur.

Less Than Significant Impact

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

The Project site is not located within a State Responsibility Area (SRA) nor within a Very High Fire Severity Zone (VHFSZ).⁴¹ The Project site is relatively flat and does not contain considerable slopes that would exacerbate wildfire risk. Additionally, the final grade for the Project will remain flat. The surrounding wildland conditions consist of sparse desert vegetation, and prevailing winds are a concern throughout the desert region. However, the proposed Project does not cause any greater wildfire risks than other developments throughout the community of Helendale. Therefore, a less than significant impact would occur.

Less Than Significant Impact

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

The Applicant proposes to develop a new gas station and convenience store which includes the installation of an underground fuel storage tank and a vertical propane tank. However, the Project site is not located within or near a(n) SRA or VHFSZ. The proposed Project is consistent with the current Commercial land use designation and General Commercial (CG) zoning designation, and the Project will be required to obtain and operate under a CUP. Although Project implementation will include the construction, installation, and maintenance of infrastructure, the Project will comply with regulations and procedures that ensure the Project will not exacerbate fire risk or substantially impact the environment. The proposed Project will comply with federal, state, and local regulations. Therefore, any impact would be less than significant.

Less Than Significant Impact

³⁹ County of San Bernardino. PP-2 Evacuation Routes web map. Accessed September 23, 2021.

⁴⁰ County of San Bernardino. HZ-5 Fire Hazard Severity Zone web map. Accessed September 23, 2021.

⁴¹ Cal Fire. Fire Hazard Severity Zone Viewer. Accessed September 23, 2021. [FHSZ Viewer \(ca.gov\)](#)

- 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?*

As stated above, the topography of the Project site is relatively flat, and the soils on the Project site are not susceptible to landslides. The Project site is already developed with two (2) existing structures and a paved parking lot. The proposed gas station and convenience store would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability. Additionally, drainage patterns would not be altered, and stormwater would continue to be conveyed through existing channels. Therefore, a less than significant impact would occur, and no mitigation measures are necessary.

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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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) *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?*

The proposed Project would not substantially impact any scenic vistas, scenic resources, or the visual character of the area, and would not result in excessive light or glare. The Project site is located within a developed area that contains commercial and residential uses. Additionally, the Project site is developed with two existing buildings. The proposed Project would not significantly impact any sensitive plants, plant communities, fish, wildlife, or habitat for any sensitive species.

As described in Section IV, adverse impacts to historical resources would be less than significant. Mitigation Measure **CUL-1** ensures identification and evaluation of potential

cultural resources. Construction-phase procedures would be implemented in the event any important cultural, archaeological, or paleontological resources are discovered during grading, consistent with Mitigation Measures **CUL-2**, **CUL-3**, and **TRC-1**.

Furthermore, the analysis provided in Section III and VIII concludes that impacts related to emissions of criteria pollutants, climate change, and other air quality impacts would be less than significant.

Based on the preceding analysis of potential impacts in the responses to Sections I through XX, no evidence is presented that the proposed Project would degrade the quality of the environment. Impacts related to degradation of the environment, biological resources, and cultural resources would be less than significant with mitigation incorporated.

Less than Significant with Mitigation

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

Cumulative impacts can result from the interactions of environmental changes resulting from one proposed Project with changes resulting from other past, present, and future projects that affect the same resources, utilities and infrastructure systems, public systems, transportation network elements, air basin, watershed, or other physical conditions. Such impacts could be short-term and temporary, usually consisting of overlapping construction impacts, as well as long-term, due to the permanent land use changes and operational characteristics involved with the proposed Project.

Construction of the Project in conjunction with other approved or pending projects in the region would not result in cumulatively considerable impacts to the physical environment. As concluded throughout the analysis above, the proposed Project would include both operation- and construction-related Project components whose adherence to applicable regulations would ensure that the proposed Project’s incremental contribution would be less than cumulatively considerable. Further, the proposed Project would not achieve short-term environmental goals to the disadvantage of long-term goals.

Loss of on-site archaeological resources could reduce or eliminate important information relevant to the County of San Bernardino. Mitigation Measures **CUL-2**, **CUL-3**, **TRC-1**, and **TRC-2** are incorporated to reduce impacts to archaeological and paleontological resources, as well as buried Native American remains. Implementation of the mitigation measures would eliminate any potential loss of important local archaeological information or Native American remains that may be buried at the Project site; therefore, the proposed Project would have no contribution to a cumulative loss of important local or regional archaeological knowledge. Therefore, cumulatively considerable impacts would be less than significant.

Less than Significant with Mitigation

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

Based on the analysis of the Project's impacts in the responses to items I through XX, there is no indication that this Project could result in substantial adverse effects on human beings. While there would be a variety of temporary adverse effects during construction, these would be less than significant. There are no long-term effects related to traffic, noise, hazardous materials, emissions of criteria pollutants and greenhouse gas emissions, increased demand for water use, wastewater disposal, and electricity use, or increased demand on emergency response services. Environmental effects would result in less than significant impacts. Based on the analysis in this Initial Study, direct and indirect impacts to human beings would be less than significant.

Less Than Significant Impact

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

GENERAL REFERENCES

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*Initial Study PROJ-2020-00135
Helendale Mobil Gas Station & Convenience Store
APN: 0467-101-02
January 5, 2023*

PROJECT-SPECIFIC REFERENCES

Landin & Associates. March 27, 2020. Air Quality and Green House Gasses Study for APN: 0467-101-02-0000. (Appendix A)

ECORP Consulting. Inc., April 3, 2020. Cultural Resources Inventory Report for the Helendale Mobil Project. Prepared for Mark Maida. (Appendix B)

Albert Wilson & Associates. February 10, 2021. County of San Bernardino Traffic Impact Analysis for Land Use Permit on New Convenience Store, Gas Station and Full Land Use Permit Compliance of Existing Structures at 15444 Vista Road, Helendale CA. 92342. (Appendix C)