

**SAN BERNARDINO COUNTY**

**INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM**

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

**PROJECT LABEL:**

<b>APN:</b>	0539-031-02
<b>APPLICANT:</b>	G&GF Enterprises, LLC
<b>COMMUNITY:</b>	Newberry Springs, 1 <sup>st</sup> Supervisory District
<b>LOCATION:</b>	North of I-15, south of Cherokee Street, West of Mountain View Road and East of Bragdon Road.
<b>PROJECT NO:</b>	P201300567
<b>STAFF:</b>	Reuben Arceo, Planner
<b>REP(S):</b>	Om Garg
<b>PROPOSAL:</b>	A) General Plan Amendment to rezone a 267.41 acre site from Rural Living (RL) to; Highway Commercial (CH).  B) Conditional Use Permit (CUP) to operate a waterpark, recreational vehicle park, lake, construct approximately 100,281 square feet of administrative and commercial building area on 267.41 acres over a five (5) phase plan

**USGS Quad:** Harvard Hill  
**T, R, Section:** T: 10N R:3E      **Sec:** 17,20

**Thomas Bros.:** Page 3594, Grid: A-1

**Planning Area:** Newbury Springs  
**Land Use Zoning:** RL (Rural Living)

**Overlays:** Airport Safety Review 4

**PROJECT CONTACT INFORMATION:**

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

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

**Project Sponsor:** G&GF Enterprises, LLC  
163 Pavilion Park  
Irvine, CA 92618  
**Phone No:** (714) 273-0402

**PROJECT DESCRIPTION:**

The Project Applicant, G&GF Enterprises, LLC, submitted the following applications to the County of San Bernardino Land Use Services Department, which comprise the proposed Project: General Plan Amendment (GPA) and Conditional Use Permit (CUP). The Project's application materials are on file with the County of San Bernardino Land Use Services Department, 385 N. Arrowhead Avenue, First Floor, San Bernardino, CA 92415 and are hereby incorporated by reference.

**A. General Plan Amendment (GPA)**

General Plan Land Use District Amendment (GPA) to rezone the 267 acre Project site from Rural Living (RL) to Highway Commercial (CH).

**B. Conditional Use Permit (CUP)**

Conditional Use Permit (CUP) to redevelop and operate a former water park and lake venue and provide a new RV Park. The applicant proposes to reconstruct the park and construct approximately 45,727 square feet of Commercial Retail space, and 54,554 square feet of Office and Administrative floor area in five (5) phases as described below and shown in Exhibit 3.

**Phase 1: Lake Operations.**

The first phase of the Project as noted in Exhibit 4 and the photo below consists of the reconstruction and reopening and operation of the former 22 acre lake and 2 acre pond.



The lake area contains approximately 2,240 square feet of existing building facilities functioning primarily as restrooms. The lake and pond will be rehabilitated and tested for pH balance and contaminants and treated per test results. Lake water will be kept from stagnating by circulation pump systems. All water supplies will be obtained from ground water as authorized by the Mojave Water Agency. No water or sewer connections from the property will be needed. The property has specific water rights allowance for lake operations of 455 acre feet and 483 acre feet for park operations and irrigation. There are three existing water wells, adequate to meet the parks water needs.

In conjunction with perimeter improvements around the lake such as the construction of pedestrian walkways, beach areas, landscaping, parking facilities for vehicles and boats are proposed including a boat launch. Approximately 86 standard parking spaces are provided and seven (7) 12' x 57' boat stalls. Parking capacity is based on a ratio of 1 space per 4 guests. Operationally the lake is intended to be used for year around activities and will be open from dawn to dusk. The lake's total occupancy will range from 100 to 300 persons, including staff. The lake and waterpark is enclosed by a perimeter fence with gates provided for controlled access. The findings of a Water Supply Assessment, prepared by RCA Associates dated March 2017 (Appendix G),

determined that water supplies for construction and operation are available. Park main entrances will be secured and controlled by attendants to prevent unauthorized entry. The lakes main entry is off "A" street currently an unpaved Street. The entire park contains 14 park entrances, two along both Mountain View Road and "A" Street, four along Hacienda Road, and three along both Bragdon Road and Cherokee Road. Two of the entrances off Cherokee Road are intended as internal access roads, for park supplying and maintenance, and not for patron use.

The following as noted in the photo on the following page are proposed lake entertainment activities.

- **Boating –** The boat launch is designed to launch various types of water craft. That includes motorized, electrical, paddle boats and jet skis. The use of specific craft may be event and seasonally limited.
- **Swimming –** Lake swimming areas may be limited and life guards will be provided as necessary. All facilities will be staffed for proper operations.
- **Pond – swimming –** the Pond may be stocked for fishing.
- **Camping –** Camping will be permitted.
- **Open Space -** The Open Space area north of the pond and lake will remain undeveloped and will be used by park patrons for walking, and hiking explorations. All open space consisting of over 100 acres is intended for future development as needed. (Note: Future development is not part of this analysis and will require further CEQA review).



### **Roadway Improvements**

The Project is required to provide for the following roadway improvements during Phase 1

#### **"A" Street (Quarter Section Line-88')**

- **Road Dedication.** A 44 foot grant of easement is required to provide a half-width right-of-way of 44 feet.
- **Street Improvements.** Design AC dike with a minimum 26 foot paved section.
- **Driveway Approach.** Design driveway approach per San Bernardino County Standard 129 and located per Standard 130.

"Hacienda Road" (Local-60')

- Street Improvements. Design AC Dike with match-up paving 18 feet from centerline with a minimum 26 feet paved section.

Drainage Improvements

Phase 1 of the development including the lake and pond area will be self-contained with the lake level rising with each storm event.

Phase 2: RV Park and Camp Ground.

The Phase 2 operation as noted in the site plan below and Exhibit 5, encompasses approximately 27.7 acres. The area will operate as a Recreational Vehicle (RV) Park facility containing 224 RV trailer and camper stalls. The RV park will offer electrical power, water, gray water and black-water hook-ups services for a variety of RV vehicles that include Class A, B, C motorhomes, including 5<sup>th</sup> wheels and travel trailers, folding camping trailers and truck campers. Construction on Phases 1 and 2 will commence approximately two years after project approval.

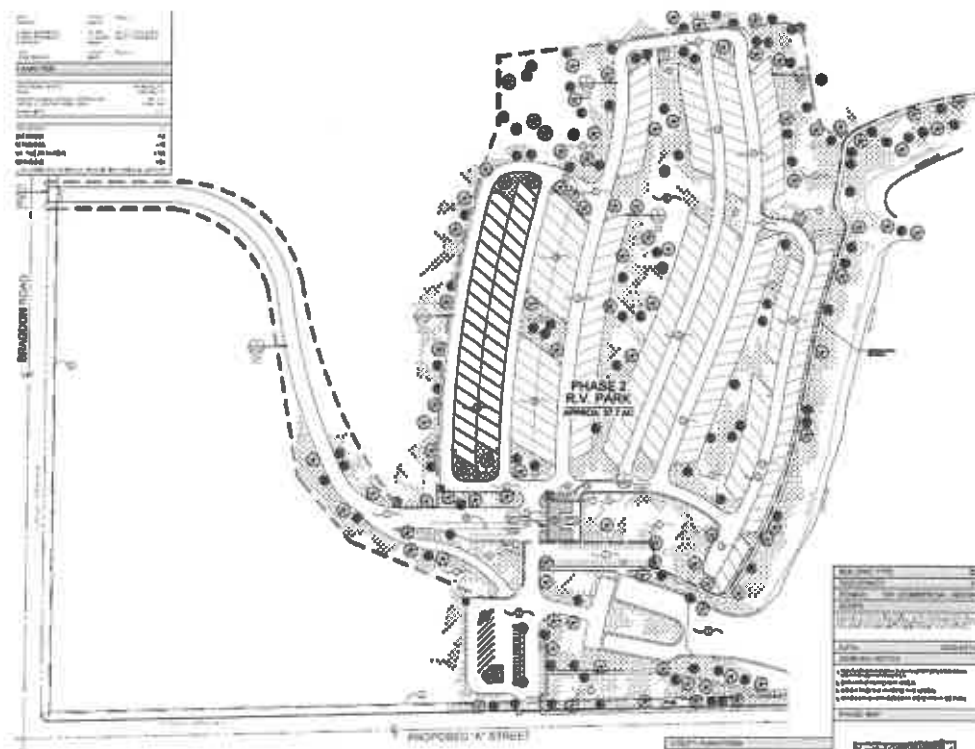


Table 1 below lists the proposed number of RV and trailer parking proposed in Phase 2.

**Table 1. RV Parking Breakdown**

Parking Stalls	Quantity
9' x 20' Standard Spaces	10
9' x 20' Handicap Spaces	2
32' x 60' Camper/Trailer parking	190
30' x 40' Camper Parking	34

In addition to RV parking the site contains approximately 7,239 square feet of new building area, including a 4,800 square foot administrative office, bathrooms and a proposed RV check in facility.

The RV park provides 36 foot wide driveway aisles for internal vehicular circulation. The facility is encompassed with landscaping and intersected with decorative landscaped planters that provide a sense of separation and visual relief including Open Space areas that RV patrons may use for walking purposes and exploration activities. Primary and secondary means of ingress and egress is provided. The RV park's primary ingress and access is off Bragdon Road which leads directly to the Check in Building by means of a 1-way access road. A secondary means of access is also provided off "A" Street.

RV patrons will be allowed to stay at the RV Park for the duration of their recreational activities and will have use of the pool and laundry facilities. Visitors will be allowed only as guests of a patron. Parking for visitors will be provided near the entrance at the southwest corner of the park. Parking overflow impacts will be mitigated by opening parking areas in the waterpark facility. The RV site maximum occupancy is estimated at 400-500 occupants, which includes 20 on-site personnel and 80 visitors. The park will contain 24 hour security and supervision and will be internally lit.

### **Roadway Improvements**

The Project is required to provide for the following roadway improvements in Phase 2

#### **Bragdon Road (Kemosade Trail) (Section Line- 88')**

- **Road Dedication.** A 4 foot grant of easement is required to provide a half-width right-of-way of 44 feet
- **Street Improvements.** Design AC Dike with a minimum 26 foot paved section.
- **Curb Returns.** A 35 foot radius curb return is required at the intersection of Bragdon Road and "A" Street, Bragdon Road and Cherokee Road. The curb return shall be designed per County Standard 110. Adequate easement shall be provided to ensure future sidewalk improvements are within Public right-of-way.
- **Driveway Approach.** Design driveway approach per San Bernardino County Standard 129 and located per Standard 130.

#### **Cherokee Road (Local - 60')**

- **Road Dedication.** A grant of easement is required to provide a half-width right-of-way of 30 feet.
- **Street Improvements.** Design and construct a minimum 26 foot paved section within a 40 foot right-of-way.
- **Driveway Approach.** Design driveway approach per San Bernardino County Standard 129A, and located per Standard 130

#### **"A" Street (Quarter Section Line-88')**

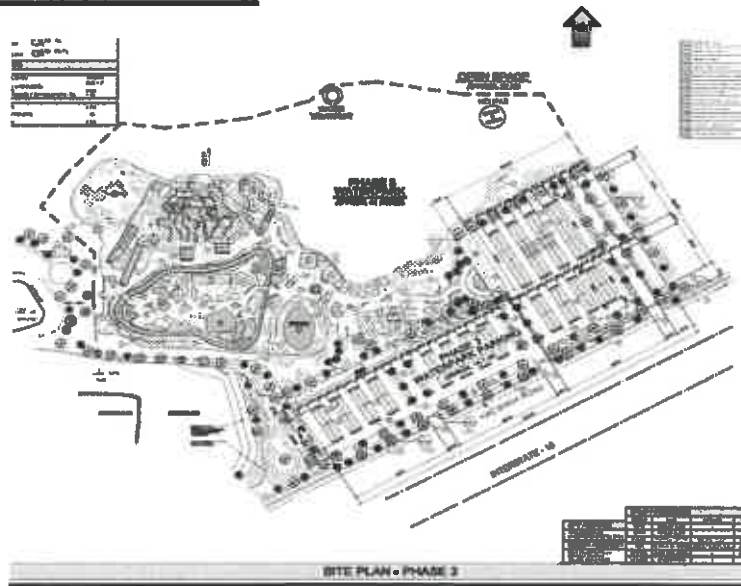
- **Road Dedication.** A 44 foot grant of easement is required to provide a half-width right-of-way of 44 feet.

- Street Improvements. Design AC dike with a minimum 26 foot paved section.

### Drainage Improvements

Phase 2 runoff will surface flow to the southerly boundary. An onsite bio-detention basin is proposed to contain low flows and reduce peak flows.

### Phase 3: Waterpark and Waterpark Parking



The rehabilitation and construction of the waterpark and proposed parking area noted above and in Exhibit 6 constitute the Phase 3 portion of the project. The phase's primary concentration is the rehab and upgrade of the 41 acre former waterpark site, which is anticipated to commence three years after receiving project approval. The site's developable area constitutes 26.79 acres. The site currently contains eleven structures containing a total area of approximately 54,554 square feet. These structures consist predominately of former restrooms and concession facilities. In conjunction with the rehab of existing structures, substantial work is also concentrated upon rebuilding and reconstructing the waterpark and aquatic features as shown in the photo below.



These structures include former pools, water fountains, walkways, stair wells and other water works ancillary elements. New building construction is ultimately planned on a case-by-case basis when the waterpark is open and fully operational. The applicant estimates up to 1,000 patrons during the waterpark's peak season which runs from May through August. The park can expect more patrons during special events and concerts. It is undetermined at this time the days and times of the facilities operation, however for safety purposes and similar to other waterpark operations, the aquatic rides shut down by 6 pm. The entire waterpark is enclosed by a

perimeter fence with gates provided for controlled access, including a main entrance that will be secured and controlled by attendants.

The landscaped water parking facility contains approximately 710 standard parking and handicap stalls. The applicant proposes to erect canopy structures to provide covered parking mounted with solar panels. Ingress and egress is provided by three (3) driveway approaches located along Hacienda Road. In accordance with the County Development Code, the parking site provides the minimum 24 foot wide driveway aisles for two-way driveway access.

**Roadway Improvements**

The Project is required to provide for the following roadway improvements:

**"Hacienda Road" (Local-60')**

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

**Drainage Improvements**

Phase 3 runoff will drain southerly to an onsite bio-detention basin which is proposed to contain low flows and reduce peak flows. Overflow from this basin will flow along the existing flow line.

**Phase 4: Office/Administrative.**

Phase 4 construction consists of approximately 89,730 square feet of office and administrative space as shown in Exhibit 7. The facilities include a proposed library, amphitheater, offices and public service buildings. The building area is spread among seven (7) structures. The proposed building floor area sizes are noted in Table 2 below.

**Table 2. Phase 4 Building Area**

<b>Administrative/Office Quantity</b>	<b>Bldg. No. Reference</b>	<b>Square footage</b>
1	10	33,092
2	11	13,297 each 25,594 Total
4	12	7,511 each 30,044
<b>Total Building Square Footage</b>		<b>89,730</b>

Approximately 471 parking stalls are proposed to provide for office and administrative parking accommodations. Parking is proposed within the facility grounds and along the eastern boundary line of the site that parallels Mountain View Road. Ingress and egress into the center's facility is available from two driveway approaches off Mountain View Road and one driveway approach along Hacienda Road and also along Cherokee Road. In accordance with the Development Code the landscaped parking area provides the minimum 24 foot wide driveway aisles for internal 2-way vehicular circulation and ingress. As the site plan in Exhibit 7 shows, the facility is pedestrian oriented designed and walkable given the close proximity of buildings within the facility.



**Roadway Improvements**

The Project is required to provide for the following roadway improvements:

**Mountain View Road (Local- 60')**

- **Street Improvements.** Design AC Dike with a minimum 26 foot paved section within a 40 foot right-of-way.
- **Curb Returns.** A 20 foot radius curb return is required at the intersection Mountain View Road and Hacienda Road. The curb return shall be designed per County Standard 110. Adequate easement shall be provided to ensure sidewalk improvements are within Public right-of-way.
- **Driveway Approach.** Design driveway approach per San Bernardino County Standard 129, and located per Standard 130.

**"Hacienda Road" (Local-60')**

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

**Cherokee Road (Local - 60')**

- **Road Dedication.** A grant of easement is required to provide a half-width right-of-way of 30 feet.
- **Street Improvements.** Design and construct a minimum 26 foot paved section within a 40 foot right-of-way.
- **Curb Returns and Sidewalk Ramps.** A 20 foot radius curb return is required at the intersection of Cherokee Road and Mountain View Road. The curb return shall be designed per County Standard 110. Adequate easement shall be provided to ensure sidewalk improvements are within Public right-of-way.
- **Driveway Approach.** Design driveway approach per San Bernardino County Standard 129A, and located per Standard 130.

**Drainage Improvements**

Development relies on surface drain to run into the area's own detention Basin highlighted below.



**Phase 5: Commercial Retail**

The Phase 5 proposes to construct approximately 45,727 square feet of buildable area for commercial and retail uses within a 13.6 acre site. The center is primarily intended for commercial and retail uses. No uses are proposed at this stage of the project. As shown in Exhibit 8, the retail center is composed of 13 structures and a fueling station. Table 3 below provides a listing of each proposed building square footage. The site contains approximately 484 standard parking stalls (9'x 20') that includes 62 12'x50' truck/trailer parking stalls.

Ingress and egress to the retail center is provided by means of three driveway entrances, with two located off Bragdon Road and one off 'A' Street. The center's driveway aisle widths conform to the County Development requirements for 2-way traffic circulation and providing adequate back-up and drive through for truck and trailer parking.

**Table 3. Phase 5: Commercial Center**

Bldg. No.	Type	Quantity	Square Footage
13	Commercial Retail	1	9,051
14	Commercial Retail	3	2,976 EA. 8,828 TOT.
15	Commercial Retail	1	2,416
16	Commercial Retail	1	2,868
17	Commercial Retail	1	2,976
18	Commercial Retail	4	3,664 EA. 14,656 TOT
19	Commercial Retail	2	2,416 EA. 4,832 TOT.
20	Commercial Fuel Pumps	1	3,946
<b>Phase 5 Total Building Square Feet</b>			<b>45,727</b>

***Roadway Improvements***

The Project is required to provide for the following roadway improvements:

**Bragdon Road (Kemosade Trail) (Section Line- 88')**

- **Road Dedication.** A 44 foot grant of easement is required to provide a half-width right-of-way of 44 feet .
- **Street Improvements.** Design AC Dike with a minimum 26 foot paved section.
- **Driveway Approach.** Design driveway approach per San Bernardino County Standard 129, and located per Standard 130.

**"A" Street (Quarter Section Line-88')**

- **Road Dedication.** A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet.
- **Street Improvements.** Design AC dike with a minimum 26 foot paved section .

- Driveway Approach. Design driveway approach per San Bernardino County Standard 129, and located per Standard 130.

### Drainage Improvements

The Project is required to provide for the following drainage improvements. Runoff will drain toward the southeast corner and flow to Mountain View Road after routing thru a basin to reduce the peak flow.

A summary of the proposed project site development acreage is shown in Table 4 below.

### Summary of Development Acreage

**Table 4. Lake Dolores Development Acreage**

SPECIFIED USES	ACRES
Commercial	14.0
R.V. Camping	27.7
Waterpark	13.0
Waterpark parking	14.1
Recreational Water features	8.7
Administrative	12.7
Open space	99.0
Misc. landscaping, roadways walkways, etc.	57.1
<b>Net Acres</b>	<b>246.30</b>

### Construction Timing

The precise construction timing for phases 4 and 5 is unknown at this time but are planned to commence once phase 3 construction is completed and waterpark operations commence. Construction activities for these phases are forecast to occur over 5 years.

### PROJECT LOCATION:

Lake Dolores is located along Interstate I-15 about 20 miles northeast of the City of Barstow. Access to the property is Via Hacienda Road a frontage road that parallels the I-15, Minneola Road to the south and Harvard Road to the North. The parcel as noted in Figure 1 is bounded by Mountain View Road to the east, Bragdon Road on the west and Cherokee Road to the north which are unpaved and Hacienda Road which is paved street to the South. The site's surrounding area is predominately vacant. A residential property exists along the north end of the property and a second single family unit along the east boundary side. The Project is located in the Newberry Springs region of the Mojave Desert. The parcel and general area is surrounded by Rural Living Zoning districts and limited Highway Commercial zoning sites. The region is sparsely populated. The City of Barstow and Yermo are located between 8 to 15 miles west of the site. (See Exhibits 1 and 2).

### ENVIRONMENTAL/EXISTING SITE CONDITIONS:

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

The Project does not require the preparation of an Environmental Impact Report and a Notice of Preparation is not required. Thus, the environmental setting for the Project is the approximate date that the Project's Initial Study Checklist commenced in July, 2016.

The Project site is located on the north side of the Interstate 15 Freeway, approximately 18 miles northeast of the City of the Barstow. The subject property is approximately 267 acres in size and spans from Bragdon Road to the west, Mountain View Road to the east, and an unpaved road to the north, in the unincorporated community of Newberry Springs. The site is occupied by a closed water park that consists of a parking lot and a recreation area which contained slides (most have been removed), pools (drained), and approximately ten abandoned concession, restroom, locker room, and ticketing buildings. The remainder of the property consists of two lakes (one is dry), a maintenance area, a temporary living quarters for the onsite care taker, and undeveloped vacant land. The surrounding area mainly consists of undeveloped vacant land with very few single-family residences throughout. (See Exhibits 1 and 2).

Access to the Project site is via Hacienda Road which is a paved two-lane roadway that connects to Harvard Road and I-15 to the east. Surrounding land uses and land use/overlay districts are shown in Table 7.

**Table 7. Existing Land Use and Land Use/Overlay Districts**

AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT
Site	Former water park resort, including abandoned water slides, buildings and lake park and pedestrian	Rural Living (RL)
North	Vacant	Rural Living- 40 (RL-40) minimum 40 acre lot
South	Vacant and Interstate 15 Freeway	Rural Living (RL) and Interstate 15 Freeway
East	Vacant	Rural Living (RL) and Interstate Freeway
West	Vacant	Rural Living (RL)

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

State of California: Lahontan Water Board (NPDES permit).

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

Regional: Mojave Desert Air Quality Management District.



**Lake Dolores Waterpark**

**Regional Location Map**

**Exhibit 1**

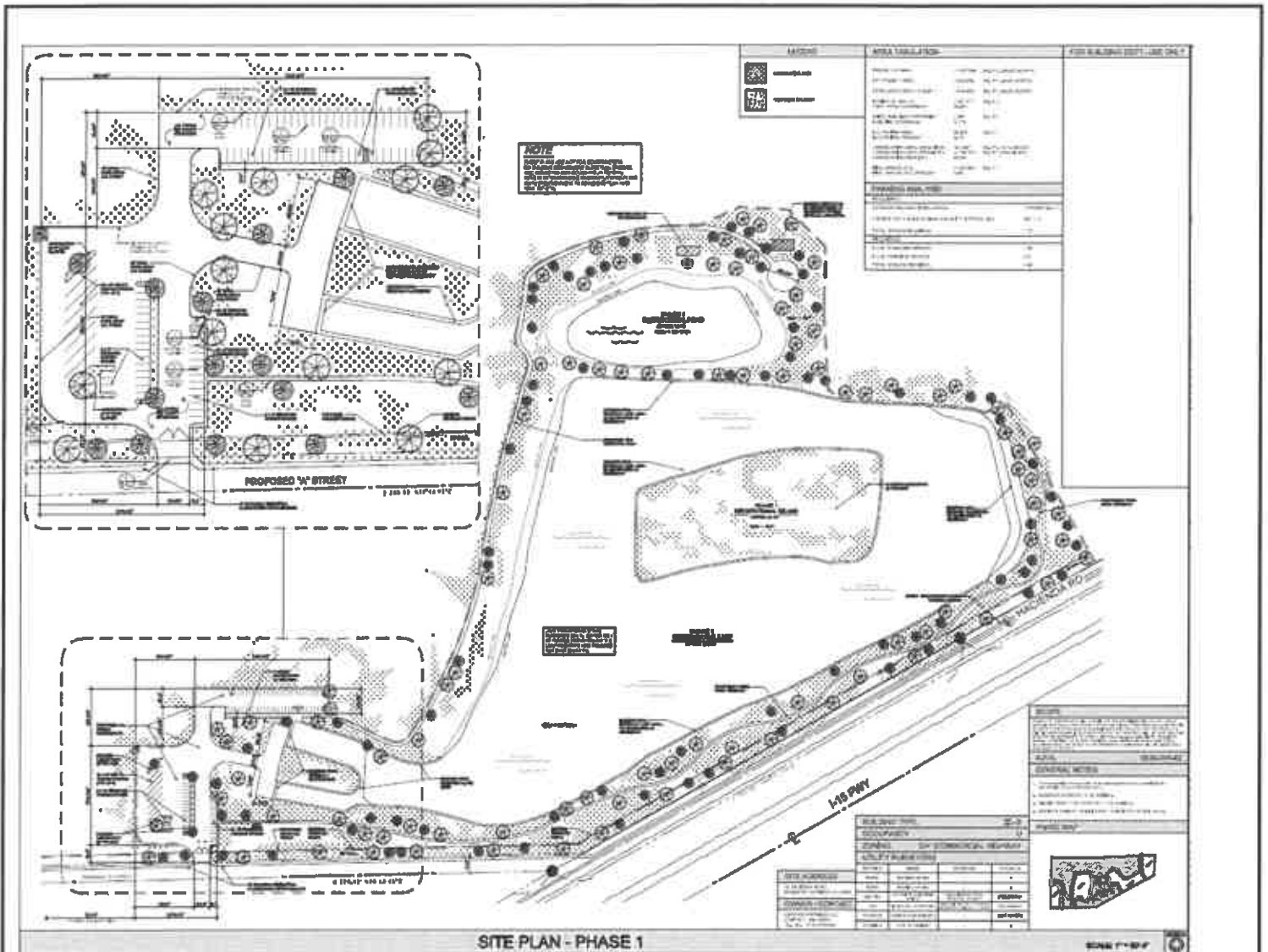


**Lake Dolores Waterpark**

**Project Location Map/Aerial Photo**

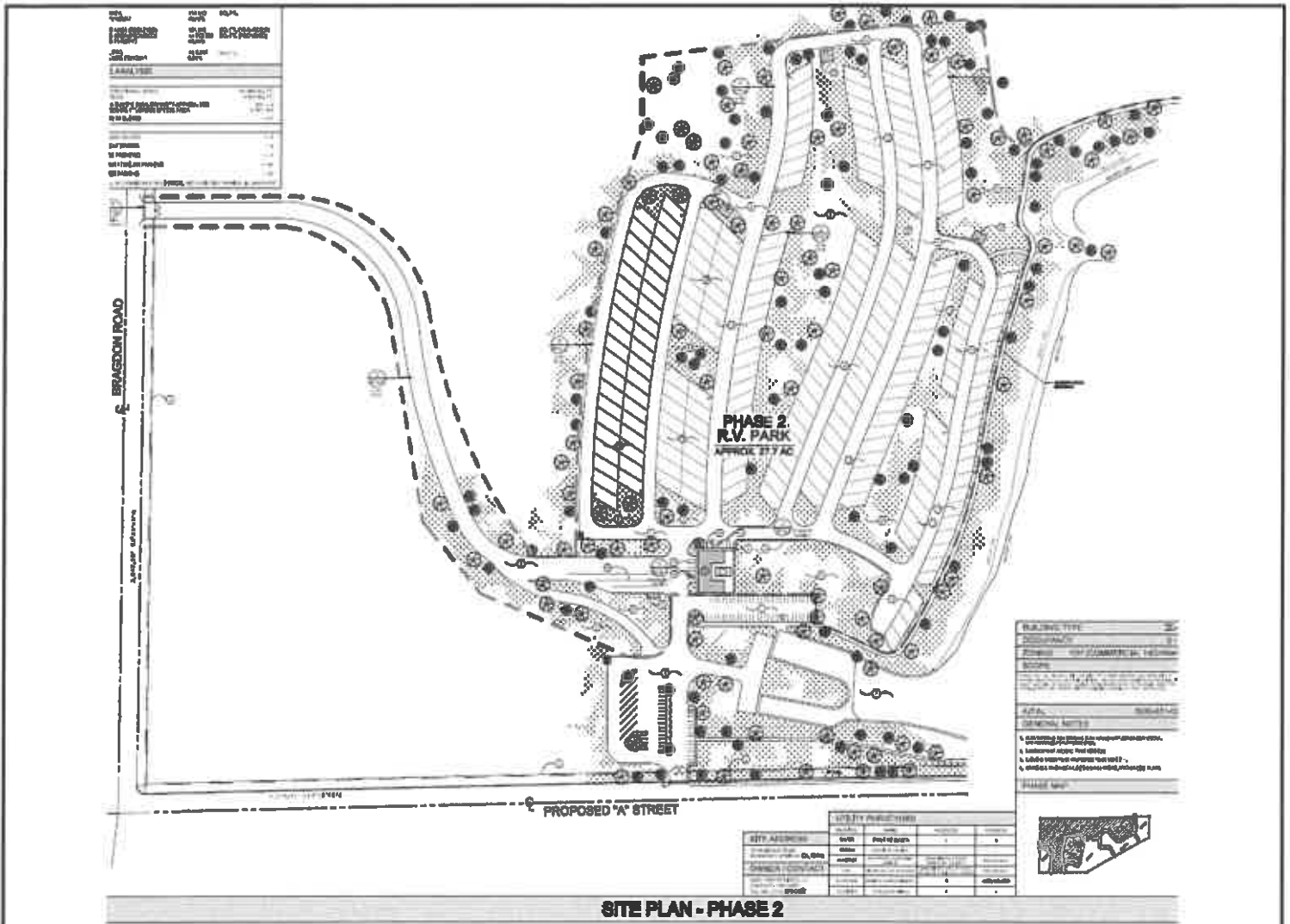
**Exhibit 2**





<p><b>Lake Dolores Waterpark</b></p>	<p><b>Phase 1 Site Plan  Lake and Pond</b></p>	<p><b>Exhibit 4</b></p>
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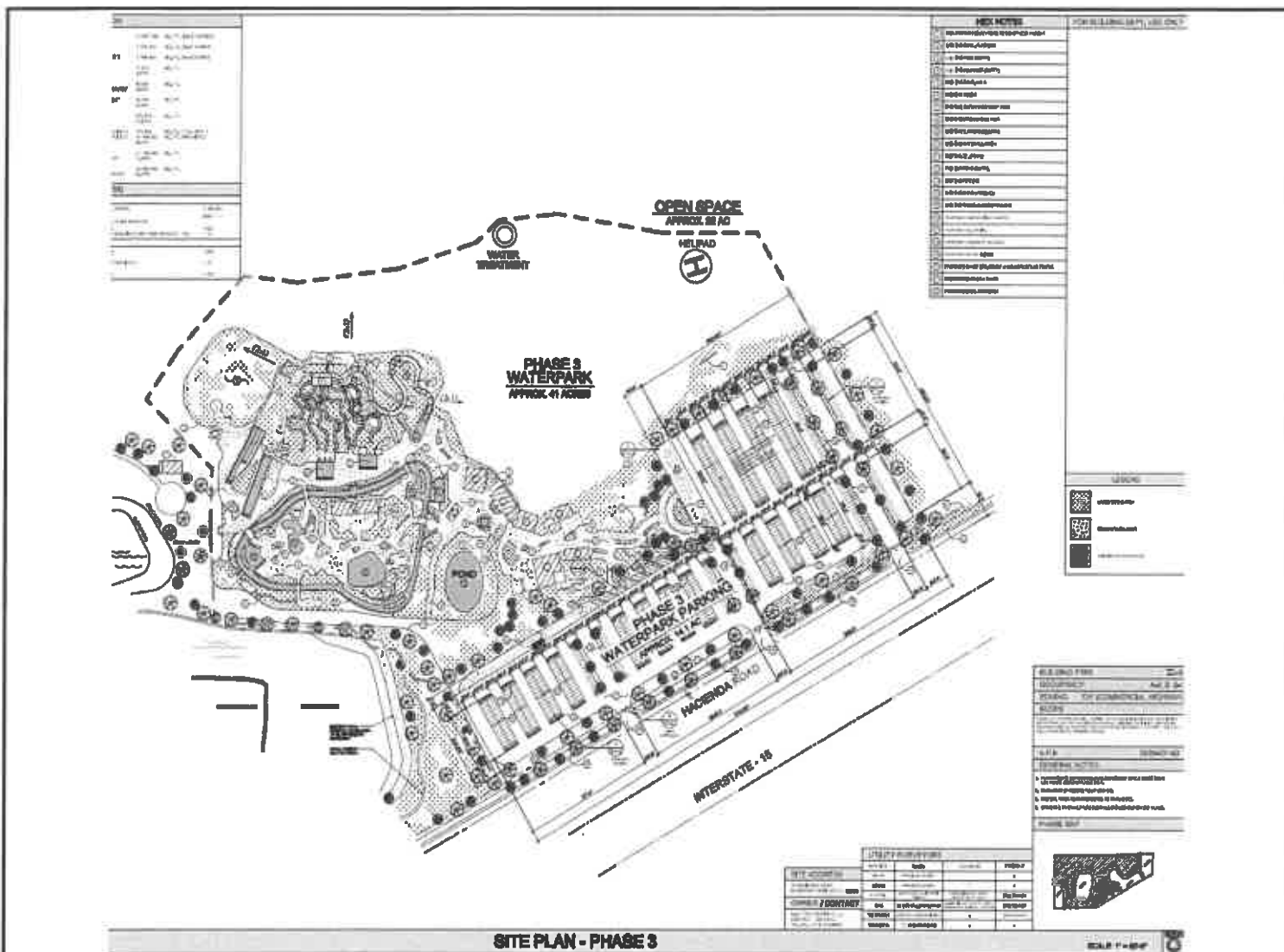




Lake Dolores Waterpark

Phase 2 Site Plan  
RV Park

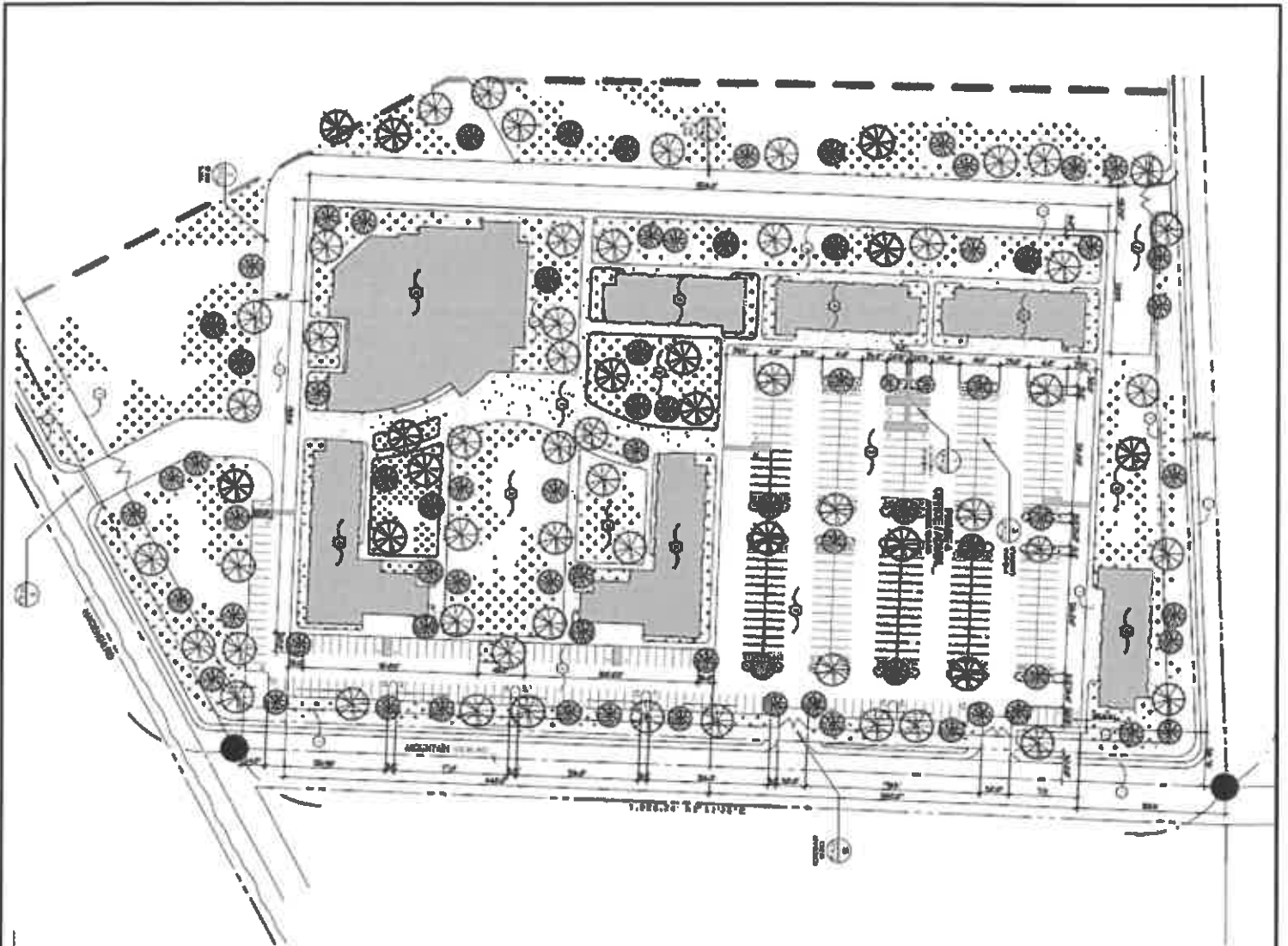
Exhibit 5



Lake Dolores Waterpark

Phase 3 Site Plan  
Water Park and Parking

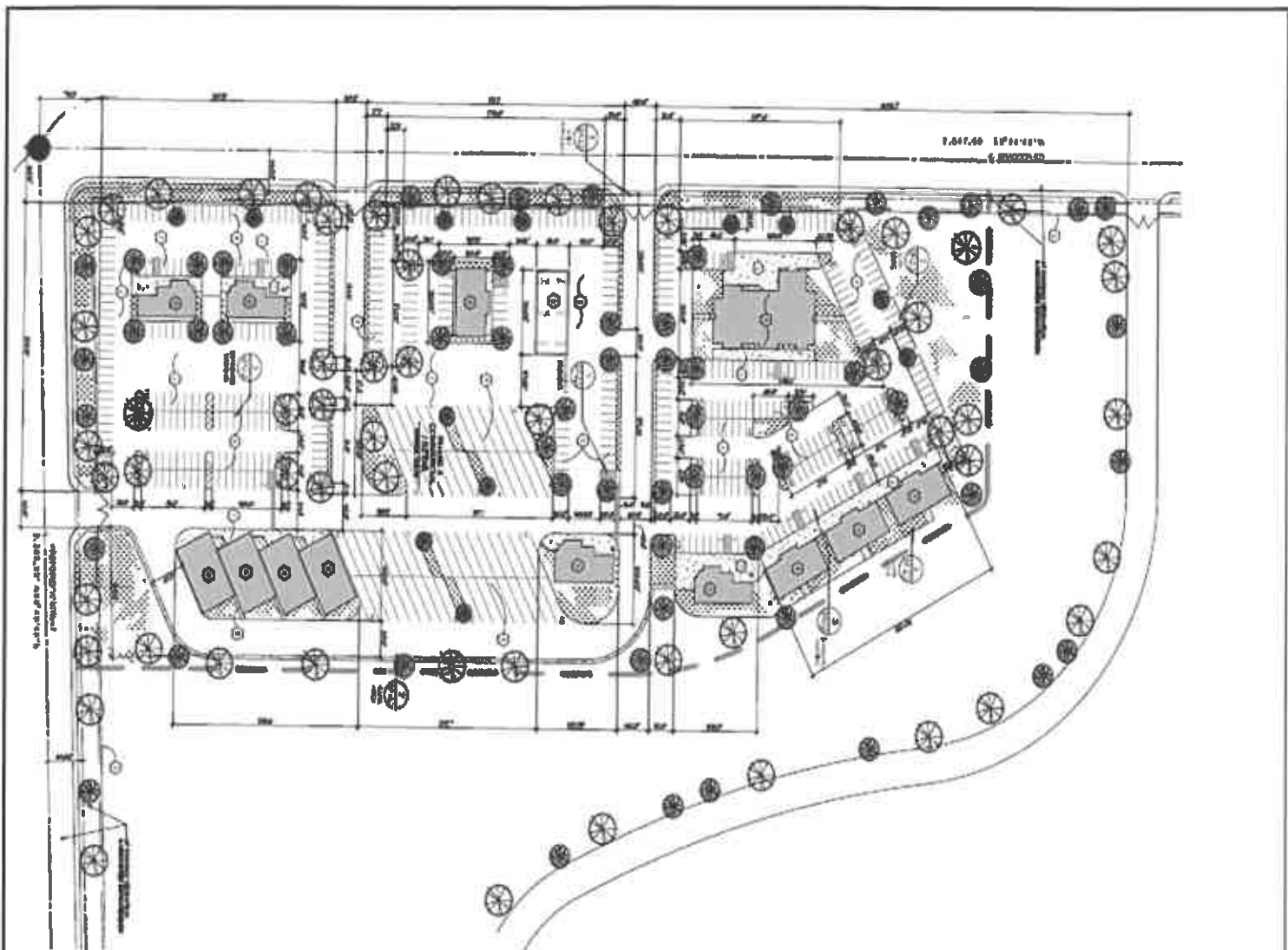
Exhibit 6



Lake Dolores Waterpark

Phase 4 Site Plan  
Office/Administrative

Exhibit 7



**Lake Dolores Waterpark**

**Phase 5 Site Plan  
Commercial Retail**

**Exhibit 8**

This Initial Study is prepared in compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of an Initial Study is guided by Section 15063 of the State CEQA Guidelines. This format of the study is presented as follows. The project is evaluated based upon its effect on seventeen (17) major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study Checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

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

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

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

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

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

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

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

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

Reuben Arceo, Planner:

Date

Dave Prusch, Planning Supervisor:

Date

*[Handwritten signatures and dates]*  
Date 8/21/19  
Date 8/21/2019

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

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

I a) **Less Than Significant Impact.** County of San Bernardino General Plan Open Space Element, Policy OS 5.1. states that a feature or vista can be considered scenic if it:

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

The Project site itself does not meet the criteria of a scenic vista because of its previous use as a waterpark that has since been abandoned. However, the mountain ranges in the vicinity of the Project site meet the criteria of a scenic vista pursuant to County of San Bernardino General Plan Open Space Element Policy OS 5.1. The proposed Project will rehabilitate the site and construct new structures that include recreational features, office buildings, and commercial buildings. Given the size of the site (260 acres), the new structures will be dispersed throughout the site and will be separated from each other by large expanses of land. As such, public views of the mountain ranges will not be impacted and the Project will have a less than significant impact on a scenic vista.

I b) **No Impact.** According to the California Department of Transportation, I-15 adjacent to the Project site is designated as "Eligible for Scenic Designation" but is not considered a State Scenic Highway absent an official designation as such. However, according to the County of San Bernardino General Plan, Interstate 15 from the junction with Interstate 215 northeast to the Nevada state line, with some exceptions, is considered to be a County Scenic Route. (General Plan p. VI -16). The Project site



does not contain any scenic resources, trees, rock outcroppings, or historic buildings. As such, the Project will not have an impact on such resources within a County Scenic Route.

- I c) **Less than Significant Impact.** According to the Census 2010 Urbanized Area Outline Maps, the project site is not located within an Urbanized Area. In 1962, Lake Dolores Waterpark was constructed which significantly altered the visual character of the site. The waterpark closed down in the late eighties and over the next ten years no commercial activities occurred on the site. In 1998, the site was converted to the Rock-A-Hoola Waterpark facility under new ownership, but closed down again soon after. The site was re-open briefly and operated from 2002 to 2004; however, the site was closed in 2004 and has remained closed over the last thirteen years. A significant amount of vandalism and decay has occurred since the park was closed in 2004, which has resulted in significant impacts throughout the site. The visual character of the site has been highly disturbed by past development activities. The site is surrounded by vacant land with Interstate 15 immediately south of the site, with a few residential dwellings to the north and east. Reestablishment of the waterpark and the addition of office and commercial buildings will change the visual character from that of an abandoned waterpark to a developed site that meets the County's development and design standards which will improve the visual character of the site. Therefore, a less than significant impact is anticipated.
- I d) **Less Than Significant Impact.** The Project would increase the amount of light in the area above what is being generated by the vacant site by directly adding new sources of illumination including security and decorative lighting for the proposed buildings and structures. All outdoor lighting shall be designed and installed to comply with California Green Building Standard Code Section 5.106 or with a local ordinance lawfully enacted pursuant to California Green Building Standard Code Section 101.7, whichever is more stringent. As such, impacts are less than significant.

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

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

- II a) **No Impact.** The site does not contain any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as mapped by the State Department of Conservation Farmland Mapping and Monitoring Program. As such, the Project has no potential to convert such lands to a non-agricultural use and no impact would occur.
- II b) **No Impact.** Generally, a conflict with existing zoning for agriculture use would occur if a project would intrude into agricultural areas and create conflicts between agriculture uses and non-agriculture uses. The Project site is zoned RL (Rural Living). A General Plan and Zoning Map amendment to Highway Commercial (CH) is proposed. The proposed CH land use zoning district allows the proposed uses on the Project site with approval of a conditional use permit. There are no agricultural uses on the Project site or in the vicinity of the Project site.

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

- II c **No Impact.** The Project site is currently zoned RL (Rural Living). A General Plan and Zoning Map amendment to Highway Commercial (CH) is proposed. The Project site does not contain any forest lands, timberland, or timberland zoned as Timberland Production, nor are any forest lands or timberlands located on or nearby the Project site. Because no lands on the Project site are zoned for forestland or timberland, the Project has no potential to impact such zoning.
- II d **No Impact.** The Project site and surrounding properties do not contain forest lands, are not zoned for forest lands, nor are they identified as containing forest resources by the General Plan. Because forest land is not present on the Project site or in the immediate vicinity of the Project site, the proposed Project has no potential to result in the loss of forest land or the conversion of forest land to non-forest use.
- II e) **No Impact.** The Project site is approximately 260 gross acres in size and is located in an area largely characterized as vacant desert land with sparse development in the vicinity. Vacant desert land and two (2) single-family dwellings surround the site to the north, east, and west. Hacienda Road and I-15 are located to the south of the site. There is no land is being used for agricultural purposes in the vicinity of the site. As such, the Project would not result in conversion of Farmland to non-agricultural use and no impacts would occur.

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

The following is based in part on the *Dolores Lake Park, Air Quality and Global Climate Change Impact Analysis*, Kunzman Associates, Inc., August 21, 2017, (Appendix A).

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

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

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

The Project is proposing a General Plan and Zoning Map amendment from RL (Rural Living) to Highway Commercial (CH). However, based on Table 8 below, Project-generated emissions

generated will not exceed emission thresholds. Therefore, the Project's emissions are in compliance with the thresholds established by the District. The Project would not significantly increase local air emissions with implementation of Mitigation Measure AQ-1 below and therefore would not conflict with or obstruct implementation of the Attainment Plans. Therefore, no impact with mitigation is anticipated.

III b)

**Less than Significant Impact With Mitigation Incorporated.** The Project is located in a region that has been identified as being in Non-Attainment for Ozone and PM<sub>10</sub> (State) according to the California Air Resources Board Area Designation Maps. This means that the background concentration of these pollutants have historically been over the Federal and/or State Ambient Air Quality Standards. With respect to air quality, no individual project would by itself result in Non-Attainment of the Federal or State Ambient Air Quality Standards. However, a project's air pollution emissions although individually limited, may be cumulatively considerable when taken in combination with past, present, and future development projects. In order to be considered significant, a project's air pollutant emissions must exceed the emission thresholds established by the regional Air Quality Management District.

The Project has the potential to generate pollutant concentrations during both construction activities and long-term operation. The following provides an analysis based on the applicable regional significance thresholds established by the Mojave Desert Air Quality Management District in order to meet national and state air quality standards which are shown in Table 8 below.

**Table 8. Mojave Desert Air Quality Management District Air Quality Regional Significance Thresholds**

Pollutant	Annual Threshold (tons)	Daily Threshold (pounds)
VOC	25	137
NO <sub>x</sub>	25	137
CO	100	548
SO <sub>x</sub>	25	137
PM <sub>10</sub>	15	82
PM <sub>2.5</sub>	15	82

*Source: Mojave Desert Air Quality Management District CEQA Air Quality Significance Thresholds (2016)*

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

**Construction Related Impacts**

The construction-related criteria pollutant emissions for each phase are shown in Tables 8 through 14 in the *Dolores Lake Park, Air Quality and Global Climate Change Impact Analysis*, Kunzman Associates, Inc., August 21, 2017, (Appendix A of this Initial Study). In no case, do any of the

construction activities by phase exceed the MDAQMD significance thresholds. As such, no mitigation measures are required and impacts are less than significant.

However, when construction phases overlap (i.e. Phases 1 & 2 Plus Phase 3 Activity), NOx emissions exceed MDAQMD significance thresholds as shown in Table 9 below.

**Table 9. Construction-Related Regional Pollutant Emissions for Overlapping Phases**

Phase 1 & 2 Plus Phase 3 Activity	Pollutant Emissions (pounds/day)					
	VOC	NOx	CO	SO2	PM10	PM2.5
Grading of Phase 3	5.23	59.63	36.36	0.06	5.35	3.79
Overlapping Building Construction, Paving, and Architectural Coating of Phase 1 & 2	100.73	123.86	175.15	0.44	29.31	10.27
<b>Total</b>	<b>105.96</b>	<b>183.49</b>	<b>211.51</b>	<b>0.51</b>	<b>34.66</b>	<b>14.07</b>
<b>MDAQMD Thresholds</b>	<b>137</b>	<b>137</b>	<b>548</b>	<b>137</b>	<b>82</b>	<b>82</b>
<b>Exceeds Thresholds?</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

*Source: Table 15, Dolores Lake Park, Air Quality and Global Climate Change Impact Analysis, Kunzman Associates, Inc., August 21, 2017, (Appendix A of this Initial Study).*

In order to reduce impacts, the following mitigation measure is required:

**Mitigation Measure AQ-1- Tier 4 Equipment.** Prior to the issuance of a grading permit or building permit for any phase, the following note shall be included on grading plans and building plans.

***"The project applicant shall ensure that the construction contractor use construction equipment that have Tier 4 Final engines during construction of Phases 1, 2, and 3."***

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

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

**Long-Term Regional Operation Related Impacts**

The on-going operation of the proposed project would result in a long-term increase in air quality emissions. This increase would be due to emissions from the project-generated vehicle trips and through operational emissions from the on-going use of the proposed project. The following section provides an analysis of potential long-term air quality impacts due to: regional air quality impacts with the on-going operations of the proposed Project.

The air quality impacts created by vehicle trips associated with the proposed project have been analyzed by using the trip generation provided in the project-specific traffic impact analysis (TIA) conducted by Fehr and Peers. Per the TIA, Park uses generate 4.56 trips/acres weekdays and 5.61 trips/acre weekends, general office building uses generate 11 trips/TSF weekdays and 2.46 trips/TSF on weekends, shopping center uses generate 42.71 trips/TSF weekdays and 49.99 trips/TSF on weekends; the waterslide park will generate 2,073 trips weekdays and 2,657 trips on weekends, which converts to 40 trips/TSF weekdays and 48.7 trips/TSF on weekends. The general office building uses and shopping center uses trip generation rates given in the TIA also match the CalEEMod default trip generation rates for these particular land uses. CalEEMod defaults were used for mobile home park

(RV Park) trip generation park as daily trips were not provided for the RV park in the TIA (Appendix A)..

The annual VOC, NOx, CO, SOx, PM10, and PM2.5 emissions created from the proposed project's long-term operations have been calculated for all phases and are summarized below in Table 10. Table 10 also includes the total emissions for Phases 1 through 5 together. The data provided in Table 17 shows that for the on-going operations activities for each individual phase of the proposed project, none of the operational criteria pollutant emissions would exceed the MDAQMD annual thresholds of significance discussed above in Section V. Furthermore, when all of the phases are totaled together, the project still does not exceed the MDAQMD annual thresholds of significance. Therefore, operation of the proposed Project would not create a significant regional impact from operational emissions.

**Table 10. Operational Regional Pollutant Emissions**

Phase 1 & 2 Activity	Pollutant Emissions (tons/year)					
	VOC	NOx	CO	SO2	PM10	PM2.5
Area Sources	1.74	0.02	1.68	0.00	0.01	0.01
Energy Usage	0.04	0.30	0.13	0.00	0.02	0.02
Mobile Sources	0.62	4.41	9.88	0.33	1.82	0.50
<b>Total Emissions</b>	<b>2.40</b>	<b>4.73</b>	<b>9.88</b>	<b>0.03</b>	<b>1.82</b>	<b>0.53</b>
<b>MDAQMD Annual Thresholds</b>	<b>25</b>	<b>25</b>	<b>100</b>	<b>25</b>	<b>15</b>	<b>15</b>
<b>Exceeds Thresholds?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<b>Phase 3 Activity</b>						
Area Sources	0.34	0.00	0.01	0.00	0.00	0.00
Energy Usage	0.00	0.00	0.00	0.00	0.00	0.00
Mobile Sources	0.82	5.68	8.61	0.03	1.87	0.52
<b>Total Emissions</b>	<b>1.16</b>	<b>5.68</b>	<b>8.61</b>	<b>0.03</b>	<b>1.87</b>	<b>0.52</b>
<b>MDAQMD Annual Thresholds</b>	<b>25</b>	<b>25</b>	<b>100</b>	<b>25</b>	<b>15</b>	<b>15</b>
<b>Exceeds Thresholds?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<b>Phase 4 Activity</b>						
Area Sources	0.26	0.00	0.01	0.00	0.00	0.00
Energy Usage	0.00	0.00	0.00	0.00	0.00	0.00
Mobile Sources	0.54	3.92	8.60	0.02	0.86	0.36
<b>Total Emissions</b>	<b>0.80</b>	<b>3.93</b>	<b>5.29</b>	<b>0.02</b>	<b>1.32</b>	<b>0.36</b>
<b>MDAQMD Annual Thresholds</b>	<b>25</b>	<b>25</b>	<b>100</b>	<b>25</b>	<b>15</b>	<b>15</b>
<b>Exceeds Thresholds?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<b>Phase 5 Activity</b>						
Area Sources	0.53	0.00	0.00	0.00	0.00	0.00
Energy Usage	0.00	0.02	0.01	0.00	0.00	0.00
Mobile Sources	0.25	1.88	2.84	0.01	0.86	0.24
<b>Total Emissions</b>	<b>0.78</b>	<b>1.89</b>	<b>2.86</b>	<b>0.01</b>	<b>0.87</b>	<b>0.24</b>
<b>MDAQMD Annual Thresholds</b>	<b>25</b>	<b>25</b>	<b>100</b>	<b>25</b>	<b>15</b>	<b>15</b>
<b>Exceeds Thresholds?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<b>Total for Phases 1 through 5</b>						
<b>MDAQMD Annual Thresholds</b>	<b>5.14</b>	<b>16.24</b>	<b>26.65</b>	<b>0.09</b>	<b>5.87</b>	<b>1.65</b>
<b>Exceeds Thresholds?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Table 15, Dolores Lake Park, Air Quality and Global Climate Change Impact Analysis, Kunzman Associates, Inc. August 21, 2017. (Appendix A of this Initial Study).

**Summary**

Construction and operation of cumulative projects will further degrade the air quality of the Mojave Desert Air Basin. The greatest cumulative impact on the quality of regional air cell will be the incremental addition of pollutants mainly from increased traffic from residential, commercial, and industrial development and the use of heavy equipment and trucks associated with the construction

of these projects. Air quality will be temporarily degraded during construction activities that occur separately or simultaneously. However, in accordance with the MDAQMD methodology, projects that do not exceed the MDAQMD criteria or can be mitigated to less than criteria levels are not significant and do not add to the overall cumulative impact. With respect to long-term emissions, this project would create a less than significant cumulative impact with implementation of Mitigation Measure AQ-1.

- III c) **Less Than Significant Impact.** For the purposes of a CEQA analysis, the MDAQMD considers a sensitive receptor to be a receptor such as a residence, school, daycare center, playgrounds, and medical facilities where children are present or that it is possible that an individual could remain at the location for 24 hours. Commercial and industrial facilities are not included in the definition of sensitive receptor because employees do not typically remain on-site for a full 24 hours, but are present for shorter periods of time, such as eight hours. Currently, the area is mostly rural, the nearest sensitive receptors to the Project site are a single-family detached residential dwelling unit located along the northern boundary of the Project site (along Cherokee Road) and a single-family detached residential dwelling unit located along the eastern boundary of the Project site (across Mountain View Road). Additional single-family detached residential dwelling units are located approximately 0.44 miles east of the Project site. The majority of the area surrounding the project site is vacant land.

The MDAQMD recommends avoiding siting new sensitive land uses such as residences, schools, daycare centers, playgrounds, or medical facilities within 1,000 feet of a major transportation project (50,000 or more vehicles per day). The proposed Project involves the construction of a waterpark, RV park, recreational lake/pond, commercial/retail uses, and office/administrative uses in close proximity to the I-15 Freeway. According to the latest traffic volume data from the California Department of Transportation, the portion of the I-15 Freeway that runs southeast of the Project site has a current annual average daily trips (AADT) of 42,000 vehicles. Because the I-15 Freeway volume is less than 50,000 vehicles per day, impacts to future visitors of the waterpark, RV park, and other recreational facilities are considered to be less than significant and a health risk assessment is not required. Therefore, as the I-15 Freeway volume is less than 50,000 vehicles per day, a project-specific health risk assessment is not required or warranted. Impacts to future on-site sensitive receptors are considered to be less than significant.

- III d) **Less Than Significant Impact.** Potential sources that may emit odors during the on-going operations of the proposed Project would include odor emissions from diesel truck emissions and trash storage areas. As the project is that of recreational uses (RV park, waterpark, and lake/pond), office/administrative uses, and commercial/retail uses, no significant impact related to odors would occur during the on-going operations of the proposed Project.



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

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

The following is based in part on the *General Biological Resources Assessment, Dolores Lake Project*, RCA Associates, Inc., March, 2017 (Appendix B) and *Burrowing Owl Survey, Dolores Lake Project*, RCA Associates, Inc., August 15, 2017 (Appendix C)

IV a) **Less Than Significant Impact With Mitigation Incorporated.**

The property is approximately 260-acres in size and is located between Mountain View Road and Bragdon Road, just north of Hacienda Road in the City of Newberry Springs, California (T10N, R3E,

Sections 17 & 20, USGS Harvard Hill, California quadrangle) (Figures 1 and 2). The property has been significantly altered by past development activities associated with the existing waterpark facilities and most of the site supports minimal vegetation. Some areas that have been minimal impacted currently support a sparse creosote bush (*Larrea tridentata*) plant community.

### Plant Species

The dominant perennials on the site consists of creosote bush (*Larrea tridentata*), saltbush (*Atriplex californica*), mesquite (*Prosopis glandulosa*), and tamarisk (*Tamarix ramosissima*). Other plants sparsely distributed throughout the site included California buckwheat (*Eriogonum fasciculatum*), brome grass (*Bromus sp.*), Russian thistle (*Salsola kali*) and schismus (*Schismus sp.*). Common reeds (*Phragmites australis*) and cattails (*Typha latifolia*) were also noted around the edges of the ponds. A small windbreak, consisting of pines (*Pinus sp.*), mesquite, and tamarisk, is located in the central portion of the site.

**Parish's Phacelia:** Parish's phacelia is associated with Mojavean desert scrub and alkali playa habitats. The species was documented in 1992 about 3.7-miles southwest of the site (Occurrence #5, Harvard Hill Quad., California Quad., CNDDDB, 2017) recorded in 1992. The site does not support suitable habitat for this plant species due to past disturbances and development activities.

**Jackass-Clover:** The Jackass-clover is typically found in desert scrub communities, and in desert washes and desert dunes. The species was observed in 2004 about 3.9-miles northwest of the site (Occurrence #5, Harvard Hill Quad., California quad., CNDDDB, 2017). Based on the existing conditions presence throughout the site, the species is not expected to occur on the property.

Based on the above analysis, no plant species listed as "threatened", "endangered", "special species", or "species of concern" by the Federal government or State of California are located on the site.

### Wildlife Species

The site supports a variety of wildlife species with jackrabbits (*Lepus californicus*) and desert cottontails (*Sylvilagus auduboni*) common on the property and frequently observed during the field investigations. Reptile observations were somewhat limited with western whiptails (*Cnemidophorus tigris*) and side-blotched lizards (*Uta stansburiana*) the only species observed. Birds observed in association with the ponds included mallards (*Anas platyrhynchos*) and American coot (*Fulica Americana*); however, numerous other aquatic birds and shorebirds are likely to utilize the ponds, especially during fall and spring migration periods. Other bird species observed during the field investigations included mourning dove (*Zenaidura macroura*), western kingbird (*Tyrannus verticalis*), western bluebird (*Sialia Mexicana*), pigeon (*Columba livia domestica*), and common raven (*Corvus corax*).

**Burrowing Owl:** The site was initially evaluated in January and February 2017 for the presence of suitable habitat for the species. Owls utilize a variety of natural and modified habitats for nesting and foraging where the vegetation is low-growing. Typical habitats for the species includes native and non-native grasslands, interstitial grassland within shrub lands, shrubs lands with low density cover, drainage ditches, earthen berms, pasture lands, and fallow fields (CDFW, 1992). Burrowing owls typically utilize abandoned fossorial burrows which have been excavated by various mammals such as coyotes, foxes, ground squirrels, badgers, and dogs. Owls may also use man-made

structures such as electrical vaults, cement culverts, man-made structures, and large debris piles. The existing waterpark has numerous man-made structures which are suitable for use by burrowing owls. As such, a Focused Burrowing Owl survey was conducted as per the requirements of the California Department of Fish and Wildlife (CDFW) survey protocol (march, 2012). The results of the survey found that no burrowing owls or owl signs were observed during the nesting season surveys conducted on the Project site. Based on the results of the field surveys, the property does not currently support any population of burrowing owls and there is a low probability of the species inhabiting the site in the future. However, given that burrowing owls could possibly occupy the site in the future, the following mitigation measure is required:

**Mitigation Measure -BIO-1: Pre-Construction Burrowing Owl Survey.** Prior to the issuance of a grading permit for any phase, the following note shall be included on grading plans:

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

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

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

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

**Desert Tortoise:** Desert tortoises have been documented in the region; although, no tortoises have been recently documented in the immediate area. The nearest documented sighting is about 4.6-miles west of the site (Occurrence #216, Yermo Quad., California Quad., CNDDDB, 2017). A site habitat assessment was performed in January to determine if the site supports suitable habitat for the desert tortoise, and it is the opinion of RCA Associates, Inc. that the site does not support suitable habitat for the species. This conclusion is due in large part to disturbances which have occurred throughout the site since the initial water park was constructed in 1962. Virtually all of the native vegetation which may have been present on the site in 1962 was removed during construction activities and only a minimal amount of re-vegetation has occurred. Furthermore, no tortoises or any potential tortoise burrows or tortoise sign (scats, etc.) were noted during the field investigations conducted on the site in January and February 2017.

Although no desert tortoise were observed on the Project site, the following mitigation measure is recommended to ensure compliance with the requirements of the County of San Bernardino General Plan.

**Mitigation Measure -BIO-2: Desert Tortoise.** Prior to the issuance of a grading permit for any phase, the following note shall be included on grading plans:

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

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

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

**Mohave Tui Chub:** The Mohave tui chub populations have been documented in the area with the nearest population about 7.7-miles southwest of the property (Occurrence #17, USGS Harvard Hill Quad., California Quad., CNDDDB, 2017). This population was recorded in 2005. Habitats associated with this species include deep ponds with vegetation; however, the existing ponds on the site have never been connected to any ponds with Mohave tui chub populations; consequently, none of the ponds on the property are expected to support populations of the Mohave tui chub.

**Mohave Ground Squirrel:** Mohave ground squirrel populations have been documented in the region and the nearest observation was recorded in 2006 about 9.5 miles northwest of the property (CNDDDB, 2017). This species is dependent upon undisturbed Mojave desert scrub, Joshua tree woodlands, and chenopod scrub communities. As previously noted, the site has been disturbed over several decades and currently supports very minimal vegetation. Consequently, no portions of the site have vegetation which would be conducive to supporting populations of the Mohave ground squirrel. Based on its behavior, the species is infrequently observed above ground except during a small window in the spring, but it should be noted that no Mohave ground squirrels were visually observed during the field investigations. It is the opinion of RCA Associates, Inc. that the site does not support populations and this assumption is based on the following criteria:

1. Site has been significantly disturbed over a time period of about 50 years and there is limited native vegetation present on the site.
2. Limited connectivity with suitable habitat in the surrounding area;
3. Absence of small mammal burrows which may be utilized by the species; and
4. No recent documented observations in the immediate area.

**Western Pond Turtle:** Western pond turtle populations have been documented in the area with the nearest observations was seen in 2005 and is about 3.9-miles southwest of the site (Occurrence #454, USGS Coyote Lake Quad., California quad., CNDDDB, 2017). Although suitable habitat is

present on the site in the form of the various ponds, it is unlikely the on-site ponds support any populations of western pond turtles. None of the ponds have ever been connected to any ponds which support populations of the species, not are any of these occupiable ponds near enough to the site to allow migration of turtles on to the site. The only way the western pond turtle could be present on the site is if it was introduced by humans; however, no turtles were observed during the field investigations.

**Vermillion Flycatcher:** Vermillion flycatcher populations have been documented in the region including a 2005 observation about 4.1-miles southwest of the property (Occurrence #7, Harvard Hill Quad., California quad., CNDDDB, 2017). Vermillion flycatchers are typically found in association with marshes, riparian woodland areas, and ponds, and there is a possibility that the species could infrequently occur on the site. However, no vermilion flycatchers were observed during the field surveys conducted as part of the biological investigations for the Project.

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

- IV b-c) **No Impact.** No sensitive habitats such as blue-line channels, vernal pools, or critical habitats for sensitive species were noted during the field investigations. As such, the Project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service or have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- IV d) **No Impact.** Based on the *General Biological Resources Assessment*, the project will not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites as none exist on the site.
- IV e) **No Impact:** The San Bernardino County Native Plant Protection Plan (1989) provides protection for all trees greater than 6 inches diameter at breast height (dbh), smoke trees, mesquite, creosote rings, and all plants in the agave family, including Joshua trees. Based on the *General Biological Resources Assessment*, the Project site does not have any trees or protected native plants. As such, the Project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance
- IV f) **No Impact.** The Project site is located within the planning area of the *West Mojave California Desert Conservation Area Plan Amendment*. The *West Mojave California Desert Conservation Area Plan Amendment* was adopted by the Bureau of Land Management in 2006. The Record-of-Decision applies only to 3.3 million acres of BLM-managed lands. To date no approvals have been issued for the Habitat Conservation Plan component by the U.S. Fish and Wildlife Service or the California Department of Fish and Wildlife. All land within the Project site is located on private property outside of the Bureau of Land Management; therefore the *West Mojave California Desert Conservation Area Plan* does not apply. Additionally, the Project site is located within the boundaries of the *Desert Renewable Energy Conservation Plan*. Phase I of the *Desert Renewable Energy Conservation Plan* was approved on September 14, 2016 and applies to Bureau of Land Management land only. Phase II which would apply to non-federal land is an on-going process and no implementing agreements have been issued. All land within Project site is located on private property outside of the Bureau

of Land Management land; therefore the *Desert Renewable Energy Conservation Plan* does not apply.

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

**SUBSTANTIATION**

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

The following is based in part on the *Cultural Resources (Phase I), Dolores Lake Project*, RCA Associates, Inc., April, 2017 (Appendix D).

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

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

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

Based on the *Phase I Cultural Resources Investigation* (Appendix D) prepared for the Project, the Project site has been heavily disturbed and there were no findings of cultural resources, including historic structures. As such, there will be no impact with respect to surface historical resources as a result of the Project and no mitigation measures are required.

Vb) **No Impact:** Archaeological sites are locations that contain resources associated with former human activities, and may contain such resources as human skeletal remains, waste from tool manufacture, tool concentrations, and/or discoloration or accumulation of soil or food remains.

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As noted under Issue Va) above, based on the *Phase I Cultural Resources Investigation* (Appendix D) prepared for the Project, the Project site has been heavily disturbed and there were no findings of cultural resources, including prehistoric or historic archaeological sites within the Project boundaries. As such, there will be no impact with respect to archaeological resources as a result of the Project and no mitigation measures are required.

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- Vc) **Less Than Significant Impact.** The Project site does not contain a cemetery and no known formal cemeteries are located within the immediate site vicinity. In the event that human remains are discovered during Project grading or other ground disturbing activities, the Project would be required to comply with the applicable mandatory provisions of California Health and Safety Code §7050.5 as well as Public Resources Code §5097 et. seq. California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner.

If the Coroner determines the remains to be Native American, the California Native American Heritage Commission (NAHC) must be contacted and the NAHC must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

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ISSUES	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorp.	Less than Significant Impact	No Impact
<b>VI. ENERGY - Would the project</b>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION**

Via) **Less Than Significant Impact.**

*Short-Term Construction Impacts*

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

Table 11 below shows the estimated energy consumption for Project construction.

**Table 11. Energy Consumption Estimate for Project Construction.**

Constructi on Phase	Number of Constructi on Days	Average Worker and Vendor Trips Per Day	Horse Power Hours per Construction Phase	Construction Equipment		Worker and Vendor Trips
				Energy Use (1)	Gas & Fuel Use (2)	Gas & Fuel Use (3)
Grading	25	20	2,357		127.41	.313.78
Building Const., Paving, Architectural Coating.	278	2288	12,770		690.27	257,407.44
			<b>TOTALS</b>	<b>21.44 kWh</b>	<b>2,335.4 Gal.</b>	<b>257,721.22 Gal.</b>

1: Calculation is based on an average construction energy cost of \$2.28 per month of energy use per 1,000 square feet of building space (8,660 s.f.) over the total duration of construction (13 months), at the rate of 8 cents per kilowatt hour (kWh).

2: Calculation is based on expected horsepower (HP) hours and an average factor of 1 gallon of fuel per 18.5 horsepower-hour.

3: Calculation is based on number of expected worker and vendor trips per day, multiplied by an average trip length of 16.8 miles workers and 6.60 miles for vendors based on the average fuel economy of a light duty automobile of 26.77 miles per gallon.

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

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

#### *Long-Term Operational Impacts*

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

#### *Electricity*

The Project site is located within the service area of Southern California Edison (SCE). The overall Project would create a net increase in electricity demand of approximately 2,225,891 kWh per year. This net increase is well within SCE's system wide net increase in electricity supplies of approximately 15,273 GWh annually over the 2012-2024 period (CEC, Electricity Consumption by County, 2017). Therefore, there are sufficient planned electricity supplies in the region for the estimated net increase in electricity demands, and buildout under the proposed Project would not require expanded electricity supplies.

#### *Natural Gas*

The Project site is located within the service area of Southwest Gas. Southern California Gas (SoCal Gas) provides natural gas to Southwest Gas. SoCal Gas receives gas supplies from several sedimentary basins in the western United States and Canada including supply basins located in New Mexico (San Juan Basin), West Texas (Permian Basin), Rocky Mountains, Western Canada, and local California supplies. Gas supply available to SoCalGas (including SDG&E) from California sources averaged 323 MMcf/day in 2017. The Project would create a net increase in natural gas demand of approximately 364,664,610 kBtu per year. The Project's demand is minimal based on the available supply.

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

#### *Conclusion*

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

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

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- Vib) **Less Than Significant Impact With Mitigation Incorporated:** The County of San Bernardino General Plan Renewable Energy and Conservation Element RE Policy 1.1 states: "*Continue implementing the energy conservation and efficiency measures identified in the County of San Bernardino Greenhouse Gas Emissions Reduction Plan. The County's Greenhouse Gas Emissions Reduction Plan is considered a "local plan" for renewable energy or energy efficiency.*" As noted in the analysis for Issue VIIIa-b, *Greenhouse Gas Emissions*, Mitigation Measures GHG-1 through GHG-6 will be included as Conditions of Approval for the Project. As such, the Project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency
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ISSUES	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorp.	Less than Significant Impact	No Impact
<b>VII. GEOLOGY AND SOILS - Would the project:</b>				
VIIa) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VIIb) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VIIc) 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"/>
VIIId) Be located on expansive soil, as defined in Table 181B of the California Building Code (2001) creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VIIe) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VIIIf) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION**

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

The following is based in part on the *Geotechnical/Geologic Evaluation for CEQA Study, Dolores Lake Project*, CHG Consultants, March 2, 2017 (Appendix E).

VII a) ai) **No Impact.** The site does not lie within or immediately adjacent to an Alquist Priolo Earthquake Fault Zone (APZ) designated by the State of California to include traces of suspected active faulting. The closest APZs are designated for the Calico-Hidalgo fault zone and Newberry fracture zone, located approximately 4.2 miles southwest and southeast of the site, respectively. According to the

County of San Bernardino General Plan (Hazard Overlay Map – Harvard Hill), the site is not located in a County-designated Earthquake Fault Zone. Because there are no faults located on the Project site, there is no potential for the Project to expose people or structures to adverse effects related to ground rupture.

aii) **Less Than Significant Impact.** Seismic ground shaking is influenced by the proximity of the site to an earthquake fault, the intensity of the seismic event, and the underlying soil composition.

The Manix fault is a north-dipping, left-lateral, strike-slip fault consisting of three segments that together extend approximately 22 miles from the Yermo area to Afton Canyon. The western segment of the Manix fault is located 0.2 mile west of the site and projects toward the site. Historic rupture of the central segment of the Manix fault, located approximately 6 miles east of the site, was observed after the 1947 magnitude 6.4 Manix earthquake. The Manix fault is considered Holocene active for planning purposes.

The Dolores Lake fault is an inferred (concealed) fault extending from Harvard Hill to a point approximately 3-1/2 miles north of the site and is considered potentially active.

The Eastern California Shear Zone (ECSZ) is a zone of surface tectonism that includes a system of predominantly northwest-trending strike-slip faults traversing the Mojave Desert. The Calico section of the Calico-Hidalgo fault zone is located approximately 4.9 miles southwest of the site. The Camp Rock, Pisgah, Lenwood-Lockhart and Black Mountain faults are also included within the ECSZ. Evidence for Holocene displacement along several of these faults includes sag ponds, fresh fault scarps, offset drainages, linear scarps, shutter ridges and faceted spurs. The Newberry fracture zone, a northeast striking zone of an echelon faults located approximately 4-1/2 miles southeast of the site, is interpreted as an offshoot of the Calico fault and formed during the 1992 Landers earthquake. A number of faults of the ECSZ system, including the Camp Rock-Emerson fault, ruptured in combination during the 1992 Landers earthquake. Aftershocks of that event extended into the Barstow area on several faults. The more recent Hector Mine earthquake of 1999 occurred on the Lavic Lake fault. The Camp Rock fault is located approximately 14 miles southwest of the site.

The San Bernardino Mountains segment of the San Andreas fault zone is located approximately 63 miles southwest of the site. The mountain front in the San Bernardino Valley approximately marks the active trace of the San Andreas fault, here characterized by youthful fault scarps, vegetation lineaments, springs and offset drainages. There is a 53 percent probability to a magnitude 6.7 or greater earthquake occurring on the southern segment of the San Andreas fault between 2014 and 2044.

Based on the above, the site is located within the seismically-active southern California region. Any of the active faults of the Mojave region are capable of producing strong ground shaking during earthquakes. However, construction or restoration of site improvements according to applicable building codes can mitigate the potential for damage to site facilities.

aiii) **No Impact.** The site is not located within an area identified as having a potential for liquefaction by the County of San Bernardino General Plan (2010). Based on the anticipated historic high groundwater depth (82 feet bgs), liquefaction is not considered a hazard at the site. Therefore, this impact is considered less than significant.

aiv) **Less Than Significant Impact.** The relatively flat-lying topography of the site and surrounding area precludes the potential for instability of natural slopes. Site development will include geotechnical evaluation of existing fill slopes and, if required, engineered grading or foundation designs that reduce the potential for slope instability of fill slopes. The potential for landslide or slope instability is considered low. Therefore, this impact is considered less than significant.

- VII b) **Less Than Significant Impact.** The native and disturbed soils mantling the site are considered slightly to moderately susceptible to erosion. Construction activities have the potential to contribute to soil erosion and the loss of topsoil which could be eroded by wind or water. The project is required to comply with the mandatory requirements of the National Pollutant Discharge Elimination System (NPDES) requirements and prepare a Stormwater Pollution Prevention Plan (SWPPP) during construction activities. The SWPPP is required to address site-specific conditions related to specific grading and construction activities. The SWPPP would identify potential sources of erosion and sedimentation loss of topsoil during construction, identify erosion control Best Management Practices (BMPs) to reduce or eliminate the erosion and loss of topsoil, such as use of: silt fencing, fiber rolls, or gravel bags, stabilized construction entrance/exit, hydroseeding.

The development on the site will include paving and the installation of landscaping throughout the development site and areas of loose topsoil that could erode by wind or water would not exist upon operation of the proposed Project.

Based on the above, impacts are anticipated to be less than significant.

- VIIc) **Less Than Significant Impact.** The site is not located in an area of known subsidence or collapse. As a part of the standard conditions of approval for the Project on a general basis, existing and proposed structures and site infrastructure and improvements will be designed and repaired/constructed in compliance with applicable building codes. The County of San Bernardino will require that local building code requirements and project considerations be met prior to issuing a building permit. Proper design and construction in conformance with the recommendations of project geotechnical reports, and compliance with applicable building codes, will reduce the potential adverse impacts of identified geotechnical hazards. Impacts related to subsidence, liquefaction or collapse are considered less than significant.

- VIIId) **No Impact.** Plasticity index values available from the USDA (2017) indicate non-plastic soils. The soils on the site are generally considered non-expansive based on the reported plasticity index values. Therefore, impacts related to expansive soils are considered to have no impact.

- VIIe) **No Impact.** Based on soils mapping performed by U.S. Department of Agriculture (2017), the project site is underlain by several USDA soils types including Cajon Sand, Cajon Gravelly Sand and Cajon Loamy Sand. An existing underground septic system has performed well during previous park operations from 1998-2004. It is expected that suitable soils with the capacity to serve future septic systems are present on site. Therefore, no mitigation of subsurface water conditions is required.

- VIIIf) **Less Than Significant Impact With Mitigation Incorporated:** Paleontological resources are the preserved fossilized remains of plants and animals. Fossils and traces of fossils are preserved in sedimentary rock units, particularly fine- to medium grained marine, lake, and stream deposits, such as limestone, siltstone, sandstone, or shale, and in ancient soils. They are also found in coarse-grained sediments, such as conglomerates or coarse alluvium sediments. Fossils are rarely preserved in igneous or metamorphic rock units. Fossils may occur throughout a sedimentary unit and, in fact, are more likely to be preserved subsurface, where they have not been damaged or destroyed by previous ground disturbance, amateur collecting, or natural causes such as erosion.

The Project area is located in the Northern and Eastern Mojave planning area of the California Desert Conservation Area Plan. According to Figure III.10-2- Plan *Potential Fossil Yield Classification of*

*Geology - Subarea Index Map of the Draft Desert Renewable Energy Conservation Plan EIR/EIS (August 2014), the Project area is identified as having a Moderate/Unknown potential to contain paleontological resources. To minimize the effects of this potential impact, Mitigation Measure CR-1 is recommended.*

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

**Prior to the issuance of a grading permit, the following note shall be placed on the grading plans:**

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

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

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

***3. Preparation of a report of findings with an appended itemized inventory of specimens. The report and inventory, when submitted to the appropriate Lead Agency along with confirmation of the curation of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources."***

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

Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorp.	Less than Significant Impact	No Impact
<b>VIII. GREENHOUSE GAS EMISSIONS - Would the project:</b>				
VIIIa) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VIIIb) 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**The following is based in part on the *Dolores Lake Park, Air Quality and Global Climate Change Impact Analysis*, Kunzman Associates, Inc., August 21, 2017, (Appendix A).

VIIIa) **Less Than Significant Impact With Mitigation Incorporated.** In December September 2011, the County of San Bernardino adopted the "*Greenhouse Gas Emissions Reduction Plan*" ("GHG Plan"). The purpose of the GHG Plan is to reduce the County's internal and external GHG emissions by 15 percent below current (2011) levels by year 2020 in consistency with State climate change goals pursuant to AB32. The GHG Plan has been designed in accordance with Section 15183.5 of the State CEQA Guidelines which provides for streamline review of climate change issues related to development projects when found consistent with an applicable greenhouse gas emissions reduction plan.

Section 5.6 of the GHG Plan identifies the procedures for reviewing development projects for consistency with the GHG Plan. The GHG Plan includes a two-tiered development review procedure to determine if a project could result in a significant impact related greenhouse gas emissions or otherwise comply with the Plan pursuant to Section 15183.5 of the State CEQA Guidelines. The initial screening procedure is to determine if a project will emit 3,000 metric tons of carbon dioxide equivalent (MTCO<sub>2</sub>E) per year or more. Projects that do not exceed this threshold require no further climate change analysis but are required to implement mandatory reducing measures in the project's conditions of approval.

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

According to CEQA Guidelines section 15064.4, when making a determination of the significance of greenhouse gas emissions, the "lead agency shall have discretion to determine, in the context of a particular project, whether to (1) use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use." Moreover, CEQA Guidelines section 15064.7(c) provides that "a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts" on the condition that "the decision of the lead agency to adopt such thresholds is supported by substantial evidence."

The GHG emissions have been calculated based on the parameters described above. Unmitigated emissions for the project would result in annual emissions of: 3,547.30 MT CO<sub>2</sub>e per year for Phase 1 and 2; 2,895.73 MT CO<sub>2</sub>e per year for Phase 3; 2,096.86 MT CO<sub>2</sub>e per year for Phase 4; and 1,632.44 MT CO<sub>2</sub>e per year for Phase 5. Unmitigated emissions for the entire project (Phase 1



through Phase 5 together) would result in annual emissions of 10,172.34 MT CO<sub>2</sub>e per year (which includes the amortized construction emissions, which contributes approximately 139.41 MT CO<sub>2</sub>e per year for all 5 phases to the total.

As shown in Table 17 *Dolores Lake Park, Air Quality and Global Climate Change Impact Analysis* (Appendix A), this level of emissions exceeds the San Bernardino County GHG Reduction Plan screening threshold of 3,000 metric tons per year of CO<sub>2</sub>e, but does not exceed the MDAQMD annual threshold of 100,000 MTCO<sub>2</sub>e. Table 17 also shows that the Project's total (Phase 1 through Phase 5 together) daily operational emissions of 113,765.25 lbs of CO<sub>2</sub>e does not exceed the MDAQMD's daily GHG threshold of 548,000 lbs of CO<sub>2</sub>e. During construction, 55,880.10 lbs of CO<sub>2</sub>e will be emitted, which would not exceed the MDAQMD daily threshold either. However, as the San Bernardino County GHG Reduction Plan screening threshold of 3,000 metric tons per year of CO<sub>2</sub>e would be exceeded, mitigation is required.

**Mitigation Measure GHG- 1.GHG Reduction Measures.** Prior to the issuance of a building permit for any phase, Project plans shall demonstrate that the project shall accrue at least 100 points in the Screening Table for implementation of GHG Reduction Measures for Commercial Development as detailed in the County of San Bernardino Greenhouse Gas Emissions Reduction Plan.

**Mitigation Measure GHG-2- Waste Recycling.** The Project operators for any phase shall require recycling programs that reduces waste to landfills by a minimum of 50 percent (up to 75% by 2020 per AB 341).

**Mitigation Measure GHG-3. Sidewalks.** Prior to the issuance of building permits for any phase, Project plans shall demonstrate that sidewalks shall be provided within the Project boundary.

**Mitigation Measure GHG-4. High Efficiency Lighting.** Prior to the issuance of building permits for any phase, Project plans shall demonstrate that high-efficiency lighting shall be installed that is at least 10% more efficient than standard lighting and install Energy Star® appliances on-site.

**Mitigation Measure GHG-5. Plumbing Fixtures.** Prior to the issuance of building permits for any phase, Project plans shall demonstrate that all faucets, toilets and showers installed in the proposed structures utilize low-flow fixtures that would reduce indoor water demand by 20% per CalGreen Standards.

**Mitigation Measure GHG-6. Exceed Title 24 Requirements.** Prior to the issuance of building permits for any phase, Project plans shall demonstrate that all building structures meet or exceed 2016 Title 24, Part 6 Standards and meet Green Building Code Standards.

With implementation of Mitigation Measures GHG-1 through GHG-6, impacts are less than significant.

VIIIb) **Less Than Significant Impact With Mitigation Incorporated.** The State and local regulatory programs for GHG emissions and climate change are described in the response to Issue VIIIa above. The Mitigation Measures described above will ensure that there would be no conflict with any applicable plan, policy, or regulation; therefore, impacts will be less than significant with implementation of Mitigation Measures GHG-1 through GHG-6 above.

ISSUES	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorp.	Less than Significant Impact	No Impact
<b>IX. HAZARDS AND HAZARDOUS MATERIALS - Would the project:</b>				
IXa) 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"/>
IXb) 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
IXc) 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"/>
IXd) 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"/>
IXe) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
IXf) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
IXg) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION:** The following is based in part on the *Phase I Environmental Site Assessment, 72 Hacienda Road, Newbury Springs, California, 92365*, EFI Global, Inc., March 24, 2017, (Appendix F)

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

*Existing Hazardous Materials*

The *Phase I Environmental Site Assessment* (Appendix F) prepared for the Project indicated that there are no known Recognized Environmental Conditions existing on these parcels. A Recognized Environmental Concern is one of the terms used to identify environmental liability within the context of a Phase I Environmental Site Assessment. The American Society for Testing and Materials defines the Recognized Environmental Condition in the E1527-13 standard in part as "the presence

*or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment."*

Based on the age of the on-site structures associated with the water park (i.e. locker rooms, concessions, restrooms), the potential for asbestos containing building materials and lead-based paint to be present in these buildings is considered to be low. However, the maintenance building was constructed at an earlier time (sometime during the 1950s to 1970s) and thus has the potential to have been built with asbestos containing building materials and lead-based paint. Individual suspect materials would need to be tested in order to confirm the presence or non-presence of asbestos.

A Phase II Environmental Site Assessment (ESA) was conducted at the subject property by Andersen Environmental (now EFI Global) on October 30, 2007 which was provided by the User for EFI Global's review. The scope of the assessment was determined based on review of a prior Phase I ESA also conducted in October 2007 by All Appropriate Inquiries (AAI) Environmental Corporation. Field activities were focused on a bermed concrete aboveground storage tank (AST) area with fuel pump (i.e. fuel dispenser), a water pump area where the backup generator is located, and the maintenance building where a 55-gallon drum and one abandoned AST was observed.

The Phase II investigation included seven soil borings to a maximum depth of 2 feet below ground surface (bgs) for the collection and analysis of polychlorinated biphenyls (PCBs), volatile organic compounds (VOCs), and petroleum hydrocarbons. Three soil borings were advanced in the vicinity of the bermed concrete AST and fuel pump area (SS1, SS2, and SS3), two soil borings were advanced in the area of the maintenance building and near the deteriorated 55-gallon drum (SS4 and SS5), one soil boring was advanced adjacent to the generator (SS6), and one soil boring was advanced adjacent to the rusted AST which Andersen Environmental indicated to be 15,000-gallons in size (SS7).

According to the laboratory results, no PCBs were detected in the soil samples submitted for this analysis. Various fuel related VOCs were detected in the samples collected and analyzed from the concrete bermed AST area but were found to be below regulatory screening levels. Petroleum hydrocarbons were also detected in the samples collected from the concrete bermed AST area. Maximum concentrations of gasoline, diesel, and motor oil range hydrocarbons were identified in the 6 inch bgs soil sample from SS2 and included 890 milligrams per kilogram (mg/kg), 9,200 mg/kg, and 440 mg/kg, respectively. These concentrations were found to exceed regulatory screening levels. However, the 2 foot bgs sample from SS2 contained diminishing concentrations of gasoline and diesel below screening levels.

Based on the findings of elevated petroleum hydrocarbons above soil screening levels in the area of the concrete bermed ASTs, Andersen Environmental recommended that the impacted soil be removed along with the ASTs during anticipated site clearance operations.

According to EFI Global's interview with the Manager/Member of the owning entity of the subject property, Mr. Om P. Garg, excavation of the petroleum hydrocarbon impacted soil that was discovered during Andersen Environmental's Phase II ESA has not occurred. Currently, there are no ASTs or fuel pump located in the concrete bermed area. These features have since been removed from the property.

Based on the rapid decrease in gasoline and diesel concentrations from the 6 inch to the 2 foot sample in soil boring SS2 and delineation laterally with samples from SS1 and SS3, it does not appear that a wide-spread petroleum hydrocarbon release has occurred. Nevertheless, should

construction activities be planned in this area of the property in the future, a soils management plan is recommended to assist in properly handling and disposing the impacted soil if encountered.

**Mitigation Measure HAZ-1. Asbestos Removal.**

Prior to the issuance of a grading permit or building permit (whichever comes first) for any area within the Open Space Area as shown on the site plan, the following note shall be included on the plans:

***"The County of San Bernardino Land Use Services Department-Planning Division shall condition all grading and demolition permits associated with the clearing of existing on-site structures for any phase to comply with Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP), as specified under 40 CFR 61, Subpart M per MDAQMD Rule 1000 as it applies to asbestos removal and demolitions. All asbestos-related clearing work conducted on the site shall be performed by a licensed asbestos-abatement contractor under the supervision of a certified asbestos consultant. Asbestos-containing construction materials shall be removed and disposed of in compliance with notification and asbestos-removal procedures outlined in MDAQMD rule 1000 to reduce asbestos-related health risks. The construction contractor shall maintain all records of compliance with Rule 1000, including, but not limited to, the following: evidence of notification of MDAQMD. Contact information for the asbestos-abatement contractor and asbestos consultant; and receipts (or other evidence) of off-site disposal of all asbestos containing materials. These records shall be made available for County inspection upon request."***

**Mitigation Measure HAZ-2. Soils Management Plan.** Prior to the issuance of a grading permit for any area within the Open Space Area as shown on the site plan, the following note shall be included in the grading plans:

***"Should construction activities be anticipated in the concrete bermed area where petroleum hydrocarbon contamination was found during the 2007 Phase II ESA, preparation of a soils management plan is recommended to assist in properly handling and disposing the impacted soil if encountered."***

With implementation of Mitigation Measures HAZ-1 and HAZ-2, impacts relating to existing hazardous materials are less than significant.

***Construction Activities***

Heavy equipment that would be used during construction of the proposed Project would be fueled and maintained by substances such as oil, diesel fuel, gasoline, hydraulic fluid, and other liquid materials that would be considered hazardous if improperly stored or handled. In addition, materials such as paints, roofing materials, solvents, and other substances typically used in building construction would be located on the Project site during construction. Improper use, storage, or transportation of hazardous materials could result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. The potential for accidental releases and spills of hazardous materials during construction is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with future development that would be a reasonable consequence of the development on the proposed Project site than would occur on any other similar construction site.

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

#### *Operational Activities*

Federal and State Community-Right-to-Know laws allow the public access to information about the amounts and types of chemicals that may be used by the businesses that would operate at the Project site. Laws also are in place that require businesses to plan and prepare for possible chemical emergencies. Any business that operates any of the facilities at the Project site and that handles and/or stores substantial quantities of hazardous materials (§ 25500 of California Health and Safety Code, Division 20, Chapter 6.95) would be required to prepare and submit a Hazardous Materials Business Emergency Plan (HMBEP) to the San Bernardino County Department of Environmental Health in order to register the business as a hazardous materials handler. Such business is also required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which require immediate reporting to San Bernardino County Fire Department and State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business.

With mandatory regulatory compliance, potential hazardous materials impacts associated with long-term operation of the gas station and convenience store is not expected to pose a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials, nor would the Project increase the potential for accident operations which could result in the release of hazardous materials into the environment.

Based on the above analysis, the routine transport, use or disposal of hazardous materials during mining activities of the Project would be less than significant.

- IX c) **No Impact.** The Project site is not located within one-quarter (0.25) mile of a mile from an existing or proposed school.
- IX d) **No Impact.** The Project Site is not identified on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The operator would comply with all applicable federal and state safety rules and regulations regarding hazardous materials. Therefore, less than significant impact is anticipated.
- IX e) **Less Than Significant Impact.** The Project site is not located within an airport land use plan or within 2 miles of a public airport or public use airport. The nearest airport is the Barstow-Daggett Airport located approximately 8 miles to the southwest of the Project site. As such, the Project would not result in safety hazard impacts to or from aircraft-related uses from the Barstow-Daggett Airport and no impact will occur.

However, the Project site is located within Airport Safety Review Area 4 (AR4). AR4 includes the low-altitude/high speed corridors designated for military aircraft use. As required by Section 82.09.060 of the Development Code, an Avigation Easement shall be granted to the appropriate military agency and recorded before the issuance of a building permit for those uses established within an AR4. This is a mandatory requirement and not considered a mitigation measure.

- IXf) **No Impact.** Access to the Project site is proposed from Hacienda Road, Bragdon Road, Mountain View Road, and Cherokee Road (future access). The Project site does not contain any emergency facilities nor does it serve as an emergency evacuation route. During construction and long-term operation, the Project would be required to maintain adequate emergency access for emergency vehicles via Hacienda Road, and connecting roadways as required by the County. Furthermore, the Project would not result in a substantial alteration to the design or capacity of any public road that would impair or interfere with the implementation of evacuation procedures. Because the Project would not interfere with an adopted emergency response or evacuation plan No impacts.
- IX g) **No Impact.** According to the San Bernardino County Hazards Overlay Map (Harvard), the Project Site is not located within Fire Safety Overlay District. Because the site is proposed for surface mining and will not contain permanent habitable structures, it would not result in any safety hazard impacts from wild fires. No impact is anticipated.

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

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## SUBSTANTIATION

The following is based in part on the *Water Supply Assessment, Lake Dolores Project*, RCA Associates, Inc., March, 2017, (Appendix G), and *Hydrology and Hydraulic Report*, Sake Engineers, Inc., April 2019 (Appendix H).

### IX a) *Construction Impacts*

Construction of the Project would involve clearing, grading, paving, utility installation, building construction, and the installation of landscaping, which would result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints, and other solvents with the potential to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during construction activities in the absence of any protective or avoidance measures.

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

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

### Operational Impacts

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

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

Post-development, runoff will be captured in a series of detention basins which are designed to temporarily store stormwater runoff, thereby reducing the peak rate of runoff to pre-development flow conditions to prevent localized flooding and water quality treatment before the runoff is discharged into the downstream drainage facilities.

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



- IX b **Less Than Significant Impact.** Water supplies for the construction and operation of the proposed Lake Dolores Project are available; however is limited and under the regulation of the Watermaster (Mojave Water Agency). Appendix B of the 2015 Watermaster report indicates that in 2014-2015 (the most recent year for which data are available) water producers in the Baja Subarea pumped a total of 6,773 acre feet (af) more than their Free Production Allowance (FPA). Water producers in the Baja Subarea pumped 32.7 percent over the Production Safe Yield (PSY) which is the rate at which groundwater can be withdrawn without causing long-term decline of water groundwater levels. Although water supplies in the Baja Subarea have been depleting since 1996 due to water producers in the Baja Subarea exceeding their PSY, the project proponent has only pumped on average 2.3 percent of the allowed 483 af (BPA) and therefore has not pumped beyond the PSY. Construction and renovation of the waterpark will take a significant amount of water; however, the proposed Lake Dolores Project is not expected to have a significant adverse effect on groundwater water levels in the region, nor is the project expected to exceed the PSY at any time. Because the Project cannot exceed the PSY, impacts to groundwater are less than significant.
- IX ci to civ **Less Than Significant Impact.** Development of the Project site will create impervious surfaces and increase the amount of surface runoff. Post-development, runoff will be captured in a series of detention basins which are designed to temporarily store stormwater runoff, thereby reducing the peak rate of runoff to pre-development flow conditions to prevent localized flooding and water quality treatment before the runoff is discharged into the downstream drainage facilities.
- IXd **Less Than Significant Impact.** The Project site is located within FEMA Zone D (per FEMA National Flood Hazard Map 06071C4000H) and is not subject to flooding. According to the California Department of Conservation, California Official Tsunami Inundation Maps the site is not located within a tsunami inundation zone. The Project would not be at risk from seiche because there are no upstream waterbodies large enough to produce a seiche in close proximity to the Project site.
- IXe **Less Than Significant Impact.** With construction of the water quality detention basins, the Project will not conflict with or obstruct implementation of the *Lahontan Basin Plan*.

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

**SUBSTANTIATION**

- X a) **No Impact.** An example of a Project that has the potential to divide an established community includes the construction of a new freeway or highway through an established neighborhood. The Project site is surrounded by vacant desert land with two (2) residential dwellings in the near vicinity. No impact is anticipated.
- X b) **Less Than Significant Impact.** The applicant is proposing a GPA to rezone the site to Highway Commercial (CH) from Rural Living (RL) to insure zoning compatibility for the proposed use. The proposed CH zoning district is consistent with the proposed Lake Dolores park/entertainment facility and proposed future retail and commercial uses as the intent of the CH District is to provide suitable locations for retail and service commercial establishments intended to meet the daily convenience needs of the traveling public. Furthermore, the project meets the locational criteria of the CH zone in that:
- The project site is intended to be occupied by a relatively contiguous grouping of businesses that provide transient services to travels on major highway; and,
  - The project is designed to preserve a block of land for the use of small somewhat isolated transient commercial uses along major highways.

Subject to approval of the CUP and Conditions of Approval the project comports with the intent of the County's General Plan in that it meets the intent of the following goals and polices:

County General Plan – Land Use Element:

**GOAL LU 1.** The County will have a compatible and harmonious arrangement of land uses by providing a type and mix of functionally well-integrated land uses that are fiscally viable and meet general social and economic needs of the residents.

**Policy LU 1.2** The design and siting of new development will meet locational and development standards to ensure compatibility of the new development with adjacent uses and community character.

**Policy LU 1.3** Promote a mix of land uses that are fiscally self-sufficient.

**GOAL LU 3** The unincorporated communities within the County will be sufficiently served by commercial land uses through a combination of commercial development within cities and unincorporated communities.

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

**GOAL LU 6** Promote where applicable, compact land use development by mixing land uses, creating walkable communities and strengthening and directing development towards existing communities.

**Policy LU 6.1** Mixed-use developments will be encouraged in the unincorporated areas of the County for projects that have adequate acreage to accommodate different land uses while providing buffers and other mechanism to minimize or avoid land use conflicts.

**Policy LU 6.2** To expand opportunities for future employment centers in the unincorporated County recruit industrial and commercial development to urban infill areas.

**Policy 6.3** To support the expansion of opportunities for future employment, promote use of grants for upgrading infrastructure in urban infill areas.

**Policy 6.4** To facilitate future development of employment centers, design incentive actions to be consistent and compatible with adopted applicable city sphere of influence policies and other regulations.

**GOAL LU 7.** The distribution of land uses will be consistent with the maintenance of environmental quality, conservation of natural resources, and preservation of open spaces.

**GOAL LU 10.** Encourage distinct communities with a sense of "place" and identity.

**GOAL D/LU 1.** Maintain land use patterns in the Desert Region that enhance the rural environment and preserve the quality of life of the residents of the region.

**GOAL D/LU 3.** Ensure that commercial and industrial development within the region is compatible with the rural desert character and meets the needs of local residents.

**Policy D/LU 3.2** Avoid strip commercial development along major roadways within the region that would detract from the rural character by encouraging the development or expansion of commercial uses within core areas. Commercial uses shall be compatible with adjacent land uses and respect the existing positive characteristics of the region and its natural habitat.

Subject to approval of the General Plan Amendment, the Project meets the goals and policies of the County General Plan and will not conflict with surrounding land uses.

In addition, as demonstrated throughout this Initial Study/Mitigated Negative Declaration, the Project would otherwise not conflict with any applicable goals, objectives, and policies of the County of San Bernardino General Plan or Development Code. Additionally, the Project would not conflict with any applicable policy document, including, without limitation, the *California Desert Conservation Area Plan*, the Mojave Desert Air Quality Management District's *Air Quality Management Plan*, and the County of San Bernardino *Greenhouse Gas Emissions Reduction Plan*. The purpose of these plans is to avoid or mitigate an environmental effect.

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

- X c) **No Impact.** The Project site is located within the planning area of the *West Mojave California Desert Conservation Area Plan Amendment*. The *West Mojave California Desert Conservation Area Plan Amendment* was adopted by the Bureau of Land Management in 2006. The Record-of-Decision applies only to 3.3 million acres of BLM-managed lands. To date no approvals have been issued for the Habitat Conservation Plan component by the U.S. Fish and Wildlife Service or the California Department of Fish and Wildlife. All land within the Project site is located on private property outside of the Bureau of Land Management; therefore the *West Mojave California Desert Conservation Area Plan* does not apply. Additionally, the Project site is located within the boundaries of the *Desert Renewable Energy Conservation Plan*. Phase I of the *Desert Renewable Energy Conservation Plan* was approved on September 14, 2016 and applies to Bureau of Land Management land only. Phase II which would apply to non-federal land is an on-going process and no implementing agreements have been issued. All land within Project site is located on private property outside of the Bureau of Land Management land; therefore the *Desert Renewable Energy Conservation Plan* does not apply.

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

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

XI a-b) **No Impact.** The aggregate resource potential for the area of the site is addressed in a report titled, "Mineral Land Classification of Concrete Resources in the Barstow-Victorville Area" (CDMG, 1993). This report addresses the sand and gravel resource potential according to the presence or absence of significant sand and gravel deposits for use in construction-grade aggregate. The resource quality of surrounding lands was reported according to the following Mineral Resource Zone (MRZ) classification system:

**MRZ-1:** Areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.

**MRZ-2:** Areas where adequate information indicates mineral deposits are present, or where it is judged that a high likelihood for their presence exists.

**MRZ-3:** Areas containing mineral deposits, the significance of which cannot be evaluated from available data.

**MRZ-4:** Areas where available information is inadequate for assignment to any other MRZ.

The site is situated in primarily alluvial terrain underlain by unconsolidated sediments. No economically significant sources of aggregate material were observed within the site. The project site is placed within MRZ-3a defined as "may contain significant aggregate deposits." No aggregate mining currently occurs in similar geologic terrain in the immediate project vicinity.

The site is situated approximately 1 mile northwest of the Harvard Hill prospect, which occurs in an isolated bedrock outcrop and is described as an unknown metallic mineral deposit. No economically significant sources of metallic or industrial materials were observed within the site. The project site is placed within MRZ-4, defined as "unknown mineral resource significance". As the project area is not presently used for mineral resource extraction and does not contain identified sources of aggregate materials, the proposed project will not result in the loss of availability of any known mineral resources. Thus, no significant impacts are anticipated.

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

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

XII a,) **Less Than Significant Impact With Mitigation Incorporated.**

*Construction Noise*

The proposed Project would require the use of heavy-duty, off-road construction equipment throughout development activities. Since project specific information is not available at this time, potential construction-related noise impacts can only be evaluated based on the typical construction activities associated with industrial development. Potential construction source noise levels were developed based on methodologies, reference noise levels, and equipment usage and other operating factors documented and contained in the Federal Highway Administration's (FHWA) Construction Noise Handbook (FHWA, 2010), Federal Transit Administration's (FTA) Transit Noise and Vibration Impact Assessment document (FTA, 2006), and Caltrans' Transportation and Construction Vibration Guidance Manual (Caltrans, 2013).

Project construction activities would include: staging, site preparation (e.g., land clearing), grading, utility trenching, foundation work (e.g., excavation, pouring concrete pads), material deliveries, building construction (e.g., framing, concrete pouring, welding), paving, coating application, and site finishing work. In general, these activities would involve the use of worker vehicles, delivery trucks, dump trucks, and heavy-duty construction equipment such as (but not limited to) backhoes, tractors, loaders, graders, excavators, rollers, cranes, material lifts, generators, and air compressors. Table 11 presents the noise levels associated with typical types of construction equipment that could be used to develop the Project.

With regard to construction noise, site preparation and grading phases typically result in the highest temporary noise levels due to the use of heavy-duty equipment such as dozers, excavators, graders, loaders, scrapers, and trucks. As shown in Table 11, the worst-case Leq and Lmax noise levels associated with the operation of a dozer, excavator, scraper, etc. are predicted to be approximately 81 to 82 dBA, respectively, at a distance of 50 feet from the equipment operating area. At an active construction site, it is not uncommon for two or more pieces of construction equipment to operate at the same time and in close proximity. The concurrent operation of two or more pieces of construction equipment would result in noise levels of approximately 81 to 82 dBA at a distance of 50 feet from equipment operating areas. These maximum noise levels would occur for a short period time; as site preparation and grading is completed and building construction begins, work activities would occur further from property lines and generate lower construction noise levels.

**Table 11. Typical Construction Equipment Noise Levels (dBA)**

Equipment Type	Reference Noise Level at 50 feet (Lmax)	Predicted Noise Levels (Leq) at Distance					
		50 Feet	100 Feet	150 Feet	250 Feet	350 Feet	450 Feet
Bulldozer	85	81	75	71	67	64	62
Backhoe	80	76	70	66	62	59	57
Compact Roller	80	73	67	63	59	56	54
Concrete Mixer	85	81	75	71	67	64	62
Crane	85	77	71	67	63	60	58
Excavator	85	81	75	71	67	64	62
Generator	82	79	73	69	65	62	60
Pneumatic Tools	85	82	76	72	68	65	63
Scraper	85	82	76	72	68	64	62
Delivery Truck	85	81	75	71	67	64	62
Vibratory Roller	80	73	67	63	59	56	54

Sources: Caltrans, 2013, FHWA, 2010

dBA: Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels to be consistent with that of human hearing response.

Lmax: The RMS (root mean squared) maximum level of a noise source or environment where peak is the maximum level of the raw noise source.

Leq: The method to describe sound levels that vary over time, resulting in a single decibel value which takes into account the total sound energy over the period of time of interest.

Per Section 83.10.080 (g) (3) of the Development Code, temporary construction, maintenance, repair, or demolition activities between 7:00 a.m. and 7:00 p.m., except Sundays and Federal holidays are exempt from noise standards.

Regardless of the Project's consistency with the Development Code as described above, construction activities on the Project site, especially those involving heavy equipment, would result in noise levels up to 81 to 82 dBA at the nearby residences during grading which would exceed the exterior noise level for residential uses of 55 dBA. The following mitigation measure is required to reduce construction noise impacts to the maximum extent feasible:

**Mitigation Measure NOI-1-Construction Noise Mitigation Plan.** Prior to the issuance of a grading permit for any phase, the developer is required to submit a construction-related noise mitigation plan to the County Planning Department for review and approval. The plan must depict the location of construction equipment and how the noise from this equipment will be mitigated during construction of this project. In addition, the plan shall require that the following notes are included on grading plans and building plans. Project contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by County of San Bernardino staff or its designee to confirm compliance. These notes also shall be specified in bid documents issued to prospective construction contractors.

***"a) Haul truck deliveries shall be limited to between the hours of 6:00am to 6:00pm during the months of June through September and 7:00am to 7:00pm.***

***b) Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards.***

***c) All stationary construction equipment shall be placed in such a manner so that emitted noise is directed away from any sensitive receptors adjacent to the Project site.***

***d) Construction equipment staging areas shall be located the greatest distance between the staging area and the nearest sensitive receptors."***

With implementation of Mitigation Measure NOI-1, construction noise impacts will be reduced to the maximum extent feasible.

#### ***Operational Noise***

The surrounding area mainly consists of undeveloped vacant land with very few single-family residences throughout. (See Exhibit 2). One residence is located on the southeast corner of Mountain View Road and Cherokee Road. According to the Project Site Plan (Exhibit 3), Phase 4 development is proposed across Cherokee Road from this residence. Phase 4 covers approximately 12.4 acres of the Project site and includes 97,241 square feet of commercial/retail use structures with 471 standard parking spaces.

The other residence is located along the northern border of the Project site on Apache Road. (See Exhibit 2). According to the Project Site Plan (Exhibit 3), the area in the vicinity of this residence is proposed as Open Space. However, Cherokee Road will be improved along the northern border of the Project site which will increase noise from vehicle traffic.

Approval of the Project would require operations to conform to all applicable noise control regulations. Therefore, impacts are anticipated to be less than significant.



- XII b) **Less Than Significant Impact.** Under existing conditions, there are no known sources of ground-borne vibration or noise that affect the Project site. The Project will not employ any pile driving, rock blasting, or rock crushing equipment during construction activities, which are the primary sources of ground-borne noise and vibration during construction.

*Construction Vibration*

According to vibration standards promulgated by Caltrans in past CEQA documents, the threshold at which there may be a risk of architectural damage to normal houses with plastered walls and ceilings is 0.20 PPV inch/second. Primary sources of vibration during construction would be bulldozers. A large bulldozer could produce up to 0.089 PPV at 25 feet. At a distance of 15 feet a bulldozer would yield a worst-case 0.027 PPV (inch/sec) which is within the threshold of perception and below any risk or architectural damage.

The closest sensitive receptors are residences to the Project area are the two (2) residences located on the southeast corner of Cherokee Road and Mountain View Road and along the northern boundary of the Project site at Apache Road. At their closest point, both of the residences are approximately 50 feet from the Project site. Construction vibration level of vibration would not exceed 0.20 PPV inch/second at this distance. As such, construction vibration would not result in the excessive groundborne vibration or groundborne noise levels.

*Operational Vibration*

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

Therefore, a less than significant impact is anticipated.

- XII c) **Less Than Significant Impact.** The Project site is not located within an airport land use plan or within 2 miles of a public airport or public use airport. The nearest airport is the Barstow-Daggett Airport located approximately 8 miles to the southwest of the Project site. As such, the Project would not result in safety hazard impacts to or from aircraft-related uses from the Barstow-Daggett Airport and no impact will occur.

However, the Project site is located within Airport Safety Review Area 4 (AR4). AR4 includes the low-altitude/high speed corridors designated for military aircraft use. As required by Section 82.09.060 of the Development Code, an Avigation Easement shall be granted to the appropriate military agency and recorded before the issuance of a building permit for those uses established within an AR4. This is a mandatory requirement and not considered a mitigation measure. **Less Than Significant Impact.** Under existing conditions, there are no known sources of ground-borne vibration or noise that affect the Project site. The Project will not employ any pile driving, rock blasting, or rock crushing equipment during construction activities, which are the primary sources of ground-borne noise and vibration during construction.

*Construction Vibration*

According to vibration standards promulgated by Caltrans in past CEQA documents, the threshold at which there may be a risk of architectural damage to normal houses with plastered walls and ceilings is 0.20 PPV inch/second. Primary sources of vibration during construction

would be bulldozers. A large bulldozer could produce up to 0.089 PPV at 25 feet. At a distance of 15 feet a bulldozer would yield a worst-case 0.027 PPV (inch/sec) which is within the threshold of perception and below any risk or architectural damage.

The closest sensitive receptors are residences to the Project area are the two (2) residences located on the southeast corner of Cherokee Road and Mountain View Road and along the northern boundary of the Project site at Apache Road. At their closest point, both of the residences are approximately 50 feet from the Project site. Construction vibration level of vibration would not exceed 0.20 PPV inch/second at this distance. As such, construction vibration would not result in the excessive groundborne vibration or groundborne noise levels.

#### Operational Vibration

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

Therefore, a less than significant impact is anticipated.

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

**SUBSTANTIATION**

- XIII a) **No Impact.** The Project would not induce substantial population growth in the area either directly or indirectly because the Project does not propose any residential dwelling units. No impacts are anticipated.
- XIII b) **No Impact.** The Project would not displace substantial numbers of existing housing units, or require the construction of replacement housing, as no housing units exist on the site.
- XIII c) **No Impact.** Implementation of the Project would not displace substantial numbers of people necessitating the construction of replacement housing elsewhere, as no housing exists on the Project site.

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

**SUBSTANTIATION**

**XIV a) Less Than Significant Impact.**

**Fire Protection**

The San Bernardino County Fire Department provides fire protection services to the Project area. The Project would be primarily served by the San Bernardino County Fire Station #52 located approximately less than one (1) miles northwest of the Project site at 39059 Kathy Lane.

Development of the Project would impact fire protection services by placing an additional demand on existing fire protection resources should its resources not be augmented. To offset the increased demand for fire protection services, the Project would be conditioned by the Fire Department to provide a minimum of fire safety and support fire suppression activities, including compliance with State and local fire codes, fire sprinklers, a fire hydrant system, paved access, and secondary access routes. The Fire Department indicated that no new fire facilities are required to provide fire protection services to the Project site.

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

**Police Protection**

The San Bernardino County Sheriff's Department provides police protection services to the Project site. The Project site would be primarily served by the Barstow Sheriff's Station located at 225 East Mt. View, Barstow. Deputy Sheriffs assigned to the Barstow Station patrol the Newberry Springs in which the Project site is located. The Sheriff's Department has indicated that it can provide police

protection services to the Project site from existing facilities so the provision of new or physically altered sheriff facilities or need for new or physically altered sheriff facilities is not required. In addition, construction of the Project will increase property tax revenues to provide a source of funding that is sufficient to offset any increases in the demand for police protection services.

### **Schools**

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

### **Parks**

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

### **Other Public Facilities**

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

ISSUES	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorp.	Less than Significant Impact	No Impact
<b>XV. RECREATION</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION**

XVa) **No Impact.** The Project would not generate the need for new jobs or housing which would induce population growth in adjacent areas, and ultimately increase the use of park facilities or other recreational facilities in the region because it does not result in a direct increase in the population that would use parks.

XVb) **Less Than Significant Impact With Mitigation Incorporated.** The construction of the recreational facilities proposed on the Project site would result in physical impacts to the surface and subsurface of the Project site. These impacts are part of the Project's construction phase and are evaluated in the appropriate sections of this Initial Study. In any instances where significant impacts have been identified, the Mitigation Measures identified throughout this Initial Study are required to reduce impacts to less than significant levels. Accordingly, additional measures beyond those identified throughout this Initial Study would not be required

ISSUES	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorp.	Less than Significant Impact	No Impact
<b>XVI. TRANSPORTATION/TRAFFIC - Would the project:</b>				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, taking into account all modes of transportation including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION**

**XVI a) Motor Vehicle Analysis**

Significance Thresholds

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

Study Area Intersections

The following intersections were analyzed:

1. Minneola Road & Yermo Road.
2. Minneola Road & I-15 Southbound Ramps.
3. Minneola Road & I-15 Northbound Ramps.
4. Coyote Lake Road & Yermo Road.
5. Harvard Road & Barrett Road & Hacienda Road.
6. Harvard Road & I-15 Southbound Ramps.

7. Harvard Road & I-15 Northbound Ramps.
8. Bragdon Road & Hacienda Road (Proposed).
9. Bragdon Road & Driveway 1 (Proposed).
10. Hacienda Road & Driveway 2 (Proposed).
11. Hacienda Road & Driveway 3 (Proposed).

### Study Scenarios

The following study scenarios were analyzed:

**Existing (Year 2017) Conditions** – This scenario consists of existing traffic counts collected in the study area in March 2017.

- **Existing Plus Project (2017)** – This scenario consists of adding traffic generated by the proposed Project to the existing counts.
- **Cumulative (2040)** – This scenario consists of determining anticipated growth by the year 2040 using the San Bernardino Traffic Analysis Model (SBTAM) and applying that growth to existing traffic counts to determine the forecasted traffic volumes in year 2040.
- **Cumulative (2040) Plus Project** – This scenario consists of adding traffic generated by the proposed Project to the Cumulative (2040) scenario.

### Existing (Year 2017) Conditions

Under Existing Conditions, the study area intersection are operating at an acceptable Level of Service (LOS) in the Friday and Sunday PM peak hours.

### Existing Plus Project (2017) Condition

Under the Existing Plus Project Condition, the study area intersections are operating at an acceptable Level of Service (LOS B) or better in the Friday and Sunday PM peak hours.

### Cumulative (2040) Condition

All intersections are expected to operate acceptably with minimal delay under Cumulative (2040) conditions with the addition of ambient growth and related projects.

### Cumulative (2040) Plus Project Condition

All study intersections operate acceptably with the addition of Project traffic; therefore, there are no significant impacts identified under this scenario.

Based on the analysis above, under all scenarios analyzed, impacts are less than significant and no mitigation measures are required.

### **Transit Service Analysis**



The Victor Valley Transit Authority, a public transit agency serves the Project area. There is no bus service adjacent to the Project site. In addition, the Project is not proposing to construct any improvements that would interfere with any future bus service.

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

The Project is not proposing to construct any improvements that will interfere with bicycle and pedestrian use. The Project will construct frontage improvements (pavement and AC to County standards along all frontage roads and bicycle and pedestrian access will be facilitated with the construction of these improvements. In addition, bicycle parking will be provided on the Project site. Therefore, the Project will not conflict with an applicable plan, ordinance or policy applying to non-motorized travel. Impacts are less than significant.

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

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

- XVI c) **No Impact.** All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Desert Road Standards of San Bernardino County, and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element. In addition, the Project site is surrounded by vacant land with only two (2) single-family residences in the immediate vicinity. As such, the Project will not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

- XVI d) **No Impact.** The Project would result in an increase for the need for emergency vehicle access to and from the site. Adequate emergency access would be provided to the Project site from Hacienda Road, Bragdon Road, Mountain View Road, and Cherokee Road with access to I-15. With the adherence to mandatory requirements for emergency vehicle access, impacts would be less than significant and no mitigation measures are required.

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant impact	No Impact
I.	<b>TRIBAL CULTURAL RESOURCES</b> - Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				

a) 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)?

b) 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?

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

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

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

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

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

Based on the *Phase I Cultural Resources Investigation* (Appendix D) prepared for the Project, the Project site has been heavily disturbed and there were no findings of cultural resources, including historic structures. As such, there will be no impact with respect to surface historical resources as a result of the Project and no mitigation measures are required. In addition, during the AB52 and SB18 consultation process, no tribal cultural resources 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) were identified on the site.

- ib) **Less Than Significant Impact With Mitigation Incorporated.** The Project involves a General Plan Amendment and is requesting the adopting of a Mitigated Negative Declaration. As such the Project is subject to the native American consultation of both Assembly Bill (AB 52) and Senate Bill (SB 18) as discussed below.

**AB 52**

AB 52 created a process for consultation with California Native American Tribes in the CEQA process with respect to tribal cultural resources. Tribal cultural resources are either of the following:

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

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

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

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

Tribal Governments can request consultation within 30-days after being notified by a lead agency and give input into potential impacts to tribal cultural resources before the agency decides what kind of environmental assessment is appropriate for a proposed project. The Land Use Services Department-Planning notified the following California Native American Tribes per the requirements of AB52:

- Morongo Band of Mission Indians.
- San Manuel Band of Mission Indians.
- Twenty-Nine Palms Band of Mission Indians.

The Twenty-Nine Palms Band of Mission Indians indicated that there is a possibility that Tribal Cultural Resources may be encountered. The following mitigation measure is required.

**Mitigation Measure TCR-1: Twenty-Nine Palms Band of Mission Indians.**

**Prior to the issuance of a grading permit for any parcel proposed for development within the Project site, the applicant shall contact the Twenty-Nine Palms Band of Mission Indians to develop a Tribal Monitoring Agreement(s). A copy of the executed agreement shall be provided to the County of San Bernardino Land Use Services Department-Planning Division prior to the issuance of a grading permit**

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

**SB 18**

SB 18 requires that, prior to the adoption or amendment of a city or county's general plan, the city or county consult with California Native American tribes for the purpose of preserving specified places, features, and objects located within the city or county's jurisdiction. This bill requires the planning agency to refer to the California Native American tribes specified by the Native American Heritage Commission and to provide them with opportunities for involvement. As required by SB18, the Land Use Services Department-Planning sent out a notification to the Native American tribes listed below. Tribes have 90-days from the date the notice was sent to indicate if consultation is requested,

The Colorado River Indian Tribes requested in-person government-to-government consultation. Land Use Services staff contacted the designated representative of the tribes on April 6, 2018. The tribes have not responded date. As such, the consultation is closed. However, in any event, Mitigation Measure TCR-1 above will ensure that any Native American Tribal Cultural Resources impacted during grading activities will be mitigated.

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

**SUBSTANTIATION**

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

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

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

The Project site is located within the boundaries of the Mojave Water Agency (MWA). According to the *MWA 2015 Urban Water Management Plan*, the project site is located within the Baja Subarea of the Mojave Water Agency (MWA).

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

Annual water use generated during the overall operation of the Project is estimated to be 220 AFY based on the California Emissions Estimator Model (CalEEMod) which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies to quantify potential air quality criteria pollutant emissions associated with both construction and operations from a variety of land use projects. The model can also be used to estimate water use for various types of land uses for analysis in CEQA documents

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

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

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

#### *Construction Waste*

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

*Operational Waste*

Waste generated during the operation of the Project is estimated to be 374 tons per year based on the California Emissions Estimator Model (CalEEMod) which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies to quantify potential air quality criteria pollutant emissions associated with both construction and operations from a variety of land use projects. The model can also be used to estimate solid waste generation rates for various types of land uses for analysis in CEQA documents

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

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

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

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

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

**SUBSTANTIATION**

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



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

**SUBSTANTIATION**

- XXIa) **Less Than Significant Impact With Mitigation Incorporated.** In instances where significant impacts have been identified, Mitigation Measures GEO-1-1 and TCR-1 are required to reduce impacts to less than significant levels. Therefore, Project does not have impacts which would have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
- XXIb) **Less Than Significant Impact With Mitigation Incorporated.** In instances where impacts have been identified, Mitigation Measures AQ-1, BIO-1, BIO-2, GEO-1, GHG 1-6, HAZ-1, HAZ-2, NOI-1, and TCR-1, are required to reduce impacts to less than significant levels. Therefore, Project does not have impacts that are cumulatively considerable.
- XXIc) **Less Than Significant Impact With Mitigation Incorporated.** In instances where impacts have been identified, Mitigation Measures AQ-1, GHG 1-6, HAZ-1, HAZ-2, and NOI-1 are required to reduce impacts to less than significant levels. Therefore, Project does not have impacts which will cause substantial adverse effects on human beings, either directly or indirectly

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

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

**Mitigation Measure AQ-1- Tier 4 Equipment.** Prior to the issuance of a grading permit or building permit for any phase, the following note shall be included on grading plans and building plans.

***"The project applicant shall ensure that the construction contractor uses construction equipment that has Tier 4 Final engines during construction of Phases 1, 2, and 3."***

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

**Mitigation Measure -BIO-1: Pre-Construction Burrowing Owl Survey.** Prior to the issuance of a grading permit for any phase, the following note shall be included on grading plans:

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

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

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

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

**Mitigation Measure -BIO-2: Desert Tortoise.** Prior to the issuance of a grading permit for any phase, the following note shall be included on grading plans:

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

**construction activities, and shall include truck drivers, delivery personnel, and other project-related to personnel who have attended the training.**

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

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

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

Prior to the issuance of a grading permit, the following note shall be placed on the grading plans:

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

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

**Mitigation Measure GHG- 1.GHG Reduction Measures. Prior to the issuance of a building permit for any phase, Project plans shall demonstrate that the project shall accrue at least 100 points in the Screening Table for implementation of GHG Reduction Measures for Commercial Development as detailed in the County of San Bernardino Greenhouse Gas Emissions Reduction Plan.**

**Mitigation Measure GHG-2- Waste Recycling. The Project operators for any phase shall require recycling programs that reduces waste to landfills by a minimum of 50 percent (up to 75% by 2020 per AB 341).**

**Mitigation Measure GHG-3. Sidewalks. Prior to the issuance of building permits for any phase, Project plans shall demonstrate that sidewalks shall be provided within the Project boundary.**

**Mitigation Measure GHG-4. High Efficiency Lighting. Prior to the issuance of building permits for any phase, Project plans shall demonstrate that high-efficiency lighting shall be**

installed that is at least 10% more efficient than standard lighting and install Energy Star® appliances on-site.

**Mitigation Measure GHG-5. Plumbing Fixtures.** Prior to the issuance of building permits for any phase, Project plans shall demonstrate that all faucets, toilets and showers installed in the proposed structures utilize low-flow fixtures that would reduce indoor water demand by 20% per CalGreen Standards.

**Mitigation Measure GHG-6. Exceed Title 24 Requirements.** Prior to the issuance of building permits for any phase, Project plans shall demonstrate that all building structures meet or exceed 2016 Title 24, Part 6 Standards and meet Green Building Code Standards.

**Mitigation Measure HAZ-1. Asbestos Removal.**

Prior to the issuance of a grading permit or building permit (whichever comes first) for any area within the Open Space Area as shown on the site plan, the following note shall be included on the plans:

***"The County of San Bernardino Land Use Services Department-Planning Division shall condition all grading and demolition permits associated with the clearing of existing on-site structures for any phase to comply with Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP), as specified under 40 CFR 61, Subpart M per MDAQMD Rule 1000 as it applies to asbestos removal and demolitions. All asbestos-related clearing work conducted on the site shall be performed by a licensed asbestos-abatement contractor under the supervision of a certified asbestos consultant. Asbestos-containing construction materials shall be removed and disposed of in compliance with notification and asbestos-removal procedures outlined in MDAQMD rule 1000 to reduce asbestos-related health risks. The construction contractor shall maintain all records of compliance with Rule 1000, including, but not limited to, the following: evidence of notification of MDAQMD. Contact information for the asbestos-abatement contractor and asbestos consultant; and receipts (or other evidence) of off-site disposal of all asbestos containing materials. These records shall be made available for County inspection upon request."***

**Mitigation Measure HAZ-2. Soils Management Plan.** Prior to the issuance of a grading permit for any area within the Open Space Area as shown on the site plan, the following note shall be included in the grading plans:

***"Should construction activities be anticipated in the concrete bermed area where petroleum hydrocarbon contamination was found during the 2007 Phase II ESA, preparation of a soils management plan is recommended to assist in properly handling and disposing the impacted soil if encountered."***

**Mitigation Measure NOI-1-Construction Noise Mitigation Plan.** Prior to the issuance of a grading permit for any phase, the developer is required to submit a construction-related noise mitigation plan to the County Planning Department for review and approval. The plan must depict the location of construction equipment and how the noise from this equipment will be mitigated during construction of this project. In addition, the plan shall require that the following notes are included on grading plans and building plans. Project contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by County of San Bernardino staff or its designee to confirm compliance. These notes also shall be specified in bid documents issued to prospective construction contractors.

***"a) Haul truck deliveries shall be limited to between the hours of 6:00am to 6:00pm during the months of June through September and 7:00am to 7:00pm."***

**b) Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards.**

**c) All stationary construction equipment shall be placed in such a manner so that emitted noise is directed away from any sensitive receptors adjacent to the Project site.**

**d) Construction equipment staging areas shall be located the greatest distance between the staging area and the nearest sensitive receptors."**

**Mitigation Measure TCR-1: Twenty-Nine Palms Band of Mission Indians.**

**Prior to the issuance of a grading permit for any parcel proposed for development within the Project site, the applicant shall contact the Twenty-Nine Palms Band of Mission Indians to develop a Tribal Monitoring Agreement(s). A copy of the executed agreement shall be provided to the County of San Bernardino Land Use Services Department-Planning Division prior to the issuance of a grading permit**

**GENERAL REFERENCES**

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

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

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

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

California Energy Commission, *Electricity Consumption by County*, 2017  
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[www.sbcounty.gov/Uploads/lus/GreenhouseGas/FinalGHGFull.pdf](http://www.sbcounty.gov/Uploads/lus/GreenhouseGas/FinalGHGFull.pdf)

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

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

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

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

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

Mojave Desert Air Quality Management District, 2004 Ozone Attainment Plan

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

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

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

## **PROJECT SPECIFIC REFERENCES**

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

- Appendix A:** *Air Quality and Global Climate Change Impact Analysis*, Kunzman Associates, Inc., August 21, 2017,
- Appendix B:** *General Biological Resources Assessment, Dolores Lake Project*, RCA Associates, Inc., March, 2017
- Appendix C:** *Burrowing Owl Survey, Dolores Lake Project*, RCA Associates, Inc., August 15, 2017
- Appendix D:** *Cultural Resources (Phase I), Dolores Lake Project*, RCA Associates, Inc., April, 2017
- Appendix E:** *Geotechnical/Geologic Evaluation for CEQA Study, Dolores Lake Project*, CHG Consultants, March 2, 2017
- Appendix F:** *Phase I Environmental Site Assessment, 72 Hacienda Road, Newbury Springs, California, 92365*, EFI Global, Inc., March 24, 2017.
- Appendix G:** *Water Supply Assessment, Lake Dolores Project*, RCA Associates, Inc., March, 2017, (Appendix G)
- Appendix H:** *Hydrology and Hydraulic Report*, Sake Engineers, Inc., April 2019.
- Appendix I:** *Dolores Lake Traffic Impact Study*, Fehr-Peers, March 2017.