

**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:**

<b>APNs:</b>	0357-241-06	<b>USGS Quad:</b>	Silverwood Lake
<b>Applicant:</b>	Summit Las Flores, LLC.	<b>T, R, Section:</b>	T3N, R04W, Sec. 34
<b>Location</b>	16920 State Highway 173, Hesperia	<b>Thomas Bros</b>	
<b>Project No:</b>	PROJ-2020-00010	<b>Community Plan:</b>	N/A
<b>Rep</b>	Merrell Johnson Engineering, Inc.	<b>LUZD:</b>	Rural Living 5-minimum (RL-5)
<b>Proposal:</b>	Tentative Parcel Map 20188 to subdivide 120 acres into four (4) parcels and a remainder (parcel sizes range from 14.5-acres to 28.5-acre) in the Rural Living District and Zoning in unincorporated Hesperia.	<b>Overlays:</b>	Bald Eagle (FE) Arroyo Toad (FE) Fire Safety

**PROJECT CONTACT INFORMATION:**

**Lead agency:** County of San Bernardino  
Land Use Services Department  
15900 Smoke Tree Street, Suite #131  
Hesperia, CA 92345-0187

**Contact person:** Natalie Patty, Contract Planner  
**Phone No:** (909) 387-4142      **Fax No:** (760) 995-8167  
**E-mail:** [Natalie.Patty@lus.sbcounty.gov](mailto:Natalie.Patty@lus.sbcounty.gov)

**Project Sponsor:** Merrell Johnson Engineering, Inc.  
22221 U.S. Highway 18  
Apple Valley, CA 92307

**PROJECT DESCRIPTION:**

**Summary**

The proposed project is a minor subdivision, Tentative Parcel Map 20188, to subdivide 120 acres into four parcels and a remainder (parcel sizes range from 14.5-acres to 28.5-acres) in the unincorporated Hesperia portion of the County of San Bernardino. The project site is located on north of State Highway 173. The County's Countywide Plan designates the project area as Rural Living 5-acre minimum (RL-5). The site is regulated by the Fire Safety 1 (FS1) Overlay, the Bald Eagle (FE) Overlay and the Arroyo Toad (FE) Overlay.

**Surrounding Land Uses and Setting**

The Project Site is in the unincorporated portion of Hesperia within San Bernardino County. The County of San Bernardino Land Use District and Land Use Zoning Maps show the Project Site is within the Rural Living (RL) District and Rural Living 5-acre minimum (RL-5) Land Use Zoning. The adjacent parcels to the south are occupied with dwellings while others are vacant lots, parcels to the east are vacant government land, and parcels to the west and north are under the City of Hesperia jurisdiction. The subject parcel is mostly undeveloped with a mobile home and a structure pad. The eastern part of the property supports a moderately dense woodland community dominated by oak. While the western part of the property supports a mixed desert scrub habit dominated by California goldfields. Joshua trees are absent from the site. A few wildlife were observed on the property, however the anticipated minimal loss of habitat will have a negligible impact on wildlife which inhabit the site or which utilize the property infrequently.

Location	Existing Land Use	Land Use Zoning District	Land Use Category
Project Site	Mobile Home	Rural Living 5-acre minimum (RL-5)	Rural Living
North	City of Hesperia	City of Hesperia	City of Hesperia
South	State Hwy 173, further south SFRs/vacant	Single Residential 1-acre minimum (RS-1); Rural Living (RL)	Very Low Density Residential (VLDR); Rural Living
East	Vacant	Resource Conservation (RC)/Government Land	Resource Land Management (RLM)
West	City of Hesperia	City of Hesperia	City of Hesperia

**Project Site Location, Existing Site Land Uses and Conditions**

**ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES**

Federal: None.

State of California: Fish & Wildlife; Fish & Game Commission.

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

Regional: Mojave Desert Air Quality Management District.

Local: City of Hesperia

### Site Photographs



View from the Project site to the northwest. Mojave River Forks drainage in the upper portion of the photograph.



View from the Project site to the south towards Highway 173.



View from Project Site towards the southwest.

**Figure 1 Land Use of the Property**

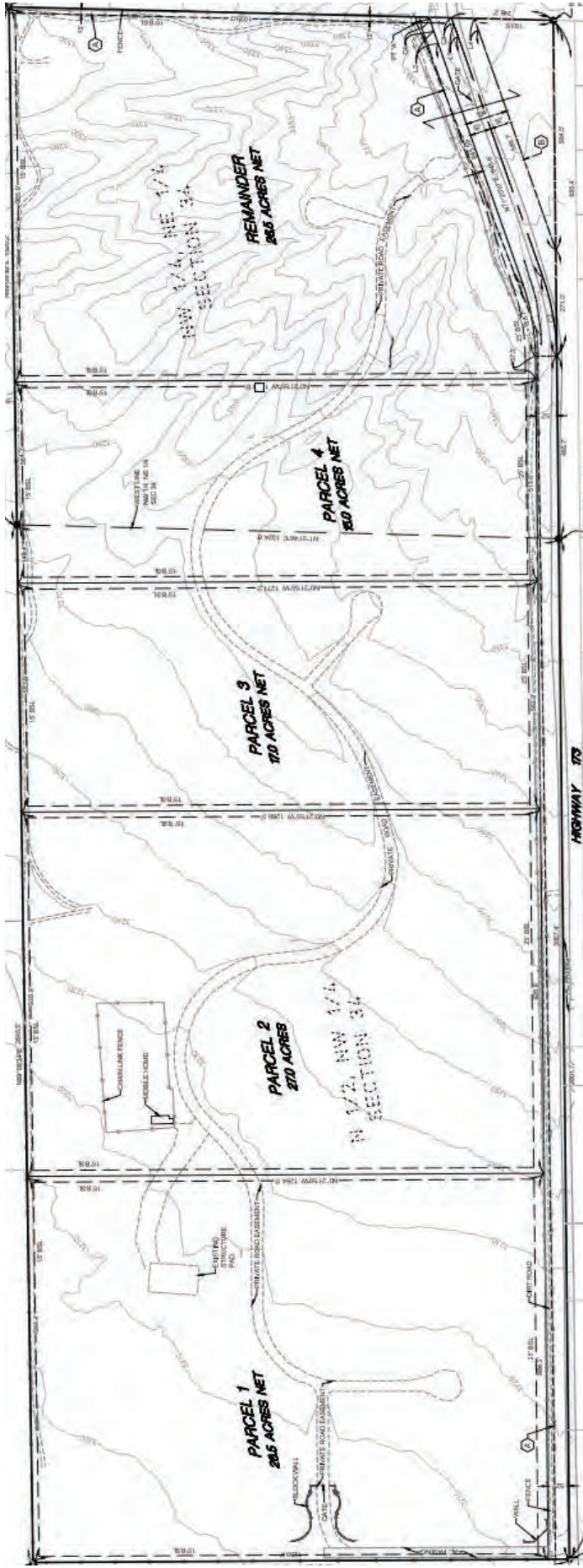




Figure 2 Project Vicinity Map



Figure 3 Parcel Map



## **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.

On June 26, 2020, County Land Use Services mailed notification pursuant to AB52 to the following tribes: Twenty-Nine Palms Band of Mission Indians, Colorado River Indian Tribes, Fort Mojave Indian Tribe, Morongo Band of Mission Indians, and the Yuhaaviatam of San Manuel Nation (formerly the San Manuel Band of Mission Indians). Requests for consultation were due to the County by July 27, 2020. The Yuhaaviatam of San Manuel Nation responded with a request to consult. Results of the consultation are summarized in Section XVIII below.

## **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).

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

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

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

<input type="checkbox"/>	The proposed project 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.

Natalie Patty  
 Signature: (Natalie Patty, Contract Planner)

February 13, 2024  
 Date

Linda Mawby  
 Signature: (Linda Mawby, Supervising Planner)

February 13, 2024  
 Date

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>I. AESTHETICS</b> – 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from 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; Submitted Project Materials**

- a) **Less than Significant.** The proposed project is located north of a designated Scenic Highway but will not have a substantial adverse effect on a scenic vista, as multiple dwellings are located south of the scenic highway. The General Plan identifies scenic resources as a, “roadway, vista point, or area that provides a vista of undisturbed natural areas, or includes a unique or unusual feature that comprises an important or dominate portion of the viewshed, or offers a distant vista that provides relief from less attractive views of nearby features”. The Countywide Policy Plan includes a Scenic Routes & Highways Overlay to be referenced when evaluating a project for its potential impacts to aesthetics, scenic resources and/or scenic vistas. The Scenic Overlay Area includes unique views within the County’s desert, mountain and valley areas as well as other aesthetic natural land formations. It covers an area extending 200 feet on both sides of the ultimate road right-of-way of State and County designated Scenic Highways as identified within the General Plan. The nearest County designated Scenic Route is south of the property, State Route 173.
- b) **No Impact.** The proposed project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state

scenic highway, because the project is a minor subdivision and there are no rock outcroppings or historic buildings on the project site.

- c) **Less Than Significant.** The proposed project will not substantially degrade the existing visual character or quality of the site and its surroundings because all the newly created parcels will exceed the minimum parcel size of 5-acres, per the Rural Living 5-acre minimum (RL-5) Land Use Zoning Development Standards, allowing ample buildable area without significantly impacting native vegetation. No Joshua trees were observed on site when the biological survey was conducted. All building permits require a pre-construction survey.
- d) **Less Than Significant.** The proposed project will not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area because at this time this project is only proposing the subdivision of 120 acres into 5 parcels and a remainder. Any future development and installation of outdoor lighting on the newly created parcels must comply with the Chapter 83.07 Glare and Outdoor Lighting standards of the Development Code. These standards are meant to ensure that any impact caused by outdoor lighting and glare is reduced to a level below significance.

**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>
<b>II.</b>	<b>AGRICULTURE AND FORESTRY RESOURCES</b> - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |



- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) | Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

***San Bernardino County General Plan, 2007; California Department of Conservation Farmland Mapping and Monitoring Program; Submitted Project Materials***

a-e) **No Impact.** The subject property is not identified or designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the maps prepared, pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. There are currently no agricultural uses on the site. The site is not under a Williamson Act land conservation contract. The project site will not conflict with existing zoning or cause rezoning of forest land because the project site is not zoned forest land and is not timberland as defined by Public Resources Code section 4562, or timberland zoned Timberland Production. The site will not result in the loss of forest land or the conversion of forest land to non-forest use because the subject property is not forest land, the forest is the San Bernardino National Forest located on the adjacent parcel to the east.

**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>
<b>III. AIR QUALITY</b> - 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

**San Bernardino County General Plan, 2007; Submitted Project Materials**

a) **No Impact.** The project will not conflict with or obstruct implementation of the Mojave Desert Air Quality Management Plan (MDAQMP). The MDAQMP for the Mojave Desert Basin, the identified air basin for the project site, sets forth a comprehensive program that will lead the Basin into compliance with all federal and state air quality standards. A project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project is conforming if it complies with all applicable MDAQMD rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly induced in the applicable plan). The MDAQMP control measures and related emission reduction estimates are based on emission projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. The *MDAQMD CEQA Guidelines* state, “conformity with growth forecasts can be established by demonstrating that the project is consistent with the land use plan that was used to generate the growth forecast”. The project is located in the County’s Rural Living 5-acre minimum (RL-5) land use zoning with a residential density of one (1) unit per 2.5 acres (max) and is consistent with the density existing at the time the growth forecast was completed. Since the project involves the subdivision of one hundred and twenty (120) gross acres into four (4) parcels and a remainder, the residential density conforms to the County’s Policy Plan, and therefore conforms to the MDAQMP projections for development and population and is not anticipated to conflict with the applicable MDAQMP.

- b) **Less Than Significant.** The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). The MDAQMD is in non-attainment for ozone and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). In evaluating the cumulative effects of the project, Section 21100(e) of CEQA states, “previously approved land use documents including, but not limited to, general plans, specific plans and local coastal plans, may be used in cumulative impacts analysis”. In addressing cumulative effects for air quality, the MDAQMP utilizes approved general plans and therefore, is the most appropriate document to use to evaluate cumulative impacts of the subject project. The MDAQMP evaluated air quality emissions for the entire Mojave Air Basin using a future development scenario based on population projections and set forth a comprehensive attainment program that would lead the basin into compliance with all federal and state air quality standards. In the *MDAQMD CEQA Guidelines*, any project that remains consistent with the land use plan that was used to generate the growth forecast conforms to the air districts attainment plan and will not result in cumulatively considerable impacts to the basin’s air quality. The proposed project conforms to the County’s General Plan that was used in creating growth forecasts to establish the MDAQMP.

Future construction activity may result in a less than significant temporary increase in particulate matter for the surrounding area. The MDAQMD Rule 403.2, requires the following measures during grading and land disturbing activity to reduce the amount of fugitive dust, a major contributor to the region’s non-attainment for particulate matter (PM<sub>10</sub>). These measures include, using periodic watering for short-term stabilization of Disturbed Surface Area to minimize visible fugitive dust emissions, covering loaded haul vehicles, stabilizing graded sites, preventing project-related Trackout onto paved surfaces, cleanup project-related Trackout or spills within twenty-four (24) hours and reduce non-essential Earth-Moving Activity under High Wind conditions. In addition, the County’s General Plan prohibits the clearing of natural vegetation in the Desert Region beyond the areas of a building pad, driveway, landscaping, agriculture or other reasonable uses associated with the primary use of the land, including fire clearance for parcels one (1) acre or greater in size. The County requires a Dust Control Plan (DCP) to accompany any grading permit, the requirement for a DCP ensure the MDAQMD Rule 403.2 is enforced.

**Non-attainment Designations and Classification Status**

Ambient Air Quality Standard	MDAQMD
Eight-hour Ozone (Federal 84 ppb)	Non-attainment; classified Severe-17 (portion of M outside of Western Mojave Desert Ozone Non-attainment is unclassified/attainment)
Eight-hour Ozone (Federal 75 ppb)	Non-attainment (expected)
Ozone (State)	Non-attainment; classified Moderate
PM <sub>10</sub> (Federal)	Non-attainment; classified Moderate (portion of MD. Riverside County is unclassified, and the portion in th Valley is in attainment)
PM <sub>2.5</sub> (State)	Non-attainment (portion of MDAQMD outside of Mojave Desert Ozone Non-attainment A unclassified/attainment)
PM <sub>10</sub> (State)	Non-attainment
Hydrogen Sulfide (State)	Unclassified (Searles Valley Planning Area is non-att)

- c) **No Impact.** The project will not expose any sensitive receptors to substantial pollutant concentrations, because there are no known or potential sources of concentrations of substantial pollutants within ¼ mile of the project site and the project entails a subdivision of land not development. The Mojave Desert Air Quality Management District defines sensitive receptors as

residences, schools, daycare centers, playgrounds and medical facilities. The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor must not expose sensitive receptors to substantial pollutant concentrations. 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 or a gasoline dispensing facility within 300 feet.

The project does not propose any of the above-described uses and none of the described uses are either existing or planned within the specified distance of the subdivision.

- d) **No Impact.** The project will not create odors affecting a substantial number of people because there are no identified potential uses that will result in the production of objectionable odors. In accordance with the CEQA Air Quality Handbook developed by the South Coast Air Quality Management District, land uses associated with odor complaints include agriculture operations, wastewater treatment plants, landfills, and certain industrial operations. Future development will be limited to primary and accessory uses identified in the Rural Living District/ Rural Living 5-acre minimum Land Use Zoning. Accessory agriculture and animal keeping must have proper manure management and shall be carried out in compliance with Title 3 (Health and Sanitation and Animal Regulations) of the County Code. In addition, properties cannot exceed the number and type of animals listed in the County's Development Code for accessory animal keeping and all animal keeping must comply with public health laws.

**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>
<b>IV. BIOLOGICAL RESOURCES - Would the project:</b>				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



through direct removal, filling, hydrological interruption, or other means?

- |    |   |                          |                                     |                                     |                                     |
|----|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| d) | Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) | Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/> | <input 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?  | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

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

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

- a) **Less Than Significant with Mitigation Incorporated.** The project will not 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 because mitigation measures have been agreed upon by the project proponent as a condition of approval to reduce any impact to a level below significant. A portion of the project site is located within the Bald Eagle (FE) and Arroyo Toad (FE) overlays. As a result, on April 14, 2020 RCA Associates, Inc. conducted a General Biological Resources Assessment survey. A note will be placed on the Composite Development Plan (CDP) stating the project proponent will be required to hire a County approved, licensed biologist to perform a pre-construction survey, as necessary and as required by CDFW, USFWS, and the County. If any special status species are observed during the pre-construction surveys, CDFW and USFWS should be contacted to discuss appropriate mitigations. All mitigation measures, as required by the County Planning Division in consultation with CDFW and USFWS, must be fully implemented prior to any ground disturbance, or the issuance of a grading or building permit, whichever occurs first. See **Mitigation Measure BR-1.**
- b) **Less than Significant Impact.** This project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service because of the minimal development proposed in the future.

A note will be placed on the CDP stating, "Natural drainage courses and/or easements shall not be occupied or obstructed, unless specific approval is given by County Land Use Services Department – Land Development Division/Drainage Section for each lot/parcel". The Land Development Division will not grant such approval unless a Streambed Alteration Agreement from CDFW is provided, a note on the CDP will state, "California Department of Fish and Wildlife must be notified if the drainage course of any streambed on this property is to be altered or encroached. A streambed alteration agreement shall be provided to the Land Development Division prior to grading". These measures will ensure that any impact to any natural streambed is less than significant.

- c) **No Impact.** This project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, because the project is not within an identified protected wetland as defined by Section 404 of the Clean Water Act.
- d) **Less than Significant Impact.** This project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, because the General Biological Resources Assessment conducted by RCA Associates dated April 14, 2020 indicates that no such wildlife or migratory corridors exist on site.
- e) **Less than Significant with Mitigation Incorporated.** The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance because future construction or land disturbance is required to adhere to the County's Tree & Plant Protection Ordinance. Prior to any land disturbance issuance of a grading, or building permit, whichever occurs first, the applicant shall obtain written permission from California Fish & Game Commission (CFGC) and/or obtain a permit to take (by removal or transplanting) any Joshua tree as it is a candidate for listing as an endangered species. A note to this effect will be placed on the CDP. See **Mitigation Measure BR-2.**
- f) **No Impact.** This project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, because no such plan has been adopted in the area of the project site.

**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:**

**The following shall be placed on the Composite Development Plan (CDP):**

**Mitigation Measure BR-1.** For all grading or other land disturbing activity proposed, a preconstruction inspection, as necessary and as required by CDFW, USFWS, and the County. If any special status species are observed during the pre-construction survey, CDFW and USFWS

should be contacted to discuss appropriate mitigations. All mitigation measures, as required by the County Planning Division in consultation with CDFW and USFWS, must be fully implemented prior to any ground disturbance, or the issuance of a grading or building permit, whichever occurs first.

**Mitigation Measure BR-2.** Prior to any land disturbance issuance of a grading, or building permit, whichever occurs first, the applicant shall obtain written permission from California Fish & Game Commission (CFGC) and/or obtain a permit to take (by removal or transplanting) any Joshua tree as it is a candidate for listing as an endangered species. The project proponent shall implement mitigation measures as defined in the latest adopted CFGC protocol and agreed upon by the County Planning Division in consultation with CFGC. All mitigation measures must be agreed upon and implemented prior to any ground disturbance or the issuance of any grading or building permit, whichever occurs first.

<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>
<b>V. CULTURAL RESOURCES - Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

***Bernardino County General Plan, 2007; Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton; Submitted Project Materials: Phase I Cultural Resources Assessment for Tentative Parcel Map Number 20188 prepared by Alta California Research Group, dated September 4, 2020***

- a) **Less than Significant.** This project will not impact nor cause a substantial adverse change in the significance of an historical resource because the project site is not located on or near any known historical resource, as defined in §15064.5 and verified by the Phase I Historical and Archeological Resources Survey conducted by CRM Tech dated September 4, 2020. Language will be added to the approval document, as recommended in the Alta California Research Group report, stating that if buried cultural materials are discovered during earth-moving operations associated with the project, all work in that area shall be halted or diverted until a qualified archeologist can evaluate the nature and significance of the find. Additionally, SMBMI has provided Conditions of Approval that shall be implemented prior to Land Disturbance.
- b) **Less than Significant with Mitigation Incorporated.** This project will not cause a substantial adverse change to any archaeological resource because no resources have been identified on the site or within the vicinity of the project site as verified by the Phase I Historical/Archeological Resources Survey conducted by Alta California Research Group dated September 4, 2020. The same recommended approval language as indicated in section V a) above will be added.

During consultation with the San Manuel Band of Mission Indians, it was determined that potential impacts could result to unknown archeological resources. Therefore,



potentially significant impacts could result and implementation of the following mitigation measure shall be required as conditions of project approval:

**CR-1** Prior to the issuance of a grading permit, at least one archaeologist with at least 3 years of regional experience in archaeology (Archaeologist) shall conduct subsurface archaeological testing. A Testing Plan shall be created by the archaeologist and submitted to the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) and the Lead Agency for review at least 10 business days prior to implementation, so as to provide time to review/modify the Plan, if needed. The Plan shall outline the protocol of presence/absence testing and contain a Treatment Plan detailing that 1) no less than 1 shovel test pit per 100 x 100 ft. grid over the proposed area of disturbance shall be excavated to a minimum depth of 40 cm; 2) no collection of artifacts or excavation of features shall occur during testing, and 3) all discovered resources shall be properly recorded and reburied *in situ*. If the results of testing, as approved by SMBMI, are positive, then SMBMI and the Lead Agency shall, in good faith, consult concerning appropriate treatment of the finding(s), guidance for which is outlined in TCR-1. If the results of testing, as approved by SMBMI, are negative, then SMBMI will conclude consultation unless any discoveries are made during project implementation. Any and all discoveries made during project implementation shall be subject to the Treatment Plan outlined within the Testing Plan, as well as the treatment guidelines within TCR-1.

Implementation of the above mitigation measure would ensure potential impacts are reduced to a less than significant level.

- c) **Less than Significant.** This project will most likely not disturb any human remains, because the project is a minor subdivision with minimal future residential development. San Manuel Band of Mission Indians has indicated that this project area is of high sensitivity as it contains archaeological sites and sacred spaces including burial sites, and have provided mitigation measures/conditions of approval to San Bernardino County. A standard condition will also be included stating, “If human remains are encountered during any earthmoving activities, all work shall cease until the San Bernardino County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. State law requires the Native American Heritage Commission (NAHC) be notified in the event the remains are determined to be prehistoric. The NAHC shall determine and notify a Most Likely Descendant (MLD) who may inspect the site of the discovery within 48-hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials”.

**Therefore, 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>
<b>VI. ENERGY – Would the project:</b>				

- a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

***SUBSTANTIATION: San Bernardino County General Plan, 2007; Submitted Materials***

- a) **No Impact.** The proposed Project will not impact or result in a potentially significant environmental impact due to wasteful inefficient, or unnecessary consumption of energy resources as this is a minor subdivision of land with no development proposed.
- b) **No Impact.** The proposed project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Any future residential development will be required to obtain building permits and conform to state and local energy efficiency standards.

**Therefore, 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>
<b>VII.</b>	<b>GEOLOGY AND SOILS - Would the project:</b>				

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
- ii. Strong seismic ground shaking?

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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:** (Check  if project is located in the Geologic Hazards Overlay District): **San Bernardino County General Plan, 2007; Submitted Project Materials**

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

- a) i-iv) **Less Than Significant.** The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving; i) rupture of a known earthquake fault, ii) strong seismic ground shaking, iii) seismic related ground failure, including liquefaction or iv) landslides. The nearest earthquake fault zone is the San Andreas fault approximately 10 miles to the southwest and the project site is not located in any area known to be susceptible to liquefaction or landslide. Most of southern California is susceptible to strong earthquakes and ground shaking; however, California Building Code standards are meant to protect buildings and individuals from loss of life and property related to earthquakes. Any new development will be required to meet the latest adopted California Building Code prior to the issuance of building permits for new construction and materials. Therefore, impacts from proximity to fault zones are considered less than significant.
- b) **Less than Significant.** The project will not result in substantial soil erosion or the loss of topsoil because no development is proposed at this time. At the time any

development occurs, on-site erosion and sediment control measures will be in place as required by the County Development Code and the Building and Safety Division. As discussed in Section III b) of this document, the MDAQMD requires measures be in place during grading and land disturbance activities to minimize fugitive dust in the form of a Dust Control Plan (DCP). Grading plans, an approved grading permit, Dust Control Plan (DCP) and erosion and sediment control plan is required prior to any land disturbance from the Building and Safety Division, in addition, an erosion and sediment control plan must be approved and implemented during grading activity with regular inspections by the County's Land Development Division. A condition of approval from the Building and Safety Division will require a note be placed on the Composite Development Plan (CDP) stating, "An Erosion and Sediment Control plan must be submitted and approved by the Building official prior to any land disturbance". The County's Landscape & Irrigation design element of the Development Code will require at a minimum landscaping on disturbed portions of the future developed parcels to ensure minimal soil erosion, the County prohibits the clearing of natural vegetation in the Desert Region for no purpose.

- c) **No Impact.** The project is not 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. The County of San Bernardino has mapped Geologic Hazards as part of the adoption of the General Plan and Development Code. The Geologic Hazard Overlay includes any areas of adverse soil conditions, such as those underlain by hydrocollapsible, expansive, and/or corrosive soils. The project site is not mapped as being in the Geologic Hazard Overlay. Any new construction will be required to meet the latest adopted California Building Code and all measures required by the County's Geologist.
- d) **No Impact.** The project is not located on expansive soil, as defined in Table 18-1-B of the California Building Code (1994) creating substantial risks to life or property. As mention in section VI c above, the project site is not within the County's mapped Geologic Hazard Overlay, including areas as having expansive soils. Any future construction on the newly created parcels must meet the requirements of the latest adopted California Building Code and any requirements set forth by the County's Geologist.
- e) **Less than Significant Impact.** The site will require future single-family residences to have an Environmental Health Services approved wastewater treatment device or connect to sewer service. The County's Environmental Health Services Department reviewed the subject project and will require, as a condition of approval, a percolation test to be completed prior to recordation. A note placed on the Composite Development Plan will state "An approved percolation report, (EHS reference number) prepared by (person/firm name & credentials) on (date prepared), is on file with EHS. A plot plan showing the location of the septic system shall be submitted to EHS prior to the issuance of building permits for the individual lots." If the percolation report indicates that soils exist that are incapable of adequately supporting the use of onsite waste water treatment, septic permits will not be issued and development of the subject parcels will not be allowed until an alternative form of wastewater treatment is available.

- f) **Less than Significant.** The Project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature as this is a land division.

**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>
<b>VIII. GREENHOUSE GAS EMISSIONS – Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

***SUBSTANTIATION:  
 San Bernardino Countywide Plan; Submitted Project Materials***

- a,b) **Less than Significant.** The proposed project does not include any development at this time but approval of the Tentative Parcel Map 20188 will create four (4) parcels and a remainder that can be developed with single-family homes in the future.

On December 6, 2011, the San Bernardino County Board of Supervisors adopted the County Greenhouse Gas (GHG) Emissions Reduction Plan. The GHG Plan establishes a GHG emissions reduction target for the year 2020 that is fifteen (15) percent below 2007 emissions. The plan is consistent with AB 32 and sets the County on a path to achieve more substantial long-term reductions in the post-2020 period. Achieving this level of emissions will ensure that the contribution to greenhouse gas emissions from activities covered by the GHG plan will not be cumulatively considerable.

CEQA Guidelines provide that the environmental analysis of specific projects may be tiered from a programmatic GHG plan that substantially lessens the cumulative effect of GHG emissions. If a public agency adopts such a programmatic GHG Plan, the environmental review of subsequent projects may be streamlined. A project's incremental contribution of GHG emissions will not be considered cumulatively significant if the project is consistent with the adopted GHG Plan.

As part of the GHG Plan, sample project sizes that exceed the 3000 MTCO<sub>2</sub>e level were established. Projects that exceed the 3000 MTCO<sub>2</sub>e are considered to have a potentially significant impact on the implementation of the County's and the States GHG reduction



plan. The threshold for single-family residential development to exceed the 3000 MTCO<sub>2e</sub> level is 60 to 80 units. GHGs and criteria pollutants associated with future development of four (4) new dwellings will be well below this threshold. For this reason, it is unlikely that this project would impede the state’s ability to meet the reduction targets of AB32 or conflict with the County’s adopted GHG reduction plan.

**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>
<b>IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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**SUBSTANTIATION:**

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

- a) **No Impact.** The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, because allowed uses in the Rural Living Land Use Zone are not permitted to transport, use or dispose of hazardous materials. If a use is proposed in the future that transports, uses or disposes of hazardous materials a permit and inspection by the Hazardous Materials Division of the County Fire Department is required.
- b) **No Impact.** The project will not 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, because the project is a residential subdivision. Any proposed future use or construction activity that might use hazardous materials is subject to permit and inspection by the Hazardous Materials Division of the County Fire Department.
- c) **No Impact.** The project uses will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school, because the project does not propose the use of hazardous materials and all existing and proposed schools are more than 1/4 mile away from the project site.
- d) **No Impact.** The project site is not included on the San Bernardino County list of hazardous materials sites compiled pursuant to Government Code 65962.5 and therefore, will not create a significant hazard to the public or environment.
- e) **No Impact.** The project site is not within the vicinity or approach/departure flight path of a public airport. The nearest public airport is the Southern California Logistics Airport, which is located approximately 38 miles northwest of the project site. The project site was verified to not be within an Airport Noise Overlay.
- f) **No Impact.** The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, because the project has adequate access from two or more directions via Goss Road and Appleton Street and has been reviewed for adherence with the San Bernardino County Fire Departments regulations for emergency access.
- g) **Less than Significant.** The project will not expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where lands are adjacent to urbanized areas or where residences are intermixed with lands because prior to any construction occurring on any parcel, the applicant shall contact the County Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department. The project site is in the FS2 Fire Safety Overlay. The requirements of the overlay district are designed to reduce fire hazard risk to below a level of significance.

**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>
<b>X. HYDROLOGY AND WATER QUALITY - Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

***SUBSTANTIATION:***

***San Bernardino Countywide Plan; Submitted Project Materials, Hydrology Study provided by Merrell Johnson, dated January 14, 2020***

- a) **No Impact.** The project will not violate any water quality standards or waste discharge requirements because there is no development proposed at this time. Any future on-site wastewater treatment systems associated with residential development must be approved by the San Bernardino County Department of Public Health -Environmental Health Services Division based on requirements set by the Lahontan Regional Water Quality Control Board. The standards enforced by the Lahontan Regional Water Quality Control Board require that any wastewater treatment system be designed in a manner so as not to violate the region's water quality standard. The parcels meet the minimum size requirements of the Lahontan Regional Water Quality Control Board for wastewater treatment systems.
- b) **Less than Significant.** The project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. The project site is served by wells. Environmental Health Services (EHS) will require a permit and well completion report. EHS requires that subdivisions utilizing OWTS and/or wells comply with the minimum lot size requires stipulated in LAMP, this project complies with the minimum lots size.
- c i-iv) **Less than Significant Impact.** Based on the Project Specific Water Quality Management Plan (PWQMP) prepared by TRLS Engineering, Inc., and Hydrology Report prepared by Merrell Johnson, implementation of the proposed drainage improvements for the site would not result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff, nor impede or redirect flood flows. Conditions of Approval

will require drainage requirements, erosion control installation, including Composite Development Plan (CDP) notes prohibiting disturbance of natural drainage.

- d) **No Impact.** The project is not at risk to release pollutants due to project inundation because it is not located in a flood hazard, tsunami, or seiche zone.
- e) **No Impact.** The project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Any future development will require the review of Building & Safety, Land Development and Environmental Health Services and will require the applicant to comply with the latest adopted regulations.

**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>
<b>XI. LAND USE AND PLANNING - Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***SUBSTANTIATION:***  
***San Bernardino Countywide Plan; Submitted Project Materials***

- a) **No Impact.** The project will not physically divide an established community, because the project is a logical and orderly extension of the planned land uses and development that are established within the surrounding area. The proposed subdivision will create residential parcels that conform to the Rural Living 5-acre minimum parcel size development standards and the residential density of the Policy Plan. The subject property is located north of State Highway 173 allowing continued public access to neighboring properties.



- b) **No Impact.** The project will not cause conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. The project is consistent with all applicable land use policies and regulations of the Development Code, Policy Plan, and the plans, policies, laws and regulations of responsible agencies. The project complies with all hazard protection, resource preservation and land use modifying Overlay District regulations.

**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>
<b>XII. MINERAL RESOURCES - Would the project:</b>				
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 type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

- a) **Less than Significant.** The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state, because the project site has no known metallic mineral resources and has known concrete aggregate deposits, but of undetermined mineral resource significance and value.
- b) **No Impact.** The project will not 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, because project site is not identified as a resource recovery site on the general plan, specific plan or other land use plan; therefore no impact is anticipated in this area.

**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>
<b>XIII. NOISE - Would the project result in:</b>				

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Generation of excessive groundborne vibration or groundborne noise levels?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

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

- a) **No Impact.** The project will not expose people to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies because no development is proposed with this subdivision. Future development is required to comply with the noise standards of the County Development Code and noise exceeding these standards is not anticipated to be generated by the allowed uses of the Single Residential land use district and future construction activities. The subject site is not located near any activity that generates noise levels in excess of the Single Residential land use zoning district standards. A note will be placed on the CDP that future residence, “shall submit an acoustical information sheet demonstrating that the County’s exterior and interior residential noise standards will not be exceed and if exceed, the manner in which those levels will be mitigated to an acceptable level”. This information is to be submitted to the County’s Department of Public Health, Environmental Health Services Division for review and approval.
- b) **No Impact.** The project will not create exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels. No development is proposed as a part of this subdivision and any land disturbance conducted in the future, as part of a residential development will have to adhere to the County Development Code for grading and construction noise. The project location is not in the surrounding area of any industries or activities that generate excessive ground borne vibration.
- c) **No Impact.** The project will not expose people residing or working in the project area to excessive noise levels because the project site is not locate 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 nor public use airport.

**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>
<b>XIV. POPULATION AND HOUSING - Would the project:</b>				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***SUBSTANTIATION:***

***San Bernardino County General Plan, 2007; Submitted Project Materials.***

- a) **Less than Significant Impact.** The project will not induce substantial population growth in an area either directly or indirectly. The proposed subdivision will create four new parcels that could develop one dwelling unit each; resulting in a projected population of 12 new residents at build out. The County's General Plan has anticipated and planned for this level of development on the project site. The proposed project may have an indirect impact on population growth because public improvements and other public infrastructure that will be constructed or extended as a result of this project and future development of the proposed parcels that could facilitate development of nearby parcels.
- b) **No Impact.** The project will not displace existing people or housing, necessitating the construction of replacement housing elsewhere because no housing units are proposed to be demolished as a result of this proposal.

**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>
<b>XV. PUBLIC SERVICES</b>				

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

Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**  
**San Bernardino Countywide Plan; Submitted Project Materials**

- a) **Less than Significant Impact.** The proposed project will not 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, including fire and police protection, schools, parks, or other public facilities. The Fire Department, Police, School District, Public Works and Special Districts Departments, and City of Hesperia were consulted in the review process and indicated that the project and future development caused by the approval of this subdivision would not warrant any new or expanded facilities whether directly or cumulatively. There is the potential for less than significant impacts caused by the cumulative effects of future residential development on the project site. However, development impact fees are assessed on a pro-rata basis to finance public infrastructure improvements as a result of the impacts of each new dwelling unit. The sum of the development impact fees assessed on each new dwelling is then used to provide the necessary public infrastructure improvements to maintain acceptable levels of service, response times and other performance objectives for public services. This project alone will not induce enough population growth or demand on existing facilities to warrant any new or expanded facilities. In addition, the development of the proposed parcels will increase property tax revenues to provide additional funding for public services.

**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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**XVI. RECREATION**

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

recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?

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

***SUBSTANTIATION:***  
***San Bernardino Countywide Plan; Submitted Project Materials***

- a) **Less than Significant Impact.** This project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Any impacts from this proposed minor subdivision will be minimal because only approximately five (5) residents will be generated at final build-out.
- b) **Less than Significant Impact.** This project does not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment, because the type of project proposed will not result in an increased demand for recreational facilities. No development of new parkland is required per the County General Plan because of the insignificant number of additional home sites proposed.

**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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<b>XVII. TRANSPORTATION – Would the project:</b>				
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 type="checkbox"/>	<input checked="" type="checkbox"/>



- d) Result in inadequate emergency access?

<b>SUBSTANTIATION:</b>	
<b>San Bernardino Countywide Plan; Submitted Project Materials</b>	
a)	<b>Less than Significant.</b> The future development of four parcels and a remainder will not cause a substantial increase in traffic. The project is located north of State Highway 173 currently operating at a level of service at or above the standard established by the County General Plan. The property is located within the Hesperia Regional Area Transportation Facilities Fee Plan. Developers of future residences will be required to contribute to that plan before building permits are issued.
b)	<b>Less than Significant.</b> The project will not conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b) (1) because it aligns with “projects within one-half mile of either an existing major transit stop or a stop along an existing high quality corridor should be presumed to cause a less than significant transportation impact. The project site is adjacent to an existing high quality corridor.
c)	<b>No Impact.</b> The project will not substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses because the project site is adjacent to an established road that is accessed at points with good site distance and properly controlled intersections. There are no incompatible uses proposed by the project that will impact surrounding land uses.
d)	<b>No Impact.</b> The project will not result in inadequate emergency access because there a minimum of two access points and a condition of approval by the County’s land Development Road section has determined that has been granted to the County through private road easement.

**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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**XVIII. TRIBAL CULTURAL RESOURCES**

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

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

**SUBSTANTIATION:** The project is located in the traditional and cultural affiliated geographic area of the San Manuel Band of Mission Indians.

**San Bernardino Countywide Plan; Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton; Submitted Project Materials**

- a i-ii) **Less than Significant with Mitigation Incorporated.** As the Lead Agency, San Bernardino County initiated the Assembly Bill 52 consultation on June 26, 2020. San Manuel Band of Mission Indians (SMBMI) in its response to the County's AB 52 consultation process indicated that the project area abuts the border of an archaeologist district currently in the last phase of review listed on the National Register of Historic Places (NRHP). Based on the sacredness of this space, SMBMI has provided conditions for an archaeological investigation and continued consultation.

**TCR-1:** If a pre-contact cultural resource is discovered during archaeological presence/absence testing, the discovery shall be properly recorded and then reburied *in situ*. A research design shall be developed by the archaeologist that shall include a plan to evaluate the resource for significance under CEQA criteria. Representatives from the San Manuel Band of Mission Indians CRM Department (SMBMI), the archaeologist/applicant, and the Lead Agency shall confer regarding the research design, as well as any testing efforts needed to delineate the resource boundary. Following the completion of evaluation efforts, all parties shall confer regarding the archaeological significance of the resource, its potential as a Tribal Cultural Resource (TCR).

Should any significant resource and/or TCR not be a candidate for avoidance or preservation in place, and the removal of the resource(s) is necessary to mitigate impacts, the research design shall include a comprehensive discussion of sampling strategies, resource processing, analysis, and reporting protocols/obligations. Removal of any cultural resource(s) shall be conducted with the presence of a monitor representing the Tribe, unless otherwise decided by SMBMI. All plans for analysis shall be reviewed and approved by the applicant and SMBMI prior to implementation, and all removed material shall be temporarily curated on-site. It is the preference of SMBMI that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during project implementation not be feasible, then a reburial location for future reburial shall be decided upon by SMBMI, the landowner, and the Lead Agency, and all finds shall

be reburied within this location. Additionally, in this case, reburial shall not occur until all ground-disturbing activities associated with the project have been completed, all monitoring has ceased, all cataloguing and basic recordation of cultural resources have been completed, and a final monitoring report has been issued to Lead Agency, CHRIS, and SMBMI. All reburials are subject to a reburial agreement that shall be developed between the landowner and SMBMI outlining the determined reburial process/location, and shall include measures and provisions to protect the reburial area from any future impacts (vis a vis project plans, conservation/preservation easements, etc.).

Should it occur that avoidance, preservation in place, and on-site reburial are not an option for treatment, the landowner shall relinquish all ownership and rights to this material and confer with SMBMI to identify an American Association of Museums (AAM)-accredited facility within the County that can accession the materials into their permanent collections and provide for the proper care of these objects in accordance with the 1993 CA Curation Guidelines. A curation agreement with an appropriate qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project developer/applicant to pay for those fees.

**TCR-2:** All draft records/reports containing the significance and treatment findings and data recovery results shall be prepared by the Archaeologist and submitted to the Lead Agency and SMBMI for their review and comment. After approval from all parties, the final reports and site/isolate records are to be submitted to the local CHRIS Information Center, the Lead Agency, and SMBMI.

**TCR-3:** In the event that any human remains are discovered within the project area, ground disturbing activities shall be suspended 100 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. The on-site lead/foreman shall then immediately who shall notify SMBMI, the Developer and the Lead Agency. The Lead Agency and the Developer shall then immediately contact the County Coroner regarding the discovery. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c). The NAHC-identified Most Likely Descendant (MLD), shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and funerary objects shall be treated and disposed of with appropriate dignity. The MLD, Lead Agency, and landowner agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes. The MLD shall complete its inspection and make recommendations within forty-eight (48) hours of the site visit, as required by California Public Resources Code § 5097.98.

Reburial of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The MLD in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The applicant/developer/landowner should accommodate on-site reburial in a location mutually agreed upon by the Parties.

It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r), and avoidance (or other appropriate treatment) of the discovered resource.

**There is a potential for significant impacts thus 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>
<b>XIX. UTILITIES AND SERVICE SYSTEMS - Would the project:</b>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

demand in addition to the provider's existing commitments?

- |    |  |                          |                          |                                     |                                     |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| d) | Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) | Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

***SUBSTANTIATION:***

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

- a) **Less than Significant.** The proposed subdivision project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. There is no wastewater treatment provider serving the project area. On-site wastewater treatment systems will serve future residences. These on-site wastewater treatment systems must be approved by the County Department of Public Health - Environmental Health Services Division based on requirements of the Lahontan Region Water Quality Control Board. Therefore, there will be no impact in this area. The proposed project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities that cause significant environmental effects. All future residential construction must meet the requirements from the County Land Development Division (Roads/Drainage).
- b) **Less than Significant.** There are sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years. For future development using wells, the applicant must obtain Environmental Health Services (EHS) approval and provide well completion reports. The proposed subdivision meets the ½ acre minimum lot size requirements of LAMP.
- c) **No Impact.** There is no wastewater treatment provider serving the project area. On-site wastewater treatment systems will serve future residences. These on-site wastewater treatment systems must be approved by the County Environmental Health Services based on requirements of the Lahontan Regional Water Quality Control Board.
- d) **Less than Significant.** The proposed project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. A less than significant impact would result.
- e) **No Impact.** The project is a subdivision, any future residential development will be required to comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Part of the building permitting process requires that applicants obtain approval from the County's Solid Waste Management Division.



**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>
<b>XX. WILDFIRE:</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***SUBSTANTIATION:***

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

- a) **No Impact.** The project site does not contain any emergency facilities; the project is a minor land subdivision with future residential development. The Office of Emergency Services (OES), County Fire Department shall be responsible for the continued update of emergency evacuation plans for wildland fire incidents as an extension of the agency’s responsibility for Hazard Mitigation Planning in San Bernardino County.
- b), d) **No Impact.** The project is located within a Fire Hazard area. The project site is mostly undeveloped, a mobile home and storage structure are on the property. Any future residential development shall comply with applicable standards required by the responsible Fire Authority. San Bernardino County’s Land Development Division has reviewed the project and has determined the site is in a FEMA Flood Zone D where hazards are undetermined but possible.

- c) **No Impact.** Implementation of the project would not require additional installation of utility as it is a subdivision without development proposed.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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**XXI. MANDATORY FINDINGS OF SIGNIFICANCE:**

- |  |                          |                                     |                                     |                                     |
|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <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 type="checkbox"/>            | <input checked="" 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 type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

- a) **Less than Significant Impact with Mitigation Incorporated.** The project does not appear to have the potential to significantly degrade the overall quality of the region’s environment, or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population or drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

No archaeological or paleontological resources have been identified in the project area. San Manuel Band of Mission Indians has expressed that the subject property abuts the border of an archaeologist district currently in the last phase of review before being listed on the National Register of Historic Places (NRHP) and has provided conditions for archaeological investigation which have been included in the Mitigation Measures.

The existing native desert vegetation excludes any Joshua trees. The proposed project will not substantially degrade the existing visual character or quality of the site and its surroundings because all the newly created parcels will meet the minimum parcel size of acres, per Rural Living 5-acre minimum Land Use Zoning , allowing ample buildable area without significantly impacting the natural vegetation. All building permits require a pre-construction inspection to verify the location of any sensitive species. A General Biological Resources Assessment dated April 18, 2020 has been completed for this project. Conclusions of the survey state that desert tortoise does not occupy the project site.

b) **Less than Significant.** The project does not have impacts that are individually limited, but cumulatively considerable. The sites of projects in the area to which this project would add cumulative impacts have either existing or planned infrastructure that is sufficient for all planned uses. These sites either are occupied or are capable of absorbing such uses without generating any cumulatively significant impacts. The project site is consistent with the development standards of the County's Development Code and is consistent with the General Plan, any cumulative impacts have been addressed by the County's General Plan and certified Environmental Impact Report used in evaluating and mitigating the cumulative effects of the adoption of the General Plan.

c) **No Impact.**

All potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable in terms of any adverse effects upon the region, the local community or its inhabitants. At a minimum, the project will be required to meet the conditions of approval for the project to be implemented. It is anticipated that all such conditions of approval will further ensure that no potential for adverse impacts will be introduced by construction activities, initial or future land uses authorized by the project approval.

## **XVIII 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.)

The following note shall be placed on the CDP:

**Mitigation Measure BR-1.** For all grading or other land disturbing activity proposed, a preconstruction inspection, as necessary and as required by CDFW, USFWS, and the County. If any special status species are observed during the pre-construction survey, CDFW and USFWS should be contacted to discuss appropriate mitigations. All mitigation measures, as required by the County Planning Division in consultation with CDFW and USFWS, must be fully implemented prior to any ground disturbance, or the issuance of a grading or building permit, whichever occurs first.

The following note shall be placed on the CDP:

**Mitigation Measure BR-2.** Prior to any land disturbance issuance of a grading, or building permit, whichever occurs first, the applicant shall obtain written permission from California Fish & Game Commission (CFGC) and/or obtain a permit to take (by removal or transplanting) any Joshua tree as it is a candidate for listing as an endangered species. The project proponent shall implement mitigation measures as defined in the latest adopted CFGC protocol and agreed upon by the County Planning Division in consultation with CFGC. All mitigation measures must be agreed upon and implemented prior to any ground disturbance or the issuance of any grading or building permit, whichever occurs first.

**Mitigation Measure CR-1** Prior to the issuance of a grading permit, at least one archaeologist with at least 3 years of regional experience in archaeology (Archaeologist) shall conduct subsurface archaeological testing. A Testing Plan shall be created by the archaeologist and submitted to the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) and the Lead Agency for review at least 10 business days prior to implementation, so as to provide time to review/modify the Plan, if needed. The Plan shall outline the protocol of presence/absence testing and contain a Treatment Plan detailing that 1) no less than 1 shovel test pit per 100 x 100 ft. grid over the proposed area of disturbance shall be excavated to a minimum depth of 40 cm; 2) no collection of artifacts or excavation of features shall occur during testing, and 3) all discovered resources shall be properly recorded and reburied *in situ*. If the results of testing, as approved by SMBMI, are positive, then SMBMI and the Lead Agency shall, in good faith, consult concerning appropriate treatment of the finding(s), guidance for which is outlined in TCR-1. If the results of testing, as approved by SMBMI, are negative, then SMBMI will conclude consultation unless any discoveries are made during project implementation. Any and all discoveries made during project implementation shall be subject to the Treatment Plan outlined within the Testing Plan, as well as the treatment guidelines within TCR-1.

**Mitigation Measure TCR-1:** If a pre-contact cultural resource is discovered during archaeological presence/absence testing, the discovery shall be properly recorded and then reburied *in situ*. A research design shall be developed by the archaeologist that shall include a plan to evaluate the resource for significance under CEQA criteria. Representatives from the San Manuel Band of Mission Indians CRM Department (SMBMI), the archaeologist/applicant, and the Lead Agency shall confer regarding the research design, as well as any testing efforts needed to delineate the

resource boundary. Following the completion of evaluation efforts, all parties shall confer regarding the archaeological significance of the resource, its potential as a Tribal Cultural Resource (TCR).

Should any significant resource and/or TCR not be a candidate for avoidance or preservation in place, and the removal of the resource(s) is necessary to mitigate impacts, the research design shall include a comprehensive discussion of sampling strategies, resource processing, analysis, and reporting protocols/obligations. Removal of any cultural resource(s) shall be conducted with the presence of a monitor representing the Tribe, unless otherwise decided by SMBMI. All plans for analysis shall be reviewed and approved by the applicant and SMBMI prior to implementation, and all removed material shall be temporarily curated on-site. It is the preference of SMBMI that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during project implementation not be feasible, then a reburial location for future reburial shall be decided upon by SMBMI, the landowner, and the Lead Agency, and all finds shall be reburied within this location. Additionally, in this case, reburial shall not occur until all ground-disturbing activities associated with the project have been completed, all monitoring has ceased, all cataloguing and basic recordation of cultural resources have been completed, and a final monitoring report has been issued to Lead Agency, CHRIS, and SMBMI. All reburials are subject to a reburial agreement that shall be developed between the landowner and SMBMI outlining the determined reburial process/location, and shall include measures and provisions to protect the reburial area from any future impacts (vis a vis project plans, conservation/preservation easements, etc.).

Should it occur that avoidance, preservation in place, and on-site reburial are not an option for treatment, the landowner shall relinquish all ownership and rights to this material and confer with SMBMI to identify an American Association of Museums (AAM)-accredited facility within the County that can accession the materials into their permanent collections and provide for the proper care of these objects in accordance with the 1993 CA Curation Guidelines. A curation agreement with an appropriate qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project developer/applicant to pay for those fees.

**Mitigation Measure TCR-2:** All draft records/reports containing the significance and treatment findings and data recovery results shall be prepared by the Archaeologist and submitted to the Lead Agency and SMBMI for their review and comment. After approval from all parties, the final reports and site/isolate records are to be submitted to the local CHRIS Information Center, the Lead Agency, and SMBMI.

**Mitigation Measure TCR-3:** In the event that any human remains are discovered within the project area, ground disturbing activities shall be suspended 100 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. The on-site lead/foreman shall then immediately who shall notify SMBMI, the Developer and the Lead Agency. The Lead Agency and the Developer shall then immediately contact the County Coroner regarding the discovery. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c). The NAHC-identified Most Likely



Descendant (MLD), shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and funerary objects shall be treated and disposed of with appropriate dignity. The MLD, Lead Agency, and landowner agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes. The MLD shall complete its inspection and make recommendations within forty-eight (48) hours of the site visit, as required by California Public Resources Code § 5097.98.

Reburial of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The MLD in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The applicant/developer/landowner should accommodate on-site reburial in a location mutually agreed upon by the Parties.

It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r), and avoidance (or other appropriate treatment) of the discovered resource.

## **GENERAL REFERENCES**

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### **PROJECT-SPECIFIC REFERENCES**

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