

Initial Study PROJ-2020-00077
Pioneertown Motel
APN: 0594-212-27, -28, -29, -30
December, 2021

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

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

PROJECT LABEL:

APNs:	0594-212-27, -28, -29, -30	USGS Quad:	Yucca Valley N 7.5
Applicant:	Pioneertown Motel, LLC	T, R, Section:	T01N R05E Sec. 19
Location:	5240 Curtis Road, Pioneertown, CA	Thomas Bros:	N/A
Project No:	PROJ-2020-00077	Community Plan:	Community of Pioneertown
Rep:	Matthew French	LUC Zone:	Rural Commercial (CR) Special Development – Residential (SD-RES)
Proposal:	Conditional Use Permit to expand existing Pioneertown Motel.	Overlays:	Fire Safety Area 2 (FS2) Desert Tortoise

PROJECT CONTACT INFORMATION:

Lead agency: County of San Bernardino
Land Use Services Department
15900 Smoke Tree Street, Suite #131
Hesperia, CA 92345

Contact person: Magda Gonzalez, MPA, Senior Planner
Phone No: (760) 995-8150 **Fax No:** (760) 995-8167
E-mail: Magda.Gonzalez@lus.sbcounty.gov

PROJECT DESCRIPTION:

Summary

Pioneertown Motel, LLC, Applicant, has submitted to the County of San Bernardino a Conditional Use Permit (CUP) to expand the existing Pioneertown Motel for constructing forty-seven (47) new motel rooms, horseback riding facilities, a day spa, an outdoor pool, a restaurant, an event venue, and retail space (“Project”). The Project consists of 18,113 sq. ft. of lodging in the form of thirty-six (36) cabins, one (1) bunkhouse with ten (10) units, and one (1) private suite located above the event venue. The Project includes 4,036 sq. ft. of amenities, 1,787 sq. ft. of back of house/administration uses, 785 sq. ft. of retail uses, a 3,447 sq. ft. guest-only event venue, and a 2,995 sq. ft. restaurant (see *Figure 3, Site Plan*). The facility will be staffed twenty-four (24) hours a day, seven days a week.

The Applicant has also requested a variance from the existing 10’ side yard setback to maintain the historic prevailing setback on Mane Street. The Applicant proposes that Mane Street-facing

buildings (the Bunkhouse and retail buildings) have porches at the property line. Additionally, the Applicant requests a vacation of the unused 30' wide road and utility easement that runs north/south on the westside of the Project site.

The Project site is comprised of four (4) parcels, Accessor's Parcel Numbers 0594-212-27, -28, -29 and -30, totaling approximately 5.79 acres located at 5240 Curtis Road in the unincorporated area of Pioneertown, County of San Bernardino ("County"), as illustrated in *Figure 1, Regional Vicinity and Figure 2, Aerial Imagery*.

The current General Plan Land Use Map (October 2020) designates the Project site as Commercial (APN 0594-212-30) and Rural Living (APNs 0594-212-27, -28, -29). However, as part of the Countywide Plan Project, the four (4) parcels will be designated Rural Commercial (CR). The Project site contains the existing Pioneertown Motel on APN 0594-212-30. The remaining three (3) parcels are currently vacant, undeveloped land with a relatively level terrain. The Project site is bisected by Rawhide Road, a dirt road that separates the existing motel from the three (3) vacant parcels.

The Project will be completed in two (2) phases. Phase 1 includes the construction of the Bunkhouse which consists of ten (10) motel rooms and the restaurant totaling 4,995 sq. ft. on Parcel A (APN 0594-212-30). Phase 1 also includes the construction of (3) retail buildings totaling 773 sq. ft. on Parcel A and improvements for all parcels. Parcel A consists of improvements to current code of (20) existing parking spaces, an equestrian lot, new water service, grading & stormwater improvements, road improvements, fire hydrants, and landscaping. Parcel B (APN 0594-212-29) consists of road improvements, grading & stormwater improvements, fire hydrants, and landscaping. Parcel C (APN 0594-212-28) consists of a package treatment plant and disposal field, grading & stormwater improvements, road improvements, fire hydrants, and landscaping. Parcel D (APN 0594-212-27) consists of fifty (50) new parking spaces, grading & stormwater improvements, new electrical service, road improvements, fire hydrants, and landscaping.

Phase 2 includes the construction of check-in (870 sq. ft.), housekeeping/laundry (424 sq. ft.), housekeeping/office/storage (757 sq. ft.), a horse loafing shed (366 sq. ft.), and landscaping on Parcel A. Parcel B includes the construction of ten (10) patio rooms totaling 4,620 sq. ft., sixteen (16) cabins totaling 4,864 sq. ft., and landscaping. Parcel C includes the construction of eight (8) patio rooms totaling 3,744 sq. ft., two (2) cabins totaling 608 sq. ft., a gym and sauna (387 sq. ft.), a hammam (288 sq. ft.), a spa treatment (180 sq. ft.), the event barn/lodge (4,747 sq. ft.), the pool & soaking tubs, and landscaping. Improvements include eight (8) new parking spaces in Parcel B and landscaping in Parcels A, B, C, and D.

Surrounding Land Uses and Setting

The Project site is within the boundaries of the unincorporated Community of Pioneertown, County of San Bernardino. As shown on the County of San Bernardino Land Use Map, the Project site is within the Commercial and Rural Living land use categories. The following table lists the existing adjacent land uses and zoning.

Existing Land Use and Land Use Category			
Location	Existing Land Use	Land Use Category	Zoning
Project Site	Commercial (Motel); Undeveloped and Vacant	Commercial Rural Living	Special Development – Residential (SD-RES)
North	Single-Family Residential	Rural Living	Special Development – Residential (SD-RES)
South	Commercial (Restaurant); Single- Family Residential	Commercial	Special Development – Residential (SD-RES)
East	Vacant/Single-Family Residential	Rural Living	Rural Living (RL)
West	Commercial (SFR)	Commercial	Special Development – Residential (SD-RES)

Project Site Location, Existing Site Land Uses and Conditions

The Project site is located approximately 3.3 miles northwest of SR-62 and approximately 4.1 miles west of SR-247, in the unincorporated Community of Pioneertown in the County of San Bernardino. The Project site is bound by Mane Street to the south, Curtis Road to the east, residential uses to the north, and commercial, residential, and vacant land uses to the west. The 5.61-acre site is currently developed with the existing Pioneertown Motel on Parcel A and the three (3) remaining parcels are vacant. The Project site occurs in the Land Use Categories of Commercial and Rural Living (October 2020). However, as part of the Countywide Plan Project, the four (4) parcels will be designated Rural Commercial. The proposed Project is currently in review and pending approval of the Conditional Use Permit (CUP). Surrounding land uses include residential land uses to the north, vacant land to the east, commercial uses to the south, and residential land uses, commercial land uses, and vacant land to the west.

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Federal: None.

State of California: None.

County of San Bernardino: Land Use Services Department: Building and Safety, and Land Development; Public Health: Environmental Health Services; Special Districts, County Fire: Community Safety, and Hazardous Materials; and Public Works: Surveyor, Solid Waste Management, and Traffic.

Regional: Mojave Desert Air Quality Management District; Colorado River Basin Regional Water Quality Control Board.

Local: None.

Figure 1 Regional Vicinity



 Project Boundary

Figure 1: Regional Vicinity
Pioneertown Motel
Pioneertown, County of San Bernardino

Figure 2 Aerial Imagery Map



 Project Boundary

Figure 2: Aerial Imagery Map

Pioneertown Motel

Pioneertown, County of San Bernardino



Figure 3 Site Plan

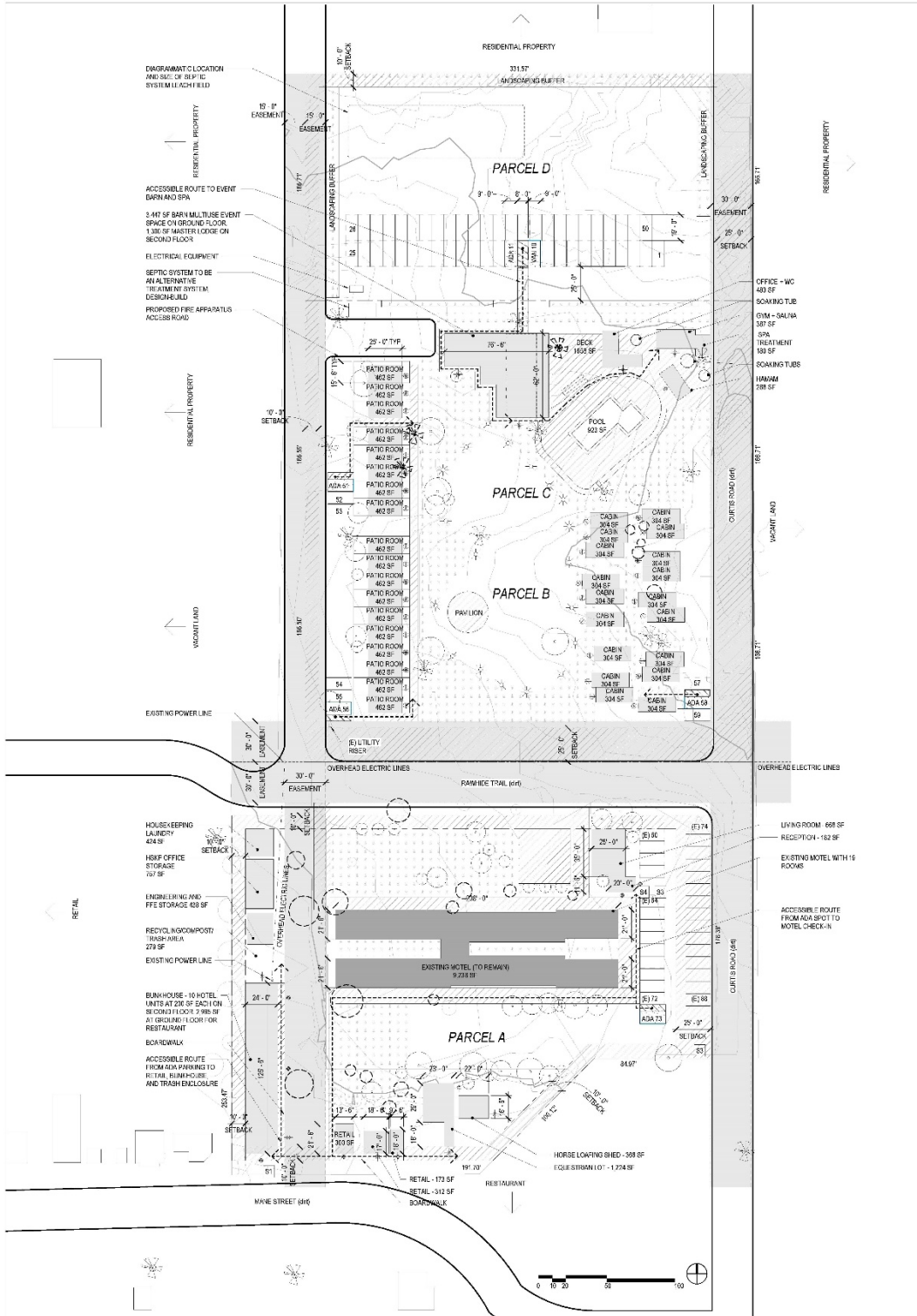
LOESCHER MEACHEM ARCHITECTS

353 S. BROADWAY SUITE 201
LOS ANGELES, CALIFORNIA 90013

PIONEERTOWN MOTEL

ATTACHMENT A: SITE PLAN

OFFICIAL USE ONLY



SITE PLAN LEGEND

- PROPOSED ADDITIONS
- EXISTING STRUCTURES TO REMAIN
- PROPERTY LINE
- SETBACKS
- EASEMENTS

ADJACENT AREAS LAND USE

NORTH: RESIDENTIAL DWELLINGS TO THE NORTH
 SOUTH: MAIN ST. WITH RETAIL, SHOP & RESTAURANT 'PAPPY & HARRIETS', PIONEERTOWN ROAD TO THE SOUTH
 EAST: VACANT LAND WITH DWELLINGS TO THE EAST
 WEST: WILLIAM B. HART RD. WITH DWELLINGS

PROJECT DESCRIPTION

A MINOR USE PERMIT TO EXPAND THE EXISTING PIONEERTOWN MOTEL TO INCLUDE RESERVING THREE (3) PARCELS. THE CONSTRUCTION OF FORTY (40) NEW (40) CABINS, A RESTAURANT, POOL, SPA, TREATMENT FACILITIES, AND SPA, AND OUTDOOR POOL, RETAIL BUILDINGS, A 2,305 SF RESTAURANT, AND A 3,147 SF GUEST-ONLY EVENT VENUE IN THE SPECIAL DEVELOPMENT RESIDENTIAL (SD) RES. LAND USE ZONING DISTRICT.

LAND USE DISTRICT

EXISTING: SD-RES
 PROPOSED: NO CHANGE

PARKING SPACE ANALYSIS

LAND USE/REQUIREMENT	PARKING RATE	BUILDING SIDE RATE	REQ.	PROV.
MOTEL	1 PER UNIT	NA	86	65
GENERAL RETAIL	1 SF PER 250 SF OF RETAIL	765 SF / 250 SF = 3.06	4	4
RESTAURANT (IN DESERT REGION)	1 SF PER 100 SF OF OLA	1725 SF / 100 SF = 17.25	16	16
TOTAL SPACES			86	85
EXISTING SPACES (USE PLAN FOR LOCATION)				33
DISABLED SPACES	4 FOR 75-100	NA	4	4
MAN ACCESSIBLE	1 PER 1 EVERY 6 DISABLED SPACES	NA	1	1
ELECTRIC VEHICLE	7 FOR 75-100 SPACES	NA	7	7

UTILITIES

WATER: SAN BERNARDINO COUNTY SPECIAL DISTRICTS 70 & 74
 SEWAGE DISPOSAL: SEPTIC
 ELECTRIC: SOUTHERN CALIFORNIA Edison
 GAS: S&W PROpane
 TELEPHONE: SOUTHERN CALIFORNIA TELEPHONE

LEGAL DESCRIPTION

LAND USE DISTRICT: SD-RES OVERLAY DISTRICT: FS-2

LEGAL DESCRIPTION: PARCEL A: APN 634-212-33-3000
 PARCEL B: APN 634-212-33-3000
 PARCEL C: APN 634-212-28-3000
 PARCEL D: APN 634-212-27-3000

USGS QUAD NAME: PIONEERTOWN
 LOCATION: COMMUNITY OF PIONEERTOWN, NEAREST CROSS STREET: RAWNICE TRAIL, STREET NAME: CURTIS ROAD, SIDE STREET: MAIN STREET
 SITE SIZE: 5.79 ACRES NUMBER OF LOTS: 4
 SITE ADDRESS: 524E CURTIS ROAD
 PROPOSED DEVELOPMENT AREA: APPROXIMATELY 2.76 ACRES

PLAN IDENTIFICATION

APN: 0594-212-27-0000, 0594-212-28-0000, 0594-212-29-0000, 0594-212-33-0000
 APPLICATION TYPE: REVISION TO AN APPROVED ACTION
 APPLICANT: PIONEERTOWN MOTEL, LLC
 ADDRESS: 5243 CURTIS ROAD PHONE: (714) 355-7301
 PLANS PREPARED BY: A. BEN LOESCHER, AIA PHONE: (310) 745-3211
 FIRM: LOESCHER MEACHEM ARCHITECTS, 353 S. BROADWAY #201, CA. 90013
 PREPARATION DATE: 04/26/2024 REVISED: 08/01/2024, 09/22/2024

LOT COVERAGE LEGEND

- PROPOSED BUILDING
- EXISTING BUILDING
- PAVING
- WOOD DECKING

LOT COVERAGE PERCENTAGE

TOTAL LOT SIZE: 244,094 SF
 NEW BUILDING: 28,169 SF / 244,094 SF = 11%
 PAVING: 1,568 SF / 244,094 SF = 0%
 LANDSCAPING: NA - LANDSCAPING IS NOT IMPERVIOUS SURFACE
 WOOD DECKING: 21,021 SF / 244,094 SF = 7.2%
 OPEN SPACE: NA - OPEN SPACE IS NOT IMPERVIOUS SURFACE
 TOTAL LOT COVERAGE: 11.2% MAX = 89%

SIGNAGE

- SIZE: (A) 4" X 36" (B) 25" W X 36" H
COPY: ALL-TYPHOGRAPHY / (B) PIONEERTOWN
ILLUMINATION: FRONT LIGHT WITH TRADITIONAL SURFACE MOUNT FIXTURE
- EXISTING SIZE: 6" X 30" H
EXISTING COPY: PIONEERTOWN MOTEL
ILLUMINATION: FRONT LIGHT WITH TRADITIONAL SURFACE MOUNT FIXTURE
- EXISTING SIZE: 12" W X 30" H
EXISTING COPY: PIONEERTOWN MOTEL
ILLUMINATION: FRONT LIGHT WITH TRADITIONAL SURFACE MOUNT FIXTURE
- SIZE: 9" X 30"
COPY: "WELCOME"
ILLUMINATION: VINTAGE STYLE NEON ON A RUSTIC METAL FRAME

LANDSCAPING LEGEND

- PROPOSED LANDSCAPING
- PROPOSED TREE

LANDSCAPING PERCENTAGE

TOTAL LOT SIZE: 244,094 SF
 LANDSCAPED AREA: 55,629 SF
 TOTAL LOT COVERAGE: 23%

LIGHTING NOTES

- ALL EXTERIOR LIGHTING TO COMPLY WITH INTERNATIONAL DARK SKY PRINCIPLES
- ALL PAVEMENT LIGHTING WILL BE DESIGNED TO PROVIDE 1 FC MINIMUM ILLUMINATION ON THE PAVEMENT SURFACE
- ALL PARKING LOT LIGHTING WILL BE DESIGNED TO PROVIDE 1 FC MINIMUM ILLUMINATION ON THE PAVEMENT SURFACE
- ALL LIGHTING TO BE TRADITIONAL IN STYLE OR MADE OF RUSTIC MATERIALS
- REFER TO LETTER OF INTENT FOR LIGHTING SPECS AND LIGHTING FIXTURES

NOTE: FOR REFERENCE IMAGES AND SIGNAGE NOTES, REFER TO LETTER OF INTENT.

PLANT AND TREE PROTECTION LEGEND

- TREE TO BE DEMOLISHED
- EXISTING TREE TO REMAIN
- JOSHUA TREE TO BE DEMOLISHED
- EXISTING JOSHUA TREE TO REMAIN

LIGHTING LEGEND

- PATRIOT LIGHTS: NOTED FOR LOCATION, NOT QUANTITY
- BUILDING LIGHTING
- GUESTROOM ENTRY LIGHTS

CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

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

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

The County, Lead Agency, commenced the AB 52 process by transmitting letters of notification to the California Native American tribes traditionally and culturally affiliated with the Project area in August 2020. The County transmitted letters of notification to the following tribes: Colorado River Indian Tribes, Fort Mojave Indian Tribe, Morongo Band of Mission Indians, San Manuel Band of Mission Indians, and 29 Palms Band of Mission Indians. San Manuel Band of Mission Indians has elected to be a consulting party under CEQA.

EVALUATION FORMAT

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

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

1. **No Impact:** No impacts are identified or anticipated, and no mitigation measures are required.
2. **Less than Significant Impact:** No significant adverse impacts are identified or anticipated, and no mitigation measures are required.
3. **Less than Significant Impact with Mitigation Incorporated:** Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List of mitigation measures)

4. **Potentially Significant Impact:** Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are (List of the impacts requiring analysis within the EIR).
5. At the end of the analysis the required mitigation measures are restated and categorized as being either self- monitoring or as requiring a Mitigation Monitoring and Reporting Program.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

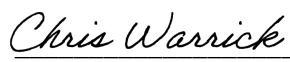
- | | | |
|---|--|--|
| <input type="checkbox"/> <u>Aesthetics</u> | <input type="checkbox"/> <u>Agriculture and Forestry Resources</u> | <input type="checkbox"/> <u>Air Quality</u> |
| <input checked="" type="checkbox"/> <u>Biological Resources</u> | <input checked="" type="checkbox"/> <u>Cultural Resources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

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

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


Signature: (Magda Gonzalez, MPA, Senior Planner)

January 6, 2022
Date


Signature: (Chris Warrick, Supervising Planner)

January 6, 2022
Date

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

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

San Bernardino Countywide Plan, approved October 27, 2020, adopted November 27, 2020; San Bernardino Countywide Plan Draft EIR, released June 17, 2019; Pioneertown Community Action Guide, updated 2020; San Bernardino County Development Code; Submitted Project Materials

Findings of Fact: The community of Pioneertown is surrounded by desert landscape including Joshua Trees, rolling hills, the Bighorn and San Gorgonio Mountains, and the valleys of Homestead, Yucca, and Morongo. Pioneertown is identified as a Desert Village Community in the Countywide Plan and is characterized by its rural context, abundant views of open space, and scenic and natural features that are a foundation of the community’s local economy.

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

The proposed Project is located approximately 340 feet north of Pioneertown Road, which is identified as County Scenic Route: Pioneertown Loop.¹ The designated land uses surrounding the Project site include Commercial and Rural Living. The Project site

¹ County of San Bernardino. NR-3 Scenic Route & Highways web map. Accessed September 28, 2020.

currently consists of the existing Pioneertown Motel, and the adjacent property, south of Mane Street, contains a restaurant, outdoor stage, and outdoor seating area. The expansion of the Pioneertown Motel would be consistent with the existing developments and would not greatly alter the character of the area. The Project is consistent with the Countywide Plan and zoning designation and would be required to follow the County's policies regarding scenic resource preservation. Additionally, the scenic vista closest to the Project site is the Flat Top Mountains located approximately 0.5 miles north of the site. The Project proposes multiple buildings and structures that will not exceed a height of 35 feet with a total lot coverage of 17.2%. The Project would not cause a significant disruption to the view of the scenic vista due to the distance between the mountains and the Project site in comparison to the height and density of the Project. Therefore, the Project would have a less than significant impact on a scenic vista.

Less Than Significant Impact

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

The Project site is not located within or adjacent to a scenic highway corridor and does not contain scenic resources, such as rock outcroppings or historic buildings. The nearest eligible state scenic highway is Route 62, which is approximately 3.3 miles southeast of the site.² Although the Project site is located near Pioneertown Road, the site is approximately 340 feet north of the County identified scenic route. Areas subject to development criteria within scenic areas are defined as, "an area extending 200 feet on both sides of the ultimate road right-of-way of State and County designated Scenic Highways as identified in the General Plan."³ Therefore, the Project would result in a less than significant impact on the scenic route.

Less Than Significant Impact

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

The Applicant is requesting a Conditional Use Permit (CUP) for the expansion of the existing Pioneertown Motel. The Project is compliant with the existing land use and zoning designations. The Project site includes Parcel A, which is developed with the existing Pioneertown Motel. Parcel B is vacant; however, the parcel is well-traversed and consists of several horse corrals with little vegetation. Parcels C and D are vacant and consist of natural vegetation. Although the proposed Project would require the removal of natural vegetation, public views would not be significantly affected. The Project does not conflict with applicable zoning or other regulations governing scenic quality. The proposed Project will be subject to conformance with design guidelines and

² Caltrans. California State Scenic Highway System Map, Accessed September 28, 2021 [California State Scenic Highway System Map \(arcgis.com\)](#).

³ San Bernardino County. Development Code. Section 82.19.040.

criteria after approval to create a synchronous visual character with the surroundings. Therefore, implementation of the proposed Project would not have a substantial adverse effect on the existing visual character or quality of public views, a less than significant impact would occur.

Less Than Significant Impact

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

Excessive or inappropriately directed lighting can adversely impact night-time views by reducing the ability to see the night sky and stars. Glare can be caused from unshielded or misdirected lighting sources, as well as reflective surfaces. The County’s Municipal Code Section 83.07.040 includes design standards for outdoor lighting that apply to all development in the Mountain and Desert regions⁴. The Municipal Code lighting standards govern the placement and design of outdoor lighting fixtures to ensure adequate lighting for public safety while also minimizing light pollution and glare and precluding public nuisances. Furthermore, all exterior lighting for the Project will comply with international dark sky principles. Although the proposed Project would be required to adhere to the applicable requirements of the County’s Municipal Code, the Project would introduce new sources of light at the developed Project site, including a restaurant, bunkhouse, event venue, retail area, outdoor pool, cabins, and other amenities. The additional light sources on site due to the Project are typical for this type of development and are not anticipated to be substantial enough to adversely affect day or nighttime views in the area. Therefore, a less than significant impact would occur.

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<p>II. AGRICULTURE AND FORESTRY RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				

⁴ San Bernardino County. Development Code. Section 83.07.040

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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):

Countywide Plan; California Department of Conservation Farmland Mapping and Monitoring Program; San Bernardino County Agricultural Resources GIS Map

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

The California Department of Conservation’s (CDC) Farmland Mapping and Monitoring Program (FMMP) identifies and maps significant farmland. Farmland is classified using a system of five categories including Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance or Potential, and Grazing Land. The classification of farmland is determined by a soil survey conducted by the Natural Resources Conservation Service (NRCS) which analyzes the suitability of soils for agricultural production. The Project site is in an area that is not mapped by the FMMP and falls outside of the NRCS soil survey.⁵ Therefore, the Project site is not within an area capable of supporting significant farmland. The proposed Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. No impact would occur.

⁵ California Department of Conservation. California Important Farmland Finder GIS Application. Accessed September 28, 2021. [ArcGIS Web Application](#).

No Impact

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

The Project site is zoned Special Development – Residential (SD-RES), and the proposed Project is consistent with the Countywide Plan and zoning designation. Furthermore, there are no properties zoned for agricultural land uses in the Project's vicinity. Therefore, implementation of the Project has no potential to conflict with existing zoning for agricultural use. Additionally, the Project site is partially developed with the existing Pioneertown Motel structure is not under a Williamson Act Contract.⁶ As such, no impact would occur.

No Impact

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

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

No Impact

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

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

No Impact

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

As previously discussed under Section II (a), the Project site is not mapped by the FMMP, the site falls outside of the NRCS soil survey, and the site does not meet the definition of Farmland (i.e. "Prime Farmland", "Unique Farmland", or "Farmland of Statewide Importance"). The Project site consists of the existing Pioneertown Motel structure and does not contain active agricultural uses under existing conditions. Therefore, no changes in the existing environment would result in conversion of

⁶ County of San Bernardino. NR-5 Agricultural Resources Zones web map. Accessed September 28, 2021.

Farmland to non-agricultural uses or conversion of forest land to non-forest use; thus, no impacts would occur.

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management district or air pollution control district might be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Countywide Plan; San Bernardino Countywide Plan EIR; Submitted Project Materials; Urban Crossroads, Pioneertown Motel Expansion Air Quality Impact Analysis, prepared August 16, 2021 (Appendix A)

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

standards. Existing air quality is measured at established MDAQMD air quality monitoring stations.

The determination of whether a region's air quality is healthful or unhealthy is determined by comparing contaminant levels in ambient air samples to the state and federal standards. The U.S. EPA has set National Air Quality Standards (NAAQS) and monitoring requirements for six principal pollutants, which are called "criteria pollutants," including Ozone (O₃), Particulate Matter (PM) (including both PM₁₀ and PM_{2.5}), carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and lead (Pb). The MDAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause regional and/or localized exceedances of the federal and/or state ambient air quality standards, such as the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS). Currently, the MDAB is in nonattainment for Ozone (O₃) and PM_{2.5} under state and federal air quality standards.⁷ The federal Clean Air Act (CAA) requires areas that are not attaining the national ambient air quality standards (NAAQS) to develop and implement an emission reduction strategy that will bring the area into attainment in a timely manner. The MDAQMD has adopted a series of Air Quality Management Plans (AQMPs) to meet the state and federal ambient air quality standards. The most recent AQMP for the MDAB was published in 2016. The MDAQMD has developed regional and localized significance thresholds (LST) for criteria pollutants, which indicate that any Projects in the MDAB with daily emissions that exceed any of the indicated thresholds should be considered having an individually and cumulatively significant air quality impact. Pursuant to the methodology provided in MDAQMD CEQA Air Quality Handbook, consistency with the AQMP is affirmed when a Project (1) does not increase the frequency or severity of an air quality standards violation or cause a new violation and (2) is consistent with the growth assumptions in the AQMP.

Findings of Fact: An Air Quality Impact Analysis (AQIA), dated August 16, 2021, was prepared by Urban Crossroads for the proposed Pioneertown Motel Expansion Project. The purpose of the AQIA is to evaluate the potential impacts to air quality associated with the construction and operation of the proposed Project. The AQIA adheres to the guidelines set forth by the Mojave Desert Air Quality Management District and by the California Environmental Quality Act (CEQA).

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

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

⁷ Urban Crossroads. Pioneertown Motel Expansion Air Quality Impact Analysis County of San Bernardino. August 16, 2021. (Appendix A)

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

Based on the air quality modeling analysis contained in the Air Quality Impact Analysis (AQIA), the proposed Project will generate emissions of VOC, NO_x, CO, SO_x, PM₁₀, and PM_{2.5}. However, these emissions would not exceed the MDAQMD regional threshold and would not be expected to result in ground level concentrations that exceed the NAAQS or CAAQS. The AQIA concluded that short-term construction impacts, and long-term operation impacts of the proposed Project will not result in significant impacts based on the MDAQMD regional thresholds of significance and are therefore not considered to be in conflict with the Federal Particulate Matter Attainment Plan and Ozone Attainment Plan for the Mojave Desert.⁸ Furthermore, the proposed Project is consistent with the existing zoning designation and land use policies. Therefore, the proposed Project would not create emissions that would exceed those assumed in the AQMP and would therefore be consistent with the AQMP. Additionally, the Project is required to comply with all applicable MDAQMD Rules and Regulations, including but not limited to Rules 1113 (Architectural Coatings), 401 (Visible Emissions), 402 (Nuisance), and 403 (Fugitive Dust). Thus, impacts related to air quality plan consistency would be less than significant.

Less Than Significant Impact

- b) *Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?*

Construction Emissions:

Construction related emissions are considered short-term and are expected to result from the following construction activities: demolition, site preparation, grading, building construction, paving, architectural coating, and construction workers commuting. Construction is anticipated to begin in mid-2022 and end in mid-2024. The estimated emissions generated by construction of the proposed Project are shown in *Table 3-1 Construction Emissions Summary*, which represents summer and winter construction emissions. Estimated Project construction emissions would not exceed criteria pollutant thresholds established by the MDAQMD for emissions of any criteria pollutant. Therefore, construction emissions would be less than significant.

⁸ Urban Crossroads. Pioneertown Motel Expansion Air Quality Impact Analysis County of San Bernardino. August 16, 2021. (Appendix A)

Table 3-1 Construction Emissions Summary

Year	Emissions (pounds/day)					
	VOC	NO _x	CO	SO _x	PM10	PM2.5
Summer						
2022	3.72	32.67	27.57	0.06	5.15	2.96
2023	1.96	14.48	16.77	0.03	1.43	0.81
2024	45.22	13.67	16.50	0.03	1.35	0.74
Winter						
2022	3.71	32.72	27.07	0.06	5.15	2.96
2023	1.95	14.53	16.37	0.03	1.43	0.81
2024	45.22	13.72	16.13	0.03	1.35	0.74
Maximum Daily Emissions	45.22	32.72	27.07	0.06	5.15	2.96
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	No	No	No	No	No	No

Source: CalEEMod Version 2020.4.0

Operational Emissions:

Long-term air quality impacts generally involve mobile source emissions generated from project-related traffic and stationary source emissions. Operational emissions would be expected from the following primary sources—area source emissions, energy source emissions, mobile source emissions, and on-site equipment emissions. The estimated emissions generated by Project operations are shown in *Table 3-2 Peak Operational Emissions Summary*, which represents summer and winter operational emissions. The Project would not exceed the thresholds of significance established by the MDAQMD for emissions of any criteria pollutant. Therefore, operational emissions would be less than significant.

Table 3-2 Peak Operational Emissions Summary

Year	Emissions (pounds/day)					
	VOC	NO _x	CO	SO _x	PM10	PM2.5
Summer						
Area Source	2.57	1.30E-04	0.01	0.00	5.00E-05	5.00E-05
Energy Source	0.16	1.44	1.21	8.64E-03	0.11	0.11
Mobile Source	0.51	0.53	3.92	8.01E-03	0.80	0.22
Total Max Daily Emissions	3.24	1.97	5.15	0.01	0.91	0.33
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	No	No	No	No	No	No
Winter						
Area Source	2.57	1.30E-04	0.01	0.00	5.00E-05	5.00E-05
Energy Source	0.16	1.44	1.21	8.64E-03	0.11	0.11
Mobile Source	0.45	0.57	3.60	7.44E-03	0.80	0.22
Total Max Daily Emissions	3.16	2.01	4.83	0.02	0.91	0.33
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	No	No	No	No	No	No

Source: CalEEMod Version 2020.4.0

The Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or

state ambient air quality standard. Thus, there is a less than significant impact as a result of the Project. No mitigation measures are required.

Less Than Significant Impact

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

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

The MDAQMD's Guidelines state that the following project types require an evaluation using significance threshold criteria when proposed within the specified distance of an existing or planned sensitive receptor:

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

The proposed Project does not include any of the listed project types; however, the Project is adjacent to multiple single-family residences. As explained in Section III (a) above, adherence to MDAQMD rules such as Rules 403 (Fugitive Dust) is required during Project construction. Implementation of these control measures will further reduce criteria pollutant emissions due to construction, and a less than significant impact will occur.

Less Than Significant Impact

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

The Project will not involve land uses that are typically associated with odor complaints, as are agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Potential odor sources associated with the proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the Project's (long-term operational) uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. It is

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

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
IV. BIOLOGICAL RESOURCES - Would the project:				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input 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 Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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

Countywide Plan; San Bernardino Countywide Plan EIR; Submitted Project Materials; Wilder Ecological Consulting Inc., General Biological Survey and Focused Surveys for Burrowing Owl and Desert Tortoise for the Pioneertown Motel Expansion, prepared May 2020 (Appendix 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 Wildlife or U.S. Fish and Wildlife Service?

Wilder Ecological Consulting, Inc. performed a biological site assessment and species inventory at the Project site on May 31, 2020. Prior to the site assessment, Wilder Ecological Consulting, Inc. biologists researched readily available information, including previous studies and reports, relevant literature, databases, agency websites, Geographic Information Systems (GIS) data, maps, aerial imagery from public domain sources, and in-house records. This was performed to assess habitats, special-status plant and wildlife species, identify jurisdictional features that may occur within the Project impact area, identify critical habitat and wildlife corridors that may occur in and near the Project site, and to identify and review local or regional plans, policies, and regulations that may apply to the Project site. The biological site assessment and species inventory includes a compendia of all plants and animals observed during the July 30, 2021 site visit. USFWS and CDFW protocol level focused surveys for burrowing owl and desert tortoise were not performed during the site visit.

A general biological site assessment of the Project site with special focus on burrowing owl (*Athene cunicularia*) and desert tortoise (*Gopherus agassizii*) was completed on May 31, 2020, coinciding with the nesting season for burrowing owl, the active season for tortoise, and nesting season for birds. The general biological site assessment was conducted by Wilder Ecological Consulting, Inc. over one-day with the biologist being able to obtain 100% visual observation of the entire Project site. The buffer area surrounding the Project site was not surveyed, as access was restricted due to private ownership. Properties surrounding Project site to the north and west are characterized by rural residential dwellings, associated outbuildings, and parking areas. These properties support some scattered Joshua trees and native vegetation amidst the anthropogenic features. Properties to the south are comprised of commercial buildings and graded parking lots. On the east side of the Project site is a private residence on a large lot with scattered Joshua trees and some native vegetation which could be considered low to moderate potential desert tortoise habitat.

Burrowing owl is listed as a Species of Special Concern by the CDFW. Desert tortoise is listed as federally Threatened under the Endangered Species Act and as Threatened by the state of California Endangered Species Act. The general biological site assessment of the Project site concluded that no special status wildlife species, including burrowing owls or desert tortoises, were observed within the Project site at the time of the survey. However, there is moderate to low likelihood of occurrence for both burrowing owl and desert tortoise as suitable habitat conditions exist within and directly adjacent to the Project site.

Special-status birds such as prairie falcons (*Falco mexicanus*) and golden eagles (*Aquila chrysaetos*) are likely to occur in the general area of the Project site but would not nest on the Project site due to unsuitable nesting substrate and proximity to human activity. The most likely sensitive bird species that might nest on-site would be the loggerhead shrike (*Lanius ludovicianus*) and Le Conte's thrasher (*Toxostoma lecontei*).

A portion of the Project site is landscaped with a mixture of native and non-native plants. Both of these parcels receive some amount of irrigation, with water fed through underground lines and delivered by drip systems or delivered directly by hand with garden hoses. Non-native vegetation includes several large cottonwood trees (*Platanus* sp.), Mondell pine trees (*Pinus* sp.), catclaw acacias, and desert willows (*Chilopsis linearis*), with other ornamental flowering plants around the border of the parcel.

Also noted on the Project site is a fragmented patch of largely undisturbed native Joshua tree woodland with an understory characterized by blackbrush (*Caleogyne ramosissima*), Mormon tea (*Ephedra nevadensis*), silver cholla (*Cylindropuntia echinocarpa*), catclaw acacia, bristly fiddleneck (*Amsinckia tessellata*) and notch-leaf phacelia (*Phacelia crenulata*), with a significant cover of invasive brome (*Bromus* sp.) and red-stemmed filaree (*Erodium cicutarium*) and Sahara mustard (*Brassica tournefortii*).

Joshua tree are a CDFW candidate-endangered species and removal and/or relocation will require coordination with CDFW as well as attainment of an Incidental Take Permit (ITP).

With incorporation of Mitigation Measures **BIO-1, BIO-2, BIO-3, BIO-4, and BIO-5** direct and/or indirect impacts 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 CDFW or USFWS would be less than significant.

Less than Significant with Mitigation

- b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?*

The Joshua tree is a candidate species in the initial stages of consideration for listing as endangered under the California Endangered Species Act (CESA) (Office of Administrative Law's Notice ID #Z2019-1112-01 and Z2020-0924-01 Petition to list

Western Joshua Tree (*Yucca brevifolia*) as an Endangered Species). Therefore, the incorporation of Mitigation Measure **BIO-5** (Incidental Take Permit from CDFW) will reduce potential impacts to a less than significant level.

Less than Significant with Mitigation

- c) *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

The General Biological Surveys Report prepared by Wilder Ecological Consulting, Inc. states there is no riparian vegetation within the Project site boundary or in the adjacent buffer areas. No ephemeral drainage channels, wetlands, or vernal pools were observed on the Project site during the survey. Development of the Project site as proposed would not result in impacts to riparian vegetation community because these resources do not occur on the Project site or within the area of project impacts. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Biological Resource Assessment Report states there were no distinct wildlife corridors identified on the Project site or in the immediate area. Additionally, the Project site is not within an area that includes sensitive habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.). The proposed Project is not anticipated to 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 since the site does not include disturbances to any sensitive areas. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

During September 2020, California Department of Fish and Wildlife proposed the Joshua tree as a candidate threatened species. As a candidate species, the Joshua tree must be evaluated as a threatened species. On October 15, 2020, the County of San Bernardino released a statement regarding Joshua tree preservation. Due to the CDFW listing, the County cannot issue a permit to take (by removal or transplanting) any Joshua tree.⁹ Therefore, the Project must apply for an Incidental Take Permit (ITP)

⁹ Joshua trees are now protected by the State of California as a candidate for listing as an endangered species, San Bernardino County, October 15, 2020.

through CDFW. The Project must also comply with the County's Desert Plant Protection Ordinance. Thus, compliance with the Desert Plant Protection Ordinance and the incorporation of Mitigation Measure **BIO-5**, (Incidental Take Permit from CDFW), Project impacts will be reduced to less than significant.

Less than Significant with Mitigation

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

The General Plan does not identify the Project site, nor the vicinity to be within a Habitat Conservation Plan (HCP) and will not conflict with the provisions of an adopted HCP, Natural Community Conservation Plan (NCCP), or other approved local, regional or State HCP since there is no adopted HCP or NCCP in the Project area or local region. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Mitigation Measures

Mitigation:

IV.

(a)

BIO-1 Preconstruction Nesting Bird Surveys

If it is not feasible to avoid the nesting bird season (February 1 through August 31), a qualified biologist shall conduct a pre-construction nesting bird survey to determine presence/absence, location, and status of any active nest. To avoid the destruction of active nests and to protect the reproductive success of birds protected by the MBTA and the CFGC, the nesting bird survey shall occur no earlier than seven (7) days prior to the commencement of construction.

In the event active nests are discovered, a suitable buffer (distance to be determined by a qualified biologist) shall be established around active nests and no construction within the buffer allowed, until the biologist has determined the nest is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest).

(a)

BIO-2 Preconstruction Burrowing Owl Surveys

A qualified biologist will perform preconstruction clearance surveys for western burrowing owl year-round and no more than 30-days prior to ground disturbance. The survey will be conducted during day-light hours and the biologist will visually cover 100% of the site. Preconstruction clearance surveys for burrowing owl shall follow the CDFW 2012 Staff Report guidelines. If burrowing owl are not observed on site, a Memorandum of Findings will be provided to CDFW. If burrowing owl are observed occupying the site, a 250-foot buffer will be established around all active burrows and CDFW will be

informed immediately of nesting/occupation activities. Mitigation Measure **BIO-3** describes the activities associated with relocation to reduce the impacts to less than significant.

All active burrows will be monitored no less than once a week to determine the level of activity.

(a)

BIO-3 Passive or Active Relocation of Burrowing Owls

If burrowing owls are observed on the Project site during preconstruction surveys, CDFW shall be immediately notified to determine if avoidance of the nest is appropriate until the nest is vacated, or to gain concurrence from CDFW on active or passive relocation actions. All passive or relocation activities shall be in concurrence with CDFW guidelines (Staff Report on Burrowing Owl Mitigation 2021).

If burrowing owl are present and nesting on-site the following steps shall be necessary to reduce impacts to less than significant. These steps may be augmented by recommendations from CDFW:

- a. Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFW verifies through non-invasive methods that: (1) owls have not begun egg-laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.
- b. A qualified biologist shall exclude all owls from active burrows using one-way doors. Concurrently, all inactive burrows and other sources of secondary refuge for burrowing owls shall be collapsed and removed from the site.
- c. Following and 24 to 48-hour observation period, all vacated burrows shall be collapsed.
- d. A qualified biologist shall conduct a post-exclusion survey confirming the absence of burrowing owls on the Project site. Should newly occupied burrows be discovered on the Project site the exclusion activities shall be repeated.

(a)

BIO-4 Preconstruction Desert Tortoise Survey

A USFWS authorized biologist shall survey the Project site (including buffer where accessible) for the presence of desert tortoise no more than 14 days prior to the commencement of project activities.

If desert tortoise and/or active burrows are observed, the authorized biologist shall contact USFWS for concurrence and direction on relocation of the tortoise. In general, desert tortoise shall be moved no more than 1,000 feet for juveniles and adults, and 300 feet for hatchlings.

(a, b, e)

BIO-5 Incidental Take Permit from California Department of Fish and Wildlife

An Incidental Take Permit shall be required from CDFW for the removal of Joshua trees on the Project site. An Incidental Take Permit (ITP) application and supporting documentation shall be submitted to CDFW for review and approval for removal of Joshua trees on the Project site. An ITP establishes a performance standard requiring that the impacts be “minimized and fully mitigated” with “measures that are roughly proportional in extent to the impact of the authorized taking on the species.” Therefore, additional mitigation measures, such as the purchase of credits from an approved conservation or mitigation bank, land acquisition, or entry into a conservation easement, will be determined in consultation with CDFW to meet ITP requirements. Because the Joshua tree was designated as a candidate species in October 2020 and is still subject to a status review by CDFW, it is impractical to determine the specific details of mitigation, beyond compliance with the ITP.

An ITP application requires a completed CEQA document to accompany the ITP application and fee. CDFW requires the CEQA document have a state clearing house number, show proof of filing fees, and proof the document has been circulated. CDFW will then review the ITP and CEQA document and make a determination of mitigation. At the time of the writing of this document, CDFW is not accepting relocation of Joshua tree for mitigation or to lessen mitigation obligations. Relocation on site can be permitted as a “covered” activity but will not ultimately reduce the mitigation obligation. Purchase of credits in an approved mitigation bank would be acceptable, however, as of the writing of this document, there are no approved banks for Joshua tree. At this time, CDFW is only accepting land acquisition as mitigation for removal of Joshua trees (personal communication Julia Carol, CDFW Region 6, October 13, 2021).

Therefore, no significant adverse impacts are identified or anticipated with the implementation of Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, and BIO-5.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
V. CULTURAL RESOURCES - Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>SUBSTANTIATION:</i> (Check if the project is located in the Cultural <input type="checkbox"/> or Paleontologic <input type="checkbox"/> Resources overlays or cite results of cultural resource review):				

Countywide Plan; San Bernardino Countywide Plan EIR; Pioneertown Community Action Guide; Submitted Project Materials; McKenna et al., Phase I Cultural Resources Investigation, prepared July 27, 2020 (Appendix C)

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

McKenna et al. prepared a Phase I Cultural Resources Investigation and Assessment for the proposed Project, dated July 27, 2020. The purpose of the assessment was to identify and document any cultural and/or paleontological resources that may potentially occur within the Project site. The investigation was completed for compliance with the California Environmental Quality Act (CEQA), as amended, and the San Bernardino County policies and guidelines. McKenna et al. obtained historic and prehistoric resource data through research conducted through the California State University Fullerton, South Central Coastal Information Center; University of California, Riverside Historic Map Library; NETR historic maps and photographs; Bureau of Land Management General Land Office; and local history resources.

The Cultural Resources Investigation included an archaeological records search at the California State University, Fullerton South Central Coastal Information Center (July 10, 2020). The research identified the presence of five (5) cultural resources within a 1-mile radius of the Project site. Of the five (5) resources, only one (1) cultural resource directly involved the Project site. McKenna et al. (2008-2013) recorded the community of Pioneertown (P-36-025903) as a district qualifying under Criteria A, B, and C of NEPA and CEQA. Subsequent work by Gentry (2018) and Paul (2019) support the presence of a district and the eligibility for National and State level recognition, due to significant historical events and figures involved in the development of the community.¹⁰

The Project site is comprised of four (4) parcels. Assessor's Parcel Number (APN) 0594-212-30 contains the Pioneertown Motel, originally construed in 1947 and known as the Old Pioneer Townhouse. The parcel is located within the boundaries of the Pioneertown Historic District (national Register nomination). With the exception of the Motel, there were no paleontological, prehistoric, or other historic resources identified within the Project site.

The research completed by McKenna et al. concluded that significant historic resources are present within APN 0594-212-30 of the Project site. To ensure that the proposed Project results in a less than significant impact, Mitigation Measure **CUL-1** provides requirements to evaluate and preserve the Pioneertown Motel and cultural resources within the parcel boundary.

Less than Significant with Mitigation

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

¹⁰ McKenna et al., Phase I Cultural Resources Investigation and Assessment for the Proposed Expansion of the Pioneertown Motel Complex in Pioneertown, San Bernardino County, CA, July 27, 2020. (Appendix C)

The extensive research and a field intensive pedestrian survey, conducted by McKenna et al. on Jun 17, 2020, confirmed that there is no surficial evidence of paleontological resources within the Project site. However, a paleontological overview, completed by McLeod of the Natural History Museum of Los Angeles County, identified the Project area as consisting of Older Quaternary Alluvium. Older Quaternary Alluvium has been known to yield evidence of significant vertebrate fossil specimens. Therefore, the area is considered sensitive for fossil specimens in a buried context, and any “substantial” excavations that exceed the presence of the coarse alluvial deposits and impacts the finer-grained alluvial deposits shall be monitored.¹¹ Additionally, research and field surveys produced no evidence that prehistoric Native American resources were located within the Project area. However, a Native American site is located in the southeastern corner of the community of Pioneertown, attesting to the potential for additional Native American resources to be within the area. Although the development of Pioneertown likely impacted or destroyed any other Native American resources, these resources may be present in undisturbed areas. The Phase I Cultural resources Investigation concluded that there is a moderate level of sensitivity for the presence of paleontological resources, and a low level of sensitivity for prehistoric archaeological resources. Thus, Mitigation Measures **CUL-2** and **CUL-3** are identified to require paleontological monitoring and recommend archaeological monitoring. It is important to note that **CUL-3** discusses an archaeological monitoring program that will only be required upon the request of Native American representatives and agreeance of the Lead Agency. With incorporation of mitigation, impacts would be less than significant.

Less than Significant with Mitigation

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

The likelihood of encountering human remains during Project construction is minimal. However, construction activities, particularly grading, could potentially disturb human remains interred outside of a formal cemetery. Field surveys conducted as part of the Cultural Resource Investigation did not encounter any evidence of human remains, and the Project site is not located on or near a known cemetery. However, these findings do not preclude the existence of previously unknown human remains located below the grounds surface. As a result, Mitigation Measure **CUL-3** has been identified to reduce potentially significant impacts to previously unknown human remains that may be unexpectedly discovered during Project implementation to a less than significant level. Consistent with State law, if at any time during grading human remains are found, the Project is to be conditioned to halt work and contact the San Bernardino County Coroner’s Office. Based on compliance with existing regulations and the implementation of Mitigation Measure **CUL-3**, the Project’s potential to disturb human remains is considered less than significant with mitigation.

¹¹ McKenna et al., Phase I Cultural Resources Investigation and Assessment for the Proposed Expansion of the Pioneertown Motel Complex in Pioneertown, San Bernardino County, CA, July 27, 2020. (Appendix C)

Less than Significant with Mitigation

Mitigation Measures

Mitigation:

V.

(a)

CUL-1 Inadvertent Discovery

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

(b)

CUL-2 Paleontological Monitoring

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

(b, c)

CUL-3 Archaeological Monitoring

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

Therefore, no significant adverse impacts are identified or anticipated with the implementation of Mitigation Measures CUL-1, CUL-2, and CUL-3.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
VI. ENERGY – Would the project:				

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) | Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

energy resources, during project construction or operation?

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

SUBSTANTIATION:

California Energy Commission; Submitted Project Materials; Urban Crossroads, Pioneertown Motel Expansion Energy Analysis, prepared August 16, 2021 (Appendix D)

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

The construction activities for the proposed Project would include grading of the Project site and construction of forty-seven (47) new rooms, an event venue, a restaurant, horseback riding facilities, a day spa, an outdoor pool, and retail space. Urban Crossroads prepared an Energy Analysis for the proposed Project, dated August 16, 2021. The analysis concluded that implementation of the proposed Project would result in an increase in energy demand, however, Project implementation would have a less than significant environmental impact.

Construction Related:

The Project would consume energy resources during construction in three (3) general forms:

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

Energy:

The Project would consume electricity to construct the new buildings, amenities, and infrastructure. Electricity would be supplied to the Project by Southern California Edison (SCE) and would be obtained from the existing electric utility lines in the vicinity of the Project site. Electricity consumed during Project construction would vary throughout the construction period based on the construction activities being performed. As shown below, in *Table 6-1 Construction Electricity Usage*, Project construction is estimated to utilize approximately 62,070 kWh of electricity. Such electricity demand would be temporary, nominal, and would cease upon the completion of construction. Overall, construction

activities associated with the Project would not be expected to have an adverse impact on available electricity supplies and infrastructure.

Table 6-1 Construction Electricity Usage

Land Use	Project Construction Electricity Usage (kWh)
Motel	44,042
Regional Shopping Center	383
Parking Lot	17,193
Recreational Swimming Pool	451
Construction Electricity Usage	62,070

Cal EEMod Version 202.4.0

Petroleum Fuel:

Petroleum-based fuel usage represents the highest amount of energy potentially consumed during construction from off-road equipment operating on the Project site, on-road automobiles transporting workers to and from the Project site, and on-road trucks transporting equipment and supplies to the Project site. All construction equipment is subject to the California Air Resources Board (CARB) In-Use Off Road Diesel-Fueled Fleets Regulation. This regulation, which applies to all off-road diesel vehicles 25 horsepower or greater, limits unnecessary idling to five (5) minutes, requires all construction fleets to be labeled and reported to CARB, bans Tier 0 equipment, phases out Tier 1 and 2 equipment, and requires that fleets comply with Best Available Control Technology requirements, which would increase construction equipment fuel efficiency.¹² The Energy Analysis prepared by Urban Crossroads estimates that approximately 61,837 gallons of diesel fuel will be used to power construction equipment and approximately 12,745 gallons of diesel fuel will be consumed during construction worker trips. The Energy Analysis concludes that construction activities for the Project would not result in wasteful, inefficient, and unnecessary consumption of energy resources.

Operation Related:

Energy:

In 2020, the Commercial sector of the Southern California Edison planning area consumed 34373.922049 GWh of electricity.¹³ As shown below, in *Table 6-2 Project Annual Electricity Demand Summary*, the estimated electricity demand of the Project is 1,595,300 kWh per year, which equates to 1.5953 GWh per year. The Project's estimated annual electricity consumption compared to the 2020 annual electricity consumption of the overall Commercial sector in the SCE Planning Area would account for approximately

¹² California Air Resources Board. Guide to Off-Road Vehicle & Equipment Regulations. Accessed October 7, 2021.

¹³ California Energy Commission. Energy Reports. Accessed October 25, 2021. <https://ecdms.energy.ca.gov/elecbyplan.aspx>.

0.00464102 percent of total electricity consumption. The existing electrical facilities are sufficient to meet this increased demand.

Table 6-2 Project Annual Electricity Demand Summary

Land Use	Electricity Demand (kWH/year)
Motel	1,573,450
Regional Shopping Center	9,530
Parking Lot	12,320
Recreational Swimming Pool	0
Total Project Electricity Demand	1,595,300

Cal EEMod Version 202.4.0

Additionally, the proposed Project would be designed to comply with the County of San Bernardino’s Building and Energy Efficiency Standards. The Project would be required to adhere to CAL Green, which established planning and design standards for sustainable developments and energy efficiency. The proposed Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of electrical energy resources, during Project operation.

Natural Gas:

The Project site is serviced by Southern California Gas Company (SoCalGas). Portions of the Project site are currently vacant and have no demand for natural gas; therefore, Project implementation will create a permanent increase in demand for natural gas. According to the California Energy Commission’s Energy Report, the Commercial sector was responsible for 826.853354 million therms of natural gas consumption in the SoCalGas Planning Area in 2020. The proposed Project’s estimated annual natural gas demand is 5,363,187 kBTU per year, or 53.4467553 therms. The proposed Project’s estimated annual natural gas consumption is minute compared to the 2020 annual natural gas consumption of the overall Commercial sector in the SoCalGas Planning Area. The Project’s natural gas demand and impacts with regard to natural gas supply and infrastructure capacity would be less than significant.

Petroleum Fuel:

Fuel consumption associated with the Project’s operation would primarily be attributable to customers, employees, and delivery trucks commuting to and from the Project site. Annual vehicular trips and related Vehicle Miles Traveled (VMT) generated by the operation of the Project would result in a new fuel demand of 13,569 gallons of fuel. Over the lifetime of the Project, the fuel efficiency of vehicles being used by citizens and delivery services is expected to increase. As such, the amount of petroleum consumed because of vehicular trips to and from the Project site during operation is anticipated to decrease over time. Therefore, Project-related petroleum consumption would have a less than significant impact.

Less Than Significant Impact

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

The proposed Project will comply with applicable State Building Energy Efficiency Standards (Title 24) and CALGreen. Additionally, the location of the Project site facilitates utilization of existing infrastructure systems, which is consistent with the California Energy Plan. Furthermore, the Project would not conflict with any applicable plan, policy or regulation of an agency adopted to reduce GHG emissions, including AB 32, SB 32, and SB 350.

Under the California Renewables Portfolio Standard, the State of California is transitioning to renewable energy through the California’s Renewable Energy Program. Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. Senate Bill 350 (de Leon) was signed into law September 2015 and establishes tiered increases to the RPS—40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. Senate Bill 350 also set a new goal to double the energy-efficiency savings in electricity and natural gas through energy efficiency and conservation measures.

The statewide RPS goal is not directly applicable to individual development projects, but the goal is applicable to utilities and energy providers such as SCE. Compliance of SCE in meeting the RPS goals would ensure the State in meeting its objective in transitioning to renewable energy. Therefore, implementation of the proposed Project would not conflict or obstruct plans for renewable energy and energy efficiency and a less than significant impact would occur.

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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VII. GEOLOGY AND SOILS - Would the project:

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

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii. Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii. Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| iv. Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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

Countywide Plan; San Bernardino Countywide Plan EIR; Submitted Project Materials; Sladden Engineering, Geotechnical Investigation Proposed Expansion Pioneertown Motel, San Bernardino County, prepared June 3, 2020 (Appendix E)

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

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

The Project site is located in an active seismic zone; however, the site does not occur within the Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zone.¹⁴ As shown in the California Department of Conservation’s “Earthquake Hazards Zone” web application, the nearest faults are the Pinto Mountain Fault and the Johnson Valley Fault, approximately 2.9 miles and 3.5 miles from the Project site, respectively. Sladden

¹⁴ San Bernardino Countywide Plan Draft EIR. 2019. Geology and Soils. Figure 5.6-1 “Alquist-Priolo Fault Zones and County Fault Hazard Zones.”

Engineering conducted a Geotechnical Investigation for the Project site, dated June 3, 2020. Sladden concurred that the site is not located within a State of California delineated fault zone based on review of Bortugno and Spittler (1986) and CDOC (2016). Potential for surface rupture on-site is considered low due to the absence of known faults within the immediate Project vicinity. However, rupture potential cannot be dismissed as rupture may occur along unidentified traces that extend from known faults. The proposed Project would be required to comply with California Building Code requirements, Uniform Fire Code requirements, and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Compliance with these codes and standards would address potential impacts resulting from an earthquake event. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

ii) Strong seismic ground shaking?

Although no active faults traverse through the Project site, the site is subject to ground shaking due to faults in the surrounding region. The Project site has a medium ranking for earthquake shaking potential and will experience a lower level of shaking with low frequency.¹⁵ However, ground shaking may result at the Project site due to earthquakes associated with nearby and more distant faults, as is the case for most areas within Southern California. Sladden Engineering identified site-specific ground motion parameters for the Project site and estimated 0.761g of peak ground acceleration. The design of any structures on-site would incorporate measures to accommodate projected seismic ground shaking in accordance with the California Building Code (CBC) and San Bernardino County Building Code. The CBC is designed to preclude significant adverse effects associated with strong seismic ground shaking. Compliance can ensure that the proposed Project would not expose people or structures to substantial adverse effects, including loss, injury, or death, involving seismic ground shaking. Therefore, a less than significant impact would occur.

Less Than Significant Impact

iii) Seismic-related ground failure, including liquefaction?

Liquefaction is a process in which cohesion-less, saturated, fine-grained sand and silt soils lose shear strength due to ground shaking and behave as fluid. Areas overlying groundwater within 30 to 50 feet of the surface are considered susceptible to liquefaction hazards.¹⁶ Ground failure associated with liquefaction can result in severe damage to structures. The Project site is not located in an area susceptible to liquefaction.¹⁷ The Geotechnical Investigation for the proposed Project, dated June 2, 2020, prepared by Sladden Engineering, states that groundwater was not encountered on-site to the

¹⁵ San Bernardino Countywide Plan Draft EIR. 2019. Geology and Soils. Figure 5.6-2 "Earthquake Shaking Potential."

¹⁶ San Bernardino Countywide Plan Draft EIR. 2019. Geology and Soils. Pg. 5.6-15.

¹⁷ San Bernardino Countywide Plan Draft EIR. 2019. Geology and Soils. Figure 5.6-3 "Liquefaction and Landslide Susceptibility."

maximum explored depth of 50 feet below ground surface. Therefore, the Project is not susceptible to liquefaction and a less than significant impact would occur.

Less Than Significant Impact

iv) Landslides?

Landslides result from downward movement of earth or rock materials that have been influenced by gravity. In general, landslides occur due to various factors including steep slope conditions, erosion, rainfall, groundwater, adverse geologic structure, and grading impacts. The Project site is relatively flat and level with the surrounding area and is not located within an area susceptible to landslides.¹⁸ The Geotechnical Investigation conducted by Sladden Engineering revealed no sign of slope instability such as landslides, rockfalls, earthflows or slumps within or near the Project site. Therefore, the proposed Project would not expose people or structures to substantial adverse effects, including loss, injury, or death, involving landslides. Thus, no impact would occur.

No Impact

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

The proposed Project would encompass approximately 5.79-acres and would therefore be subject to the National Pollutant Discharge Elimination System (NPDES) permit. The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State's General Construction Permit include the removal of vegetation, grading, excavating, or any other activity that causes the disturbance of one (1) or more acres. The General Construction Permit requires recipients to reduce or eliminate non-storm water discharges into stormwater systems, and to develop and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP is based on the principles of Best Management Practices (BMPs) to control and abate pollutants. The SWPPP shall include BMPs to prevent project-related pollutants from impacting surface waters.¹⁹ Construction activities associated with the Project would involve earth movement and the exposure of soil, which would temporarily increase soil erosion susceptibility. In the long-term, development of the Project site would increase impervious surface cover and permanent landscaping, thereby reducing the potential for erosion and loss of topsoil that currently occurs. Once constructed, stormwater runoff generated by the Project would be directed into drainages and no Project related sediment erosion would occur; therefore, a less than significant impact would occur.

Less Than Significant Impact

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

¹⁸ San Bernardino Countywide Plan Draft EIR. 2019. Geology and Soils. Figure 5.6-3 "Liquefaction and Landslide Susceptibility."

¹⁹ San Bernardino Countywide Plan Draft EIR. 2019. Hydrology and Water Quality. Pg. 5.9-2.

As previously stated in Section VI subsections ((a)(iii)) and ((a)(iv)), the Project site is not anticipated to be affected by any landslides, nor is it likely to be exposed to liquefaction related hazards. Additionally, the Project site's potential for lateral spreading or collapse is low, given that the recommendations in the *Earthwork and Grading* section, and all other sections, of the Geotechnical Report are followed. The field investigation conducted by Sladden Engineering, revealed that a thin mantel of artificial fill/disturbed soil was encountered to a maximum depth of approximately four (4) feet below ground surface. The artificial fill/disturbed soil consists primarily of silty sand. Underlying the fill soil native alluvium was encountered. Additionally, the native soil encountered throughout the site consists of primarily brown, slightly moist, loose to dense and fine-to-coarse- grained clayey sand and gravelly sand interbedded with minor portions of silty sand.²⁰ The *Earthwork and Grading* section of the Geotechnical Report, states that all undocumented artificial fill soil should be removed to competent native soil. In order to provide for firm and uniform foundation bearing conditions, the primary foundation bearing soil should be over-excavated and recompacted. Over-excavation should extend to a minimum depth of three (3) feet below existing grade or two (2) feet below the bottom of the footings, whichever is deeper. After excavation is complete, the native soil should be moisture conditioned and compacted to at least 90% relative compaction. The Project site should then be brought to final subgrade elevations with fill compacted in layers. The previously removed material may be used as compacted engineering fill.²¹ Additionally, caving in occurred in varying degrees during the field investigation. All excavations should be constructed in accordance with the normal California Occupational Safety and Health Administration (Cal/OSHA) excavation criteria. Lastly, all earthwork shall be performed under the observation and testing of a qualified soil engineer. The Project will be required to comply with all of the requirements and recommendations outlined in the Geotechnical Investigation Report prepared by Sladden Engineering, as required by Mitigation Measure **GEO-1**. Furthermore, the Project will comply with all applicable provisions of the Uniform Building Code (UBC) and California Building Code (CBC) that would act to minimize any unstable soils or unstable geologic units that may be encountered. On this basis, the potential for the Project to be located on a geologic units or soil that is unstable, or that would become unstable as a result of the Project and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse is less than significant with mitigation incorporated.

Less than Significant with Mitigation

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

Expansive soils contain significant amounts of clay particles that swell considerably when wetted and shrink when dried. Foundations constructed on these soils are subject to uplifting forces caused by swelling. Without proper mitigation measures, heaving and cracking of both building foundations and slabs-on-grade could result. The subsurface

²⁰ Sladden Engineering. Geotechnical Investigation Proposed Expansion Pioneertown Motel, San Bernardino County. prepared June 3, 2020 (Appendix E)

²¹ Sladden Engineering. Geotechnical Investigation Proposed Expansion Pioneertown Motel, San Bernardino County. prepared June 3, 2020 (Appendix E)

soils beneath the Project site consist primarily of clayey sand and gravelly sand, with intermixed silty sand and alluvium.²² There is not enough clay in the soils to be considered expansive; therefore, the soils at the Project site are considered non-expansive and no impact would occur due to Project implementation.

No Impact

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

Sladden Engineering conducted Percolation Testing for Onsite Sewage Disposal Feasibility, dated June 3, 2020 (*Appendix G*). The existing Pioneertown Motel utilizes an on-site sewage disposal system consisting of a septic tank and seepage pits. It is assumed that neighboring residences and businesses utilize on-site sewage disposal systems consisting of septic tanks and leach lines or seepage pits, as sewer systems do not exist in the area. The soils encountered during the Percolation Test consisted primarily of fine to coarse grained clayey sand. The percolation rate ranged from 8.5 to 22.3 gallons per square foot per day as determined by San Bernardino County procedures. The results of the Percolation Test support the implementation of a new on-site sewage disposal system for the Project, with incorporation of Mitigation Measure **GEO-2** to ensure that the sewage disposal system does not negatively affect any nearby water supply wells, buildings, structures, or private properties. Based on the information above, the Project would result in a less than significant impact with mitigation incorporated.

Less than Significant with Mitigation

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

As part of the Phase I Cultural Resources Investigation, a paleontological overview was completed through the Natural History Museum of Los Angeles County. The report concluded that the Project area consists of Older Quaternary Alluvium. Older Quaternary Alluvium has been known to yield evidence of significant vertebrate fossil specimens; therefore, the area is considered sensitive for fossil specimens in a buried context, and any “substantial” excavations that exceed the presence of coarse alluvial deposits and impacts the finer-grained alluvial depots should be monitored.²³ Research concludes that there is a moderate level of sensitivity for the presence of paleontological resources. Therefore, there is a potential that paleontological resources could be uncovered during digging or earthwork at the Project site. Mitigation Measures **CUL-2** is identified to require paleontological monitoring of the Project site. By adhering to Mitigation Measures **CUL-2**, the potential to directly or indirectly destroy a unique paleontological resource or

²² Sladden Engineering. Geotechnical Investigation Proposed Expansion Pioneertown Motel, San Bernardino County. prepared June 3, 2020 (*Appendix E*)

²³ McKenna et al., Phase I Cultural Resources Investigation and Assessment for the Proposed Expansion of the Pioneertown Motel Complex in Pioneertown, San Bernardino County, CA, July 27, 2020. (*Appendix C*)

site or unique geologic feature will be minimized. Therefore, with mitigation incorporated, the Project would result in a less than significant impact.

Less than Significant with Mitigation

Mitigation Measures

Mitigation

VII.

(c)

GEO-1 Grading and Construction

The Project shall incorporate the recommendations provided in the Geotechnical Report prepared by Sladden Engineering, dated June 3, 2020 (*Appendix E*). The recommendations are presented in the following sections of the report: Earthwork and Grading, Conventional Shallow Spread Footings, Retaining Walls, Slabs-On-Grade, Corrosion Series, Utility Trench Backfill, exterior Concrete Flatwork, Drainage, Limitations, and Additional Services.

(e)

GEO-2 On-Site Sewage System

Seepage pits shall be located a minimum of 150 feet away from water supply wells. A maximum seepage pit depth of 30 feet is recommended. Seepage pits shall be located a minimum of 8 feet away from buildings, structures, and private property lines. These minimum distance requirements also pertain to seepage pit expansion areas.

Therefore, potential impacts can be reduced to less than significant level with implementation of Mitigation Measures GEO-1, GEO-2, and CUL-2.

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

SUBSTANTIATION:
Countywide Plan; Submitted Project Materials; Greenhouse Gas Emissions (GHG) Reduction Plan (September 2011); Urban Crossroads, Pioneertown Motel Expansion Greenhouse Gas Analysis, prepared August 16, 2021 (Appendix F)

Less Than Significant Impact

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

The Project will be required to comply with regulations imposed by the State of California, the Mojave Desert Air Quality Management District (MDAQMD), and the County of San Bernardino Greenhouse Gas Emissions Reduction Plan, aimed at the reduction of air pollutant emissions. The Project will be subject to the County's GHG Development Review Process (DRP) that specifies a two-step approach in quantifying GHG emissions. First, a screening threshold of 3,000 MTCO₂e/yr is used to determine if additional analysis is required. Projects that exceed the 3,000 MTCO₂e/yr will be required to either achieve a minimum of 100 points per the Screening Tables or a 31% reduction over 2007 emission levels. Consistent with CEQA Guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions.²⁴

Urban Crossroads conducted a Greenhouse Gas Analysis for the proposed Project, dated August 16, 2021. The analysis provides the estimated GHG emissions that will result from Project construction. Construction related GHG emissions are quantified and amortized over the life of the Project, which is identified as a 30-year period, in accordance with SCAQMD recommendation. The amortized construction emissions are presented below in *Table 8-1 Amortized Annual Construction Emissions*.

Table 8-1 Amortized Annual Construction Emissions

Year	Emissions (MT/yr)			
	CO ₂	CH ₄	N ₂ O	Total CO ₂ e
2022	286.51	0.06	3.93E-03	289.18
2023	382.99	0.05	8.53E-03	386.88
2024	114.30	0.02	2.30E-03	115.41
Construction Emissions (MTCO₂e)	26.13	0.004	4.92E-04	26.38

Project operational emissions would consist of area source, energy source, mobile source, solid waste, and water supply, treatment, and distribution. As shown in *Table 8-2 Project GHG Emissions Summary*, the Project would generate 746.09 MTCO₂e per year. Based on the GHG Development Review Process (DRP) threshold of significance, a cumulative global climate change impact would occur if the GHG emissions created from the on-going operations of the proposed Project would exceed the SCAQMD threshold of 3,000 MTCO₂e per year. Therefore, since the Project will not exceed the threshold of significance, the Project does not have the potential to result in a cumulatively considerable impact with respect to GHG emissions and a less than significant impact will occur.

²⁴ Urban Crossroads. Pioneertown Motel Expansion Greenhouse Gas Analysis, County of San Bernardino. prepared August 16, 2021. (Appendix F)

Table 8-2 Project GHG Emissions Summary

Emission Source	Emissions (MT/yr)			
	CO ₂	CH ₄	N ₂ O	Total CO ₂ e
Annual construction-related emissions amortized over 30 years	26.12	0.004	4.92E-04	26.38
Area Source	2.42E-03	1.00E-05	0.00	2.58E-03
Energy Source	569.12	0.029	8.14E-03	572.28
Mobile Sources	124.34	8.46E-03	6.89E-03	126.60
Waste	6.34	0.37	0.00	15.72
Water usage	3.75	0.04	1.02E-03	5.12
Total (MTCO₂e) (All Sources)	746.09			

Source: CalEEmod output

Less Than Significant Impact

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

The proposed Project would comply with applicable county, state, and federal GHG Plan strategies. Any project that does not exceed 3,000 MTCO₂e/year is considered consistent with the MDAQMD and SCAQMD's Air Quality Management Plan (AQMP) and determined to have a less than significant individual cumulative impact for GHG emissions. Additionally, the proposed Project is consistent with AB 32 and SB 32/2017 Scoping Plan which aims to reduce emissions by 40% below 1990 levels. Therefore, the Project will not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing emissions of GHGs. Thus, a less than significant impact would occur.

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) | Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

involving the release of hazardous materials into the environment?

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) | Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) | Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

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

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

Construction Effects:

The Project proposes an expansion of the Pioneertown Motel and development of a new restaurant, retail space, and recreational facilities. Project construction would require the use and transport of materials such as soils, gravel, rock, concrete, and lumber. Equipment used at the Project site during construction activities could use substances considered by regulatory bodies as hazardous, such as diesel fuel and gasoline from typical construction equipment and would therefore have the potential to discharge hazardous materials during construction. These types of materials are not acutely hazardous, and all storage, handling, use, and disposal of these materials are regulated by federal and state requirements, which the project construction activities

are required to strictly adhere to. The use, transport, storage, and disposal of hazardous materials must comply with existing regulations established by several agencies, including the Department of Toxic Substances Control (DTSC), the Environmental Protection Agency (EPA), the US Department of Transportation (USDOT), the Occupational Safety and Health Administration (OSHA), the California Code of Regulations (CalOSHA), and the State Unified Hazardous Waste and Hazardous Materials Management Regulatory Program.

Operation Effects:

Operation of the hotel, commercial retail, and restaurant uses is not anticipated to transport, use, or dispose hazardous materials. However, the operation of these uses may use small amounts of commercially available hazardous materials (e.g., fuels, solvents, fertilizers, pesticides), but these materials would be used in compliance with applicable regulations. Project operation would not create a significant hazard to the public or environment due to the use of hazardous materials. Therefore, no significant impacts are identified or anticipated, and a less than significant impact would occur.

Less Than Significant Impact

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

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

Less Than Significant Impact

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

Yucca Valley Elementary School is the nearest school to the Project site. The school is located approximately 3.81 miles southeast of the Project site. As previously mentioned, handling activities associated with hazardous or potentially hazardous materials would comply with all applicable federal, state, and local agencies and regulations. Given that there are no schools within one-quarter mile of the proposed Project, no impact would occur.

No Impact

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

Government Code Section 65962.5 describes that before an application for a development project is completed the Applicant and/or Lead Agency shall indicate whether the site is included on any of the lists compiled pursuant to that section and to identify which list(s). According to the Cortese List, the Project site is not included on a list of hazardous materials sites, nor are there any hazardous materials sites listed in the vicinity of the Project,²⁵ EnviroStor tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. No hazardous materials sites are located within or in the immediate vicinity of the Project site. Therefore, no impacts are identified or anticipated. Thus, no impacts would occur.

No Impact

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

The Project site is not within an airport safety review area or Airport Runaway Protection Zone.²⁶ The Project site is not located within the vicinity of a private or public airstrip. The nearest airport to the Project site is the Yucca Valley Airport, approximately 5.03 miles southeast of the Project site. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area. Thus, no impact would occur.

No Impact

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

The nearest evacuation route to the Project site is SR-62, approximately 3.76 miles southeast of the Project site. State Route 62 is identified as an evacuation route within the County of San Bernardino.²⁷ The Project site and immediate surroundings do not contain emergency shelters or facilities. Therefore, the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Thus, no impact would occur.

²⁵ California Department of Toxic Substances Control. EnviroStor. Accessed October 27, 2021.

²⁶ San Bernardino Countywide Plan Draft EIR. 2019. Hazards and Hazardous Materials. Figure 5.8-2 "Airport Safety Zones."

²⁷ San Bernardino Countywide Plan Draft EIR. 2019. Hazards and Hazardous Materials. Table 5.8-10 "Evacuation Routes in San Bernardino County."

No Impact

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

The Project site is located within a High or Very High Fire Severity Zone.²⁸ The Project site is relatively flat and does not contain considerable slopes that would exacerbate wildfire risk. Additionally, the surrounding wildland conditions consist of sparse desert vegetation. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Additionally, the nearest fire station is the San Bernardino County Fire Department Station 38, located approximately 0.8 miles southwest of the Project site. By adhering to all Uniform Fire Code requirements and all other applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department, the Project would avoid exposing people or structures to a significant risk of loss, injury, or death involving wildland fires. Therefore, a less than significant impact would occur.

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
X. HYDROLOGY AND WATER QUALITY - Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				

²⁸ San Bernardino Countywide Plan Draft EIR. 2019. Hazards and Hazardous Materials. Figure 5.8-4 "Fire Severity and Growth Areas in the East Desert Region."

i.	result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii.	substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii.	create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv.	impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

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

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

The proposed Project would encompass approximately 5.79-acres and would therefore be subject to the National Pollutant Discharge Elimination System (NPDES) permit. The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State’s General Construction Permit include the removal of vegetation, grading, excavating, or any other activity that causes the disturbance of one (1) or more acres. The General Construction Permit requires recipients to reduce or eliminate non-storm water discharges into stormwater systems, and to develop and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP is based on the principles of Best Management Practices (BMPs) to control and abate pollutants. The SWPPP shall include BMPs to prevent project-related pollutants from impacting surface waters.²⁹

The Project site is located within the jurisdiction of the Colorado River Basin Regional Water Quality Control Board (RWQCB). The Colorado River Basin RWQCB does not

²⁹ San Bernardino Countywide Plan Draft EIR. Hydrology and Water Quality. Pg. 5.9-2.

require any MS4 permits for development within this area; however, development does need to meet the requirements of the Industrial General Permit and the Construction General permit.³⁰ Therefore, the Project is subject to eliminating non-storm water discharges into stormwater systems and developing and implementing a SWPPP.

The Project proposes to install an on-site sewage disposal system consisting of a septic tank and seepage pits to serve the proposed expansion of the Pioneertown Motel. Sladden Engineering performed a Percolation Test for Onsite Sewage Disposal Feasibility, dated June 3, 20202, which concluded that the soil at the Project site would support seepage pits for the on-site sewage disposal system. Furthermore, the Colorado River Basin RWQCB issues Waste Discharge Requirements (WDRs), under the provisions of the California Water Code, Division 7 Water Quality, Article 4 Waste Discharge Requirements, which the Project would be subject to. Additionally, the system will need to be certified through the San Bernardino County Division of Environmental Health. Therefore, existing regulations would ensure that construction of the septic tank would have a less than significant impact.

Construction-Related:

The proposed Project would involve grading, paving, building construction, amenity construction, and landscaping installation, which could result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints, and other pollutants with the potential to affect water quality.

Operation-Related:

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

Condition of Approval:

As a standard condition of approval, the Project would be required to provide compliance with the National Pollutant Discharge Elimination System (NPDES) criteria, including submittal and approval of a Storm Water Pollution Prevention Plan (SWPPP), pursuant Municipal Code Section 85.11.03. The SWPPP provides temporary measures to control discharges of sediment and other pollutants and includes methods to minimize water quality impacts and stabilize disturbed surfaces throughout the Project site during construction. Therefore, impacts would be less than significant.

Less Than Significant Impact

³⁰ San Bernardino Countywide Plan Draft EIR. Hydrology and Water Quality. Pg. 5.9-4.

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

Water supply to the Pioneertown area is provided by the Mojave Water Agency (MWA). The MWA has developed the Regional Recharge and Recovery Project, also known as R-Cubed, which stores water from the State Water Project underground in local aquifers and later recovers and distributes the water to local retail water purveyors. R-Cubed is part of a comprehensive solution developed by the MWA and the region's stakeholders to ensure a sustainable water supply for the region³¹.

Water supply will be provided to the Project site by the San Bernardino County Special Districts 70-W4 municipal water system via a new connection, pending receipt of an unconditional water availability letter. If the Project does *not* obtain a letter of unconditional water availability, the Project will construct a qualifying water well and system that is subject to San Bernardino County public water purveyor standards. The Project shall comply with all standards and requirements set forth by the County of San Bernardino and may be required to prepare a water feasibility study at the request of the County prior to the issuance of a grading permit.

Less Than Significant Impact

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

- i) *Result in substantial erosion or siltation on- or off-site;*

Erosion is the wearing away of the ground surface as a result of the movement of wind or water. Siltation is the process by which water becomes dirty due to fine mineral particles in the water. The Project would alter the existing drainage pattern of the property by constructing impervious surfaces (i.e., streets, buildings, parking lots) and thereby would have a lower absorption rate for rainfall than that of the existing vacant land. As discussed in Section X (a), the Project is located within the Colorado River Basin Regional Water Quality Control Board's jurisdiction and is therefore subject to the Construction General Permit. The Construction General Permit requires the development and implementation of a Storm Water Pollution and Prevention Plan (SWPPP). The SWPPP must list the Best Management Practices (BMPs) to avoid and minimize soil erosion. Adherence to BMPs would prevent substantial soil erosion or the loss of topsoil. Therefore, the Project would not result in substantial erosion or siltation on- or off-site, a less than significant impact would occur.

Less Than Significant Impact

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

³¹ Mojave Water Agency website. Projects. Regional Recharge and Recovery Project. Accessed October 21, 2021.

The proposed Project would increase the percentage of impervious surfaces on site which would increase the potential for surface runoff. The Project site is located within Federal Emergency Management Agency (FEMA) Flood Zone D, which designates areas that have a risk of flooding, and the level of risk is unknown.³² However, as indicated above, the proposed Project will be subject to the requirements of the Construction General Permit, which includes the preparation of a SWPPP. Therefore, Project implementation would have a less than significant impact on surface runoff both on- and offsite.

Less Than Significant Impact

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or

Development of the Project would increase the net area of impermeable surfaces on the site; therefore, increased discharges to the County's existing storm drain system would likely occur. As discussed above in Section X (a), the Project shall require the preparation of a SWPPP under standard conditions of approval. Furthermore, the Project will be subject to all County standards, regulations, and requirements, and will require County review prior to permitting. Therefore, Project impacts would be less than significant.

Less Than Significant Impact

iv) Impede or redirect flood flows?

The Countywide Plan identifies FEMA Flood Zone D just north of the Project site, which indicates a chance of flood.³³ However, a Project specific SWPPP will reduce Project impacts regarding flood flows to less than significant level.

Less Than Significant Impact

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

The Pacific Ocean is located over 112 miles west of the Project site; consequently, there is no potential for tsunamis to impact the Project. In addition, no steep hillsides subject to mudflow are located on or near the Project site. According to the Countywide Plan, the Project site is not located in an identified dam inundation area, and there is no levee located within the vicinity of the Project site. There is no potential for inundation. Accordingly, the Project site has no potential to be impacted by seiches, mudflows, and/or tsunamis. Therefore, no impact would occur.

No Impact

³² Federal Emergency Management Agency. FEMA Flood Map No. 06071C8115H. USGS The National Map October 2020. Accessed November 9, 2021.

³³ County of San Bernardino. HZ-4 Flood Hazards web map. Accessed October 23, 2021.

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

The Project would be required to comply with the Colorado River Basin Regional Water Quality Control Board (RWQCB) which includes the requirement to complete and submit a SWPPP for construction related activities. The proposed Project requires CUP review and approval and will be designed to meet County regulations regarding construction and operation for the Motel and related activities. Additionally, the Project complies with the zoning designation, Countywide Plan, and Countywide Plan EIR. Therefore, the Project would not conflict with or obstruct implementation of a water quality control plan, and impacts would be less than significant with mitigation incorporated.

Less Than Significant Impact

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

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

SUBSTANTIATION:

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

- a) *Physically divide an established community?*

According to the Countywide Plan, the Project site has a land use classification of Commercial (APN 0594-212-30) and Rural Living (APNs 0594-212-27, -28, -29). However, as part of the Countywide Plan Project, the four (4) parcels will be designated Rural Commercial (CR). The surrounding area includes Commercial and Rural Living land uses, and the Project site consists of the existing Pioneertown Motel that will remain in place with the implementation of the proposed Project. Therefore, no established communities exist within the Project site, nor does the Project propose or require elements or operations that would divide an off-site community. Based on the preceding, the Project would not physically divide an established community and no impact would occur.

No Impact

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

The Applicant has submitted a Conditional Use Permit (CUP) for the proposed Project. With approval of the CUP, the proposed Project conforms with the Countywide Plan Project land use classification. The Project also aligns with the intent of the Pioneertown Community Action Guide and the current zoning designation. Therefore, the implementation of the proposed Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation, a less than significant impact would occur.

Less Than Significant Impact

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

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

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

Countywide Plan; San Bernardino Countywide Plan EIR; Submitted Project Materials; Mineral Land Classification

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

- a) *Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?*

The Project site is located within the East Desert region of San Bernardino County. According to the California Department of Conservation, Mineral Land Classification map, the Project site is part of the 1994 Open File Report (OFR) 94-06.³⁴ The Project site is not located within an area known to be underlain by regionally- or locally-important mineral resources, and the Project site does not have an MRZ classification.³⁵ Therefore, Project implementation would have little effect on the availability of known mineral resources that would be of value to the region and the residents of the state, thus the Project would have a less than significant impact.

Less Than Significant Impact

- b) *Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

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

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIII. NOISE - Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

³⁴ Mineral Land Classification of a Part of Southeastern San Bernardino County: Open-File Report 94-06. Accessed October 4, 2021.

³⁵ County of San Bernardino. NR-4 Mineral Resources Zones web map. Accessed October 4, 2021.

- 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?

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

Countywide Plan; San Bernardino Countywide Plan EIR; Submitted Project Materials; Urban Crossroads, Pioneertown Motel Expansion Noise Impact Analysis, prepared July 27, 2020 (Appendix H)

- a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

To prevent high levels of construction noise from impacting noise-sensitive land uses, San Bernardino County Development Code Section 83.01.080(g)(3) limits general construction activities to any day, between 7:00 a.m. and 7:00 p.m., except Sundays and federal holidays. Noise generated by the Project construction equipment will include a combination of trucks, power tools, concrete mixers, and portable generators that when combined, can reach high levels. Construction noise is expected to occur in the following stages: site preparation, grading, building construction, paving, and architectural coating.

Construction Noise Levels:

A Noise Impact Analysis was prepared by Urban Crossroads, Inc. on July 27, 2020 for the proposed Project. To assess the worst-case construction noise levels, the Project construction noise analysis relies on the highest noise level impacts when the equipment with the highest reference noise level is operating at the closest point from the edge of primary construction activity (Project Site boundary) to each receiver location. As shown on *Table 13-1 Construction Noise Levels*, the building construction noise levels are expected to range from 52.7 to 74.2 dBA Leq, and the highest construction levels are expected to range from 63.0 to 74.2 dBA Leq at the nearest receiver locations.

Table 13-1 Construction Noise Levels

Receiver Location	Construction Noise Levels (dBA L _{eq})					
	Site Preparation	Grading	Building Construction	Paving	Architectural Coating	Highest Levels
R1	62.8	61.0	59.1	58.7	52.7	68.7
R2	66.5	64.7	62.8	62.4	56.4	66.5
R3	72.8	71.0	69.1	68.7	62.7	72.8
R4	74.2	72.4	70.5	70.1	64.1	74.2
R5	65.2	63.4	61.5	61.1	55.1	66.4
R6	65.8	64.0	62.1	61.7	55.7	65.8
R7	63.0	61.2	59.3	58.9	52.9	63.0

To evaluate whether the Project will generate potentially significant short-term noise levels at the nearest receiver locations, a construction-related daytime noise level threshold of 80 dBA is used as a reasonable threshold to assess the daytime construction noise level impacts.³⁶ Data collected during the noise level analysis supports that the construction noise levels associated with the Project will remain under 80 dBA. Therefore, the noise impacts due to the Project construction noise is considered less than significant.

Operational Noise Levels:

Using the reference noise levels to represent the proposed Project operations that include roof-top air conditioning units, parking lot vehicle movements, pool activity, outdoor activity, equestrian activity, special events activity, and trash enclosure activity, Urban Crossroads, Inc. calculated the operational source noise levels that are expected to be generated at the Project site and the Project-related noise level increases that would be experienced at each of the sensitive receiver locations. *Table 13-2 Daytime Project Operational Noise Levels* shows the Project operational noise levels during the daytime hours of 7:00 a.m. to 10:00 p.m. The daytime hourly noise levels at the off-site receiver locations are expected to range from 39.1 to 53.1 dBA Leq.

Table 13-2 Daytime Project Operational Noise Levels

³⁶ Urban Crossroads. Pioneertown Motel Expansion Noise Impact Analysis, County of San Bernardino. July 27, 2020.

Noise Source	Operational Noise Levels by Receiver Location (dBA Leq)						
	R1	R2	R3	R4	R5	R6	R7
Air Conditioning Units	27.2	32.0	36.8	35.1	30.2	30.4	25.3
Parking Lot Vehicle Movements	16.7	19.7	31.2	31.6	24.4	25.4	19.2
Pool Activity	29.0	31.5	36.7	44.0	41.2	40.7	25.4
Outdoor Activity	36.9	40.5	43.5	48.5	42.6	43.6	36.8
Equestrian Activity	16.1	18.9	16.5	15.7	15.4	26.2	24.5
Special Events Activity	22.7	25.4	41.2	50.2	37.5	35.5	31.9
Trash Enclosure Activity	33.5	38.2	25.6	14.0	11.3	31.5	28.6
Total (All Noise Sources)	39.4	43.3	46.7	53.1	45.8	46.2	39.1

Table 13-3 Nighttime Project Operational Noise Levels shows the Project operational noise levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. The nighttime hourly noise levels at the off-site receiver locations are expected to range from 29.6 to 38.2 dBA Leq. The differences between the daytime and nighttime noise levels are largely related to the duration of noise activity.

Table 13-3 Nighttime Project Operational Noise Levels

Noise Source	Operational Noise Levels by Receiver Location (dBA Leq)						
	R1	R2	R3	R4	R5	R6	R7
Air Conditioning Units	26.3	31.0	35.8	34.1	29.3	29.4	24.3
Parking Lot Vehicle Movements	15.7	18.7	30.2	30.6	23.4	24.4	18.2
Pool Activity	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Outdoor Activity	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equestrian Activity	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Special Events Activity	0.	0.0	0.0	0.0	0.0	0.0	0.0
Trash Enclosure Activity	32.5	37.2	24.7	13.0	10.4	30.5	27.6
Total (All Noise Sources)	33.5	38.2	37.1	35.7	30.4	33.6	29.6

To demonstrate compliance with local noise regulations, the Project-only operational noise levels are evaluated against exterior noise level thresholds based on the County's exterior noise level standards at nearby noise-sensitive receiver locations. Table 13-3 Operational Noise Level Compliance shows the operational noise levels associated with Pioneertown Motel Expansion Project will satisfy the County of San Bernardino 55 dBA Leq daytime and 45 dBA Leq nighttime exterior noise level standards at all nearby receiver locations. Therefore, the operational noise impacts are considered less than significant at the nearby noise-sensitive receiver locations.

Table 13-4 Operational Noise Level Compliance

Receiver Location	Use	Project Operational Noise Levels (dBA L _{eq})		Noise Level Standards (dBA L _{eq})		Noise Level Standards Exceeded?	
		Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
R1	Church	39.4	33.5	55	45	No	No
R2	Camp	43.3	38.2	55	45	No	No
R3	Residential	46.7	37.1	55	45	No	No
R4	Residential	53.1	35.7	55	45	No	No
R5	Residential	45.8	30.4	55	45	No	No
R6	Ranch	46.2	33.6	55	45	No	No
R7	Residential	39.1	29.6	55	45	No	No

In conclusion, construction and operation of the proposed Project would not result in generation of a substantial, temporary, or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Impacts would be less than significant.

Less Than Significant Impact

b) *Generation of excessive groundborne vibration or groundborne noise levels?*

County Development Code Section 83.01.090 prohibits vibration that can be felt without the aid of instruments or produces a particle velocity greater or equal to two-tenths inches per second peak particle velocity at or beyond the lot line of the source. Exceptions are made for temporary construction, maintenance, repair, or demolition activities between 7:00AM and 7:00PM, except Sunday and federal holidays.³⁷ Project construction can generate varying degrees of ground-borne vibration, depending on construction procedure and the construction equipment employed. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. As vibration waves propagate from a source, the energy is spread over an ever-increasing area such that the energy level striking a given point is reduced with the distance from the energy source.³⁸ Ground vibration levels associated with various types of construction equipment are summarized in *Table 13-5 Vibration Source Levels for Construction Equipment*. At distances ranging from 31-694 feet from the Project construction activities, construction vibration velocity levels are estimated at 0.064 PPV (in/sec.). Based on the County of San Bernardino vibration standards, unmitigated Project construction vibration levels will satisfy the 0.2 PPV (in/sec.) threshold at all the nearby sensitive receiver locations.³⁹ Furthermore, construction activities will be temporary and restricted to daytime hours consistent with County regulations. Therefore, the vibration impacts due to Project construction are considered to be less than significant.

³⁷ San Bernardino Countywide Plan Draft EIR. 2019. Noise. Pg. 5.12-11.

³⁸ San Bernardino Countywide Plan Draft EIR. 2019. Noise. Pg. 5.12-3.

³⁹ Urban Crossroads. Pioneertown Motel Expansion Noise Impact Analysis, County of San Bernardino. July 27, 2020

Table 13-5 Vibration Source Levels for Construction Equipment

Equipment	PPV (in/sec) At 25 feet
Small bulldozer	0.003
Jackhammer	0.035
Loaded Trucks	0.076
Large bulldozer	0.089

Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual

Less Than Significant Impact

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

The Project site is not located within an airport safety review area or Airport Runaway Protections Zone.⁴⁰ The Project site is not located within the vicinity of a private or public airstrip. The nearest airport to the Project site is the Yucca Valley Airport, approximately 5.08 miles southeast of the Project site. Therefore, no impacts are identified or anticipated.

No Impact

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

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

SUBSTANTIATION:

⁴⁰ San Bernardino Countywide Plan Draft EIR. 2019. Noise. Figure 5.8-2 "Airport Safety Zones."

Countywide Plan; San Bernardino County EIR

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

The proposed Project does not include new residential development and would not directly contribute to population growth within the surrounding areas. The Project proposes the expansion of the existing Pioneertown Motel. The existing personnel pool within the unincorporated area of Pioneertown and the greater Yucca Valley area would likely fill project-related employment demands. Therefore, significant population growth is not anticipated to occur as an indirect result of Project implementation. Furthermore, infrastructure improvements would strictly improve access and utilities to the Project site. Such improvements would not encourage population growth. Based on the preceding, the potential for the Project to induce substantial growth directly or indirectly is considered less than significant.

Less Than Significant Impact

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

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

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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XV. PUBLIC SERVICES

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

- | | | | | |
|------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| i. Fire Protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii. Police Protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:
Countywide Plan; Pioneertown Community Action Guide

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

i. *Fire Protection?*

Fire protection services to the Project site are provided by the San Bernardino County Fire Department. The Project site is served by the San Bernardino County Fire Station #38, located at 5380 Mountain View Lane, Yucca Valley CA, approximately 3,100 feet southwest of the Project site. Additional services in the area are provided by the San Bernardino County Fire Station #41, located at 92284 Twentynine Palms Outer highway S, Yucca Valley, CA, approximately 5 miles southeast of the Project site. The San Bernardino County Fire Station #38 response time is 10 minutes if staffed, and Station #41 response time is 11 minutes.⁴¹ Although Project implementation may cause an incremental increase in demand for fire services, the increase would not be to a significant degree. The Project will be constructed to current building code requirements regarding fire suppression and access. Additionally, the Project will be reviewed and subject to the approval of the SBCFD. As discussed in Section XIV(a), Population and Housing, of this Initial Study, significant population growth is not anticipated to occur as a direct or indirect result of Project implementation. Thus, the Project would be adequately served by fire protection services, and no new or expanded unplanned facilities would be required. Impacts would be less than significant.

Less Than Significant Impact

ii. *Police Protection?*

The San Bernardino County Sheriff’s Department provides police protection and law enforcement services to the unincorporated community of Pioneertown and the surrounding area. The Project site is served by the Morongo Basin Sheriff’s Station located at 6527 White Feather Road, Joshua Tree, CA, approximately 12.5 miles southeast of the Project site. The Project would introduce new structures, facilities, and employees to the Project site, which would result in an incremental increase in demand for police protection services. However, the Project is not anticipated to require or result in the construction of new or physically altered police facilities. Based on the foregoing,

⁴¹ San Bernardino Countywide Plan. Pioneertown Communities Action Guide. Updated 2020.

the proposed Project would receive adequate police protection and impacts to police protection facilities would be less than significant.

Less Than Significant Impact

iii. Schools?

Nearby schools include Yucca Valley Elementary School, located approximately 3.8 miles southeast of the Project site and Yucca Valley High School, located approximately 4.8 miles southeast of the Project site. The proposed Project does not include residential development and therefore, does not generate school-aged children requiring public education. The Project would not cause or contribute to a need to construct new or physically altered public school facilities. Schools and educational facilities would not be impacted by Project implementation and no further analysis of this subject is required.

No Impact

iv. Parks?

The proposed Project does not involve park development or the displacement of existing park facilities. The Project does not generate new residents and thus does not increase demand on park facilities. No impact would occur.

No Impact

v. Other Public Facilities?

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

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVI. RECREATION				

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

physical deterioration of the facility will occur or be accelerated?

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

SUBSTANTIATION:

Countywide Plan; California Government Code § 66477

Findings of Fact: Although the Pioneertown Motel expansion will create additional jobs in the area, the Project will not require additional recreational space. Under the Quimby Act, commercial land uses are not required to dedicate a portion of land or pay fees for the development of new or rehabilitation of existing parks and recreational facilities.⁴²

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

The Project does not include residential uses or any other land use that may increase the utilization of existing neighborhood and regional parks, or other recreational facilities. The Project proposes the expansion of the existing Pioneertown Motel, which is consistent with the Rural Commercial (CR) land use classification of the Countywide Plan Project. Project implementation would not increase the use or substantial physical deterioration of existing parks or recreation facilities. Thus, a less than significant impact would occur.

Less Than Significant Impact

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

As indicated above, the Project would not require or include the construction or expansion of recreational facilities. Therefore, environmental effects related to the construction or expansion of recreational facilities would not occur with implementation of the Proposed Project. No impact would occur, and no further analysis of this subject is required.

No Impact

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

⁴² Cal. Gov't Code § 66477

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

SUBSTANTIATION:

Countywide Plan; San Bernardino Countywide Plan EIR; Submitted Project Materials; Translutions, Inc., Trip Generation Analysis, prepared June 25, 2020 (Appendix I)

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

A Trip Generation Analysis, dated June 25, 2020, was prepared for the proposed Project by Translutions, Inc. As shown in *Table 17-1 Project Trip Generation*, the Project is anticipated to generate 18 AM peak hour trips, 21 PM peak hour trips, and 184 daily trips.⁴³ The proposed Project is anticipated to generate less than 100 trips during any peak hours; therefore, a traffic impact study is not required. The proposed Project would add additional traffic along Mane Street and Curtis Road during the construction phase; however, this traffic would be minimal and temporary in nature. Pioneertown is not serviced by a bus system; thus, there are no bus stops adjacent to the Project site. Additionally, there are no existing or planned bicycle or pedestrian facilities adjacent to the site. Therefore, the proposed Project would not conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Thus, a less than significant impact would occur.

Table 17-1 Project Trip Generation

⁴³ Translutions, Inc. Pioneertown Motel, San Bernardino County, California - Trip Generation Analysis. June 25, 2020. (Appendix I)

Land Use	Units		A.M. Peak Hour			P.M. Peak Hour			Daily
			In	Out	Total	In	Out	Total	
Motel									
Trip Generation Rates ¹			0.14	0.24	0.38	0.21	0.17	0.38	3.35
Trip Generation	46	Rooms	6	11	17	9	9	18	154
Retail									
Trip Generation Rates ²			0.58	0.36	0.94	1.83	1.98	3.81	37.75
Trip Generation	0.785	TFS	0	1	1	1	2	9	30
Total Trip Generation			6	12	18	10	11	21	184

¹Trip generation based on rates for Land Use 320 - "Motel" from Institute of Transportation Engineers' (ITE) Trip Generation (10th Edition).

² Trip generation based on rates for Land Use 820 - "Shopping Center" from ITE's Trip Generation (10th Edition).

Less than Significant with Mitigation

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

CEQA Guidelines Section 15064.3 subdivision (b) pertains to Vehicle Miles Traveled (VMT) and whether the land use project will generate vehicle miles traveled in excess of an applicable threshold of significance. The State of California Governor's Office of Planning and Research (OPR) Technical Advisory provides project screening criteria and guidance for analysis of VMT assessments under SB 743. With the adopted guidelines, transportation impacts are to be evaluated based on a project's effect on vehicle miles traveled. The Trip Generation Analysis concluded that less than 100 vehicle trips at any hour will result from the proposed Project. Thus, the Project will not require a traffic impact study. Therefore, the Project does not conflict and is consistent with CEQA Guidelines. A less than significant impact would occur.

Less Than Significant Impact

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

The proposed Project does not include any sharp curves or dangerous intersections, nor does the Project introduce any incompatible uses. The Project proposes to expand the current Pioneertown Motel with the construction of forty-seven (47) new rooms, a new restaurant, event venue, equestrian facilities, a day spa, an outdoor pool, and retail space. Project implementation would cause a less than significant impact.

Less Than Significant Impact

- d) *Result in inadequate emergency access?*

The proposed Project would be compatible with the design and operation of the street network and would not result in any major modifications to the existing access or circulation features. Adequate vehicle access to the Project site will be provided via Curtis Road to the east and Mane Street to the south. The Project will conform with local, state, and federal regulations regarding circulation and traffic pattern design. The vehicle access points would accommodate traditional fire apparatus, allowing for adequate emergency access. The Project would not result in inadequate emergency access to the Project Site. Thus, a less than significant impact would occur.

Less Than Significant Impact

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

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

a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- | | | | | | |
|-----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| i) | Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) | A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:
Countywide Plan; San Bernardino Countywide Plan EIR; Pioneertown Community Action Guide; Submitted Project Materials; McKenna et al., Phase I Cultural Resources Investigation, prepared July 27, 2020 (Appendix C)

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

On May 28, 2020, McKenna et al. received a letter from the Native American Heritage Commission (NAHC) with the results of a records search in the Commissions' Sacred Lands File regarding the proposed Project. The letter states that the Sacred Lands File identified no Native American cultural resources within the Project site. Additionally, McKenna et al. reached out to the Agua Caliente Band of Cahuilla Indians, the Morongo Band of Mission Indians, the Quechan Tribe of the Fort Yuma Reservation, the San Fernando Band of Mission Indians, the San Manuel Band of Mission Indians, the Serrano Nation of Mission Indians, and the Twenty-Nine Palms Band of Mission Indians for their input and any information regarding the Project site. No responses from the Native American tribes were received.

An archaeological records search was completed at the California State University, Fullerton South Central Coastal Information Center (July 10, 2020). As discussed in Section V (a), the research identified the presence of five (5) cultural resources within a one (1) mile radius of the Project site. One (1) identified cultural resource directly involved the Project site. McKenna et al (2008-2013) recorded the community of Pioneertown as a district (resource P-36-025903) qualifying under Criteria A, B, and C of NEPA and CEQA. Subsequent works by Gentry (2018) and Paul (2019) support the presence of a district and the eligibility for National and State level recognition, due to significant historical events involved in the development of the community.⁴⁴ As an eligible resource, adverse environmental impacts must be avoided.

Additionally, the Phase I research found one (1) culturally sensitive Native American site, P-36-010568, within a one (1) mile radius of the Project site. P-36-010568, the Hayden Ranch, was recorded in the southeast corner of Pioneertown by the Morongo Basin Historical Society. However, this resource is well outside any direct or indirect area of potential impacts with respect to the proposed Project.

The Project site is comprised of four (4) parcels. Parcel 0594-212-30, contains the Pioneertown Motel, originally known as the Old Pioneer Townhouse, which was constructed in 1947 and is included within the boundaries of the Pioneertown Historic District nomination as a contributing element. The research and field intensive pedestrian survey, conducted on June 17, 2020, concluded no evidence that Native American resources are located within the Project site.

The research concluded that the Pioneertown Historic District is eligible for listing in the California Register of Historical resources; however, there are no known Native American connections to the Project site. Furthermore, no tribal resources that are 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), have been identified or associated with the Project site. The Project would not cause a

⁴⁴ McKenna et al., Phase I Cultural Resources Investigation and Assessment for the Proposed Expansion of the Pioneertown Motel Complex in Pioneertown, San Bernardino County, CA, July 27, 2020. (Appendix C)

substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, or 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. Therefore, the Project would result in a less than significant impact with mitigation.

Less than Significant with Mitigation

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

The Project site does not contain any known resources determined by the Lead Agency, in its discretion and support by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. It is possible that tribal cultural resources exist at a depth given the prehistoric occupation of the region, as well as the proximity of Hayden Ranch to the Project site. Per the recommendations listed in the Phase I Cultural Resources Investigation and Assessment prepared by McKenna et al., there is a low level of sensitivity for the presence of Native American archaeological resources in the Project area. Archaeological monitoring will only be required if requested by local Native American representatives, which is not anticipated. However, as mentioned in the mitigation measures of section V, *Cultural Resources*, if human remains or artifacts are unearthed, they will be analyzed, and if they are found to be of human prehistoric origin, council from Native American tribes will be sought. The California Native American Heritage Commission's Sacred Lands File identified no Native American cultural resources within the Project site; a response was received from San Manuel Band of Mission Indians Cultural Resources Department in response to consultation letters were sent, mitigation measures are included below; also the field intensive pedestrian survey produced no indication of tribal cultural resources within the Project site. Therefore, a less than significant impact to resources considered significant by a California Native American tribe is expected to occur due to Project implementation.

Less than Significant with Mitigation

Mitigation Measures

XVIII.

(a) (i)

TCR-1 Inadvertent Discovery: The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be

subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.

(a) (ii)

TCR-2 Archaeological/Cultural Documents: Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIX. UTILITIES AND SERVICE SYSTEMS - Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

Countywide Plan; Submitted Project Materials

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

Water:

Water supply to the Project site would be provided by the San Bernardino County Special Districts 70-W4 municipal water system via a new connection, pending the receipt of an unconditional water availability letter. If sufficient water supply is *not* available via the San Bernardino County Special Districts 70-W4, the proposed Project will receive water on-site by way of a qualifying well and system which would meet San Bernardino County public water purveyor standards. As a condition of approval, the County may request a water feasibility study, prior to the issuance of a grading permit.

Wastewater:

The Project proposes to utilize an on-site sewage disposal system consisting of a septic tank and seepage pits. The proposed disposal system is subject to review by the County's Environmental Health Services Division.

Stormwater:

The Project proposes stormwater improvements that will be implemented in Phase 1 of the Project development. The proposed Project is required to conform with County regulations relating to stormwater runoff and discharge. As described in Section X, Hydrology and Water Quality, the proposed Project is subject to the standard condition of approval in which the County requires compliance with the National Pollutant Discharge Elimination System (NPDES) criteria, including submittal and approval of a Storm Water Pollution Prevention Plan (SWPPP). The proposed storm drainage system and Best Management Practices (BMPs) must be designed to the satisfaction of the County and in conformance with all applicable permits and regulations. With adherence to Federal, State, and local regulations the Project would have a less than significant impact on requiring the construction of new facilities or expansion of existing storm drainage facilities.

Electric Power:

Southern California Edison (SCE) provides electricity to the Project site. The site currently contains the existing Pioneertown Motel that will remain in place with the implementation of the proposed Project. Anticipated electric power uses for the Project would include indoor and outdoor lighting, refrigeration appliances, electricity for pool pumps, and other relevant electrical needs associated with a restaurant, retail space, swimming pools, equestrian facilities, outdoor venue, and motels needs. All electrical uses associated with the Project would connect to the existing electric power system. Further, all utility connections to the proposed Project would be required to comply with applicable federal, state, and local regulations related to electric power supply. Therefore, relocation and expansion of existing facilities and construction of new facilities would not be required. Impacts would be less than significant.

Natural Gas:

The Southern California Gas Company (SoCalGas) provides natural gas to the Project site. SoCalGas' 2020 California Gas Report (CGR) projects total system demand to decline at an annual average rate of 1.0 percent between 2020 and 2035. Project development would not require SoCalGas to obtain new or expand natural gas supplies. Thus, impact would be less than significant.

Telecommunication Facilities:

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

Less Than Significant Impact

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

Water supply will be provided to the Project site by the San Bernardino County Special Districts 70-W4 municipal water system via a new connection, pending receipt of an unconditional water availability letter. The County Service Area (CSA 70 W-4 obtains water from the Hi-Desert Water District (HDWD) within the Mojave Water Agency (MWA). The Hi-Desert Water District 2020 Urban Water Management Plan indicates adequate supply during normal, dry, and multiple years.

If the Project does *not* obtain a letter of unconditional water availability, the Project will construct a qualifying water well and system that is subject to San Bernardino County public water purveyor standards. The Project shall comply with all standards and requirements set forth by the County of San Bernardino and may be required to prepare a water feasibility study at the request of the County. Thus, a less than significant impact will occur due to Project implementation.

Less Than Significant Impact

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

The Project proposes to install an on-site sewage disposal system consisting of a septic tank and seepage pits to serve the proposed expansion of the Pioneertown Motel. Therefore, the Project would not rely on a wastewater treatment provider and no impact would occur.

No Impact

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

Significant impacts could occur if the Project were to exceed the existing permitted landfill capacity or were to violate State or local standards and regulations. However, the Project complies with County zoning regulations and the Countywide Plan, which is congruent with the Countywide Plan Draft EIR. The County abides by AB 939, AB 341, and AB 1826, which aim to reduce solid waste and divert waste from landfills through recycling, source reduction, composting, and land disposal of waste. Beginning July 1, 2012, the State of California required that all businesses that generate four cubic yards or more of refuse per week implement a recycling program. This requirement is set forth in Assembly Bill 341, which was passed by the California legislation in October 2011. The Project would comply with the California Integrated Waste Management Act and AB 341 as implemented by the County. Commercial uses proposed by the Project, and solid waste generated by those uses, would not otherwise conflict with federal, state, and local statutes and regulations related to solid waste. Based on the preceding, the potential for the Project to generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals is less than significant.

Less Than Significant Impact

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

The Project would be implemented and operated in compliance with applicable Countywide Plan Goals and Policies, and would comport with County Zoning regulations—specifically, the Project would comply with local, state and federal initiatives and directives acting to reduce and divert solid waste from landfill waste streams. As described in section (d) above, the Project would comply with the California Integrated Waste Management Act and AB 341 as implemented by the County. The proposed Project is required to comply with all applicable federal, state, and County statutes and regulations related to solid waste as a standard project condition of approval. Therefore, a less than significant impact would occur.

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XX. WILDFIRE: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				

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

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

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

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

Wildland fire protection in California falls under the responsibility of either the State, Local, or Federal government. The Project site is located within a State Responsibility Area (SRA) and falls under a Fire Safety Area 2 (FS2) hazard overlay.⁴⁵ Fire protection for the Project site and surrounding area is provided by the San Bernardino County Fire Department.

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

The Project site is located approximately 3.3 miles north of San Bernardino County evacuation route Twentynine Palms and 4.2 miles west of evacuation route Highway 247.⁴⁶ Although the Project site is located within a High Fire Hazard Severity Zone, the Project is not located near a designated evacuation route. Furthermore, the Project complies with the Countywide Plan and zoning designation. Therefore, the proposed Project would not substantially impair an adopted emergency response plan nor an emergency evacuation plan. Thus, a less than significant impact would occur.

⁴⁵ County of San Bernardino. HZ-5 Fire Hazard Severity Zone web map. Accessed October 5, 2021.

⁴⁶ County of San Bernardino. PP-2 Evacuation Routes web map. Accessed October 5, 2021.

Less Than Significant Impact

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

The Project site is located within a High Fire Severity Zone in a State Responsibility Area (SRA) and is designated under a Fire Safety Area 2 (FS2) hazard overlay. FS2 is characterized by gentle to moderate sloping terrain with light to moderate fuel loading and periodic high wind conditions.⁴⁷ Due to the natural conditions, the Project site is within an area prone to wildland brush fires. However, the County requires that projects within the FS2 overlay meet requirements that provide greater public safety. These requirements include a minimum of two vehicular access points, private driveway or access road limitations, adequate water supply with proper hydrant location and spacing, fuel modification areas, fencing, building setbacks, etc. The proposed Project is compliant with the County Development Code; thus, Project implementation would have a less than significant impact.

Less Than Significant Impact

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

The Applicant proposes to expand the Pioneertown Motel. Due to the existing portion of the development, the Project site is already equipped with propane and electricity. The Project proposes to improve the dirt roads surrounding the site by laying down material that is approved by County engineers. The minor infrastructure improvements associated with the Project will not exacerbate fire risk or result in environmental impacts. Furthermore, the County will review the final site plans to ensure that the proposed Project complies with all regulations and procedures pertaining to wildfire. The proposed Project will comply with federal, state, and local regulations. Therefore, Project impacts would be less than significant.

Less Than Significant Impact

- 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?*

The topography of the Project site and surrounding area is relatively flat, and the soils on the Project site are not susceptible to landslides. The Project site is already developed with the existing Pioneertown Motel and the surrounding area contains commercial and residential structures. Expansion of the Pioneertown Motel would not expose people or structures to significant risks, including downslope or downstream

⁴⁷ County of San Bernardino 2007 Development Code. 82.13.030 Fire Safety Areas.

flooding or landslides, as a result of runoff, post-fire slope instability. Therefore, a less than significant impact would occur, and no mitigation measures are necessary.

Less Than Significant Impact

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

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

The proposed Project would not substantially impact any scenic vistas, scenic resources, or the visual character of the area, and would not result in excessive light or

glare. The Project site is located within a partially developed area that is characterized by its surrounding open space. The proposed Project would not significantly impact any sensitive plants, plant communities, fish, wildlife, or habitat for any sensitive species with incorporation of Mitigation Measures **BIO-1** through **BIO-5**. Prior to construction, mitigation pertaining to Joshua trees would ensure a less than significant impact. Construction phase mitigation would be implemented to reduce potential impacts to burrowing owls, nesting birds, and desert tortoises to less than significant levels.

As described in Section IV, adverse impacts to historical resources would not occur. Mitigation Measures **CUL-1** through **CUL-3** would be implemented to reduce impacts to archaeological and paleontological resources, as well as buried Native American remains and eligible historical resources.

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

Less than Significant with Mitigation

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

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

The analysis in Section III related to air quality found that impacts would be less than significant; therefore, the Project would not contribute to localized or regional cumulative impacts. Additionally, the analysis in Section IV found that no individual impacts to sensitive species would occur with incorporation of Mitigation Measures **BIO-1** through **BIO-5**. The Project would have no other impacts on biological resources and would not result in localized or regional cumulative impacts.

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

Less than Significant with Mitigation

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

Based on the analysis of the Project's impacts in the responses to items I through XX, there is no indication that this Project could result in substantial adverse effects on human beings. While there would be a variety of temporary adverse effects during construction, these would be reduced to less than significant levels through mitigation. Long-term effects include increase vehicular traffic, traffic-related noise, use of standard commercial hazardous materials, emissions of criteria pollutants and greenhouse gas emissions, and increased demand for water use, wastewater disposal, and electricity use. The analysis herein concludes that direct and indirect environmental effects would at worst require mitigation to reduce to less than significant levels. Environmental effects would result in less than significant impacts. Based on the analysis in this Initial Study, direct and indirect impacts to human beings would be less than significant with mitigation incorporated.

Less than Significant with Mitigation

Mitigation Measures

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

BIO-1 Preconstruction Nesting Bird Surveys: If it is not feasible to avoid the nesting bird season (February 1 through August 31), a qualified biologist shall conduct a pre-construction nesting bird survey to determine presence/absence, location, and status of any active nest. To avoid the destruction of active nests and to protect the reproductive success of birds protected by the MBTA and the CFGC, the nesting bird survey shall occur no earlier than seven (7) days prior to the commencement of construction.

In the event active nests are discovered, a suitable buffer (distance to be determined by a qualified biologist) shall be established around active nests and no construction within the buffer allowed, until the biologist has determined the nest is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest).

BIO-2 Preconstruction Burrowing Owl Surveys: A qualified biologist will perform preconstruction clearance surveys for western burrowing owl year-round and no more than 30-days prior to ground disturbance. The survey will be conducted during day-light hours and the biologist will visually cover 100% of the site. Preconstruction clearance surveys for burrowing owl shall follow the CDFW 2012 Staff Report guidelines. If burrowing owl are not observed on site, a Memorandum of Findings will be provided to CDFW. If burrowing owl are observed occupying the site, a 250-foot buffer will be established around all active burrows and CDFW will be informed immediately of nesting/occupation activities. Mitigation Measure **BIO-3** describes the activities associated with relocation to reduce the impacts to less than significant.

All active burrows will be monitored no less than once a week to determine the level of activity.

BIO-3 Passive or Active Relocation of Burrowing Owls: If burrowing owls are observed on the Project site during preconstruction surveys, CDFW shall be immediately notified to determine if avoidance of the nest is appropriate until the nest is vacated, or to gain concurrence from CDFW on active or passive relocation actions. All passive or relocation activities shall be in concurrence with CDFW guidelines (Staff Report on Burrowing Owl Mitigation 2021).

If burrowing owl are present and nesting on-site the following steps shall be necessary to reduce impacts to less than significant. These steps may be augmented by recommendations from CDFW:

- a. Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFW verifies through non-invasive methods that: (1) owls have not begun egg-laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.
- b. A qualified biologist shall exclude all owls from active burrows using one-way doors. Concurrently, all inactive burrows and other sources of secondary refuge for burrowing owls shall be collapsed and removed from the site.
- c. Following and 24 to 48-hour observation period, all vacated burrows shall be collapsed.

- d. A qualified biologist shall conduct a post-exclusion survey confirming the absence of burrowing owls on the Project site. Should newly occupied burrows be discovered on the Project site the exclusion activities shall be repeated.

BIO-4 Preconstruction Desert Tortoise Survey: A USFWS authorized biologist shall survey the Project site (including buffer where accessible) for the presence of desert tortoise no more than 14 days prior to the commencement of project activities.

If desert tortoise and/or active burrows are observed, the authorized biologist shall contact USFWS for concurrence and direction on relocation of the tortoise. In general, desert tortoise shall be moved no more than 1,000 feet for juveniles and adults, and 300 feet for hatchlings.

BIO-5 Incidental Take Permit from California Department of Fish and Wildlife: An Incidental Take Permit shall be required from CDFW for the removal of Joshua trees on the Project site. An Incidental Take Permit (ITP) application and supporting documentation shall be submitted to CDFW for review and approval for removal of Joshua trees on the Project site. An ITP establishes a performance standard requiring that the impacts be “minimized and fully mitigated” with “measures that are roughly proportional in extent to the impact of the authorized taking on the species.” Therefore, additional mitigation measures, such as the purchase of credits from an approved conservation or mitigation bank, land acquisition, or entry into a conservation easement, will be determined in consultation with CDFW to meet ITP requirements. Because the Joshua tree was designated as a candidate species in October 2020 and is still subject to a status review by CDFW, it is impractical to determine the specific details of mitigation, beyond compliance with the ITP.

An ITP application requires a completed CEQA document to accompany the ITP application and fee. CDFW requires the CEQA document have a state clearing house number, show proof of filing fees, and proof the document has been circulated. CDFW will then review the ITP and CEQA document and make a determination of mitigation. At the time of the writing of this document, CDFW is not accepting relocation of Joshua tree for mitigation or to lessen mitigation obligations. Relocation on site can be permitted as a “covered” activity but will not ultimately reduce the mitigation obligation. Purchase of credits in an approved mitigation bank would be acceptable, however, as of the writing of this document, there are no approved banks for Joshua tree. At this time, CDFW is only accepting land acquisition as mitigation for removal of Joshua trees (personal communication Julia Carol, CDFW Region 6, October 13, 2021).

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

CUL-2 Paleontological Monitoring: If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

CUL-3 Archaeological Monitoring: If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

GEO-1 Grading and Construction: The Project shall incorporate the recommendations provided in the Geotechnical Report prepared by Sladden Engineering, dated June 3, 2020 (*Appendix E*). The recommendations are presented in the following sections of the report: Earthwork and Grading, Conventional Shallow Spread Footings, Retaining Walls, Slabs-On-Grade, Corrosion Series, Utility Trench Backfill, exterior Concrete Flatwork, Drainage, Limitations, and Additional Services.

GEO-2 On-Site Sewage System: Seepage pits shall be located a minimum of 150 feet away from water supply wells. A maximum seepage pit depth of 30 feet is recommended. Seepage pits shall be located a minimum of 8 feet away from buildings, structures, and private property lines. These minimum distance requirements also pertain to seepage pit expansion areas.

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

TCR-2 Archaeological/Cultural Documents: Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.

GENERAL REFERENCES

- CalFire. Fire Hazard Severity Zone Viewer. Accessed September 28, 2021. [FHSZ Viewer \(ca.gov\)](#)
- California Air Resources Board. Guide to Off-Road Vehicle & Equipment Regulations. Accessed October 25, 2021. [Guide to Off-Road Vehicle & Equipment Regulations \(ca.gov\)](#)
- California Department of Conservation Earthquake Hazards Zone Application. Accessed October 21, 2021. [ArcGIS Web Application](#)
- California Department of Conservation. California Important Farmland Finder GIS Application. Accessed September 28, 2021. <https://maps.conservation.ca.gov/dlrp/ciff/app/>.
- California Department of Conservation. Mineral Land Classification of a Part of Southwestern San Bernardino County: Open-File Report 94-06. Accessed October 4, 2021.
- California Department of Fish and Wildlife's California Natural Community Conservation Plans Map. April 2019. [FileHandler.ashx \(ca.gov\)](#)
- California Department of Toxic Substances Control, EnviroStor Database. Accessed October 27, 2021. <https://www.envirostor.dtsc.ca.gov/public/>
- California Endangered Species Act (CESA) (Office of Administrative Law's Notice ID #Z2019-1112-01 and Z2020-0924-01 Petition to list Western Joshua Tree (*Yucca brevifolia*) as an Endangered Species).
- California Energy Commission. Energy Reports. Accessed October 25, 2021. <https://ecdms.energy.ca.gov/elecbyplan.aspx>
- Caltrans. California State Scenic Highway System Map, Accessed September 28, 2021. [California State Scenic Highway System Map \(arcgis.com\)](#).
- CDFW is only accepting land acquisition as mitigation for removal of Joshua trees (personal communication Julia Carol, CDFW Region 6, October 13, 2021).
- CDFW News. California Fish and Game Commission Holds Meeting on Western Joshua Tree. September 22, 2020. <https://cdfgnews.wordpress.com/2020/09/22/california-fish-and-game-commission-holds-meeting-on-western-joshua-tree/>
- County of San Bernardino, Countywide Plan. Approved October 27, 2020, Adopted November 27, 2020. [Microsoft Word - CWP_PolicyPlan_HardCopy_MainText_Tables_20201027_adopted.docx \(countywideplan.com\)](#)
- County of San Bernardino, Countywide Plan Draft EIR. Prepared June 2019. http://countywideplan.com/wp-content/uploads/2019/06/Ch_000_TITLE-PAGE.pdf
- Department of Conservation California Earthquake Hazards Zone Application. Access October 21, 2021. <https://maps.conservation.ca.gov/cgs/EQZApp/app/>
- Federal Emergency Management Agency. FEMA Flood Map No. 06071C8115H. USGS The National Map October 2020. Accessed November 9, 2021.
- Mojave Water Agency Project. Regional Recharge and Recovery Project. Accessed October 21, 2021. <https://www.mojavewater.org/r-cubed.html>
- Pioneertown Community Action Guide. Adopted 2017 and Amended 2020.

Initial Study PROJ-2020-00077
Pioneertown Motel Expansion
APN: 0594-212-27, -28, -29, -30
December, 2021

San Bernardino County Code -Title 8–Development Code.

San Bernardino County. Joshua trees are now protected by the State of California as a candidate for listing as an endangered species. October 15, 2020. Joshua trees are now protected by the State of California as a candidate for listing as an endangered species | EZ Online Permitting (sbcounty.gov)

San Bernardino County Land Use Plan, General Plan, Open Space Element. Accessed October 12, 2021. <http://cms.sbcounty.gov/Po-rtals/5/Planning/ZoningOverlaymaps/OpenSpaceCountywide.pdf>

San Bernardino County. Western Joshua Tree Regulations. February 12, 2021. Western Joshua Tree Regulations - MDLT

PROJECT-SPECIFIC REFERENCES

Urban Crossroads. Air Quality Impact Analysis for the Pioneertown Motel Expansion, County of San Bernardino. August 16, 2021. (Appendix A)

Wilder Ecological Consulting, Inc. General Biological Surveys and Focused Surveys for Burrowing Owl and Desert Tortoise for the Pioneertown Motel Expansion, San Bernardino County, CA. May 2020. (Appendix B)

McKenna et al. A Phase I Resources Investigation and Assessment for the Proposed Expansion of the Pioneertown Motel Complex in Pioneertown, San Bernardino County, California. July 27, 2020 (Appendix C)

Urban Crossroads. Pioneertown Motel Expansion Energy Analysis, County of San Bernardino. August 16, 2021 (Appendix D)

Sladden Engineering. Geotechnical Investigation for the Proposed Expansion Pioneertown Motel, San Bernardino County, California. June 3, 2020. (Appendix E)

Urban Crossroads. Pioneertown Motel Expansion Greenhouse Gas Analysis, County of San Bernardino. August 16, 2021. (Appendix F)

Sladden Engineering. Percolation Testing for Onsite Sewage Disposal Feasibility. June 3, 2020. (Appendix G)

Urban Crossroads. Noise Impact Analysis for the Pioneertown Motel Expansion, County of San Bernardino, July 27, 2020. (Appendix H)

Translutions, Inc. Pioneertown Motel, San Bernardino County, California – Trip Generation Analysis. June 25, 2020. (Appendix I)