

# THE OASIS AT GLEN HELEN PARKWAY PROJECT

## FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

SCH# 2000011093

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*Lead Agency:*



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March 5, 2024

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## 1.0 INTRODUCTION TO THE ENVIRONMENTAL ANALYSIS

### 1.1 Purpose of the Final Subsequent Environmental Impact Report

San Bernardino County (County), as the Lead Agency under the California Environmental Quality Act (CEQA), has prepared this Final Subsequent Environmental Impact Report (SEIR) for The Oasis at Glen Helen Parkway Project (Project) (State Clearinghouse [SCH] No. 2000011093). This document, in conjunction with the Draft SEIR, comprises the Final SEIR for the Project.

As described in CEQA Guidelines Sections 15088, 15089, 15090 and 15132, the Lead Agency must evaluate comments received on the Draft EIR and prepare written responses and consider the information contained in a Final EIR before approving a project. Pursuant to CEQA Guidelines Section 15132, a Final EIR consists of: (a) the Draft EIR or a revision of the Draft; (b) comments and recommendations received on the Draft EIR either verbatim or in summary; (c) a list of persons, organizations, and public agencies commenting on the Draft EIR; (d) the responses of the Lead Agency to significant environmental points raised in the review and consultation process; and (e) any other information added by the Lead Agency.

### 1.2 Project Summary

The Project site is located in an unincorporated area of southwestern San Bernardino County and within the City of Rialto Sphere of Influence (SOI). The approximately 32-acre Project site (Assessor's Parcel Numbers [APNs] 0239-031-04, 0239-031-32, 0239-031-37, and 0239-031-50) is located east of Interstate 15 (I-15), west of Glen Helen Parkway and the Glen Helen Regional Park, north of I-15 Exit 122, and south of three existing single-family residences and the Glen Helen Park Maintenance Yard. The City of Rialto is located to the south and southwest and the City of San Bernardino is located to the northeast, east, and south.

The Project entitlements include the approval of a Specific Plan Amendment (SPA) to the existing Glen Helen Specific Plan (GHSP), a Planned Development Permit (PDP), and a Tentative Parcel Map (TPM) to allow for the development of approximately 202,900 SF of commercial and retail center land uses on a site totaling 32.2 acres, to include but not necessarily be limited to, hotel uses, fitness facilities, market and pharmacies, commercial shops, gas station and convenience store, drive-through car wash, restaurants, and a joint Fire and Sheriff Station. The applicant proposes a minor clarification/text amendment to the existing GHSP-DR zone to provide greater flexibility and more accurately reflect the proposed commercial development. The SPA would affect all areas zoned GHSP-DR within the GHSP. The Project also includes a PDP and TPM to address a site-specific development area within the GHSP-DR zone. The total square footage proposed as part of the PDP is less than the maximum square footage allowed under the GHSP. The Project proposes a maximum floor area ratio (FAR) of 0.18, which is less than the maximum allowed FAR of 0.20 in the GHSP-DR zone. The proposed text amendment would support the original intent of the GHSP-DR zone, to provide low-intensity retail commercial uses that are sensitive to the physical and environmental constraints of the area.



### 1.3 Overview of the CEQA Public Review Process for the Draft SEIR

In compliance with the CEQA Guidelines, the County, as the Lead Agency for the Project, has provided opportunities for the public to participate in the environmental review process. As described below, throughout the environmental review process, an effort was made to inform, contact, and solicit input from the public and various State, regional, and local government agencies and other interested parties on the Project.

#### Notice of Preparation

In accordance with CEQA Guidelines Section 15082, a Notice of Preparation (NOP) was distributed to initiate the County's CEQA review process for the Project, identify and seek public input for the Project's potential environmental effects, and identify a date for the Project's public scoping meeting. The NOP was distributed on June 14, 2023, with a public review period ending on July 14, 2023, in compliance with the State's mandatory 30-day public review period.

#### Scoping Meeting

The County included a notice of a public scoping meeting for the Project with the NOP referenced above. An in-person public scoping meeting was held on June 27, 2023, at the Paakuma' K-8 School, 17825 Sycamore Creek Loop Pkwy., San Bernardino, CA 92407. The purpose of the scoping meeting was to obtain comments from the public and agencies regarding the scope of the environmental document.

Oral comments were received during the Scoping Meeting from several individuals. A total of seven comment letters were received in response to the NOP within the review period. The NOP, comment letters received during the NOP review period, and Scoping Meeting Materials are provided in **Appendix A** of the Draft SEIR.

#### Draft SEIR

In accordance with the provision of CEQA Guidelines Sections 15085(a) and 15087(a), the County, serving as the Lead Agency: (1) prepared and transmitted a Notice of Completion (NOC) to the State Clearinghouse; (2) published a Notice of Availability (NOA) of a Draft SEIR which indicated that the Draft SEIR was available for public review at the County's Planning Division Counter; (3) posted the NOA and the Draft SEIR on the County's Planning Division website: <https://lus.sbcounty.gov/planning-home/environmental/valley-region/>; (4) sent a NOA to all property owners within 700 feet of the Project Site boundary; (5) sent a NOA to the last known name and address and/or email address of all organizations and individuals who previously requested such notice in writing or attended the scoping meeting about the Project; and (6) filed the NOA with the County Clerk. The Draft EIR public review period commenced on December 15, 2023, and closed February 5, 2024.

During the Draft SEIR public review period, the County received three comment letters on the Draft SEIR. See **Chapter 2.0: Comment Letters and Responses to Comments** of this Final SEIR for further detail.

## 1.4 Organization of the Final SEIR

The Final SEIR is organized as follows:

- **Chapter 1.0: Introduction to the Environmental Analysis.** Describes the process and purpose of the Final SEIR, provides a summary of the Project, summarizes the Final SEIR public review process, and presents the contents of the Final SEIR.
- **Chapter 2.0: Comment Letters and Responses to Comments.** Presents all comments received by the County during the 45-day public review period of the Draft SEIR (December 15, 2023, to February 5, 2024). Also provides responses to all comments received that are related to the contents of the Draft SEIR.
- **Chapter 3.0: Corrections and Additions to the Draft SEIR.** Includes revisions to the Draft SEIR that represent minor changes to the Project Description, changes or additions in response to comments received on the Draft SEIR, and additional edits to provide clarification to the Draft SEIR text. Changes to the Draft SEIR are shown with ~~striketrough~~ text for deletions and double underline text for additions. The changes do not add significant new information that would affect the analysis or conclusions presented in the Draft SEIR.
- **Appendices.** Contains appendices as referenced throughout the Final SEIR.

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## 2.0 COMMENT LETTERS AND RESPONSES TO COMMENTS

CEQA Guidelines Section 15088(a) states that: “The lead agency shall evaluate comments on environmental issues received from persons who reviewed the Draft EIR and shall prepare a written response. The Lead Agency shall respond to comments that were received during the noticed comment period and any extensions and may respond to late comments.” In accordance with these requirements, this chapter of the Final SEIR provides responses to each of the comments on the Draft SEIR received during the public comment period. **Table 2-1, Summary of Comments on The Oasis at Glen Helen Parkway Project Draft SEIR**, provides a list of the comment letters received and the corresponding issues that were raised in response to the Draft SEIR.

The individual letters received during the public comment period, and as listed in **Table 2-1**, are each assigned a number in chronological order, as indicated in **Table 2-1**. Each comment that requires a response is also assigned a number. For example, the first comment letter received was from San Bernardino Society of California Pioneers; therefore, this is Letter 1. The first comment in the letter is therefore labeled Comment 1-1 and the responses to each comment are correspondingly numbered, (i.e., Response to Comment 1-1). A copy of each comment letter is provided in **Appendix A: Original Comment Letters** of this Final SEIR. As required by the CEQA Guidelines Section 15088(c), the focus of the responses to comments is on “the disposition of significant environmental issues raised.” Therefore, detailed responses are not provided for comments that do not relate to environmental issues.

**Table 2-1: Summary of Comments on The Oasis at Glen Helen Parkway Project Draft SEIR**

Letter No.	Name	Date Received	Environmental Category	
			Biological Resources	Other
1	Bernadette Ann Brierty Tribal Historic Preservation Officer Morongo Band of Mission Indians	01/24/2024		X
2	Mark Landis San Bernardino Historical and Pioneer Society 796 N D St, San Bernardino, CA 92401	01/31/2024		X
3	Colby Gataldi, Director of Community Development City of Rialto 150 S. Palm Ave., Rialto, CA 92376	02/13/ 2024		X

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## Letter 1

Bernadette Ann Brierty  
Tribal Historic Preservation Officer  
Morongo Band of Mission Indians  
Received on January 24, 2024

### Comment 1-1

The Morongo Band of Mission Indians (Tribe/MBMI) Tribal Historic Preservation Office (THPO) has completed its review of the Cultural Resource Documents received by our Office. A Cultural Resources Assessment (Assessment; Brunzell, 2022) was prepared on behalf of 215 Table Top LLC. This Assessment determined that Cultural Resources are present within the Project Area Limits and 2 Cultural Resources were recorded within one half mile of the Project Area. The Survey concluded that archaeological monitoring during ground-disturbing Project activities was not recommended.

Projects within this area are potentially sensitive for cultural resources regardless of the presence or absence of remaining surface artifacts and features. Tribal cultural resources are non-renewable resources and therefore of high importance to the Morongo Tribe and tribal participation (a.k.a. Tribal Monitors) is requested by MBMI THPO during all ground disturbing activities. We look forward to working with the County to protect these irreplaceable resources out of respect for ancestors of the Morongo people who left them there, and for the people of today and for generations to come. Please see the following Mitigation Measures to be included in the Project Environmental Document:

#### **Cultural Resource Mitigation Measures:**

**CR-1: Tribal Monitoring Services Agreement** Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Services Agreement with the Morongo Band of Mission Indians (MBMI) for the Project. The Tribal Monitor shall be on-site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal Monitor shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources.

**CR-2: Retention of Archaeologist** Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits, the Applicant shall retain a Qualified Archaeologist who meets the U.S. Secretary of the Interior Standards (SOI). The Archaeologist shall be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resources. The Archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribe[s] Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event.

**CR-3: Cultural Resource Management Plan** Prior to any ground-disturbing activities the project Archaeologist shall develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the project site. This Plan shall be written in consultation with the consulting Tribe[s] and shall include the following: approved Mitigation Measures (MM)/Conditions of Approval (COA), contact information for all pertinent parties, parties' responsibilities, procedures for each MM or COA, and an overview of the project schedule.

**CR-4: Pre-Grade Meeting** The retained Qualified archeologist and Consulting Tribe[s] representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.

**CR-5: On-site Monitoring** During all ground-disturbing activities the Qualified Archaeologist and the Tribal Monitor shall be on-site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Tribal Monitoring will be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The Qualified Archaeologist, in consultation with the Tribal Monitor, shall be responsible for determining the duration and frequency of monitoring.

**CR-6: Inadvertent Discovery of Cultural Resources** In the event that previously unidentified cultural resources are unearthed during construction, the Qualified Archaeologist and the Tribal Monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbance operations in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. All work shall be diverted away from the vicinity of the find, so that the find can be evaluated by the Qualified Archaeologist and Tribal Monitor[s]. The Archaeologist shall notify the Lead Agency and consulting Tribe[s] of said discovery. The Qualified Archaeologist, in consultation with the Lead Agency, the consulting Tribe[s], and the Tribal Monitor, shall determine the significance of the discovered resource. A recommendation for the treatment and disposition of the Tribal Cultural Resource shall be made by the Qualified Archaeologist in consultation with the Tribe[s] and the Tribal Monitor[s] and be submitted to the Lead Agency for review and approval. Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference:

- A. Full avoidance.
- B. If avoidance is not feasible, Preservation in place.
- C. If Preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or Deed Restriction.
- D. If all other options are proven to be infeasible, data recovery through excavation and then curation in a Curation Facility that meets the Federal Curation Standards (CFR 79.1)

**CR-7: Inadvertent Discovery of Human Remains** The Morongo Band of Mission Indians requests the following specific conditions to be imposed in order to protect Native American human remains and/or cremations. No photographs are to be taken except by the coroner, with written approval by the consulting Tribe[s].

- A. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98.
- B. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5.
- C. The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98
- D. If the Morongo Band of Mission Indians has been named the Most Likely Descendant (MLD), the Tribe may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[r]). Reburial location of human remains and/or cremations will be determined by the Tribe's Most Likely Descendant (MLD), the landowner, and the City Planning Department.

**CR-8: FINAL REPORT:** The final report[s] created as a part of the project (AMTP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribe[s] for review and comment. After approval of all parties, the final reports are to be submitted to the Eastern Information Center, and the Consulting Tribe[s].

**This letter does not conclude consultation.** Upon review of the requested Measures the MBMI THPO may further provide recommendations or guidance.

The lead contact for this Project is Bernadette Ann Brierty, Tribal Historic Preservation Officer (THPO). MBMI Cultural Resource Specialist Laura Chatterton, will be assisting the Tribe in the review of this project. Please do not hesitate to contact us at [ABrierty@morongo-nsn.gov](mailto:ABrierty@morongo-nsn.gov), [THPO@morongo-nsn.gov](mailto:THPO@morongo-nsn.gov), [lchatterton@morongo-nsn.gov](mailto:lchatterton@morongo-nsn.gov) or (951) 663-2842, should you have any questions. The Tribe looks forward to meaningful government-to-government consultation with the City of.



### Response to Comment 1-1

The commenter is stating that the Morongo Band of Mission Indians (Tribe/MBMI) Tribal Historic Preservation Office (THPO) has completed its review of the Cultural Resource Documents. The commenter is stating that projects within this area are potentially sensitive for cultural resources regardless of the presence or absence of remaining surface artifacts and features. The commenter is requesting the provided mitigation measures be included in the Project. The County staff coordinated with this commenter and the provided mitigation measures have been incorporated into the Final Environmental Impact Report. See **Section 3: Corrections and Additions to the Draft SEIR**, for additional information.

## Letter 2

Mark Landis

San Bernardino Historical and Pioneer Society

Received on January 31, 2024, and February 7, 2024

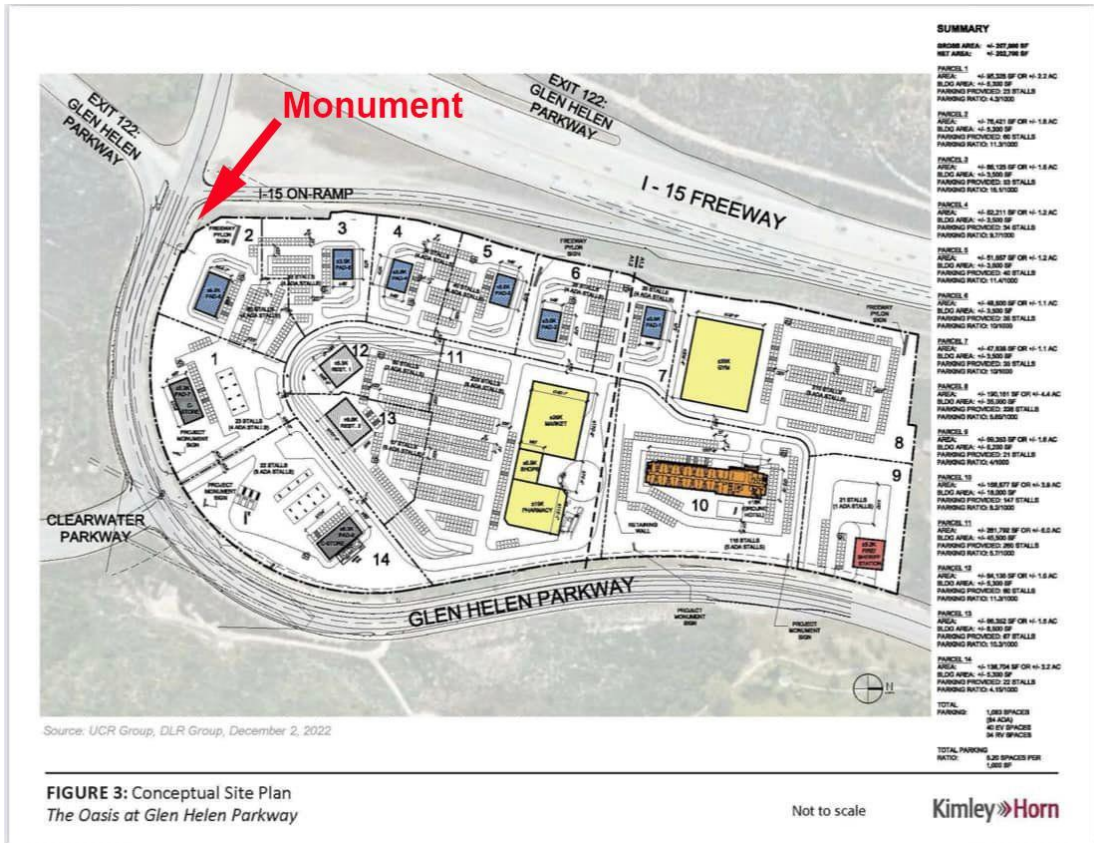
### Comment 2-1

My name is Mark Landis, and I'm a board member of the San Bernardino Historical and Pioneer Society, in San Bernardino. We only recently heard about the Oasis at Glen Helen Parkway project, and we missed the comment period in June/July 2023. However, we do have a question about the historic Pioneer Women Monument at the intersection of Glen Helen Parkway and the onramp to the northbound I-15 freeway (see photos). I didn't see any mention of the monument in the Oasis at Glen Helen Parkway's Notice of Preparation, dated June 14, 2023. Based on the maps included in the notice, it looks like the monument could be impacted by the development.

The San Bernardino Society of California Pioneers, predecessors of the current San Bernardino Historical and Pioneer Society, erected this monument in 1977, and we are concerned about the monument's future. We'd like to work with the county and/or developer to ensure this historic marker is properly preserved. I have cc'd Nick Cataldo, president of the San Bernardino Historical and Pioneer Society on this email.

Please contact us to discuss the monument's status in this development.







## Comment 2-2

The San Bernardino Historical & Pioneer Society held a special board meeting on 02/06/2024 to discuss moving the Pioneer Women monument. The board voted unanimously to approve moving the monument to a site in Glen Helen Park, near the existing Sycamore Grove Monument, at the applicant's expense. As we discussed, I will develop a proposal for the move from the Historical. Please contact us to discuss the monument's status in this development.

Society, and submit it to you. I should have the proposal ready for you by COB 02/16/2024.

Also, please send us the contact information for a Parks & Recreation person.

## Response to Comments 2-1 and 2-2

The commenter is requesting to work with the County and/or developer to ensure this historic marker is properly preserved. County staff coordinated with this commenter as requested. On February 7, 2024, the commenter sent a follow up email stating that on February 6, 2024, the San Bernardino Historical & Pioneer Society held a special board meeting. The Board unanimously approved moving the Pioneer Women monument from its previous location, at the intersection of Glen Helen Parkway and the northbound Interstate-15 (I-15) freeway on-ramp, to a site in Glen Helen Park, near the existing Sycamore Grove Monument, at the Applicant's expense. See below for supplemental monument information.

### Pioneer Women Monument Supplemental Information

In April 1977, members of the San Bernardino Society of California Pioneers (predecessors of today's San Bernardino Historical and Pioneer Society [SBH&PS]) built a concrete monument at the intersection of Glen Helen Parkway and the northbound I-15 on-ramp within public right-of-way, dedicated to the memory of the pioneer women who helped settle the San Bernardino Valley.

The monument is a thick, tablet-shaped design, featuring a marble plaque, with a wagon wheel at the top. It is mounted on a rectangular 94"x72" concrete foundation. The inscription on the plaque reads:

PIONEER WOMEN  
ERECTED IN MEMORY OF THE PIONEER WOMEN  
OF THE SAN BERNARDINO VALLEY WHO DARED TO  
TRAVEL ACROSS THE COUNTRY BY OX TEAM AND  
COVERED WAGON TO HELP LAY THE FOUNDATION  
FOR THE BUILDING OF THIS STATE.  
DEDICATED APRIL 16, 1977, BY THE  
SAN BERNARDINO SOCIETY OF CALIFORNIA  
PIONEERS, ORGANIZED JANUARY 21, 1888  
CHRISTIAN R. HARRIS, PRESIDENT

The Pioneer Women Monument was built about 100 feet west of the original location of the Sycamore Grove Monument, which was also on Glen Helen Parkway. In 1972, the Sycamore Grove monument was relocated to its current site in Glen Helen Park, about 200 feet south of Glen Helen Parkway, near the northeastern entrance, on Glen Helen Park Road.

The Sycamore Grove Monument was built by the San Bernardino Society of California Pioneers in 1927. It was built to commemorate the first camp of the Mormon pioneers who came to Southern California in 1851, and camped at this site, which became known as Sycamore Grove.

Although the Pioneer Women Monument contains no mention of the pioneers who camped at Sycamore Grove, the builders placed the monument in close proximity to the former site of the Sycamore Grove Monument, presumably to ensure acknowledgment of the historic significance of the site.

#### Relocation of the Pioneer Women Monument

The Pioneer Women Monument would be relocated as a single unit (if possible) from its current location to the new site in Glen Helen Park, approximately 0.8 mile to the northeast. All costs associated with the relocation would be paid by the Project Applicant.

Relocating the Pioneer Women Monument to a location in the park near the Sycamore Grove Monument would add another historic element to the site, providing visitors with another glimpse into the area's past. This site has good public access (unlike the Monument's current location), and it's in an area that will not be disturbed by future development. The specific location of the relocated monument would be determined by the San Bernardino County Regional Parks Department, in collaboration with the SBH&PS.

In closing, the relocation of the Monument would be a Project Condition of Approval; would be at the Project Applicant's expense; and would occur prior to the commencement of Project site grading activities.

### Letter 3

Colby Cataldi  
Community Development Department  
City of Rialto  
150 S. Palm Ave.,  
Rialto, CA 92376  
Received on February 13, 2024

#### Comment 3-1

I am writing to express my support for the proposed development project outlined in the Draft Supplemental Environmental Impact Report (SEIR), Project#: PROJ-2023-00096, for the unincorporated area of southwestern San Bernardino County and within the City of Rialto Sphere of Influence (SOI).

The Project, as described, envisions the development of approximately 202,900 square feet of commercial and retail spaces on roughly 32.2 acres of land. This includes a diverse range of amenities such as a hotel, fitness facilities, markets, pharmacies, commercial shops, gasoline/service stations, convenience stores, drive-through car washes, restaurants, and a joint Fire and Sheriff Station. Additionally, the inclusion of indoor/outdoor RV storage, car condos, warehouse retail, and residential spaces further enhances the project's versatility and potential benefits to the community.

It's evident that the proposed Project aligns with the original intent of the Glen Helen Specific Plan (GHSP) by offering low-intensity retail commercial uses that are sensitive to the physical and environmental constraints of the area. Moreover, the Project's adherence to a maximum floor area ratio (FAR) of 0.18, below the allowed FAR of 0.20 in the GHSP-DR zone, demonstrates a commitment to balanced and sustainable development practices.

Furthermore, I appreciate the thoroughness of the environmental review process and the opportunity for public input provided through the circulation of the Draft SEIR. I encourage interested parties to review the document and provide feedback before the comment period closes on February 5, 2024.

In conclusion, I believe that the proposed development project has the potential to bring significant economic, social, and infrastructural benefits to the region. Therefore, I fully support its progression and commend the efforts of all stakeholders involved in its planning and execution.

Thank you for your attention to this matter. Should you require any further information or assistance, please do not hesitate to contact me.

#### Response to Comment 3-1

The commenter is stating their support for the Project. No further response is required.

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### 3.0 CORRECTIONS AND ADDITIONS TO THE DRAFT SEIR

In accordance with the CEQA Guidelines Section 15132 (a), this Chapter of the Final SEIR provides changes to the Draft SEIR that have been made to clarify, correct, or supplement the information provided in that document. These changes and additions are due to recognition of inadvertent errors or omissions, and to respond to comments received on the Draft SEIR during the public review period. The changes described in this Chapter do not add significant new information to the Draft SEIR that would require recirculation of the Draft SEIR. More specifically, CEQA requires recirculation of a Draft EIR only when “significant new information” is added to a Draft EIR after public notice of the availability of the Draft EIR has occurred (refer to California Public Resources Code [PRC] Section 21092.1 and CEQA Guidelines Section 15088.5), but before the EIR is certified. Section 15088.5 of the CEQA Guidelines specifically states:

*New information added to an EIR is not ‘significant’ unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. ‘Significant new information’ requiring recirculation includes, for example, a disclosure showing that:*

- *A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.*
- *A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance.*
- *A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.*
- *The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.*

CEQA Guidelines Section 15088.5 also provides that “[re]circulation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR... A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.”

As demonstrated in this Final SEIR, the changes presented in this Chapter do not constitute new significant information warranting recirculation of the Draft SEIR as set forth in CEQA Guidelines Section 15088.5. Rather, the Draft SEIR is comprehensive and has been prepared in accordance with CEQA.

Changes to the Draft SEIR are indicated below under the respective SEIR section heading, page number, and paragraph. Paragraph reference is to the first full paragraph on the page. Deletions are shown with ~~strikethrough~~ and additions are shown with double underline.



## Executive Summary

The revisions, clarifications, or corrections to the Draft SEIR sections described below also apply to the executive summary of the Draft SEIR.

### Section 1.0, Executive Summary

1. Page 1-3 is revised as follows:

The Project proposes the development of approximately 202,900 square feet (SF) of commercial and retail uses on approximately 32 acres, to include but not necessarily be limited to, hotel uses, fitness facilities, market and pharmacies, commercial shops, gas station and convenience store, drive-through car wash, restaurants, and a joint Fire and Sheriff Station. Although the Applicant is proposing a joint Fire and Sheriff Station as part of the Project, the Board of Supervisors and Board of Directors for San Bernardino County, San Bernardino County Sheriff's Department, and the San Bernardino County Fire Protection District have made no commitment or agreement to build, occupy, and/or operate the proposed station at this time and any action taken by San Bernardino County, acting in its capacity as the permitting agency for the Project, shall not serve as a commitment or agreement to proceed with the proposed station at this time.

### Section 3.0, Project Description

1. Page 3-1, the Project Overview is revised as follows:

The Project proposes the development of approximately 202,900 square feet (SF) of commercial and retail uses on totaling 32.2 acres, to include but not necessarily be limited to, hotel uses, fitness facilities, market and pharmacies, commercial shops, gas station and convenience store, drive-through car wash, restaurants, and a joint Fire and Sheriff Station. Although the Applicant is proposing a joint Fire and Sheriff Station as part of the Project, the Board of Supervisors and Board of Directors for San Bernardino County, San Bernardino County Sheriff's Department, and the San Bernardino County Fire Protection District have made no commitment or agreement to build, occupy, and/or operate the proposed station at this time and any action taken by San Bernardino County, acting in its capacity as the permitting agency for the Project, shall not serve as a commitment or agreement to proceed with the proposed station at this time.

2. Page 3-10, Public Services is revised as follows:

The Project would provide a pad for a new Fire and Sheriff Station on the northeast corner of the Project site. If constructed, this This station would provide adequate driveway space for fire engines to navigate and safely be deployed to respond to emergency calls within the Project area. In the event the Applicant obtains exchange for the County transferring ownership of APN 0239-03-132 and 0239-03-104 to the Applicant, the Applicant is proposing to will set aside Parcel 9 to provide a pad for this new fire and police station, refer to Figure 3-4. The pad will be finished with utility stubs. Although the Applicant is proposing a joint Fire and Sheriff Station as part of the Project, the Board of Supervisors and Board of Directors for San Bernardino County, San

Bernardino County Sheriff's Department, and the San Bernardino County Fire Protection District have made no commitment or agreement to build, occupy, and/or operate the proposed station at this time and any action taken by San Bernardino County, acting in its capacity as the permitting agency for the Project, shall not serve as a commitment or agreement to proceed with the proposed station at this time. Any future action to proceed with the proposal will occur in compliance with all applicable laws. The building, landscaping, lighting, and related improvements would be constructed by the public agency County in the event it proceeds with the proposal.

3. Page 3-14, Discretionary Actions and Approvals is revised as follows:

As shown in **Figure 3-11**, San Bernardino County is the owner of Assessor's Parcel Number 0239-031-04 and 0239-031-32 totaling approximately 4.21 acres of the 32.2-acre Project site. After complying with all applicable laws, the County of San Bernardino and the Project Applicant could ~~would~~ enter into a combination of any of the following agreements in the event the San Bernardino County agrees to a transfer and/or sale its portion of the Project site to the Applicant:

- Agreement of Purchase and Sale and/or an
- Exchange Agreement and/or a
- Disposition and Development Agreement and/or a
- Disposition Agreement and/or an
- Owner Participation Agreement

These Agreements would will facilitate the acquisition of the portion of the project site that is currently owned by the County, the development of the project site and the subsequent sale or exchange of a portion of the developed site to the County. Any action taken by San Bernardino County, acting in its capacity as the permitting agency for the Project, shall not serve as a commitment or agreement to sell or exchange its portion of the development site to the Applicant at this time.

4. Page 3-19, **Figure 3-4: Overall Site Plan** is revised below. Note that there are no changes in the overall land use density or other Project characteristics that would affect Draft SEIR conclusions. Edits simply included additional setback details and notes regarding signage and building heights.

## Section 4.3, Cultural Resources

1. Page 4.3-23 through Page 4.3-25, under the subheading “Mitigation Measures” is revised as follows:

### MM CUL-1 Native American Monitoring

#### **Morongo Band of Mission Indians**

**Tribal Monitoring Services Agreement.** Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Services Agreement with the Morongo Band of Mission Indians (MBMI) for the Project. The Tribal Monitor shall be on-site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal Monitor shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources.

**Cultural Resource Management Plan.** Prior to any ground-disturbing activities the project Archaeologist shall develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the project site. This Plan shall be written in consultation with the consulting Tribe[s] and shall include the following: approved Mitigation Measures (MM)/Conditions of Approval (COA), contact information for all pertinent parties, parties’ responsibilities, procedures for each MM or COA, and an overview of the project schedule.

**Pre-Grade Meeting.** The retained Qualified archeologist and Consulting Tribe[s] representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.

**On-site Monitoring.** During all ground-disturbing activities the Qualified Archaeologist and the Tribal Monitor shall be on-site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Tribal Monitoring will be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The Qualified Archaeologist, in consultation with the Tribal Monitor, shall be responsible for determining the duration and frequency of monitoring.

The project applicant shall retain a Native American Monitor from or approved by the Morongo Band of Mission Indians (MBMI). The monitor shall be retained prior to the commencement of any “ground disturbing activity” for the subject project at all project locations (i.e., both on site and any off site locations that are included in the project

~~description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. Monitoring shall occur during all initial phases of “ground-disturbing activity” within the first ten feet below the ground surface. A monitoring agreement shall be created between the project applicant and MBMI, if required by MBMI, and a copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.~~

~~A Cultural Resources Management Plan (CRMP) shall be created by an archaeologist that meets Secretary of Interior (SOI) professional qualifications in archaeology that outlines monitoring requirements for the project. A pre-construction meeting with all on-site personnel and the monitor will occur to discuss the requirements outlined in the project mitigation and the CRMP. The CRMP will be followed by all on-site personnel and monitors throughout the duration of project implementation.~~

~~All monitors will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.~~

~~Monitoring shall conclude when all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project within the first ten feet below ground surface are complete. Project implementation will not be stalled or delayed for any planned ground-disturbing activities for which the any Tribe is unable to provide a monitor.~~

### **Gabrieleño Band of Mission Indians-Kizh Nation**

The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.

On-site tribal monitoring shall conclude upon the latter of the following: (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

## **MM CUL-2 Inadvertent Discovery of Archaeological Resources**

### **Morongo Band of Mission Indians and**

Inadvertent Discovery of Cultural Resources In the event that previously unidentified cultural resources are unearthed during construction, the Qualified Archaeologist and the Tribal Monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbance operations in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. All work shall be diverted away from the vicinity of the find, so that the find can be evaluated by the Qualified Archaeologist and Tribal Monitor[s]. The Archaeologist shall notify the Lead Agency and consulting Tribe[s] of said discovery. The Qualified Archaeologist, in consultation with the Lead Agency, the consulting Tribe[s], and the Tribal Monitor, shall determine the significance of the discovered resource. A recommendation for the treatment and disposition of the Tribal Cultural Resource shall be made by the Qualified Archaeologist in consultation with the Tribe[s] and the Tribal Monitor[s] and be submitted to the Lead Agency for review and

approval. Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference:

A. Full avoidance.

B. If avoidance is not feasible, Preservation in place.

C. If Preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or Deed Restriction.

D. If all other options are proven to be infeasible, data recovery through excavation and then curation in a Curation Facility that meets the Federal Curation Standards (CFR 79.1)

### **Yuhaaviatam of San Manuel Nation**

If archaeological resources are encountered within the Project site during project construction, work within 50 ft of the find shall be suspended or diverted. The project proponent/applicant shall retain an archaeologist that meets Secretary of Interior (SOI) professional qualifications in archaeology to perform an assessment of the resource. Depending on the nature of any such find, evaluation may include determination of site boundaries and assessment of site integrity and significance. Standards for site evaluation shall adhere to appropriate State and Federal requirements (including PRC Section 21083). The Yuhaaviatam of San Manuel Nation Cultural Resources Department ~~and the Morongo Band of Mission Indians~~ shall be contacted of any pre-contact cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Evaluation may include, if necessary, site mapping and/or limited subsurface testing using standard archaeological methods. If after evaluation a resource is judged to be of significance pursuant to California Environmental Quality Act criteria (Section 15064.5), a mitigation plan shall be prepared in accordance with appropriate guidelines and in coordination with the aforementioned tribes, and submitted to the San Bernardino County Land Use Services Department Planning Division. Mitigation could include avoidance, site capping, data recovery, a combination of these, or other measures as the situation dictates. Consultation with a representative of a recognized local Native American group shall be reflected in the formulation of any mitigation plan. Preferences for treatment are as follows:

1. Full avoidance/preservation in place
2. If not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or Deed Restriction.
3. If agreed upon by all consulting Tribes, language noted below about transfer of materials to the Gabrieleño Band of Mission Indians-Kizh Nation shall be followed.

4. If all other options are proven to be infeasible, then materials will be curated in a facility that can meet standards and requirements outlined in the Office of Historic Preservation 1993 curation guidelines within the County.

Any and all archaeological documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to the consulting Tribes, who shall be consulted throughout the life of the project.

#### **Gabrieleño Band of Mission Indians-Kizh Nation**

Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

**MM CUL-3: Retention of Archaeologist.** Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits, the Applicant shall retain a Qualified Archaeologist who meets the U.S. Secretary of the Interior Standards (SOI). The Archaeologist shall be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resources. The Archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribe[s] Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event.

**MM CUL-4: FINAL REPORT:** The final report[s] created as a part of the project (AMTP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribe[s] for review and comment. After approval of all parties, the final reports are to be submitted to the Eastern Information Center, and the Consulting Tribe[s].

2. Page 4.3-27 under the subheading "Mitigation Measures" is revised as follows:

#### **MM CUL-35 Inadvertent Discovery of Human Remains and Associated Funerary Materials**

##### **Gabrieleño Band of Mission Indians-Kizh Nation**

Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be

treated according to this statute. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resources Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed. Human remains and grave/burial goods shall be treated alike per California Public Resources Code Section 5097.98(d)(1) and (2). Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any discovery of human remains/burial good shall be kept confidential to prevent further disturbance.

### **Morongo Band of Mission Indians**

The Morongo Band of Mission Indians requests the following specific conditions to be imposed in order to protect Native American human remains and/or cremations. No photographs are to be taken except by the coroner, with written approval by the consulting Tribe[s].

A. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98.

B. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5.

C. The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98

D. If the Morongo Band of Mission Indians has been named the Most Likely Descendant (MLD), the Tribe may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[r]). Reburial location of human remains and/or cremations will be determined by the Tribe's Most Likely Descendant (MLD), the landowner, and the City Planning Department.

Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing



activities shall immediately halt within the vicinity (i.e., 100 ft) and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC), who will then designate a Most Likely Descendent (MLD) for the remains. The MLD shall inspect the discovery within 48 hours of notification or within another time frame agreed upon between the landowner and MLD. The preferred manner of treatment for discovered human remains and/or burial goods is avoidance/preservation in place. Should this not be feasible, the landowner and MLD will identify a suitable location for reburial or, if an agreement is not reached, the remains will be reburied with appropriate dignity on site as close to the original discovery location as possible. Any discovery and location of human remains/burial goods shall be kept confidential, per the exemption of such information from disclosure as a result of the California Public Records Act (California Government Code § 6254[r]).

## Section 4.4, Geology and Soils

3. Page 4.4-23 through Page 4.3-26, under the subheading “Additional Mitigation Measures” is revised as follows:

**MM GEO-1** Based on Figure 2 of the Geotechnical Information report prepared by Group Delta dated 11/3/23, the current Project Site includes APNs 0239-031-37, 0239-031-04, 0239-031-32, 0239-031-50, and a portion of Caltrans Interstate right-of-way easement. Figures and site plans will identify the proposed subdivided parcels within the project area, and pursuant to San Bernardino County Development Code 87.06.030 (e) (1) (A), “each proposed parcel shall be determined by the review authority to be ‘buildable’ because it contains at least one building site that can accommodate a structure in compliance with all applicable provisions of this Development Code.” Prior to issuance of any grading and/or construction permit, whichever occurs first, each proposed parcel of this Project shall be shown to contain buildable space in relation to geologic and geotechnical hazards.

**MM GEO-2** Reports of previous investigation in the area of the Project site were provided by County staff to Group Delta Consultants and depict the presence of north and northeast trending fault activity between the two branches of the San Jacinto Alquist-Priolo Fault Zones that constrains the Project site. Group Delta’s report (Appendices E2 through E4 of the Draft SEIR) identifies multiple north and northeast trending lineaments within, adjacent to, and trending towards, the Project site from a historical aerial image review. Group Delta concludes that the aerial photo review is inconclusive; therefore, additional investigations are needed to determine the buildability of the proposed subdivided parcels per County Development Code 87.06.030 (e) (1) (A).

Prior to issuance of any grading and/or construction permit, whichever occurs first, additional investigation shall be completed by the applicant and approved by the County Geologist.

The County does not require a grading permit to conduct geologic/geotechnical investigations. Prior to commencing the required fault investigation, the project geotechnical consultant shall engage in consultation with the County Geologist to discuss:

- What investigation methods are to be used and when those methods will be conducted.
- How to handle possible complications that can arise from investigation results.

The project geotechnical consultant shall notify the County Geologist at least 48 hours in advance of the availability of field exposures for review. The fault study shall be submitted to the County Geologist for review and approval prior to issuance of any grading and/or construction permit, whichever occurs first.

If Holocene-active faults, age-undetermined faults, or fault-related ground deformation is found on-site, structural setbacks shall be established in accordance with the Alquist-Priolo Earthquake Fault Zoning Act Subsection 3603 “Specific Criteria,” which states:

- No structure for human occupancy, identified as a project under Section 2621.6 of the Act, shall be permitted to be placed across the trace of an active fault. Furthermore, as the area within fifty (50) feet of such active faults shall be presumed to be underlain by active branches of that fault unless proven otherwise by an appropriate geologic investigation and report prepared as specified in Section 3603(d) of this subchapter, no such structures shall be permitted in this area.

AND Special Publication 42 (CGS, Rev. 2018) Section 5.6 “Contents of Fault Investigation Reports,” which states:

- The setback distance generally will depend on the quality of data, type and complexity of fault(s), and extent and severity of fault-related ground deformation encountered at the site. Lead agency regulations may dictate minimum distances.

AND San Bernardino County Development Code Section 82.15.040, which states:

- A structure used for human occupancy shall be located 50 feet or farther from any active earthquake fault traces. Lesser setbacks may be applicable in certain situations as determined by an appropriate geologic investigation and approved by the County Geologist or other engineering geologist designated by the Building Official.
- A structure used for critical facilities shall be located 150 feet or farther from any active earthquake fault trace by General Plan. Critical facilities shall include dams, reservoirs, fuel storage facilities, power plants, nuclear reactors, police and fire stations, schools, hospitals, rest homes, nursing homes, and emergency communication facilities.
- Utility lines and streets shall not be placed within the construction setback area of a hazardous fault except for crossing which can be made perpendicular to the fault trace or as recommended by the project geologist and approved by the County Geologist or individual designated by the Building Official.

**MM GEO-3** Group Delta’s Geotechnical Information Report (Appendix E2 of the Draft SEIR) concluded that to evaluate the presence of groundwater at the project site, further investigation is needed. Prior to issuance of any grading and/or construction permit, whichever occurs first, further evaluation of potential groundwater impacts is required. If groundwater impacts are identified in the preliminary geotechnical investigation, prior to the issuance of any grading and/or construction permit, whichever occurs first, the Project Applicant/developer shall commit to implement all recommendations contained in the preliminary geotechnical investigation or any subsequent studies prepared by the project geotechnical consultant to reduce any direct and indirect impacts from the presence of groundwater, including, but not limited to shallow groundwater, seeps, springs, liquefaction/lateral spreading, hydro-collapse, sinkholes, etc. to reduce the impacts to the level of “less than significant” as determined by the County geologist. The preliminary

geotechnical investigation and any subsequent studies shall be reviewed and approved by the County geologist.

**MM GEO-4** The southern portion of the Project site has been mapped in the Rasmussen 2000 report as a potential lateral spreading zone. Prior to the issuance of any grading and/or construction permit, whichever occurs first, the project geotechnical consultant shall complete an evaluation of the liquefaction/lateral spreading potential for the project, in accordance with the guidelines provided in Special Publication 117(a) (CGS, 2008).

If liquefaction and/or lateral spreading impacts are identified in the preliminary geotechnical investigation, the project geotechnical consultant shall commit to implement all recommendations contained in the preliminary geotechnical investigation or any subsequent studies prepared by the project geotechnical consultant to reduce direct and indirect impacts from liquefaction and/or lateral spreading to reduce the impacts to the level of “less than significant” as determined by the County geologist. The preliminary geotechnical investigation and any subsequent studies shall be reviewed and approved by the County geologist.

**MM GEO-5** Group Delta’s Geotechnical Information Report (Appendix E2 of the Draft SEIR) concluded that the Project site is susceptible to landslides and that this hazard will be mitigated through the eventual removal of soils prone to land sliding. A preliminary temporary slope stability evaluation performed by Group Delta indicated that a 25-foot high temporary 1.5:1 (horizontal to vertical) slope with an assumed unit weight, phi angle and cohesion value can achieve a factor of safety of at least 1.3. Extensive rough grading (the removal of plus or minus 2,000,000 cubic yards of material) is being proposed to complete construction of the project, and the timeline for completion is not well defined. The grading contractor shall be responsible for excavation safety during rough grading and all excavations shall comply with the requirements of the current California and Federal Occupational Safety and Health Administration (CAL OSHA) and 29 CFR-Part 1926, Subpart C, as applicable. Without limiting the generality of the foregoing, final graded slopes shall be no steeper than 2:1 (horizontal to vertical) and shall not exceed 30 feet, unless supported by a slope stability analysis. Site specific recommendations for proposed slopes, along with preliminary foundation design recommendations shall be required prior to any grading and/or construction permit issuance, whichever occurs first.

## Section 4.6, Noise

1. Page 4.6-15, Operational On-Site Stationary Sources is revised as follows:

The Project would introduce sources of operational noise to the site, including mechanical equipment (i.e., HVAC units, drive-thru speakers, and car wash equipment). Assumptions for these sources are discussed in Section 4.6.4, above. Noise levels from the combination of on-site Project sources are calculated at the nearest residential use to the north. As shown in Table 4.6-8: Project Stationary Operational Noise Levels, the combined noise level is estimated to be up to 37  $L_{eq}$ , which would not exceed the residential nighttime threshold of 45 dBA  $L_{eq}$ . In addition, the Project proposes would include a fire station, as required by the County, and, at times, emergency

sirens would be audible at nearby sensitive receptors. Most emergency vehicle sirens are rated around 124 dB at 10 feet from the siren.<sup>1</sup> The nearest sensitive receptor to the proposed Fire Station driveway is 425 feet away from where the initial siren would sound. Based on standard geometric spreading of noise, at 425 feet, the siren noise would be 91.4 dB and would last approximately 10 seconds. However, noise from emergency equipment, vehicles, and devices is exempt from the noise standards of the County's municipal code per Section 83.01.080(G), Exempt Noise, and tends to be for very brief periods of time. Therefore, occasional emergency siren noise would be considered less than significant. Operational stationary source noise impacts would not be substantially more severe than addressed in the GHSP EIR.

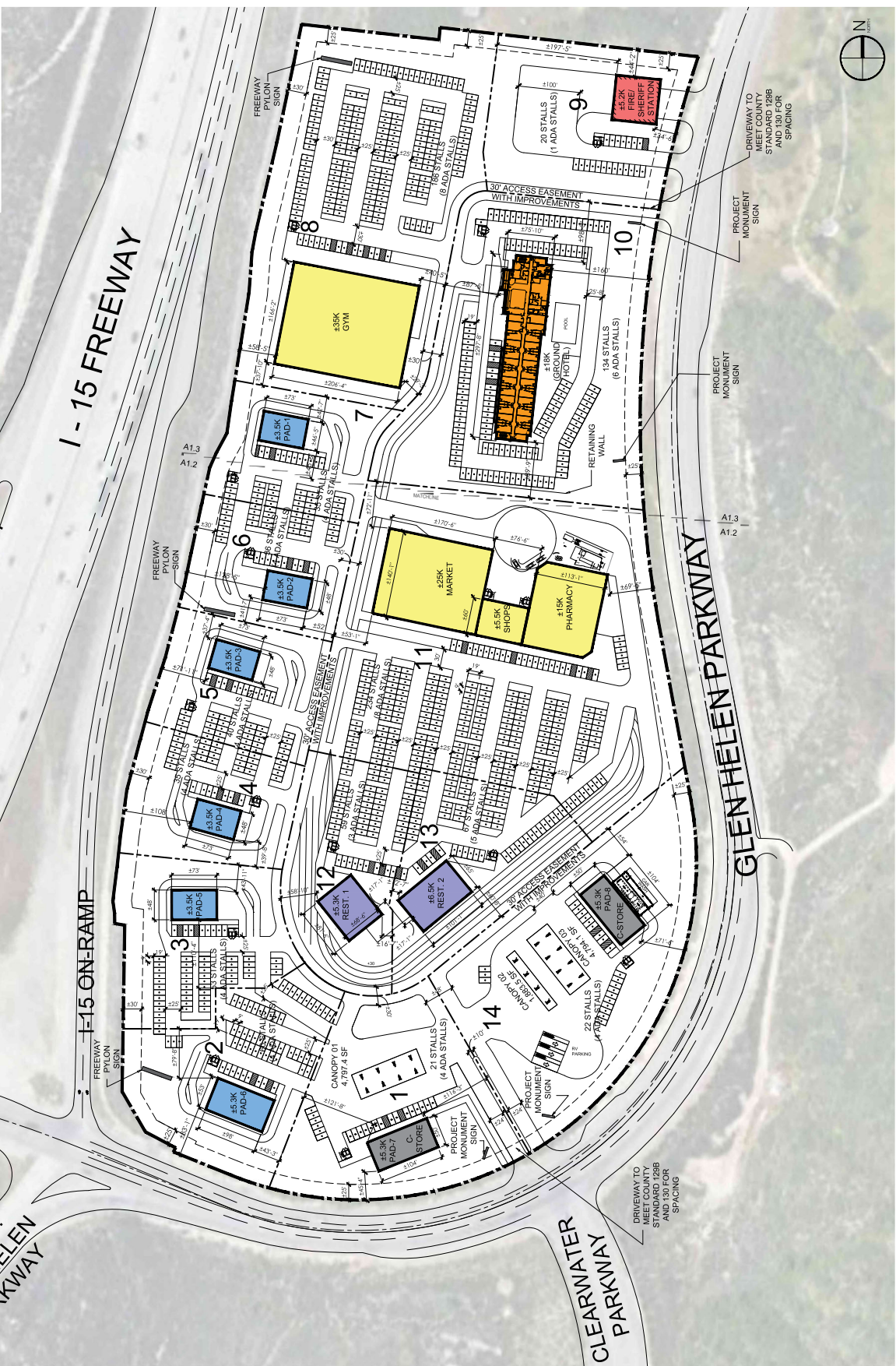


**SUMMARY**

SITE AREA:	1,411,779 SF (32.41 AC)
GROSS AREA (W/ FIRE STATION):	+/- 202,900 SF
NET AREA (W/O FIRE STATION):	+/- 197,700 SF
BUILDING F.A.R.:	14%
PARCEL 1 AREA:	+/- 95,328 SF OR +/- 2.2 AC
BLDG AREA:	+/- 5,300 SF
PARKING PROVIDED:	21 STALLS
PARKING RATIO:	3.9/1000
PARCEL 2 AREA:	+/- 76,491 SF OR +/- 1.8 AC
BLDG AREA:	+/- 5,300 SF
PARKING PROVIDED:	60 STALLS
PARKING RATIO:	11.3/1000
PARCEL 3 AREA:	+/- 65,105 SF OR +/- 1.5 AC
BLDG AREA:	+/- 3,500 SF
PARKING PROVIDED:	53 STALLS
PARKING RATIO:	15.1/1000
PARCEL 4 AREA:	+/- 52,211 SF OR +/- 1.2 AC
BLDG AREA:	+/- 5,300 SF
PARKING PROVIDED:	35 STALLS
PARKING RATIO:	10/1000
PARCEL 5 AREA:	+/- 51,857 SF OR +/- 1.2 AC
BLDG AREA:	+/- 5,300 SF
PARKING PROVIDED:	35 STALLS
PARKING RATIO:	11.4/1000
PARCEL 6 AREA:	+/- 46,800 SF OR +/- 1.1 AC
BLDG AREA:	+/- 3,500 SF
PARKING PROVIDED:	103/1000
PARKING RATIO:	10.3/1000
PARCEL 7 AREA:	+/- 47,838 SF OR +/- 1.1 AC
BLDG AREA:	+/- 3,500 SF
PARKING PROVIDED:	35 STALLS
PARKING RATIO:	10/1000
PARCEL 8 AREA:	+/- 190,151 SF OR +/- 4.4 AC
BLDG AREA:	+/- 35,000 SF
PARKING PROVIDED:	186 STALLS
PARKING RATIO:	5.3/11000
PARCEL 9 AREA:	+/- 69,353 SF OR +/- 1.6 AC
BLDG AREA:	+/- 5,200 SF
PARKING PROVIDED:	20 STALLS
PARKING RATIO:	3.89/1000
PARCEL 10 AREA:	+/- 168,134 SF OR +/- 3.9 AC
BLDG AREA:	+/- 72,000 SF
PARKING PROVIDED:	134 STALLS
PARKING RATIO:	1.89/1000
PARCEL 11 AREA:	+/- 261,482 SF OR +/- 6.0 AC
BLDG AREA:	+/- 45,500 SF
PARKING PROVIDED:	234 STALLS
PARKING RATIO:	5.14/1000
PARCEL 12 AREA:	+/- 64,135 SF OR +/- 1.5 AC
BLDG AREA:	+/- 5,300 SF
PARKING PROVIDED:	59 STALLS
PARKING RATIO:	11.13/1000
PARCEL 13 AREA:	+/- 66,352 SF OR +/- 1.5 AC
BLDG AREA:	+/- 6,500 SF
PARKING PROVIDED:	67 STALLS
PARKING RATIO:	10.3/1000
PARCEL 14 AREA:	+/- 138,704 SF OR +/- 3.2 AC
BLDG AREA:	+/- 5,300 SF
PARKING PROVIDED:	22 STALLS
PARKING RATIO:	4.15/1000
TOTAL PARKING:	1,009 SPACES (63 ADA)
	40 EV SPACES
	02 LOADING SPACES
TOTAL PARKING RATIO:	4.93 SPACES PER 1,000 SF

**NOTES:**

- ALL PROJECT CHANGES SUBJECT TO SEPARATE SUBMITTALS OF A SIGNAGE PROGRAM FOR REVIEW AND APPROVAL BY THE LAND USE SERVICES.
- ALL SIGNAGE SHALL BE PLACED AT LEAST 20 TO 30 FEET IN HEIGHT. HOTEL SIGN HEIGHT ESTIMATED TO BE 40'-45'.



Source: UCR Group, DLR Group, February 26, 2024.

**REVISED FIGURE 3-4: Overall Site Plan**  
 The Oasis at Glen Helen Parkway

Not to scale



APPENDIX A

Original Comment Letters

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# TRIBAL HISTORIC PRESERVATION OFFICE

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VIA ELECTRONIC MAIL

Jon.braginton@lus.sbcounty.gov

Jon Braginton  
Planner  
Land Use Services Department  
County of San Bernardino  
345 N Arrowhead Ave  
San Bernardino CA 92415-0187

MORONGO  
BAND OF  
MISSION  
INDIANS



A SOVEREIGN NATION

January 24, 2024

RE: Project 2023-00012 County of San Bernardino, California

The Morongo Band of Mission Indians (Tribe/MBMI) Tribal Historic Preservation Office (THPO) has completed its review of the Cultural Resource Documents received by our Office.

A Cultural Resources Assessment (Assessment; Brunzell, 2022) was prepared on behalf of 215 Table Top LLC. This Assessment determined that Cultural Resources are present within the Project Area Limits and 2 Cultural Resources were recorded within one half mile of the Project Area. The Survey concluded that archaeological monitoring during ground-disturbing Project activities was not recommended.

Projects within this area are potentially sensitive for cultural resources regardless of the presence or absence of remaining surface artifacts and features. Tribal cultural resources are non-renewable resources and therefore of high importance to the Morongo Tribe and tribal participation (a.k.a. Tribal Monitors) is requested by MBMI THPO during all ground disturbing activities.

We look forward to working with the County to protect these irreplaceable resources out of respect for ancestors of the Morongo people who left them there, and for the people of today and for generations to come. Please see the following Mitigation Measures to be included in the Project Environmental Document:

**Cultural Resource Mitigation Measures:**

**CR-1: Tribal Monitoring Services Agreement** Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Services Agreement with the Morongo Band of Mission Indians (MBMI) for the Project. The Tribal Monitor shall be on-site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal Monitor shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources.

**CR-2: Retention of Archaeologist** Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits, the Applicant shall retain a Qualified Archaeologist who meets the U.S. Secretary of the Interior Standards (SOI). The Archaeologist shall be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resources. The



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# TRIBAL HISTORIC PRESERVATION OFFICE

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Archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribe[s] Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event.

**CR-3: Cultural Resource Management Plan** Prior to any ground-disturbing activities the project Archaeologist shall develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the project site. This Plan shall be written in consultation with the consulting Tribe[s] and shall include the following: approved Mitigation Measures (MM)/Conditions of Approval (COA), contact information for all pertinent parties, parties' responsibilities, procedures for each MM or COA, and an overview of the project schedule.

**CR-4: Pre-Grade Meeting** The retained Qualified archeologist and Consulting Tribe[s] representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.

**CR-5: On-site Monitoring** During all ground-disturbing activities the Qualified Archaeologist and the Tribal Monitor shall be on-site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Tribal Monitoring will be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The Qualified Archaeologist, in consultation with the Tribal Monitor, shall be responsible for determining the duration and frequency of monitoring.

**CR-6: Inadvertent Discovery of Cultural Resources** In the event that previously unidentified cultural resources are unearthed during construction, the Qualified Archaeologist and the Tribal Monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbance operations in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. All work shall be diverted away from the vicinity of the find, so that the find can be evaluated by the Qualified Archaeologist and Tribal Monitor[s]. The Archaeologist shall notify the Lead Agency and consulting Tribe[s] of said discovery. The Qualified Archaeologist, in consultation with the Lead Agency, the consulting Tribe[s], and the Tribal Monitor, shall determine the significance of the discovered resource. A recommendation for the treatment and disposition of the Tribal Cultural Resource shall be made by the Qualified Archaeologist in consultation with the Tribe[s] and the Tribal Monitor[s] and be submitted to the Lead Agency for review and approval. Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference:

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# TRIBAL HISTORIC PRESERVATION OFFICE

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- A. Full avoidance.
- B. If avoidance is not feasible, Preservation in place.
- C. If Preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or Deed Restriction.
- D. If all other options are proven to be infeasible, data recovery through excavation and then curation in a Curation Facility that meets the Federal Curation Standards (CFR 79.1)

**CR-7: Inadvertent Discovery of Human Remains** The Morongo Band of Mission Indians requests the following specific conditions to be imposed in order to protect Native American human remains and/or cremations. **No photographs are to be taken except by the coroner, with written approval by the consulting Tribe[s].**

- A. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98.
- B. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5.
- C. The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98
- D. If the Morongo Band of Mission Indians has been named the Most Likely Descendant (MLD), the Tribe may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[r]). Reburial location of human remains and/or cremations will be determined by the Tribe's Most Likely Descendant (MLD), the landowner, and the City Planning Department.

**CR-8: FINAL REPORT:** The final report[s] created as a part of the project (AMTP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribe[s] for review and comment. After approval of all parties, the final reports are to be submitted to the Eastern Information Center, and the Consulting Tribe[s].

**This letter does not conclude consultation.** Upon review of the requested Measures the MBMI THPO may further provide recommendations or guidance.

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# TRIBAL HISTORIC PRESERVATION OFFICE

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The lead contact for this Project is Bernadette Ann Brierty, Tribal Historic Preservation Officer (THPO). MBMI Cultural Resource Specialist Laura Chatterton, will be assisting the Tribe in the review of this project. Please do not hesitate to contact us at [ABrierty@morongo-nsn.gov](mailto:ABrierty@morongo-nsn.gov), [THPO@morongo-nsn.gov](mailto:THPO@morongo-nsn.gov), [lchatterton@morongo-nsn.gov](mailto:lchatterton@morongo-nsn.gov) or (951) 663-2842, should you have any questions. The Tribe looks forward to meaningful government-to-government consultation with the City of.

Respectfully,



Bernadette Ann Brierty  
**Tribal Historic Preservation Officer**  
**Morongo Band of Mission Indians**

CC: Morongo THPO

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**From:** historyinca@yahoo.com <historyinca@yahoo.com>

**Sent:** Wednesday, January 31, 2024 9:25 AM

**To:** Braginton, Jon <Jon.Braginton@lus.sbcounty.gov>

**Cc:** 'Nick Cataldo' <yankeenut15@gmail.com>

**Subject:** FW: The Oasis at Glen Helen Parkway

You don't often get email from [historyinca@yahoo.com](mailto:historyinca@yahoo.com). [Learn why this is important](#)

**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.**

Hello Jon,

My name is Mark Landis, and I'm a board member of the San Bernardino Historical and Pioneer

Society, in San Bernardino. We only recently heard about the Oasis at Glen Helen Parkway project, and we missed the comment period in June/July 2023. However, we do have a question about the historic Pioneer Women Monument at the intersection of Glen Helen Parkway and the onramp to the northbound I-15 freeway (see photos). I didn't see any mention of the monument in the Oasis at Glen Helen Parkway's Notice of Preparation, dated June 14, 2023. Based on the maps included in the notice, it looks like the monument could be impacted by the development.

The San Bernardino Society of California Pioneers, predecessors of the current San Bernardino Historical and Pioneer Society, erected this monument in 1977, and we are concerned about the monument's future. We'd like to work with the county and/or developer to ensure this historic marker is properly preserved. I have cc'd Nick Cataldo, president of the San Bernardino Historical and Pioneer Society on this email.

Please contact us to discuss the monument's status in this development.

Thanks,  
Mark Landis  
760-887-5507

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**From:** [historyinca@yahoo.com](mailto:historyinca@yahoo.com) <[historyinca@yahoo.com](mailto:historyinca@yahoo.com)>  
**Sent:** Wednesday, February 7, 2024 1:25 PM  
**To:** Braginton, Jon <[Jon.Braginton@lus.sbcounty.gov](mailto:Jon.Braginton@lus.sbcounty.gov)>  
**Cc:** [yankeenut15@gmail.com](mailto:yankeenut15@gmail.com); Liang, Aron <[Aron.Liang@lus.sbcounty.gov](mailto:Aron.Liang@lus.sbcounty.gov)>  
**Subject:** RE: Monument Relocation and Protect-In-Place Options

You don't often get email from [historyinca@yahoo.com](mailto:historyinca@yahoo.com). [Learn why this is important](#)

**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.**

Hello Jon,

The San Bernardino Historical & Pioneer Society held a special board meeting on 02/06/2024 to discuss moving the Pioneer Women monument. The board voted unanimously to approve moving the monument to a site in Glen Helen Park, near the existing Sycamore Grove Monument, at the applicant's expense. As we discussed, I will develop a proposal for the move from the Historical

Society, and submit it to you. I should have the proposal ready for you by COB 02/16/2024.

Also, please send us the contact information for a Parks & Recreation person.

**Mark Landis**

760-887-5507



# Camp Cajon Project

*A branch of the San Bernardino Historical & Pioneer Society  
Preserving the past since 1888*



# *City of Rialto*

## *California*

February 13, 2024

Jon Braginton, Planner  
County of San Bernardino  
Land Use Services Department - Planning Division  
385 North Arrowhead Avenue, First Floor  
San Bernardino, CA 92415-0187  
[Jon.Braginton@lus.sbcounty.gov](mailto:Jon.Braginton@lus.sbcounty.gov)

Dear Mr. Braginton,

I am writing to express my support for the proposed development project outlined in the Draft Supplemental Environmental Impact Report (SEIR), Project#: PROJ-2023-00096, for the unincorporated area of southwestern San Bernardino County and within the City of Rialto Sphere of Influence (SOI).

The Project, as described, envisions the development of approximately 202,900 square feet of commercial and retail spaces on roughly 32.2 acres of land. This includes a diverse range of amenities such as a hotel, fitness facilities, markets, pharmacies, commercial shops, gasoline/service stations, convenience stores, drive-through car washes, restaurants, and a joint Fire and Sheriff Station. Additionally, the inclusion of indoor/outdoor RV storage, car condos, warehouse retail, and residential spaces further enhances the project's versatility and potential benefits to the community.

It's evident that the proposed Project aligns with the original intent of the Glen Helen Specific Plan (GHSP) by offering low-intensity retail commercial uses that are sensitive to the physical and environmental constraints of the area. Moreover, the Project's adherence to a maximum floor area ratio (FAR) of 0.18, below the allowed FAR of 0.20 in the GHSP-DR zone, demonstrates a commitment to balanced and sustainable development practices.

Furthermore, I appreciate the thoroughness of the environmental review process and the opportunity for public input provided through the circulation of the Draft SEIR. I encourage interested parties to review the document and provide feedback before the comment period closes on February 5, 2024.

In conclusion, I believe that the proposed development project has the potential to bring significant economic, social, and infrastructural benefits to the region. Therefore, I fully support its progression and commend the efforts of all stakeholders involved in its planning and execution.





# *City of Rialto*

## *California*

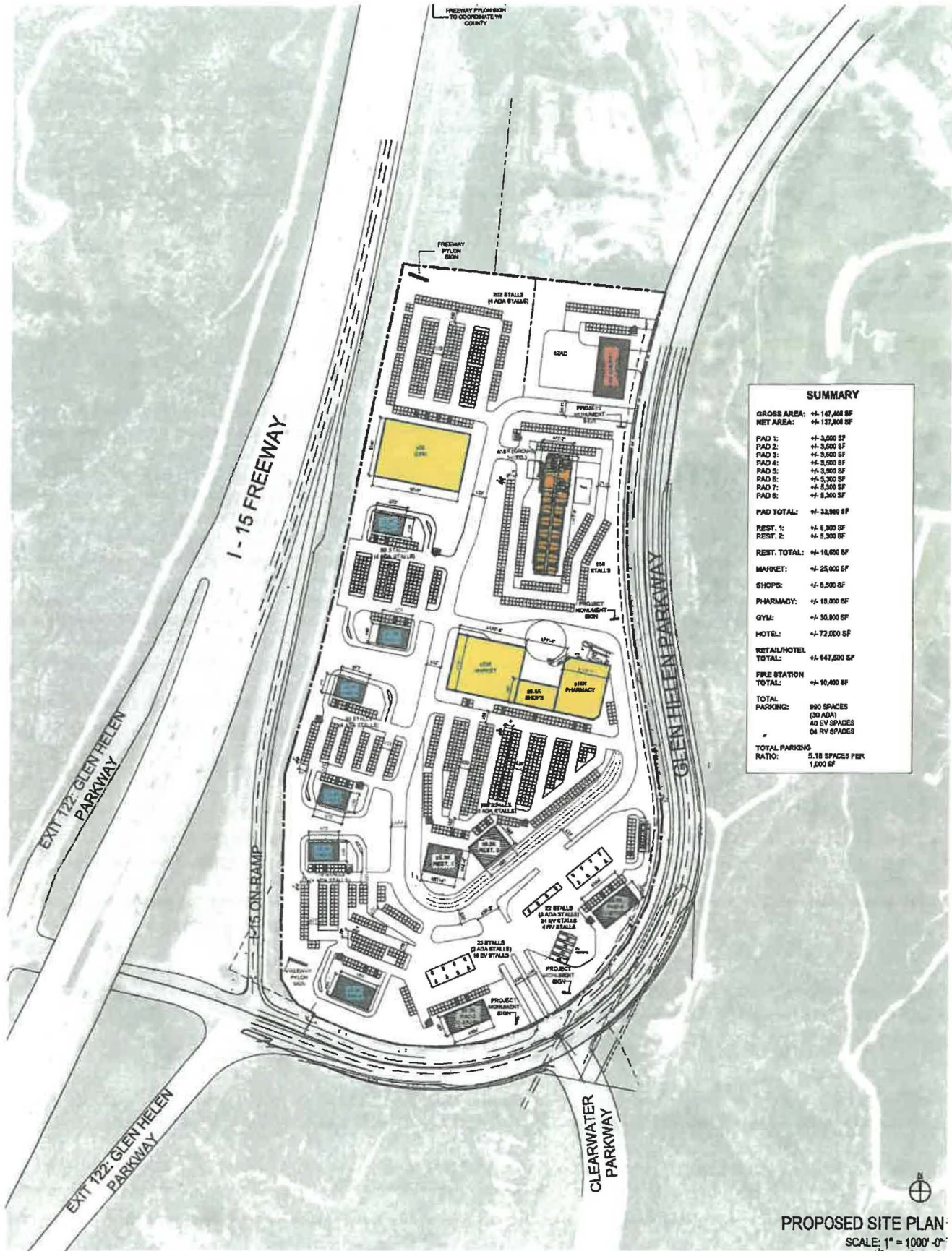
Thank you for your attention to this matter. Should you require any further information or assistance, please do not hesitate to contact me.

Sincerely,

Colby Cataldi  
Director of Community Development

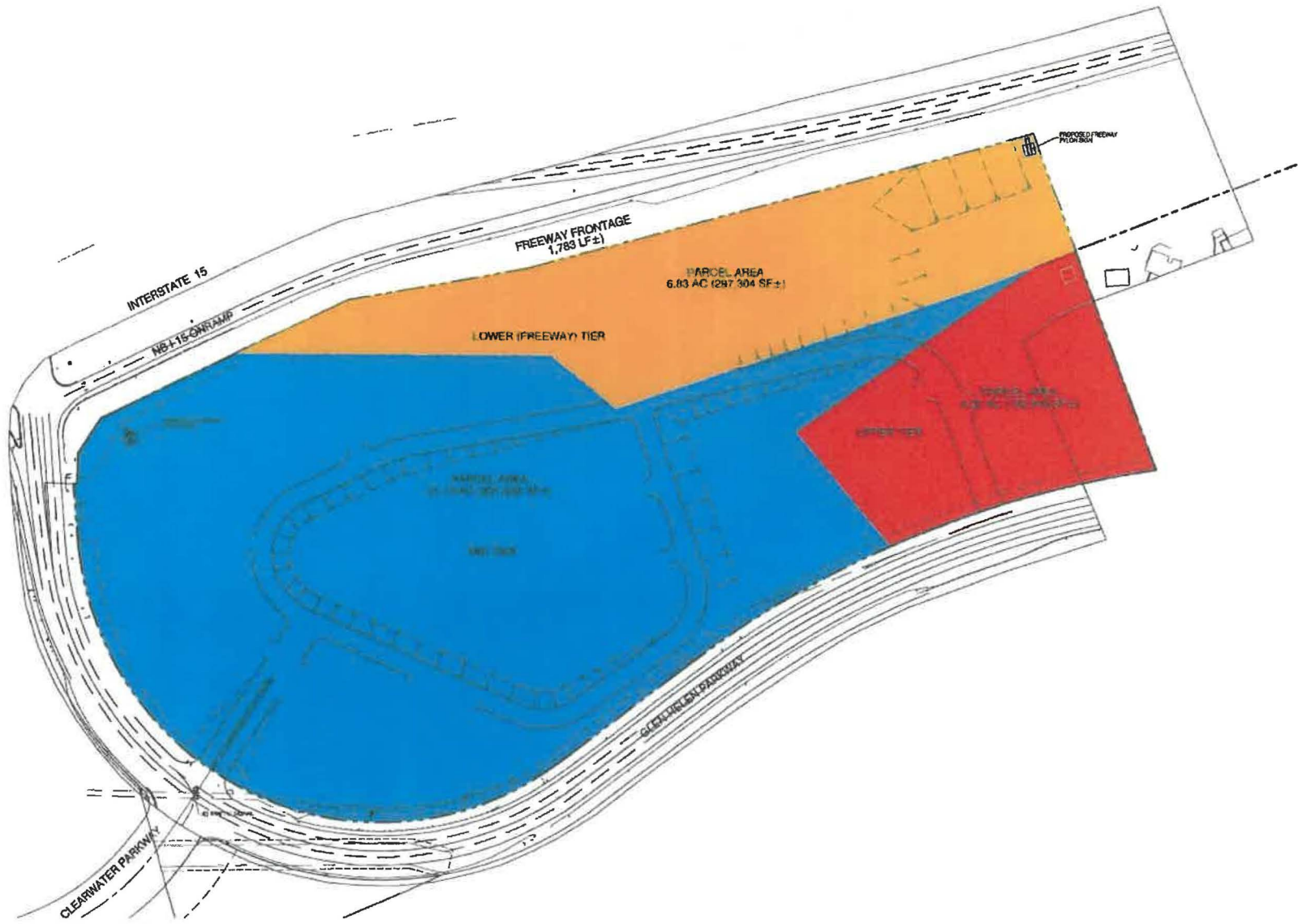
Office: (909) 820-8008

Cell: (909) 644-8638



PROPOSED SITE PLAN  
SCALE: 1" = 100'-0"





**ZONING**

GENERAL PLAN: HWY SERVING COMMERCIAL  
 ZONING: CH-4 VALLEY REGION HIGHWAY COMMERCIAL

SETBACKS:  
 FRONT: 20'  
 SIDE (ADJ. TO STREET): 10'  
 SIDE: 10'  
 REAR: 10'

MAXIMUM BUILDING HEIGHT: 67'  
 (NOT INCLUDING ARCHITECTURAL ELEMENTS NOT EXCEEDING 10% OF BUILDING AREA)

MAXIMUM FLOOR AREA RATIO: .50

**PROJECT SUMMARY**

LCR OWNED PROPERTY	21.12 AC (921,832 SF±)
SURPLUS CALTRANS PROPERTY	6.83 AC (297,304 SF±)
COUNTY OWNED PROPERTY	4.20 AC (182,140 SF±)
<b>LAND AREA (NET):</b>	<b>32.16 AC (1,401,969 SF±)</b>

**NOTES:**  
 1. THIS SITE PLAN SHOWS DEVELOPMENT PLANNED FOR THE LOCATION OF THE PROJECT AS OF THE DATE OF THE SHEET. ONLY THE SITE PLAN, WITH THESE NOTES, IS TO BE USED TO OBTAIN PERMITS.  
 2. THE LOCATION AND DIMENSIONS OF ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON RECORD DRAWINGS OR FIELD SURVEY DATA. THE LOCATION AND DIMENSIONS OF ALL UTILITIES SHOWN ON THIS PLAN ARE SUBJECT TO FIELD SURVEY.  
 3. THE LOCATION AND DIMENSIONS OF ALL UTILITIES SHOWN ON THIS PLAN ARE SUBJECT TO FIELD SURVEY.  
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 9. THE LOCATION AND DIMENSIONS OF ALL UTILITIES SHOWN ON THIS PLAN ARE SUBJECT TO FIELD SURVEY.  
 10. THE LOCATION AND DIMENSIONS OF ALL UTILITIES SHOWN ON THIS PLAN ARE SUBJECT TO FIELD SURVEY.

**CONCEPTUAL SITE PLAN SCHEME B PADS VERSION 2**  
 PREPARED BY: GKP & PIERCE  
 DATE: 11/15/2011



**NEC GLEN HELEN & INTERSTATE 15**  
 SAN BERNARDINO COUNTY, CALIFORNIA

**215 TABLE TOP, LLC**

74-478 HIGHWAY 111, #978  
 PALM DESERT, CA 92690  
 915.792.8882





COUNTY OF SAN BERNARDINO  
NOTICE OF AVAILABILITY (NOA)  
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT  
THE OASIS AT GLEN HELEN PARKWAY PROJECT  
GLEN HELEN SPECIFIC PLAN AMENDMENT

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, County Staff prepared a Draft Subsequent Environmental Impact Report (SEIR) that identifies and evaluates the environmental impacts of the proposed The Oasis at Glen Helen Parkway Project.

**Project Title:** The Oasis at Glen Helen Parkway Project

**Project No.:** PROJ-2023-00012 / PROJ-2023-00096 / PROJ-2023-00100.

**Project Location:** The Project is located in an unincorporated area of southwestern San Bernardino County and within the City of Rialto Sphere of Influence (SOI). The Project is located east of Interstate (I-15), west of Glen Helen Parkway and the Glen Helen Regional Park, north of I-15 Exit 122, and south of three existing single-family residences and the Glen Helen Park Maintenance Yard.

**Project Description:** The Project proposes the development of approximately 202,900 square feet (SF) of commercial and retail uses on approximately 32.2 acres, consisting of a hotel, fitness facilities, a market and pharmacies, commercial shops, gasoline/service stations and convenience store, drive-through car wash, restaurants, and a joint Fire and Sheriff Station. Additionally, the Project Draft SEIR consists of a Specific Plan Amendment (SPA, Project #: PROJ-2023-00096) and a Planned Development Permit (PDP, Project #: PROJ-2023-00012) to allow for development of approximately 202,900 SF of commercial and retail uses as described above. Additional permitted uses under the SPA and PDP include indoor/outdoor RV storage, car condos, warehouse retail, and residential. In addition to the SPA, the Project also includes a Tentative Parcel Map (PROJ-2023-00100/TPM Map No. 20748) to address a site-specific development area within the Destination Recreation (DR) zone. The total square footage proposed as part of the PDP, is less than the maximum square footage allowed under the Glen Helen Specific Plan (GHSP). The Project proposes a maximum floor area ratio (FAR) of 0.18, which is less than the maximum allowed FAR of 0.20 in the GHSP-DR zone. The proposed text amendment would support the original intent of the GHSP-DR zone, to provide low-intensity retail commercial uses that are sensitive to the physical and environmental constraints of the area. It is currently anticipated that construction of the Project would begin in late spring of 2024 with an anticipated opening year of 2028.

**Environmental Review and Public Comment:** The circulation of the Draft SEIR is to encourage written public comments. Interested persons can review the Draft SEIR at the following physical location:

**Land Use Services Department - Planning Division**  
385 North Arrowhead Avenue, First Floor  
San Bernardino, CA 92415-0187

You may obtain the Project SEIR Document and Technical Studies in electronic format at <https://lus.sbcounty.gov/planning-home/environmental/valley-region/> or by emailing the Planner at [Jon.Braginton@lus.sbcounty.gov](mailto:Jon.Braginton@lus.sbcounty.gov). To request a PDF version of the document from the Land Use Services Department database, please reference the project number above.

The comment period on the Draft SEIR closes on **February 5, 2024, at 4:30 PM**. Please submit comments to [Jon.Braginton@lus.sbcounty.gov](mailto:Jon.Braginton@lus.sbcounty.gov) or to:

Jon Braginton, Planner  
County of San Bernardino  
Land Use Services Department - Planning Division  
385 North Arrowhead Avenue, First Floor  
San Bernardino, CA 92415-0187



COUNTY OF SAN BERNARDINO  
NOTICE OF AVAILABILITY (NOA)  
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT  
THE OASIS AT GLEN HELEN PARKWAY PROJECT  
GLEN HELEN SPECIFIC PLAN AMENDMENT

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**Project Title:** The Oasis at Glen Helen Parkway Project

**Project No.:** PROJ-2023-00012 / PROJ-2023-00096 / PROJ-2023-00100.

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Jon Braginton, Planner  
County of San Bernardino  
Land Use Services Department - Planning Division  
385 North Arrowhead Avenue, First Floor  
San Bernardino, CA 92415-0187





**San Bernardino County**  
**Land Use Services Department**  
**Planning Division**

**385 North Arrowhead Avenue, 1st Floor • San Bernardino, CA 92415**  
Phone Number: (909) 387-8311 Fax Number: (909) 387-3223

# NOTICE OF PREPARATION

**FROM:** San Bernardino County Land Use Services Department  
385 North Arrowhead Avenue, First Floor, San Bernardino, CA 92415-0187

**TO:** Office of Planning and Research, Responsible and Trustee  
Agencies/Interested Organizations and Individuals

**DATE:** June 14, 2023

**SUBJECT:** A SPECIFIC PLAN AMENDMENT (SPA/PROJ-2023-00096), A PLANNED DEVELOPMENT PERMIT (PDP/PROJ-2023-00012), A TENTATIVE PARCEL MAP (TPM/PROJ-2023-00100), AND AN ENVIRONMENTAL IMPACT REPORT FOR 4 PARCELS (APN: 0239-031-37, 0239-031-50, 0239-031-04 AND 0239-031-32) LOCATED ON THE NORTH AND WEST SIDE OF GLEN HELEN PARKWAY AND ADJACENT TO INTERSTATE 15 WITHIN THE CITY OF RIALTO SPHERE OF INFLUENCE, 5TH SUPERVISORIAL DISTRICT. THE PROJECT SITE IS SHOWN ON THE COLOR-CODED PLAT SHOWN IN FIGURE 4. APPLICANT OWNS THE LAND HIGHLIGHTED IN YELLOW IN FIGURE 4, CONSISTING OF 21.22 ACRES. APPLICANT IS PURCHASING THE LAND HIGHLIGHTED IN GREEN IN FIGURE 4, CONSISTING OF 6.6 ACRES, FROM THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION. APPLICANT IS PURCHASING THE LAND HIGHLIGHTED IN PURPLE IN FIGURE 4, CONSISTING OF 4.21 ACRES FROM SAN BERNARDINO COUNTY. THE PARCEL MAP WILL SUBDIVIDE THE PROJECT SITE INTO FOURTEEN PARCELS. THE PROJECT PROPOSES A SERIES OF ENTITLEMENT ACTIONS TO FACILITATE THE DEVELOPMENT OF A SHOPPING CENTER CONSISTING OF A HOTEL, RETAIL STORES, A GYM, FIRE STATION, TWO GASOLINE SERVICE STATIONS WITH CAR WASHES, AND MULTIPLE DRIVE-THROUGH RESTAURANTS ON APPROXIMATELY 33-ACRES OF UNDEVELOPED LAND. THE SPA TO

THE GLEN HELEN SPECIFIC PLAN (GHSP) PROPOSES TO AMEND THE LAND USES PERMITTED WITHIN THE DESTINATION RECREATION (DR) DESIGNATION AND LAND USES AND AUTHORITY OF THE PDP SECTION OF THE SP FOR PROJECTS LOCATED WITHIN THE DR DESIGNATION. THE PDP WILL ADD AND CLARIFY DEVELOPMENT AND DESIGN STANDARDS. CERTAIN DEVELOPMENT AND DESIGN STANDARDS HAVE ALREADY BEEN ESTABLISHED BY THE PDP SECTION.

**PROJECT: The Oasis at Glen Helen Parkway**

The County of San Bernardino (County) as the lead agency, has determined that the proposed The Oasis at Glen Helen Parkway project (Project) will require the preparation of a Subsequent Environmental Impact Report (EIR) in compliance with the California Environmental Quality Act (CEQA) (California Public Resources Code, §21000 et seq). In accordance with §15082 of CEQA Guidelines, the County has issued this Notice of Preparation (NOP) to provide responsible agencies, trustee agencies, and other interested parties with information describing the proposed Project and its potential environmental effects. The Project site was previously evaluated as part of the Glen Helen Specific Plan (GHSP) Program EIR (SCH# 2000011093), which was adopted November 15, 2005, and amended May 2017 and December 2020. As such, the current Project EIR will “tier” off of this prior EIR, focusing on issues that represent “new” or “substantially more severe” significant environmental impacts than evaluated in the GHSP Program EIR. Note that the Subsequent EIR will address all resource topics; however, analysis will focus on impacts related to Air Quality, Greenhouse Gas Emissions, Noise and Vibration, and Transportation.

**Project Title: The Oasis at Glen Helen Parkway**

**Project Number:** PROJ-2023-00012

**Project Applicant:** 215 Table Top, LLC

**Project Location:** The Project is located in an unincorporated area of southwestern San Bernardino County and within the City of Rialto Sphere of Influence (SOI). The Project site is approximately 50 miles east of downtown Los Angeles, 10 miles northwest of downtown San Bernardino, and 40 miles northeast of central Orange County. The approximately 33-acre site is located east of Interstate (I-) 15, west of Glen Helen Parkway and the Glen Helen Regional Park, north of I-15 Exit 122 (Glen Helen Parkway), and south of single-family residences and the Glen Helen Park Maintenance Yard (see **Figure 1: Regional Location Map**).

Figure 1 shows the location of the proposed Planned Development Permit (PDP) and site-specific commercial development, which includes a Tentative Parcel Map (TPM). Note that the “Project” also includes a Specific Plan Amendment (SPA) to the existing Glen Helen Specific Plan (GHSP). The SPA proposes minor changes in allowable uses within the Destination Recreation (DR) zone of the GHSP. The DR locations are shown in **Figure 2: Destination Recreation Zoning Map**.

The PDP Project site includes the following Assessor Parcel Numbers (APNs) as summarized in **Table-1: Project Assessor Parcel Numbers**, below.

**Table 1: Project Assessor Parcel Numbers**

Assessor Parcel Number			
0239-031-04	0239-031-32	0239-031-37	0239-031-50

### **A. Project Background and Setting**

The Glen Helen Specific Plan (GHSP) was adopted in November 2005 and amended in May 2017 and December 2020 by the Board of Supervisors. The Specific Plan covers approximately 3,400 acres in the Glen Helen area and contains 14 land use designations. The GHSP notes that the Specific Plan's original purpose was to create a comprehensive guide for quality land development with a viable program for building and financing the infrastructure necessary to support it. Additionally, the GHSP assumed land use designations to be tailored to the physical and environmental conditions, existing activities and uses that will remain on-site, and future market potentials identified for the area. The 33-acre Project site is within the GHSP Destination Recreation (DR) zone.

In December 2020, the County executed an Exclusive Right to Negotiate Agreement (ERNA) with 215 Table Top LLC (co-owner) to develop the Project property, receiving a 5-0 Board of Supervisors approval.

### **Existing Conditions**

On-site topographic features include two prominent hills. The Project site primarily consists of undeveloped, densely vegetated land with the exception of dirt access roads and one single residence on the smaller hill. Approximately 21.5 acres of the southern portion of the Project site consists of a larger hill that has a surface elevation ranging from a low point of approximately 2,010 feet above mean sea level (amsl) at the southwest corner of the Project site to a maximum of approximately 2,255 feet amsl at the top of the hill. The smaller hill at the northern portion of the Project site ranges from a low point of approximately 2,080 feet amsl between the two hills to a maximum of approximately 2,137 feet amsl. In addition, there is an existing concrete swale along the westerly boundary of the Project site that contains all tributary runoff to said swale (approximately 7.47 acres). The Project site contains mostly Riversidian Sage Scrub with some disturbed or developed lands. The Project site is underlain by the following soil units: Soboba-Hanford families association (2 to 15 percent slopes) and Trigo-Lithic Xerorthents, warm complex (50 to 75 percent slopes).

The Project site is bordered by scattered single-family residences to the north, the I-15 freeway to the west, Glen Helen Parkway to the south and east, with Glen Helen Regional Park located further east. Open space areas are located across I-15 to the west, and across Glen Helen Parkway to the south and east. Further south, a residential community is located along Clearwater Parkway (approximately ½ mile south of the Project site). Refer to **Table 2: Surrounding Uses** which lists the land uses, land use category, and associated zoning.



**Table 2: Surrounding Uses**

Area	Existing Land Use	Land Use Category	Land Use Zoning District
Project site	Vacant	Special Development (SD)	Destination Recreation (DR)
North	Single Family	SD	Commercial/Destination Entertainment (C/DE) Destination Recreation (DR)
South	Glen Helen Parkway, Vacant	SD	Open Space Passive Recreation (OS/P)
East	Glen Helen Parkway, Vacant, Glen Helen Park	SD	Open Space/Active Recreation (OS/A)
West	15 Freeway	SD Open Space (OS)	Not Applicable

Source: Glen Helen Specific Plan, 2020; LU-1 Land Use Map, 2020, <https://www.arcgis.com/apps/webappviewer/index.html?id=f23f04b0f7ac42e987099444b2f46bc2>.

**B. Project Overview**

The Project to be addressed in the Subsequent EIR consists of a Specific Plan Amendment (SPA, Project #: PROJ-2023-00096) and a Planned Development Permit (PDP, Project #: PROJ-2023-00012) to allow for development of approximately 207,900 square feet of commercial and retail center land uses on an approximately 33-acre site, as described further below. The applicant proposes a minor clarification/text amendment to the existing DR zone of the GHSP to provide greater flexibility and more accurately reflect the proposed commercial development (these minor edits will be reflected in a Specific Plan Amendment, as discussed further below). The SPA would affect all areas zoned with a “DR” designation within the GHSP.

In addition to the SPA, the Project also includes a Tentative Parcel Map (PROJ-2023-00100/TPM Map No. 20748) to address a site-specific development area within the DR zone. The DR zone areas and the PDP Project site are identified in **Figure 2: Destination Recreation Zoning Map**. The total square footage proposed as part of the PDP, as shown in the **Figure 3: Conceptual Site Plan**, is less than the maximum square footage allowed under the GHSP. The Project proposes a maximum floor area ratio (FAR) of 0.18, which is less than the maximum allowed FAR of 0.20 in the GHSP DR zone. The proposed text amendment would support the original intent of the GHSP DR zone, to provide low-intensity retail commercial uses that are sensitive to the physical and environmental constraints of the area.

The PDP Project site (as represented by the Conceptual Site plan) is anticipated to be developed in one phase and would include approximately 72,000 square feet designated for hotel uses; 35,000 square feet designated for a fitness facility; a 45,500 square foot building which includes 25,000-square feet designated for a market, a 15,000 square foot pharmacy, and 5,500 square feet of commercial shops; 5,300 square feet designated for convenience store and a gas station with 12 fueling islands and related drive-thru carwash; 5,300 square feet designated for a convenience store with gas station and 10

fueling islands; and five 3,500 square foot buildings designated for drive-thru restaurants and an approximate 5,300 square foot drive-thru restaurant; two restaurants (5,300 square feet and 6,500 square feet); and 5,200 square feet designated for a Fire/Sheriff Station.

**Figure 3: Conceptual Site Plan** may be modified through the County's Project development and environmental review process. This Conceptual Site Plan reflects current market trends, site conditions, and planned infrastructure, and does not exceed the maximum building areas and range of uses allowed by the GHSP, as presented in **Table 3: Maximum Specific Plan Build-Out Summary**, below.

The PDP Project site development is expected to start construction in 2024 with an anticipated opening year in 2028. The Project requires approximately 2.6 million cubic yards (C.Y.) of grading, which is anticipated to require approximately three years to grade (estimated at approximately 12 to 14 outbound truck haul trips per hour for a total truckloads of export ranging from approximately 107,700 to 123,500), starting January 2024 and ending January 2027. The Project would require 2,668,200 C.Y. of cut and 68,550 C.Y. of fill equating to 2,599,650 C.Y. of export. Export would be hauled to a location as yet to be determined within a 20-mile radius of the Project site.

The Project will not be granted permit authorization to conduct on-site surface disturbance or grading until land use entitlements (See Section B, *Project Overview*) and the Subsequent EIR have been approved by the Board of Supervisors.

**Glen Helen Specific Plan Amendment.** The Specific Plan Amendment (SPA) proposes relatively minor changes in allowable uses within the existing GHSP DR zone. The minor changes include clarifying the types of commercial retail uses, and clarifying which uses are permitted outright or allowable subject to a Conditional Use Permit. The proposed changes would also add residential as an allowable use, to provide flexibility to adapt to changing market conditions and to provide the County with additional residential zoning to meet Regional Housing Needs Assessment requirements. At present there are no residential uses proposed within the PDP project site, as represented by the Conceptual Site Plan. Any future residential uses within the DR zone would be subject to separate County discretionary review and approval.

**Table 3: Maximum Specific Plan Build-Out Summary**

Parcel	Land Use Designation	Site Acreage	Maximum Building Square Footage
1	Convenience Store; Gas Station	2.2 Acres	5,300 SF
2	Drive-Thru Restaurant	1.8 Acres	5,300 SF
3	Drive-Thru Restaurant	1.5 Acres	3,500 SF
4	Drive-Thru Restaurant	1.2 Acres	3,500 SF
5	Drive-Thru Restaurant	1.2 Acres	3,500 SF
6	Drive-Thru Restaurant	1.1 Acres	3,500 SF
7	Drive-Thru Restaurant	1.1 Acres	3,500 SF
8	Gym	4.4 Acres	35,000 SF
9	Fire/Police Station	1.6 Acres	5,200 SF
10	Hotel	3.9 Acres	18,000 SF (ground) 72,000 SF (total)
11	Market; Retail Shops; Pharmacy	6.0 Acres	45,500 SF
12	Restaurant; Parking	1.5 Acres	5,300 SF
13	Restaurant; Parking	1.5 Acres	6,500 SF
14	Convenience Store; Gas Station	3.2 Acres	5,300 SF
<b>Total</b>		<b>32.2 Acres</b>	<b>207,900 SF</b>
Notes:			
1. The numbers were rounded to present a conservative estimate. Acreages may be adjusted as part of final engineering and surveying.			
2. The Subsequent EIR will evaluate the total maximum allowable development in the Specific Plan Amendment, which falls below the GHSP maximum allowable development.			
3. Development standards, such as setback requirements, parking, open space, minimum landscaping, infrastructure, and site design, may reduce the maximum gross square footage or density.			

**Planned Development Permit.** The Oasis at Glen Helen Parkway will be developed in accordance with the PDP as represented by the Conceptual Site Plan. The PDP proposes a comprehensive land use plan, circulation plan, streetscape plan, infrastructure service plan, grading plan, maintenance plan, design guidelines, development regulations, and implementation measures to guide the development of the approximately 33-acre Project site into a master-planned commercial/retail center that would serve adjacent neighborhoods and freeway commuters. The PDP consists of fourteen parcels which would accommodate a variety of commercial and retail uses. Parking would be provided throughout the Project site. Access would be provided by one, 24-foot ingress driveway and one 24-foot egress driveway near the southeast corner of the Project Site and one, 30-foot driveway near the northeast corner of the Project Site. The Project is envisioned to include three freeway pylon signs and four monument signs.<sup>1</sup> In accordance with GH3.0220, Landscape Requirements, the preliminary landscape plan would be designed to cover the necessary 15 percent of the site. The Project is largely commercial with a civic component (i.e., fire/sheriff station) and a hospitality component (i.e., hotel). Commercial operations would occur generally 7 days/week and up to 24hrs/day. Hotel, C-stores/fuel stations, fire/sheriff operation 24hrs/day, 7 days/week. No grading at the site shall be started/occur without first obtaining approvals for environmental documents and land use entitlement applications by the County.

<sup>1</sup> The PDP and SPA would consider changes to development and design standards including that for signage.

**C. Environmental Issues to be Evaluated in the Subsequent EIR**

The County of San Bernardino (County) is the lead CEQA and permitting agency for the proposed Project, which is subject to environmental review under CEQA. CEQA Guidelines §15063 provides that if a lead agency determines that an EIR will clearly be required for a project, an Initial Study is not required. In this case, the County has already determined that an EIR will need to be prepared based on the Project’s potential to create short-term, long-term, and cumulative impacts associated with other development along Interstate 15. Therefore, an EIR will be prepared to fully evaluate the potential impacts of the proposed Project, and an Initial Study will not be prepared. The EIR will be comprehensive, evaluating all identified issues from the 2023 CEQA Environmental Checklist Form. However, given that this Project will tier off of the previously certified GHSP Final Program EIR, this will be a “Subsequent EIR” which will focus on issues that represent new significant environmental impacts or substantially more severe environmental impacts from what was evaluated in the GHSP Final Program EIR, as amended. Note that while the Subsequent EIR will address all resource topics, analysis will focus on impacts related to Air Quality, Greenhouse Gas Emissions, Noise, and Transportation.

The following issues are anticipated to be addressed in the EIR (depending on the technical study findings, some issues may be addressed in the “Effects Found not to be Significant” section of the Subsequent EIR, if it is determined that they were adequately addressed in the GHSP Final Program EIR, as amended):

• Aesthetics	• Hazards and Hazardous Materials
• Agriculture and Forestry Resources	• Hydrology and Water Quality
• Air Quality	• Land Use and Planning
• Biological Resources	• Mineral Resources
• Cultural Resources	• Energy
• Geology and Soils	• Noise
• Greenhouse Gas Emissions	• Population and Housing
• Public Services	• Recreation
• Transportation	• Tribal Cultural Resources
• Utilities and Service Systems	• Wildfire

The Subsequent EIR will address the short- and long-term effects of the Project on the environment, including the impacts of any off-site improvements. It will also evaluate the potential for the Project to cause direct and indirect growth-inducing impacts, as well as cumulative impacts. Alternatives to the proposed Project will be evaluated that may reduce impacts that are determined to be significant in the Subsequent EIR. Mitigation may be proposed for those impacts that are determined to be significant. A mitigation monitoring and reporting program will also be developed as required by §15097 of the CEQA Guidelines.



The Notice of Preparation is subject to a 30-day public review period per Public Resources Code §21080.4 and CEQA Guidelines §15082. Public agencies, interested organizations, and individuals have the opportunity to comment on the proposed Project, to identify those environmental issues, potentially affected by the Project which should be addressed further by the County of San Bernardino in the EIR.

**Cortese List Notice:** Pursuant to Public Resources Code 21092.6(a), the Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (California Department of Toxic Substances Control list of various hazardous sites).

#### **D. Notice of Preparation**

**NOP Public Comment Period:** Wednesday, June 14, 2023 and ends on Friday, July 14, 2023.

**Responses and Comments:** Please send your comments no later than 5:00 PM on Friday, July 14, 2023, to Jon Braginton, Planner at [Jon.Braginton@lus.sbcounty.gov](mailto:Jon.Braginton@lus.sbcounty.gov) or at the following address:

Jon Braginton, Planner  
County of San Bernardino  
Land Use Services Department – Planning Division  
385 North Arrowhead Avenue, First Floor  
San Bernardino, CA 92415-0187

**Document Availability:** This Notice of Preparation can be viewed on the County of San Bernardino website at:

<https://lus.sbcounty.gov/planning-home/environmental/valley-region/>.

The documents are also available during regular business hours at:

- County of San Bernardino Land Use Services Department, Planning Division, 385 North Arrowhead Avenue, San Bernardino, CA 92415; between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

#### **E. Public Scoping Meeting**

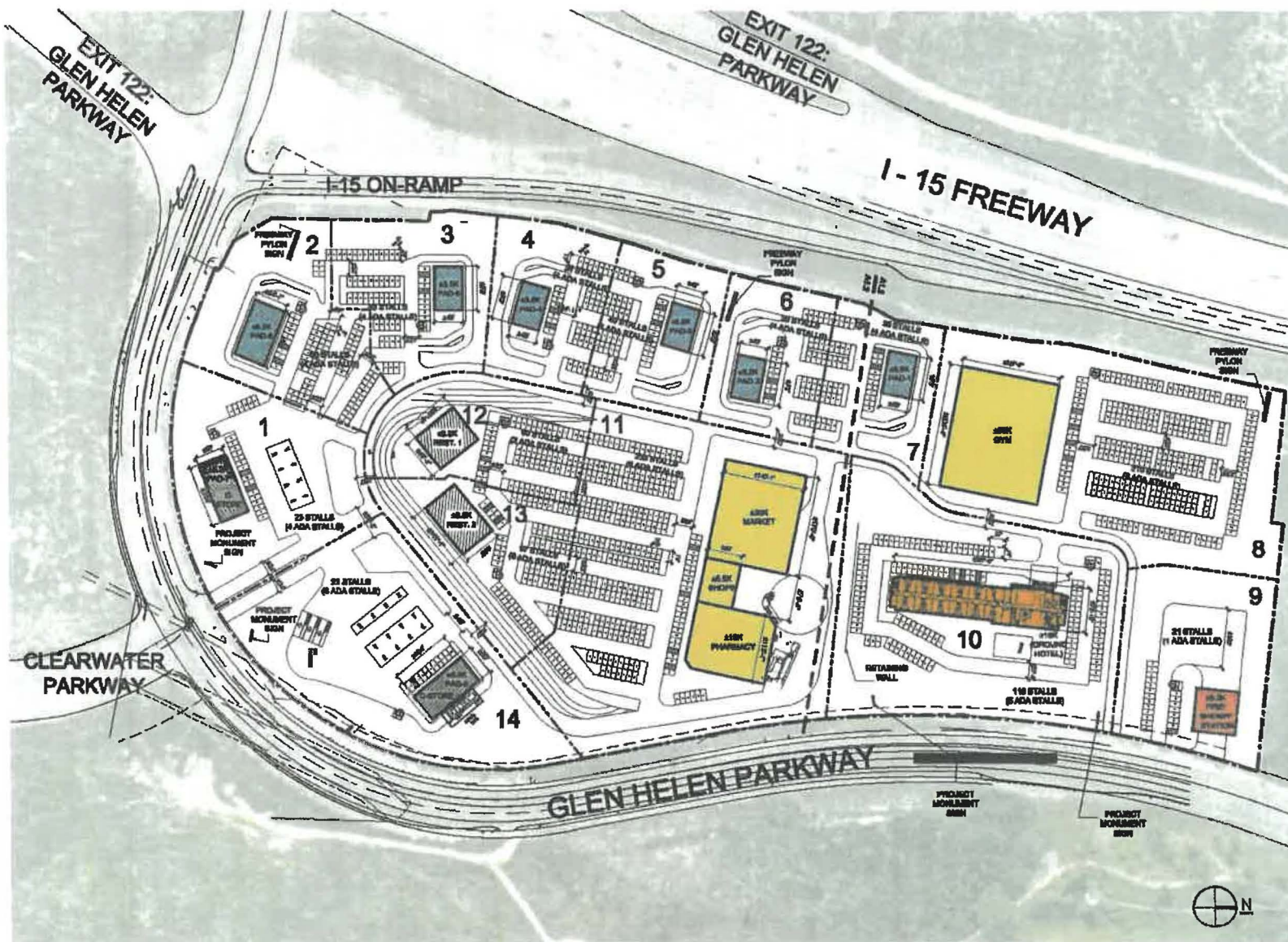
The County will hold a Scoping Meeting to present general Project background information and the CEQA process, and to receive public comments and suggestions regarding the scope and content of the Subsequent EIR. This meeting will be held on the following date and time:

**Date and time:** Tuesday, June 27, 2023, from 6:00 p.m. to 7:30 p.m.

**Location:** Paakuma' K-8 School, Gym/Multi-Purpose Room  
17825 Sycamore Creek Loop Pkwy.  
San Bernardino, CA 92407

If you require additional information please contact Jon Braginton, Planner, at (909) 387-4110.





**SUMMARY**

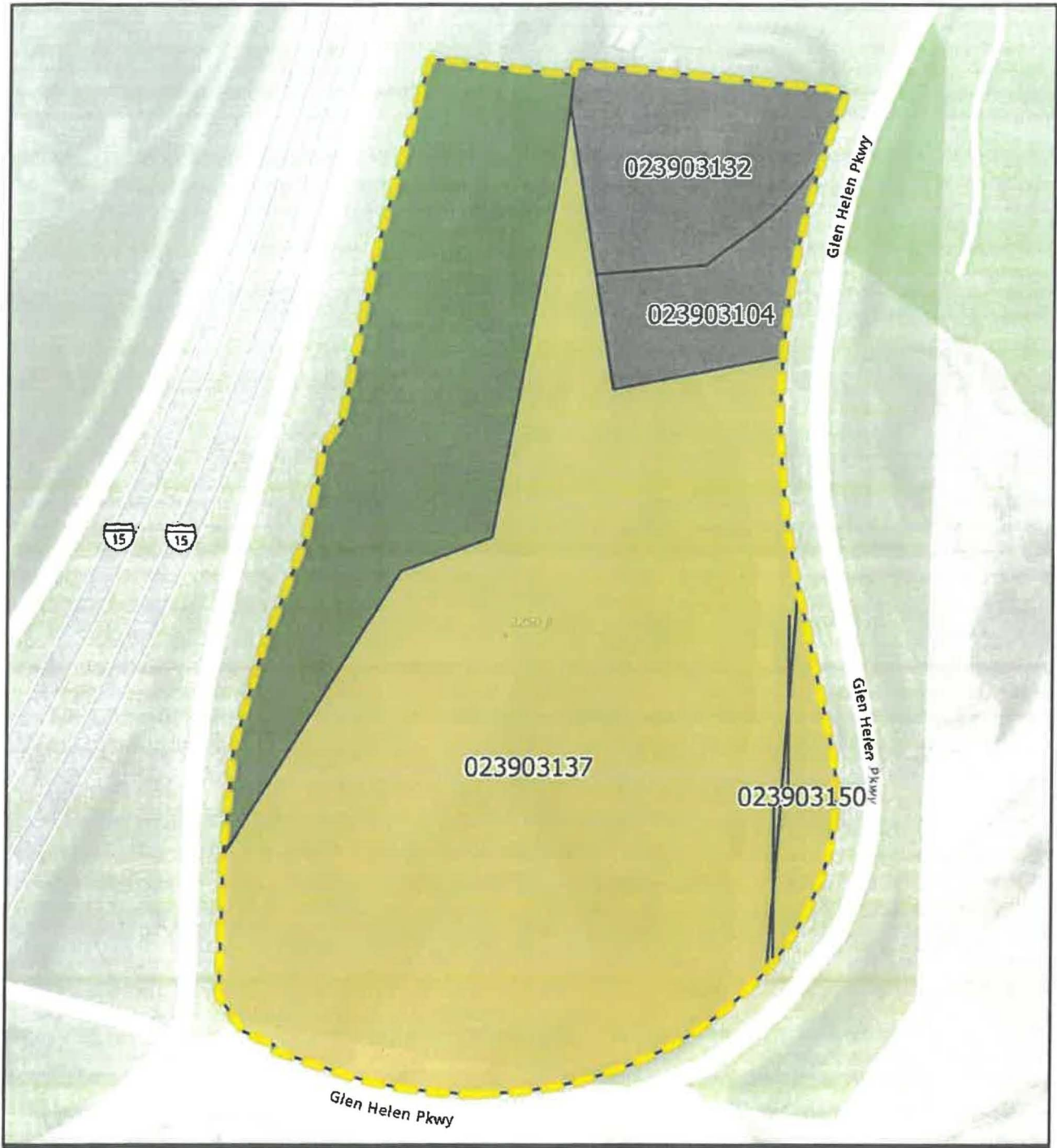
<b>BUILDING AREA:</b>	+/- 307,000 SF
<b>NET AREA:</b>	+/- 262,700 SF
<b>PARCEL 1</b>	
AREA:	+/- 60,520 SF OR +/- 2.2 AC
BLDG AREA:	+/- 6,500 SF
PARKING PROVIDED:	23 STALLS
PARKING RATIO:	4.3/1000
<b>PARCEL 2</b>	
AREA:	+/- 70,421 SF OR +/- 1.8 AC
BLDG AREA:	+/- 6,500 SF
PARKING PROVIDED:	80 STALLS
PARKING RATIO:	11.3/1000
<b>PARCEL 3</b>	
AREA:	+/- 85,125 SF OR +/- 1.9 AC
BLDG AREA:	+/- 6,500 SF
PARKING PROVIDED:	88 STALLS
PARKING RATIO:	10.1/1000
<b>PARCEL 4</b>	
AREA:	+/- 62,211 SF OR +/- 1.2 AC
BLDG AREA:	+/- 6,500 SF
PARKING PROVIDED:	34 STALLS
PARKING RATIO:	8.7/1000
<b>PARCEL 5</b>	
AREA:	+/- 61,857 SF OR +/- 1.2 AC
BLDG AREA:	+/- 6,500 SF
PARKING PROVIDED:	40 STALLS
PARKING RATIO:	11.4/1000
<b>PARCEL 6</b>	
AREA:	+/- 48,825 SF OR +/- 1.1 AC
BLDG AREA:	+/- 6,500 SF
PARKING PROVIDED:	36 STALLS
PARKING RATIO:	10/1000
<b>PARCEL 7</b>	
AREA:	+/- 47,828 SF OR +/- 1.1 AC
BLDG AREA:	+/- 6,500 SF
PARKING PROVIDED:	38 STALLS
PARKING RATIO:	10/1000
<b>PARCEL 8</b>	
AREA:	+/- 150,161 SF OR +/- 4.4 AC
BLDG AREA:	+/- 50,000 SF
PARKING PROVIDED:	306 STALLS
PARKING RATIO:	5.05/1000
<b>PARCEL 9</b>	
AREA:	+/- 68,305 SF OR +/- 1.9 AC
BLDG AREA:	+/- 6,500 SF
PARKING PROVIDED:	147 STALLS
PARKING RATIO:	4/1000
<b>PARCEL 10</b>	
AREA:	+/- 188,877 SF OR +/- 2.9 AC
BLDG AREA:	+/- 18,000 SF
PARKING PROVIDED:	947 STALLS
PARKING RATIO:	5.3/1000
<b>PARCEL 11</b>	
AREA:	+/- 281,702 SF OR +/- 6.9 AC
BLDG AREA:	+/- 45,000 SF
PARKING PROVIDED:	280 STALLS
PARKING RATIO:	5.7/1000
<b>PARCEL 12</b>	
AREA:	+/- 84,136 SF OR +/- 1.9 AC
BLDG AREA:	+/- 6,500 SF
PARKING PROVIDED:	68 STALLS
PARKING RATIO:	11.3/1000
<b>PARCEL 13</b>	
AREA:	+/- 66,362 SF OR +/- 1.5 AC
BLDG AREA:	+/- 6,500 SF
PARKING PROVIDED:	67 STALLS
PARKING RATIO:	10.3/1000
<b>PARCEL 14</b>	
AREA:	+/- 138,704 SF OR +/- 3.2 AC
BLDG AREA:	+/- 6,500 SF
PARKING PROVIDED:	22 STALLS
PARKING RATIO:	4.15/1000
<b>TOTAL PARKING:</b>	1,063 SPACES (84 ADA) 40 EV SPACES 94 RV SPACES
<b>TOTAL PARKING RATIO:</b>	6.20 SPACES PER 1,000 SF

Source: UCR Group, DLR Group, December 2, 2022






**FIGURE 3: Conceptual Site Plan**  
The Oasis at Glen Helen Parkway

Not to scale






**Legend**

-  Project Site
-  Parcels
-  Applicant-Owned (21.22 acres)
-  CALTRANS-Owned (6.60 acres)
-  San Bernardino County-Owned (4.21 acres)

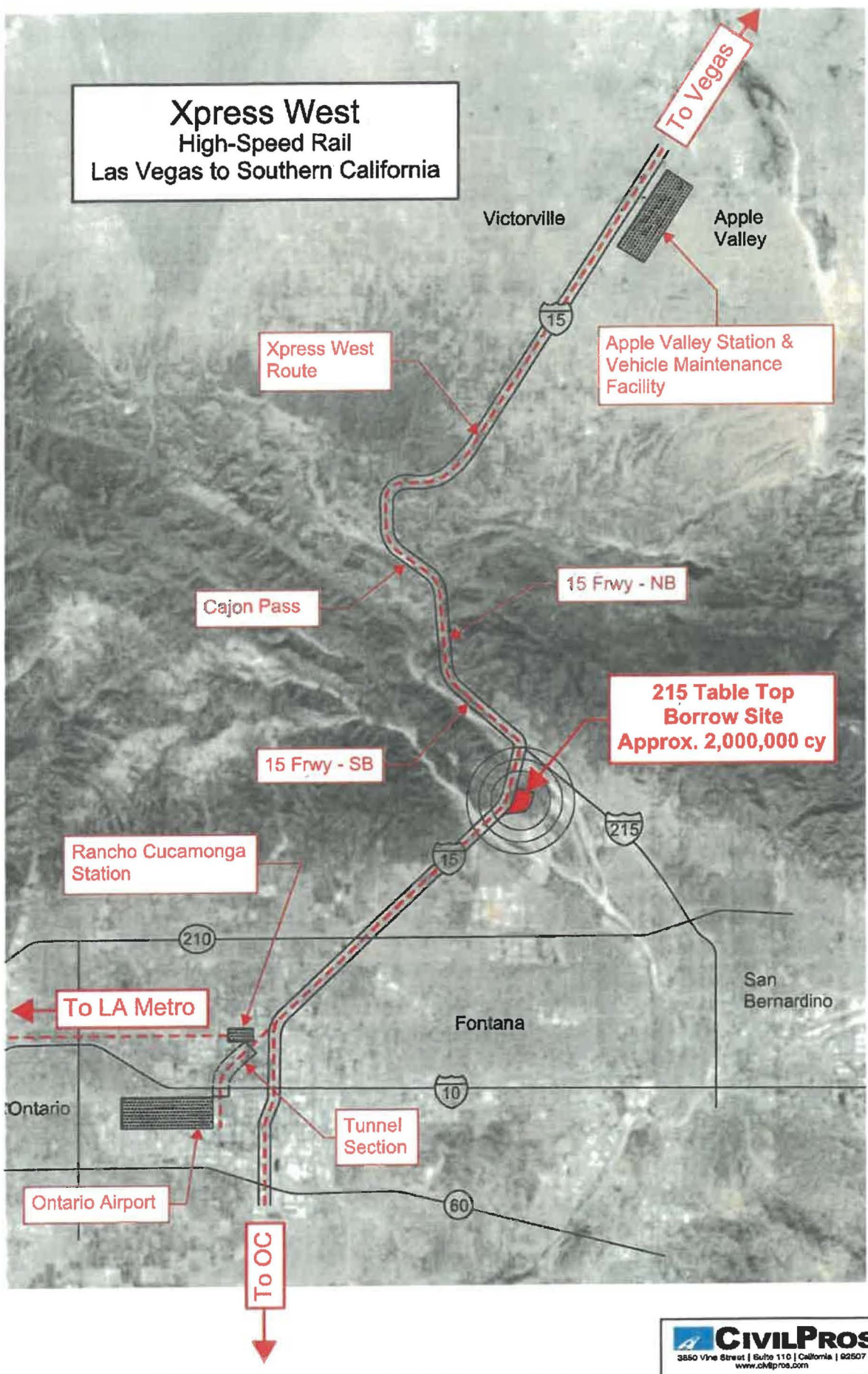
Source: County of San Bernardino, 2023.

**FIGURE 4: Project Parcel Map**  
*The Oasis at Glen Helen Parkway*

 Not to scale



# Xpress West High-Speed Rail Las Vegas to Southern California

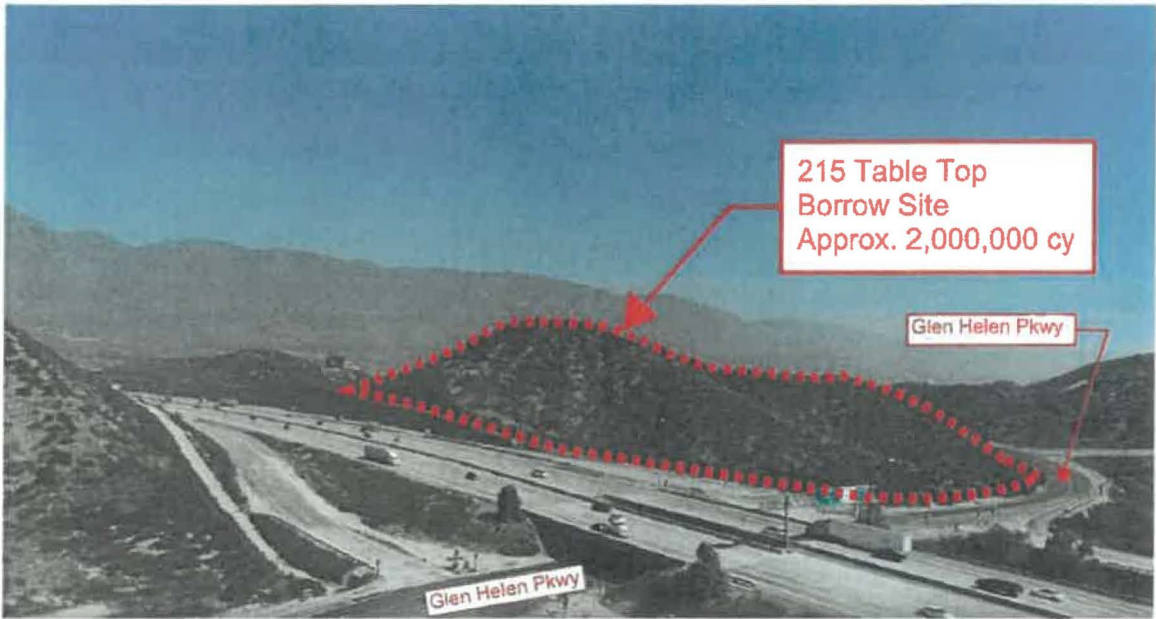


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# 215 Table Top Borrow Site Location Map





215 Table Top  
Borrow Site  
Approx. 2,000,000 cy

Glen Helen Pkwy

Glen Helen Pkwy

# Facts and Findings and Statement of Overriding Considerations Regarding The Oasis at Glen Helen Parkway Project

(State Clearinghouse No. 2000011093)

The San Bernardino County Board of Supervisors (the “**Board**”), in certifying the Subsequent Environmental Impact Report (the “**SEIR**”) for The Oasis at Glen Helen Parkway Project finds, determines, and declares that having received, reviewed, and considered the following information as well as all other information in the record of proceedings in this matter, the following:

## Section 1. Introduction

Pursuant to the California Environmental Quality Act (“**CEQA**”), Public Resources Code [PRC] Section 21000 et seq., the potential environmental effects of the proposed Oasis at Glen Helen Parkway Project (the “**Project**”) have been analyzed in a Draft Subsequent Environmental Impact Report (the “**Draft SEIR**”) (State Clearinghouse No. 2000011093). In accordance with California Code of Regulations, Title 14, Section 15121 (the “**CEQA Guidelines**”), the Draft SEIR identifies the significant environmental effects associated with development of the Project and ways to minimize the significant environmental effects through mitigation measures or reasonable alternatives to the Project. A Final Subsequent Environmental Impact Report (the “**Final SEIR**”) has also been prepared that consists of the Draft SEIR and technical appendices; a list of persons, organizations, and public agencies commenting on the Draft SEIR; comments received on the Draft SEIR and written responses to comments raising significant environmental issues; and clarifications and corrections to the Draft SEIR. All of the mitigations measures applicable to the Project and identified in the Draft SEIR as applicable to the Project are included at the end of this document in **Attachment A**.

### 1.1 *Statutory Requirements for Findings*

The following statement of facts and findings has been prepared in accordance with the CEQA and Public Resources Code Section 21081. CEQA Guidelines Section 15091(a) provides that:

*No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding.*

There are three possible finding categories available for the Statement of Facts and Findings pursuant to Section 15091(a) of the CEQA Guidelines.

- (1) Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.*
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.*

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*(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.*

The SEIR discloses potential environmental impacts that may result from construction and operation of the Project, including an analysis of Project Alternatives, including the No Project Alternative. The SEIR discloses that prior to mitigation, Project implementation would result in potentially significant impacts to Air Quality, Biological Resources, Cultural Resources (Archaeological Resources), Geology and Soils, Greenhouse Gas Emissions, Noise, and Transportation. Mitigation measures have been developed that reduced potentially significant impacts to less than significant levels. However, impacts related to Air Quality would remain significant and unavoidable after the implementation of all feasible mitigation measures. Concurrent with adoption of the Findings, the San Bernardino County (the “County”) will also adopt the Mitigation Monitoring and Reporting Program (the “MMRP”).

As the Lead Agency for the Project, the County has made specific written findings regarding each significant impact associated with the Project (the “Findings”). This document is organized as follows:

- **Section 1, Introduction**, provides a brief overview of the Findings.
- **Section 2, Procedural Compliance with CEQA**, describes the SEIR preparation process and the procedural steps that have been followed to comply with CEQA, including public meetings, public comment periods, noticing of the Draft and Final SEIRs, and the location where these documents were available for review.
- **Section 3, Description of the Project**, provides a description of the Project, including the location, setting and history, objectives, and physical characteristics.
- **Section 4, Findings Required under CEQA**, provides the necessary Findings to be made for Project-related impacts, including Findings of No Impact or Less than Significant Impact Without Mitigation (Section 4.1); Environmental Impacts Mitigated to a Level of Less Than Significant (Section 4.2); Effects Which Remain Significant and Unavoidable After Mitigation (Section 4.3); and Environmental Impacts Previously Analyzed as Part of the GHSP EIR and/or the 2020 Addendum to the GHSP EIR Which Are Not “New” or “Substantially More Severe” as a Result of Project Implementation (Section 4.4).
- **Section 5, Other CEQA Considerations**, provides the Findings regarding growth-inducing impacts of the project and significant and irreversible environmental changes.
- **Section 6, Evaluation of Alternatives**, provides the necessary Findings to be made for the different Project alternatives, including a comparison with the Project and reasons for rejecting the alternatives.
- **Section 7, Findings Regarding the Final SEIR**, provides a determination regarding the Final SEIR.
- **Section 8, Findings Regarding the Mitigation Monitoring and Reporting Program**, provides the Findings regarding the MMRP.
- **Section 9, Statement of Overriding Considerations**, provides the second set of findings, where a project will cause unavoidable significant impacts; the Lead Agency may still approve a project



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where its benefits outweigh the adverse impacts, and the Lead Agency sets forth specific reasoning by which benefits are balanced against effects, and approves the project.

- **Section 10, Certification of the Final SEIR**, provides certification of the Final SEIR.
- **Section 11, Adoption of Mitigation Monitoring and Reporting Program**, provides the adoption of the mitigation measures set forth and the attached MMRP.

The Findings set forth in each section are supported by substantial evidence in the record of the approval of the Project.

### ***1.2 Certification Required under CEQA Guidelines Section 15090***

The Board has received, reviewed, and considered the information contained in the SEIR, in addition to all public testimony received on the Project and the recommendations of County staff. The SEIR was prepared under the direction of the San Bernardino County Land Use Services Department and reflects the County's independent judgment and analysis of the environmental impacts and comments received on the Draft SEIR.

The Board hereby adopts these Findings pursuant to and in accordance with PRC Section 21081 and CEQA Guidelines Section 15091 and, in compliance with CEQA Guidelines Section 15090, hereby certifies that:

1. The Final SEIR has been completed in compliance with CEQA;
2. The Final SEIR was presented to the Board of Supervisors as the decision-making body of the County for the Project and that the decision-making body reviewed and considered the information contained in the Final SEIR prior to approving the project; and
3. The Final SEIR reflects the County's independent judgment and analysis.

### ***1.3 Subsequent EIR and Discretionary Actions***

The EIR for the Project was prepared as a subsequent EIR, pursuant to CEQA Guidelines Section 15162, following certification of the original Glen Helen Specific Plan (GHSP) Program EIR, certified November 2005. As such, pursuant to State CEQA Guidelines Section 15162, the current Project EIR will "tier" off of this prior EIR, focusing on issues that represent "new" or "substantially more severe" significant environmental impacts than evaluated in the GHSP Program EIR. While tiering off the prior EIR, the Project EIR will be prepared as a Subsequent EIR.

The SEIR addresses potential direct, indirect, and cumulative environmental effects of construction and operation associated with the Project and all alternatives evaluated in the EIR. The EIR provides the environmental information necessary for the Board to make a final decision on the Project. The SEIR is also intended to support discretionary reviews and decisions by other agencies, as shown below. Both discretionary and ministerial actions (**Approvals**) to be considered by the County may include, but are not limited to, the following:

1. Final SEIR Certification;
2. Specific Plan Amendment Approval;
3. Tentative Parcel Map Approval;

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4. Planned Development Permit Approval;
  5. Building Plans/Permits Approval;
  6. Grading Plans/Permits Approval;
  7. Certificates of Occupancy Approval;
  8. Infrastructure Plans/Permits Approval;
  9. Landscape Plan Approval;
  10. Drainage Plan Approval;
  11. Water and Sewer Plan Approval;
  12. Site Development Plan Approval;
  13. Water Quality Management Plan Approval;
  14. Native Tree or Plant Removal Permit Approval;
  15. California Department of Transportation (Caltrans) Encroachment Permit Approval;
  16. County Encroachment Permit;
  17. West Valley Water District (WVWD) Sphere of Influence Amendment and Jurisdictional Change Approval;
  18. San Bernardino Valley Water District (SBVMWD) Annexation Approval;
  19. City of Rialto Sphere of Influence Amendment Approval;
  20. Annexation to County Service Area 70 GH Approval; and
  21. Approval of any of the following:
    - Agreement of Purchase and Sale and/or an
    - Exchange Agreement and/or a
    - Disposition and Development Agreement and/or a
    - Disposition Agreement and/or an
    - Owner Participation Agreement

## **Section 2. Procedural Compliance with CEQA**

As authorized in CEQA Guidelines Section 15084(d)(2), the County retained a consultant to assist with the preparation of the environmental documents. The County, acting as Lead Agency, has directed, reviewed, and edited, as necessary, all materials prepared by the consultant, and such materials, including the Final SEIR and supporting technical reports, reflect the County's independent judgment.

The key milestones associated with preparation of the SEIR are summarized in **Section 2.1, Public Review and Outreach**, below, including public meetings, public comment periods, and the public involvement and

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agency notification efforts that were conducted to solicit input on the scope and content of the SEIR and to solicit comment on the results of the environmental analysis presented in the Draft SEIR.

## **2.1 Public Review and Outreach**

The County has conducted an extensive review of this Project which included the Draft SEIR, Final SEIR and supporting technical studies, along with a public review and comment period first during the circulation of the Notice of Preparation (NOP) and then through the circulation of the Draft SEIR. In addition, the County has solicited input from the public and various State, regional, County, and local government agencies and other interested parties on the Project throughout the process. The following is a summary of the environmental review of this Project:

1. On June 14, 2023, the County circulated a NOP that identified environmental issues that the County anticipated would be analyzed in the Project's Draft SEIR to the State Clearinghouse, responsible and trustee agencies; State, regional, County, and local agencies; Native American Tribes, and the public.
2. The NOP public review period ran for 30 days, from June 14, 2023 to July 14, 2023. A scoping meeting was held to discuss the Project on June 27, 2023 between 6:00 P.M. and 7:30 P.M. at Paakuma' K-8 School, located at 17825 Sycamore Creek Loop Pkwy, San Bernardino, CA 92407. A presentation was provided, including an overview of the Project and the CEQA process. Following the presentation, participants were encouraged to provide oral or written comments to aid the County in refining the scope of issues to be addressed in the Draft EIR. A total of eight (8) written comment letters were received in response to the NOP (see Appendix A of the Draft SEIR) from the Native American Heritage Commission (NAHC), California Department of Fish and Wildlife, the Agua Caliente Band of Cahuilla Indians Tribal Historic Preservation Office (THPO), the South Coast Air Quality Management District, and three (3) comment letters from the public.
3. In accordance with CEQA Guidelines Section 15085, upon completion of the Draft SEIR and publication on December 4, 2024, the County, serving as the Lead Agency: (1) prepared and transmitted a Notice of Completion (NOC) to the State Clearinghouse; (2) published a Notice of Availability (NOA) of a Draft SEIR which indicated that the Draft SEIR was available for public review at the County's Planning Division Counter; (3) provided copies of the NOA and Draft SEIR to the High Desert Government Center, San Bernardino Government Center, and San Bernardino County Library; (4) posted the NOA and the Draft SEIR on the County's Planning Division website: <https://lus.sbcounty.gov/planning-home/environmental/valley-region/>; (5) sent a NOA to all property owners within 700 feet of the Project Site boundary; (6) sent a NOA to the last known name and address of all organizations and individuals who previously requested such notice in writing or attended the public scoping meeting about the Project; and (7) filed the NOA with the County Clerk.
4. In compliance with CEQA Guidelines Section 15105(a), the Draft SEIR was circulated for a 48-day public review period between December 19, 2023 and February 5, 2024.
5. The County received three comment letters on the Draft SEIR through written correspondence.

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## **2.2 Final SEIR and County Proceedings**

Pursuant to CEQA Guidelines Section 15088, the County reviewed all comments received during the Draft SEIR review period and provided a written response to each comment in the Final SEIR. The Final SEIR dated March 5, 2024, consists of the following documents:

- Draft SEIR and Technical Appendices dated December 15, 2023
- Final SEIR dated March 5, 2024 which includes:
  - A list of persons, organizations, and public agencies that commented on the Draft SEIR;
  - Comments on the Draft SEIR and written responses to comments.
  - Corrections and additions to the Draft SEIR; and
  - Other information beyond the scope of CEQA provided by the County for context and information to the decision makers, agencies, and the public.

The Final SEIR document was posted for viewing and download with the previously posted Draft SEIR prior to the County's consideration of the Final SEIR and Project recommendations at <https://lus.sbcounty.gov/planning-home/environmental/valley-region/>. In addition, a hard copy can be viewed at: the County's Planning Division Counter at the San Bernardino Government Center, located at 385 N Arrowhead Avenue, San Bernardino, CA 92415; the High Desert Government Center, located at 15900 Smoke Tree Street, Hesperia, CA 92345; and the San Bernardino County Library, located at 8437 Sierra Avenue, Fontana, CA 92335. In addition, pursuant to CEQA Guidelines Section 15088(b), the County has prepared responses to the comments received on the Draft SEIR and the comments to the agency commenters on the Draft SEIR at least 10 days prior to certification of the Final SEIR. All commenters on the Draft SEIR were notified of completion of the Final SEIR.

## **2.3 Record of Proceedings and Custody of Documents**

For purposes of CEQA and these Findings, the Administrative Record of Proceedings for the Project includes, without limitation, the following documents:

- NOP and NOA for the Draft SEIR, and all other public notices issued by the County in conjunction with the Project;
- The Draft SEIR for the Project;
- All written comments received during the Draft SEIR public review comment period;
- All responses to written comments received during the Draft SEIR public review comment period;
- The Final SEIR for the Project;
- The MMRP;
- Matters of common knowledge to the County, including, but not limited to, federal, State, and local laws and regulations;
- Any documents expressly cited in these Findings or the Final SEIR; and



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- Any other relevant materials required to be in the record of proceedings by PRC Section 21167.6(e).

The documents and other materials that constitute the record of proceedings on which the Project Findings are based are located at the County Land Use Services Department in the San Bernardino Government Center located at 385 N. Arrowhead Avenue, First Floor, San Bernardino, CA 92415. The custodian for these documents is the Project's Senior Planner, Jon Braginton. This information is provided in compliance with PRC Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e).

## **Section 3. Description of the Project**

This section provides the Project location, setting and history, Project objectives and a description of the Project characteristics. This section summarizes information contained in the Draft SEIR Chapter 3, Project Description.

### ***3.1 Project Location***

The Project site is located in an unincorporated area of southwestern San Bernardino County and within the City of Rialto Sphere of Influence (SOI). The approximately 32-acre Project site (Assessor's Parcel Numbers [APNs] 0239-031-04, 0239-031-32, 0239-031-37, and 0239-031-50) is located east of Interstate 15 (I-15), west of Glen Helen Parkway and the Glen Helen Regional Park, north of I-15 Exit 122, and south of three existing single-family residences and the Glen Helen Park Maintenance Yard. The City of Rialto is located to the south and southwest and the City of San Bernardino is located to the northeast, east, and south.

The area that surrounds the Project encompasses private and public lands, including approximately 1,900 acres occupied by Glen Helen Regional Park and the San Bernardino County Sheriff Training Facility and Rehabilitation Center. The Project site is also adjacent to single-family residences north of the site, vacant undeveloped open space to the south, east, and west, and the Glen Helen Regional Park to the east. Further south, a residential community (Rosena Ranch) is along Clearwater Parkway, about one-half mile south of the Project site. Paakuma' K-8 School is located within this community and lies approximately 0.9-mile south of the Project site. Paakuma' K-8 School is part of the San Bernardino City Unified School District (SBCUSD) and is the closest school to the Project site. The Glen Helen Regional Park lies between the Project site and the Cajon Wash. The Glen Helen Regional Park, located east of the Project site across the Glen Helen Parkway right-of-way, contains the Glen Helen Regional Park Swim Complex, the Glen Helen Regional Park Large Fishing Lake, and the Glen Helen Amphitheater.

The Cajon Wash lies approximately 0.5 mile north/northeast of the Project site. The Cajon Wash is a tributary of Lytle Creek in the County of San Bernardino and flows out of the San Gabriel Mountains into the San Bernardino Valley. Lytle Creek lies approximately 1.35 miles southwest of the Project site. These portions of Lytle Creek and the Cajon Wash are characterized by broad floodplains. Further downstream, the Cajon Wash joins with Lytle Creek. This junction called the Lytle Creek Floodway, lies about 2.4 miles southeast of the Project site and is a broad floodplain of about 2 miles at its widest point. Despite its proximity to these floodplains, the Project site lies in an area of relatively higher relief and lies in an area designated by the Federal Emergency Management Agency (FEMA) as Flood Zone D, denoting areas in

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which flood hazards are undetermined due to the relative elevation of the Project site to other areas that are included within the determined FEMA flood zones.

### **3.2 Project Objectives**

CEQA Guidelines Section 15124(b) states that a project description shall contain “a statement of the objectives sought by the proposed project.” In addition, CEQA Guidelines Section 15124(b) further states that “the statement of objectives should include the underlying purpose of the project.”

The objectives that the Project seeks to achieve are as follows:

- **Objective 1:** Reinforce Glen Helen as a prominent gateway and as a regional entertainment/recreation destination.
- **Objective 2:** Provide new retail and commercial development that would serve currently underserved residents of the area as well as the region in general by providing goods and services to traffic passing by on the I-15 freeway, which are currently underserved.
- **Objective 3:** Create new employment opportunities.
- **Objective 4:** Provide quality public facilities to serve new development, including a Fire and Sheriff’s station to serve the region.
- **Objective 5:** Respect the historic roots of the Glen Helen area, including old Route 66 and historic Devore community, through design themes and cultural activities.
- **Objective 6:** Establish Glen Helen as an economically sound enclave of specialized businesses and commercial recreation/entertainment venues.
- **Objective 7:** Landscaping appropriate to the level of development and in excess of current landscape coverage standards and sensitive to surrounding areas.
- **Objective 8:** Provide new retail and commercial development that would be easily accessible from I-15 and I-215 by-pass traffic, providing convenient shopping opportunities to by-pass drivers and reducing overall vehicle miles traveled in the region.

### **3.3 Project Description**

The Project to be addressed in the Subsequent EIR consists of a Specific Plan Amendment (SPA, Project #: PROJ-2023-00096), a Planned Development Permit (PDP, Project #: PROJ-2023-00012), and a Tentative Parcel Map (TPM, Project # PROJ-2023-00100) to allow for development of approximately 202,900 square feet of commercial and retail center land uses on an approximately 33-acre site in unincorporated San Bernardino County. The applicant proposes a minor clarification/text amendment to the existing DR zone of the Glen Helen Specific Plan (GHSP) to provide greater flexibility and more accurately reflect the proposed commercial development (these minor edits will be reflected in a Specific Plan Amendment [SPA]). The GHSP was adopted in November 2005 and amended in May 2017 and December 2020 by the Board of Supervisors. The GHSP covers approximately 3,400 acres in the Glen Helen area and contains 14 land use designations. The approved GHSP notes that the GHSP’s original purpose was to create a comprehensive guide for quality land development with a viable program for building and financing the infrastructure necessary to support it. Additionally, the GHSP assumed land use designations

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to be tailored to the physical and environmental conditions, existing activities and uses that will remain onsite, and future market potentials identified for the area. The Project consists of a SPA to expand on the allowed uses under the GHSP for the Destination Recreation (DR) designation on the Project site, as well as a PDP and a Tentative Parcel Map (TPM 20748). This amendment to the GHSP would allow for a broader range of uses, similar to what is allowed in the approved GHSP, to provide flexibility in providing services to an area that is currently underserved and to provide transit-related service to regional travelers and visitors to the area. Specifically, the proposed SPA would amend the Destination Recreation land use to allow for professional services (such as financial services, medical/dental offices, and mail centers), government/civic uses, coffee shops or quick-serve restaurants with a drive-thru, small, and large format grocery stores and specialty food stores, and pharmacy/drug stores with or without a drive-thru. Further, the proposed SPA does not propose amendments to the established development standards including building site requirements, height, and area limitations, building and landscape setbacks, off-street parking, and design guidelines.

Under the San Bernardino County Development Code (County Code Section 85.10), PDPs are appropriate on sites with unique site characteristics, such as difficult topography (i.e., varied terrain, steep slopes, etc.), to establish enhanced development standards that provide a more efficient use of the land. The County has determined that a PDP is appropriate for the Project site. The Project proposes a PDP to allow for the development of a Shopping Center consisting of a hotel, retail stores, a gym, a joint police/fire station, two gasoline service stations with car washes, and multiple drive through restaurants on approximately 33 acres of undeveloped land. The PDP will be facilitated by the proposed SPA to expand on the allowed uses under the GHSP for the Recreation Destination designation on the Project site, and a TPM to consolidate four (4) parcels and subdivide into 14 newly created parcels.

## **Section 4. Findings Required under CEQA**

The following sections (Sections 4.1 through 4.4) set forth the County's findings from the FEIR's determinations regarding significant environmental impacts and the mitigation measures proposed to reduce the significant impacts associated with the Project. Although PRC Section 21081 and CEQA Guidelines Section 15091 require findings only to address significant environmental effects, in practice findings often address impacts that were found to be less than significant and, therefore, these Findings will account for all impacts identified in the SEIR.

These Findings provide the written analysis and conclusions of the Board regarding the environmental impacts of the Project, the mitigation measures included as part of the SEIR and adopted by the Board as part of the Project, and the alternatives that have been analyzed within the Draft SEIR. These Findings refer to the analysis contained within the SEIR to avoid duplication and redundancy. Because the Board agrees with, and hereby adopts, the conclusions in the Final SEIR, which includes the analysis provided in the Draft SEIR, these Findings will not repeat the analysis and conclusions in the Final SEIR, but instead incorporates them by reference in these Findings and relies upon them as substantial evidence supporting these Findings.

In preparing the Approvals for this Project, County staff incorporated the mitigation measures recommended in the SEIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the SEIR, in each such instance, the adopted

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Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

All mitigation measures recommended by the SEIR will be adopted in the MMRP. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating, or rewording mitigation measures recommended in the Final SEIR are intended to be substantially similar to the mitigation measures recommended in the Draft SEIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

#### **4.1 Findings of No Impact or Less than Significant Impact Without Mitigation**

The County determined the Project would result in no impact or less than significant impact without mitigation on the following resource areas. Refer to Draft SEIR Sections 4.1 through 4.7 for more detail.

##### **A. Air Quality**

**Impact AQ-4** *Would the Project Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Draft SEIR pgs. 4.1-36 to 4.1-37)*

Construction equipment emissions such as diesel exhaust, and volatile organic compounds from architectural coatings and paving activities, may generate odors. However, these odors would be temporary, are not expected to affect a substantial number of people and would disperse rapidly.

Regarding operation, the South Coast Air Quality Management District (SCAQMD) CEQA Air Quality Handbook identifies certain land uses as sources of odors. These land uses include agriculture (farming and livestock), wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, dairies, and fiberglass molding. The Project would not include any of the land uses that have been identified by the SCAQMD as odor sources. Therefore, impacts related to odors associated with the Project's construction-related and operational activities would be less than significant.

##### **B. Biological Resources**

**Impact BIO-2** *Would the Project 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 U.S. Fish and Wildlife Service? (Draft SEIR pgs. 4.2-25 to 4.2-27)*

**Impact BIO-3** *Would the Project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Draft SEIR pgs. 4.2-25 to 4.2-27)*

According to the United States Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) data, there are no mapped blue-line streams or wetlands on the Project site. However, a small ephemeral (drainage feature) was observed on the southeast corner of the site associated with the mulefat scrub plant community in a topographic low spot between the hillside to the west and Glen Helen Parkway to

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the east. Following storm events, this feature collects stormwater runoff from Glen Helen Parkway and conveys the water from north to south towards Glen Helen Parkway. The storm water then flows under Glen Helen Parkway via a culvert into Sycamore Flats south of the Project site. The ephemeral drainage feature on the southeast corner of the Project site could fall under the regulatory authority of the Corps, Regional Board, and California Department of Fish and Wildlife (CDFW). A Jurisdiction Delineation Report (Draft EIR Appendix C3) was conducted for the Project site, to determine if the ephemeral drainage feature would be considered jurisdictional.

The swale on the southeast portion of the Project site was constructed wholly in the uplands and is not relatively permanent, standing, or a continuously flowing body of water and, therefore, would not qualify as waters of the United States under the regulatory authority of the United States Army Corps of Engineers (USACE).

In order to qualify as a wetland, a feature must exhibit all three wetland parameters (i.e., vegetation, soils, and hydrology) described in the Corps Arid West Regional Supplement. The swale on the southeastern portion of the site does not hold water for long enough to create anaerobic condition, ultimately forming hydric soils. Therefore, no areas on-site would meet wetland requirements. Standing water was not present on-site during the survey. No USACE jurisdictional areas were identified within the Project site and a Clean Water Act (CWA) Section 404 permit would not be required for the proposed project.

Since the swale on the southeast portion of the Project site was artificially created in the uplands when Glen Helen Parkway was improved in the late 1990s and did not replace a blueline stream or other natural drainage course it is not expected to fall under the regulatory authority of the Regional Board.

Lastly, impacts to the swale are not expected to require a Streambed Alteration Agreement from CDFW since this feature was excavated wholly in the uplands and only conveys surface from the adjacent roadway. Further, a CDFW Streambed Alteration Agreement will likely not be required due to the low probability that the Project will result in a substantial adverse impact to existing fish or wildlife resource.

Therefore, the Project would not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Impacts would be less than significant.

***Impact BIO-4      Would the Project 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? (Draft SEIR pg. 4.2-28)***

The Project site is an island of habitat located between I-15, Glen Helen Parkway, and developments to the north, which has restricted, if not eliminated, wildlife movement opportunities across the site. I-15 bordering the western boundary of the Project site has eliminated wildlife movement opportunities out of the San Gabriel Mountains to the west. As a result, implementation of the Project would not disrupt or have any adverse effects on any migratory corridors or linkages in the surrounding area. Additionally, none of the special-status plant or wildlife species known to occur in the general vicinity of the Project site are expected to be directly or indirectly impacted from implementation of the Project. Therefore, it

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was determined that implementation of the Project will not impact regional wildlife movement corridors/linkages. A less than significant impact would occur.

***Impact BIO-5*** ***Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Draft SEIR pgs. 4.2-28 to 4.2-29)***

Similar to the Glen Helen Specific Plan (GHSP) EIR and 2020 GHSP EIR Addendum analyses, the Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. San Bernardino County Development Code, Chapter 88.01 (Plant Protection and Management) pertains to the Project site. A regulated tree or plant shall be any of those trees or plants identified in: (1) Section 88.01.060(c) (Regulated desert native plants), (2) Section 88.01.070(b) (Regulated trees), or (3) Section 88.01.080(b) (Regulated riparian plants). According to the Habitat Assessment, no regulated trees or plants were identified in accordance with Sections 88.01.060(c), 88.01.070(b), or 88.01.080(b). Where applicable, native tree and plant removal shall be conducted in accordance with Section 88.01.050: Native Tree or Plant Removal Permits. Therefore, a less than significant would occur.

***Impact BIO-6*** ***Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan? (Draft SEIR pg. 4.2-29)***

The Project site is not located within the boundaries of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan. The Project would adhere to the goals and policies within the Countywide Plan and mitigation measures within the GHSP EIR and 2020 GHSP EIR Addendum. Therefore, impacts to any local, regional, or State habitat conservation plans are not expected to occur from development of the Project, and impacts would be less than significant.

## **C. Cultural and Tribal Cultural Resources**

***Impact CUL-1*** ***Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5? (Draft SEIR pgs. 4.3-18 to 4.3-21)***

A **Cultural Resources Assessment (Draft SEIR Appendix D)** was conducted for the Project site to identify any potential cultural resources the Project may impact. During the field survey as part of the Cultural Resources Assessment, one historic-period road segment known as the Cajon Connection, and as the Devore Cutoff and Devore Road, was identified within the Project site. Due to resource's lack of ability to meet any California Register criteria and diminished integrity it was determined that it is not eligible for the National Register and is therefore not a potential historic property under Section 106 of the National Historic Preservation Act (NHPA), and that it is not eligible for the California Register, and as such is not a potential historical resource under CEQA. Therefore, the Project site would not result in an adverse effect to any historic properties under Section 106 of the NHPA and would not result in an adverse effect to any historical resources under CEQA. Impacts would be less than significant.

## **D. Geology and Soils**



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**Impact GEO-5** *Would the Project 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? (Draft SEIR pgs. 4.4-29 to 4.4-30)*

No septic tanks or other alternative wastewater disposal systems are proposed for the Project, as the Project would be served by the West Valley Water District. The Project site would connect to existing sewer lines in Clearwater Parkway. Therefore, a less than significant impact would occur.

**Impact GEO-6** *Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Draft SEIR pgs. 4.4-30 to 4.4-31)*

According to the **Cultural Resources Assessment – Draft SEIR Appendix D**, the geologic units underlying the Project are considered to be of low paleontological sensitivity and no localities have been identified within a one-mile radius. Therefore, the Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature and impacts would be less than significant.

## **E. Greenhouse Gas Emissions**

No less than significant impacts without mitigation were identified.

## **F. Noise**

**Impact NOI-2** *Generation of excessive groundborne vibration or groundborne noise levels? (Draft SEIR pgs. 4.6-18 to 4.6-19)*

Construction activities known to generate excessive ground-borne vibration, such as pile driving, would not be conducted to construct the Project. Based on Federal Transit Authority (FTA) recommendations, limiting vibration levels to below 0.2 in/sec Peak Particle Velocity (PPV) at residential structures would prevent architectural damage regardless of building construction type. The greatest anticipated source of vibration during Project construction activities would be from a vibratory roller, which may be used within 125 feet of residential structures to the north. A roller would create approximately 0.019 in/sec PPV at a distance of 125 feet. This would be lower than the 0.2 in/sec PPV threshold. Furthermore, the Project does not include substantial vibration associated with operation. Therefore, temporary vibration impacts associated with the roller (and other potential equipment) and operational vibration impacts would be less than significant.

**Impact NOI-3** *For or 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? (Draft SEIR pg. 4.6-19)*

The Project site is not located within an airport land use plan or within two miles of a public or private airport. The closest airport is the San Bernardino International Airport, which is approximately 12 miles southeast of the Project site. Therefore, the Project would not expose people residing or working in the Project area to excessive noise levels related to airstrip/airport operation. No impact would occur.

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## G. Transportation

### *Impact TRANS-2 Would the Project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)? (Draft SEIR pgs. 4.7-19 to 4.7-21)*

The County of San Bernardino *Transportation Impact Study Guidelines* provide screening criteria to determine whether a detailed Vehicle Miles Traveled (VMT) analysis is required or if the Project would be assumed to have a less than significant impact related to VMT. Projects which serve the local community and have the potential to reduce VMT should not be required to complete a VMT assessment. These types of projects are listed in the Draft SEIR, **pg.4.719**.

The Project is screened from a detailed VMT analysis under CEQA because the Project is a local serving retail that would capture pass-by trips on I-15 and in the surrounding community. The Project would attract most of its trips from existing users of the services that are already occurring and traveling farther to receive services and redistribute, rather than create new trips, thereby result in reduction in VMT because of shorter trips lengths. The Project is consistent with the defining characteristics of local serving retail centers as defined by the Urban Land Institute and local serving hotel as defined by the Hotel Tech Report. The Project is also in align with freeway-oriented commercial, which is also considered locally serving retail. Most of the traffic generated for freeway-oriented land uses located at an interchange are “diverted” customer trips from the freeway for services important to freeway travelers (diverted link trips) or are travelers passing by the site on an adjacent street (Glen Helen Parkway, Clearwater Parkway) who stop as an interim stop between their primary origin and destination (pass-by trips). Although the Project would generate primary trips mostly from employees and staff for the retail/commercial, hotel, and civic uses, these would be the smallest component of total project generated trips, therefore, the Project would still meet OPR’s intent for screening VMT for local serving retail and would reduce overall VMT. Impacts related to VMT would be less than significant.

### **4.2 Environmental Impacts Mitigated to a Level of Less Than Significant**

The following issues from the environmental categories analyzed in the SEIR were found to be potentially significant but can be mitigated to a less than significant level with the implementation of mitigation measures: Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Noise, and Transportation. The San Bernardino County Board of Supervisors (Board) hereby finds pursuant to PRC Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by implementation of the mitigation measures in the SEIR; and that these mitigation measures are included as Conditions of Approval and set forth in the MMRP adopted by the Board. Specific Findings for each category of such impacts are set forth in detail below.

## H. Air Quality

### *Impact AQ-3 Would the Project expose sensitive receptors to substantial pollutant concentrations? (Draft SEIR pgs. 4.1-28 to 4.1-36)*

As shown in **Draft SEIR Tables 4.1-11** and **4.1-12**, pollutant emissions on the peak day of construction and operations would not result in significant concentration of pollutants at nearby sensitive receptors. Accordingly, therefore localized significance thresholds (LSTs) would not be exceeded during construction or operations. The LSTs represent the maximum emissions from a project that are not expected to cause



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or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standard. LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable National Ambient Air Quality Standards (NAAQS) or California Ambient Air Quality Standards (CAAQS) and are developed based on the ambient concentrations of that pollutant for each source receptor area (SRA) and distance to the nearest sensitive receptor (**Draft SEIR, p. 4.1-32**).

Wind patterns in the area are characterized by westerly and southwesterly onshore winds during the day and easterly or northeasterly breezes at night. The Project site is located between two meteorological stations located at Fontana and Upland. The Fontana station is located closer to the Project site while the Upland station is located in the same SRA, indicating that conditions at the Project site and the Upland station are similar. An evaluation of wind roses, strong wind events with maximum wind speeds of 24.83 miles per hour (11.10 m/s), wind would blow from the northeast to the southwest. On any given day, it would be most likely that wind would be blowing from the southwest to the northeast. The National Weather Service identifies these wind levels as “very low” to “low” and describes them as “breezy” or “windy.” Based on this analysis, the majority of the time that there is a wind blowing, it would blow from the construction site toward the nearest sensitive receptors. Therefore, Mitigation Measure (**MM AQ-2**) was included to prevent fugitive dust generation from impacting sensitive receptors. **MM AQ-2** requires the Project Applicant to have a Dust Control Management Plan approved prior to the approval of the grading plan. Additionally, the Project would be required to comply with South Coast Air Quality Management District (SCAQMD) Rule 403 which would control PM<sub>10</sub> emissions from the Project site during construction.

Further, the Project would be required to comply with the rules of the Project-specific stormwater pollution prevention plan, which includes measures to protect receptors from construction dust. Additionally, based on EnviroScreen 4.0 results, the Project is located in an area that falls within the 8th percentile for California in Diesel Particulate Matter (DPM) emissions, meaning the Project is within the lowest range reported 0-10. As such, the Project’s emissions would represent a low incremental contribution to the background DPM concentrations. Lastly, the Project would not produce the volume of traffic required to generate a carbon monoxide (CO) hot spot in the context of SCAQMD’s CO Hotspot Analysis. As such, impacts would be reduced to a less than significant level with implementation of **MM AQ-2**.

### **Finding.**

The Project would not expose sensitive receptors to substantial pollutant concentrations with implementation of Project **MM AQ-2**. Impacts would be less than significant with mitigation incorporated.

### **Mitigation Measures**

**Proposed Project MM AQ-2:** The Project applicant shall submit a Dust Control Management Plan limiting the generation of fugitive dust to the County of San Bernardino. The Dust Control Management Plan shall be approved prior to the approval of the grading permit. The Dust Control Management Plan shall include, but not limited to, the following:

- Prior to Grading Permit issuance, a sign, legible at 50 feet shall be posted at the Project construction site. The sign(s) shall be reviewed and approved by the Building Official and County

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Planning Department, prior to posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints.

- During construction, the contractor will designate a member of the construction staff as a Dust Control Coordinator. The Dust Control Coordinator will be present during all earthmoving activities and respond to local complaints about fugitive dust. When a complaint is received, the Dust Control Coordinator shall notify the County within 24-hours of the complaint, determine the cause, and implement reasonable measures to resolve the complaint as deemed acceptable by the Public Works Department.
- Soil stockpiles maintained as part of the Project will be stabilized to reduce fugitive dust. Soil stockpiles may be stabilized by wetting to form a crust or other treatment – such as covering, use of soil binders, chemical soil stabilizers, geotextiles, mulching, or hydroseeding.
- Any Project-related person operating a vehicle on a public roadway with a load of dirt, sand, gravel, or other loose material – which may be susceptible to generating dust – will cover the load or maintain two feet or more of freeboard during transportation.
- All grading and excavation activities shall cease during periods of sustained wind events. These events are defined as winds exceeding 20 miles per hour (mph) for more than 3 minutes in any 60-minute period. A sustained wind event will be measured by monitoring the nearest National Weather Service monitoring station or by using a kestrel wind meter or similar device. In the event that operations are shut down during high winds, watering of the area will continue to minimize fugitive dust. Construction activities will resume when wind speeds fall below the 20 mph 3-minute aggregate period in any 60-minute period.
- A speed limit of 15 mph for construction vehicles will be implemented on all unpaved roads. The contractor will post speed limit signs and discuss speed limits during tailboard meetings.

**Basis for Finding. Mitigation Measure AQ-2** requires the Project Applicant to have a Dust Control Management Plan approved prior to the approval of the grading plan. Additionally, the Project would be required to comply with South Coast Air Quality Management District (SCAQMD) Rule 403 which would control PM<sub>10</sub> emissions from the Project site during construction. With implementation of **MM AQ-2**, exposure to sensitive receptors would be less than significant.

## **I. Biological Resources**

**Impact BIO-1** *Would the Project have a substantial adverse effect, 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? (Draft SEIR pgs. 4.2-19 to 4.2-24)*

Several special-status plant surveys, literature review, and records searches conducted for the Project site in 2019 and 2021 and updated in 2023 identified special-status plant species as having the potential to occur within the Devore quadrangle. A focused special-status plant survey was conducted on April 16, May 22, and June 19, 2019, and April 14, May 18, and June 23, 2021, for the Project.

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One special-status plant species was observed on-site during the special-status plant species focused survey, Southern California black walnut. Approximately five individuals of this species were observed. No other special-status plant species were observed. The timing of the focused survey coincided with the blooming period of all special-status plant species known to occur in the vicinity. Due to the lack of observation of any other special-status plant species during the focused surveys conducted in 2019 and 2021, all other special-status plant species are presumed to be absent from the Project site.

Southern California black walnut is neither federally nor state listed as threatened or endangered. It is designated as a California Native Plant Society (CNPS) Rare Plant Rank 4.2 (a watch list of plants of limited distribution, that is moderately threatened in California). CNPS Rare Plant Rank 4 plant species are a watch list species of limited distribution. The presences of this species on-site, therefore, does not rise to the level of a species of concern under CEQA. As such, the presence of southern California black walnut is not expected to contribute to the long-term conservation of the value for the species, and impacts would be less than significant, and no mitigation is required.

According to the California Natural Diversity Database (CNDDB), 37 special-status wildlife species have been reported as potentially occurring on the Project site. Southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*) and coastal whiptail (*Aspidoscelis tigris steinegeri*) were the only special-status species observed on-site during the habitat assessment. Both of these species are not Federally or State listed as endangered or threatened, but they are listed on the CDFW Watch List and as a Species of Special Concern, respectively. Based on habitat requirements for specific species and the availability and quality of on-site habitats, it was determined that the Project site has a high potential to support Bell's sage sparrow (*Artemisiospiza belli belli*), and loggerhead shrike (*Lanius ludovicianus*); a moderate potential to support Cooper's hawk (*Accipiter cooperii*), San Diego desert woodrat (*Neotoma lepida intermedia*), and coastal California gnatcatcher (*Polioptila californica californica*); and a low potential to support Costa's hummingbird (*Calypte costae*), coast horned lizard (*Phrynosoma blainvillii*). All remaining special-status wildlife species are presumed to be absent from the Project site.

A California gnatcatcher breeding season presence/absence survey was conducted during the 2019 breeding season in accordance with the guidance from the USFWS California gnatcatcher survey protocol to cover breeding periods. The surveys were completed between April 2 and May 7, 2019. No California gnatcatcher were detected during the six breeding season protocol surveys. The Project site is mapped within the northeasterly extent of the range for this species, and while the California gnatcatcher has historical range nearby the site, it is unlikely to be present due to the maturity and density of the habitat. The plant communities on-site are dense/mature and are not ideal for California gnatcatcher. Due to the marginal suitability of the habitat on-site and the proximity of the Project site to Interstate 15 (I-15), the Project site is not recommended for conservation for the California gnatcatcher and are presumed absent from the Project site.

According to the CNDDB, three special-status plant communities have been identified in the Project site: Riversidean Alluvial Fan Sage Scrub, Southern Riparian Forest, and Southern Sycamore Alder Riparian Woodland. Based on the results of the field investigation, no special-status plant communities were observed on-site.

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The Project site is not located with Federally designated Critical Habitat. The nearest designated Critical Habitat is located south of the Project site, south of Glen Helen Pkwy (less than 0.02 miles) for San Bernardino kangaroo rat. Additionally, mapped Critical Habitat for arroyo toad (*Anaxyrus californicus*) is located approximately one mile northwest of the Project site. Therefore, the loss or adverse modification of Critical Habitat from site development will not occur and consultation with the United States Fish and Wildlife for impacts to Critical Habitat will not be required for implementation of the Project.

Based on the Project footprint and existing site conditions discussed in the Habitat Assessment, none of the special-status plant or wildlife species known to occur in the general vicinity of the Project site are expected to be directly or indirectly impacted with implementation of GHSP EIR **MMs 4.8-2, 4.8 5, 4.8-6**, GHSP EIR 2020 Addendum **MMs 5-5 and 5-8** and Proposed Project **MM BIO-1**. Therefore, it was determined that implementation of the Project will have “no effect” on Federally or State listed species known to occur in the general vicinity of the Project site. Additionally, the development of the Project will not impact designated Critical Habitats or regional wildlife movement corridors/linkages. Impacts would be reduced to less than significant levels.

#### **Finding.**

The Project would not have a substantial adverse effect, 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 with implementation of Project **MM BIO-1**, GHSP EIR **MMs 4.8-2, 4.8 5, 4.8-6**, and GHSP EIR 2020 Addendum **MMs 5-5 and 5-8**. Impacts would be less than significant with mitigation incorporated.

#### **Mitigation Measures**

**Proposed Project MM BIO-1:** In order to protect special-status wildlife species such as the San Diego desert woodrat (*Neotoma lepida intermedia*), Coastal whiptail (*Aspidoscelis tigris steinegeri*), and Coast horned lizard (*Phrynosoma blainvillii*), a pre-construction clearance survey shall be conducted prior to any ground disturbance or vegetation removal activities that may disrupt the species. The Proposed Project biologist shall ensure that impacts to any special-status wildlife observed during preconstruction clearance surveys are reduced or avoided such that impacts are less than significant (e.g., avoidance buffers, relocation from harm’s way, etc.).

**GHSP EIR MM 4.8-2: Replace RSS Habitat.** For every acre of RSS that is impacted, the project proponent will replace at a 2:1 ratio. Habitat may be created and/or set aside as onsite mitigation. If the project site does not contain sufficient habitat to fulfill the acreage requirement, offsite mitigation areas may need to be set aside.

**GHSP EIR MM 4.8-5: Raptor Nests.** Prior to the removal of any stand of trees, a biologist should visit the site to determine if raptor nests have been constructed. If nests are observed, a biologist will identify nesting areas and must be onsite at the time of tree removal.

**GHSP EIR MM 4.8-6: Raptor Nests.** If raptors are observed nesting, CDFG shall be consulted and contacted to determine the type and duration of construction that would be allowed during nesting season.

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**GHSP EIR 2020 Addendum MM 5-5: Nesting Birds.** To protect nesting birds regulated by the federal Migratory Bird Treaty Act, to the extent feasible, vegetation removal activities shall be scheduled between September 1 and February 14 to avoid the nesting bird season. If clearing and/or grading activities cannot be avoided during the nesting season, all suitable habitat will be thoroughly surveyed for the presence of nesting birds by a qualified biologist prior to removal. If any active nests are detected, the area will be flagged, ~~along with a minimum 100-foot buffer (buffer may range between 100 and 300 feet as determined by the monitoring biologist)~~ with an appropriate buffer as determined by a qualified biologist and will be avoided until the nesting cycle is complete or it is determined by the monitoring biologist that the nest has failed. A biologist will be present on the site to monitor any vegetation removal to ensure that nests not detected during the initial survey are not disturbed.

**GHSP EIR 2020 Addendum MM 5-8: Invasive Plant Management Plan.** Prior to the commencement of any grubbing or grading activities, the Applicant shall submit and, when acceptable, the Director shall approve an invasive plant management plan, including, but not necessarily limited to: (1) preventive practices to avoid the transport and spread of weeds and weed seed during project development and operation; (2) a plan to control noxious weeds and weeds of local concern within designated open space areas; and (3) a strategy to educate construction personnel and homeowners in noxious weed identification and awareness. The invasive plant management plan shall incorporate weed prevention and control measures including, but not necessarily limited to: (1) use of only certified weed-free hay, straw, and other organic mulches to control erosion; (2) use of road surfacing and other earthen materials for construction that are certified weed free; and (3) use of only certified weed-free seed for the reclamation of disturbed areas.

**Basis for Finding.** The requirements of GHSP EIR **MMs 4.8-2, 4.8 5, 4.8-6**, GHSP EIR 2020 Addendum **MMs 5-5** and **5-8** would ensure a less than significant impact would occur on-site. Project **MM BIO-1** would require a pre-construction clearance survey be conducted prior to any ground disturbance or vegetation removal activities that may disrupt the species. GHSP EIR **MM 4.8-2** requires that for every acre of RSS impacted, the project proponent will replace at a 2:1 ratio; GHSP EIR **MM 4.8-5** and **MM 4.8-6** ensures protection of raptor nests. GHSP EIR 2020 Addendum **MM 5-5** and **MM 5-6** ensures the protection of nesting birds. With implementation of Project **MM BIO-1**, GHSP EIR **MMs 4.8-2, 4.8 5, 4.8-6**, and GHSP EIR 2020 Addendum **MMs 5-5** and **5-8**, impacts would be less than significant.

#### ***Cumulative Biological Resources Impacts (Draft SEIR pg. 4.2-29)***

All Project impacts to biological resources would be less than significant or less than significant with the incorporation of Proposed Project **MM BIO-1**, GHSP EIR **MMs 4.8-2, 4.8-5** and GHSP EIR 2020 Addendum **MMs 5.5** and **5.8** in consideration of compliance with existing laws, ordinances, regulations and standards. As with the Project, all cumulative development in the area would undergo environmental and design review on a project-by-project basis pursuant to CEQA, in order to evaluate potential impacts to biological resources and avoid or reduce any impacts. There are special-status animal species with moderate or high potential to occur on the Project site. However, implementation of mitigation would avoid potential impacts to species that have any potential to occur on the Project site.

Project-level impacts to biological resources would be less than significant. Standard regulatory requirements and procedures are required of other present and reasonably foreseeable future projects.

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As a result, the Project taken in sum with past, present, and reasonably foreseeable projects would not result in cumulatively considerable impacts on biological resources.

## **J. Cultural and Tribal Cultural Resources**

### ***Impact CUL-2 Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? (Draft SEIR pgs. 4.3-21 to 4.3-25)***

Apart from the Cajon Connection and as the Devore Cutoff and Devore Road segment discussed above, no other cultural resources (including prehistoric or historic archaeological or historic architectural resources) were identified during the field survey conducted as part of the **Cultural Resources Assessment (Draft SEIR Appendix D)**. Although no archaeological resources were identified during the field survey, the potential exists for yet unrecorded archaeological resources to be disturbed or destroyed by future development. Therefore, the Project would adhere to the GHSP EIR **MM 4.9-4**. Additionally, in the event that a potentially significant archaeological resource is encountered during Project-related ground-disturbing activities, the Draft SEIR included Proposed Project **MMs CUL-1** through **-4** would apply to the Project, ensuring impacts regarding a substantial adverse change of an archaeological resource would be reduced to less than significant levels.

During the Draft SEIR public review period, the County received four comment letters total, three of these letters regarding Cultural and Tribal Cultural Resources, on the Draft SEIR. One comment letter received on January 24, 2024, from Bernadette Ann Brierty, Tribal Historic Preservation Officer Morongo Band of Mission Indians, suggested revisions to the Proposed Project **MMs CUL-1** through **4**. These revisions were included in the Final SEIR and are indicated below as shown with ~~strike through~~ and additions are shown with double underline.

#### **Finding.**

The Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5 with implementation of Project **MM CUL-1** through **MM CUL-4**, and GHSP EIR **MM 4.9-4**. Impacts would be less than significant with mitigation incorporated.

#### ***Mitigation Measures***

##### **Proposed Project MM CUL-1: Native American Monitoring.**

###### **Morongo Band of Mission Indians**

**Tribal Monitoring Services Agreement.** Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Services Agreement with the Morongo Band of Mission Indians (MBMI) for the Project. The Tribal Monitor shall be on-site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal Monitor shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources.

**Cultural Resource Management Plan.** Prior to any ground-disturbing activities the project Archaeologist shall develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural



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resource activities that occur on the project site. This Plan shall be written in consultation with the consulting Tribe[s] and shall include the following: approved Mitigation Measures (MM)/Conditions of Approval (COA), contact information for all pertinent parties, parties' responsibilities, procedures for each MM or COA, and an overview of the project schedule.

**Pre-Grade Meeting.** The retained Qualified archeologist and Consulting Tribe[s] representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.

**On-site Monitoring.** During all ground-disturbing activities the Qualified Archaeologist and the Tribal Monitor shall be on-site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Tribal Monitoring will be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The Qualified Archaeologist, in consultation with the Tribal Monitor, shall be responsible for determining the duration and frequency of monitoring.

~~The project applicant shall retain a Native American Monitor from or approved by the Morongo Band of Mission Indians (MBMI). The monitor shall be retained prior to the commencement of any "ground disturbing activity" for the subject project at all project locations (i.e., both on site and any off site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. Monitoring shall occur during all initial phases of "ground disturbing activity" within the first ten feet below the ground surface. A monitoring agreement shall be created between the project applicant and MBMI, if required by MBMI, and a copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.~~

~~A Cultural Resources Management Plan (CRMP) shall be created by an archaeologist that meets Secretary of Interior (SOI) professional qualifications in archaeology that outlines monitoring requirements for the project. A pre construction meeting with all on site personnel and the monitor will occur to discuss the requirements outlined in the project mitigation and the CRMP. The CRMP will be followed by all on site personnel and monitors throughout the duration of project implementation.~~

~~All monitors will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.~~

~~Monitoring shall conclude when all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project within the first ten feet below~~

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~~ground surface are complete. Project implementation will not be stalled or delayed for any planned ground disturbing activities for which the any Tribe is unable to provide a monitor.~~

### **Gabrieleño Band of Mission Indians-Kizh Nation**

The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.

On-site tribal monitoring shall conclude upon the latter of the following: (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

### **Proposed Project MM CUL-2: Inadvertent Discovery of Archaeological Resources**

#### **Morongo Band of Mission Indians and**

Inadvertent Discovery of Cultural Resources. In the event that previously unidentified cultural resources are unearthed during construction, the Qualified Archaeologist and the Tribal Monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbance operations in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. All work shall be diverted away from the vicinity of the find, so that the find can be evaluated by the Qualified

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Archaeologist and Tribal Monitor[s]. The Archaeologist shall notify the Lead Agency and consulting Tribe[s] of said discovery. The Qualified Archaeologist, in consultation with the Lead Agency, the consulting Tribe[s], and the Tribal Monitor, shall determine the significance of the discovered resource. A recommendation for the treatment and disposition of the Tribal Cultural Resource shall be made by the Qualified Archaeologist in consultation with the Tribe[s] and the Tribal Monitor[s] and be submitted to the Lead Agency for review and approval. Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference:

A. Full avoidance.

B. If avoidance is not feasible, Preservation in place.

C. If Preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or Deed Restriction.

D. If all other options are proven to be infeasible, data recovery through excavation and then curation in a Curation Facility that meets the Federal Curation Standards (CFR 79.1)

#### **Yuhaaviatam of San Manuel Nation**

If archaeological resources are encountered within the Project site during project construction, work within 50 ft of the find shall be suspended or diverted. The project proponent/applicant shall retain an archaeologist that meets Secretary of Interior (SOI) professional qualifications in archaeology to perform an assessment of the resource. Depending on the nature of any such find, evaluation may include determination of site boundaries and assessment of site integrity and significance. Standards for site evaluation shall adhere to appropriate State and Federal requirements (including PRC Section 21083). The Yuhaaviatam of San Manuel Nation Cultural Resources Department ~~and the Morongo Band of Mission Indians~~ shall be contacted of any pre-contact cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Evaluation may include, if necessary, site mapping and/or limited subsurface testing using standard archaeological methods. If after evaluation a resource is judged to be of significance pursuant to California Environmental Quality Act criteria (Section 15064.5), a mitigation plan shall be prepared in accordance with appropriate guidelines and in coordination with the aforementioned tribes, and submitted to the San Bernardino County Land Use Services Department Planning Division. Mitigation could include avoidance, site capping, data recovery, a combination of these, or other measures as the situation dictates. Consultation with a representative of a recognized local Native American group shall be reflected in the formulation of any mitigation plan. Preferences for treatment are as follows:

1. Full avoidance/preservation in place
2. If not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or Deed Restriction.
3. If agreed upon by all consulting Tribes, language noted below about transfer of materials to the Gabrieleño Band of Mission Indians-Kizh Nation shall be followed.

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4. If all other options are proven to be infeasible, then materials will be curated in a facility that can meet standards and requirements outlined in the Office of Historic Preservation 1993 curation guidelines within the County.

Any and all archaeological documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to the consulting Tribes, who shall be consulted throughout the life of the project.

#### **Gabrieleño Band of Mission Indians-Kizh Nation**

Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

**MM CUL-3: Retention of Archaeologist.** Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits, the Applicant shall retain a Qualified Archaeologist who meets the U.S. Secretary of the Interior Standards (SOI). The Archaeologist shall be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resources. The Archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribe[s] Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event.

**MM CUL-4: FINAL REPORT.** The final report[s] created as a part of the project (AMTP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribe[s] for review and comment. After approval of all parties, the final reports are to be submitted to the Eastern Information Center, and the Consulting Tribe[s].

**GHSP EIR MM 4.9-4. Encountering Archeological Resources.** If archeological resources are encountered within the Specific Plan area during construction, work within 50 feet in the vicinity of the find shall be suspended or diverted. The project proponent/applicant shall retain a qualified an archeologist that meets Secretary of Interior (SOI) professional qualifications in archaeology to perform an assessment of the resource.

**Basis for Finding.** GHSP EIR **MM 4.9-4** and Project **MM CUL-1** through **MM CUL-4** requires Native American Monitoring, service agreements, a cultural resource management plan, pre-grading, on-site monitoring, and overall protection of Cultural and Tribal cultural resources. With implementation of Project **MM CUL-1** through **MM CUL-4**, and GHSP EIR **MM 4.9-4**, impacts would be less than significant.

**Impact CUL-3** *Would the Project disturb any human remains, including those interred outside of dedicated cemeteries? (Draft SEIR pgs. 4.3-26 to 4.3-27)*

If human remains are encountered during the undertaking, those remains would require proper treatment in accordance with applicable laws, including Health and Safety Code (HSC) Sections 7050.5-

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7055 and PRC Sections 5097.98 and 5097.99. HSC Sections 7050.5-7055 describe the general provisions for treatment of human remains. Specifically, HSC Section 7050.5 prescribes the requirements for the treatment of any human remains that are accidentally discovered during excavation of a site. HSC Section 7050.5 also requires that all activities cease immediately, and a qualified archaeologist and Native American monitor be contacted immediately. As required by State law, the procedures set forth in PRC Section 5087.98 would be implemented, including evaluation by the County Coroner and notification of the NAHC. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the, NAHC, which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

Following compliance with the established regulatory framework (i.e., HSC Sections 7050.5-7055 and PRC Sections 5097.98 and 5097.99) and the application of **MM CUL-5**, the Project's impacts concerning potential to disturb human remains, would be reduced to a less than significant. Therefore, the Project would not result in new or a substantial increase in magnitude of impacts compared to the GHSP EIR and 2020 GHSP EIR Addendum.

#### **Finding.**

The Project would not disturb any human remains, including those interred outside of dedicated cemeteries with implementation of Project **MM CUL-5**. Impacts would be less than significant with mitigation incorporated.

#### **Mitigation Measures**

#### **Proposed Project MM CUL-35: Inadvertent Discovery of Human Remains and Associated Funerary Materials.**

##### **Gabrieleño Band of Mission Indians-Kizh Nation**

Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resources Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any discovery of human remains/burial good shall be kept confidential to prevent further disturbance.

##### **Morongo Band of Mission Indians**

The Morongo Band of Mission Indians requests the following specific conditions to be imposed in order to protect Native American human remains and/or cremations. No photographs are to be taken except by the coroner, with written approval by the consulting Tribe[s].

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- A. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98.
- B. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5.
- C. The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98
- D. If the Morongo Band of Mission Indians has been named the Most Likely Descendant (MLD), the Tribe may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[r]). Reburial location of human remains and/or cremations will be determined by the Tribe's Most Likely Descendant (MLD), the landowner, and the City Planning Department.

Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt within the vicinity (i.e., 100 ft) and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the NAHC, who will then designate a Most Likely Descendent (MLD) for the remains. The MLD shall inspect the discovery within 48 hours of notification or within another time frame agreed upon between the landowner and MLD. The preferred manner of treatment for discovered human remains and/or burial goods is avoidance/preservation in place. Should this not be feasible, the landowner and MLD will identify a suitable location for reburial or, if an agreement is not reached, the remains will be reburied with appropriate dignity on site as close to the original discovery location as possible. Any discovery and location of human remains/burial goods shall be kept confidential, per the exemption of such information from disclosure as a result of the California Public Records Arc (California Government Code § 6254[r]).

**Basis for Finding.** Project **MM CUL-5** requires proper procedures are enacted for the inadvertent Discovery of Human Remains and Associated Funerary Materials. With implementation of Project **MM CUL-5**, impacts would be less than significant.



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**Impact CUL-4**

*Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 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 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 § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (Draft SEIR pgs. 4.3-27 to 4.3-30)*

The County contacted the NAHC to obtain a contact list of tribes with traditional lands or cultural places located in the area of the Project site. The County sent AB 52 and SB 18 notification to representatives of the following tribes on July 11, 2023:

- Agua Caliente Band of Cahuilla Indians
- Augustine Band of Cahuilla Mission Indians
- Cabazon Band of Mission Indians
- Cahuilla Band of Indians
- Gabrieleno Band of Mission Indians - Kizh Nation
- Gabrieleno/Tongva San Gabriel Band of Mission Indians
- Gabrielino /Tongva Nation
- Gabrielino Tongva Indians of California Tribal Council
- Gabrielino-Tongva Tribe
- Los Coyotes Band of Cahuilla and Cupeño Indians
- Morongo Band of Mission Indians
- Quechan Tribe of the Fort Yuma Reservation
- Ramona Band of Cahuilla
- San Manuel Band of Mission Indians
- Santa Rosa Band of Cahuilla Indians
- Serrano Nation of Mission Indians
- Soboba Band of Luiseno Indians
- Torres-Martinez Desert Cahuilla Indians

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- Twenty-Nine Palms Band of Mission Indians

On June 21, 2023, Luz Salazar, Agua Caliente Band of Cahuilla Indians, contacted the County via email, to inform them that the Project is not located within the Tribe's Traditional Use Area and therefore, they defer to other tribes within the area. On July 11, 2023, Andrew Salas, Gabrieleno Band of Mission Indians – Kizh Nation, contacted the County via email to inform them that they agree with the Project and request consultation for all future projects within this location. On July 13 and July 24, 2023, Jamie Nord, Yuhaaviatam of San Manuel Nation, contacted the County via email, requesting review of Project documents and the Project cultural and geotechnical reports. On August 2, 2023, Laura Chatterton, Morongo Band of Mission Indians, contacted the County via email, stating that the Project is located within the ancestral territory and Traditional Use Area of the Cahuilla and Serrano people of the Morongo Band of Mission Indians. Therefore, the Tribe requests further consultation and recommends tribal participation (a.k.a. tribal monitors) during all ground disturbing activities. Lastly, the Morongo Band of Mission Indians sent a letter on January 24, 2024 during the Draft EIR's public review cycle requesting that certain mitigation measures be included in the Project's Final SEIR.

In addition, consultation with the Gabrieleno Band of Mission Indians - Kizh Nation is underway, for which a meeting occurred on February 14, 2023. As of this date, no significant cultural resources have been identified. Accordingly, the Project would provide for cultural resource monitoring as requested by the tribes (see GHSP EIR **MM 4.9-4** and Proposed Project **MMs CUL-1** through **-5** above); note that mitigation measures have been updated per the Morongo Band of Mission Indians request for additional mitigation. With implementation of these measures, impacts to tribal cultural resources would be less than significant.

#### **Finding.**

The Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 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, with implementation of Project **MM CUL-1** through **MM CUL-5** and GHSP EIR **MM 4.9-4**. Impacts would be less than significant with mitigation incorporated.

#### **Mitigation Measures**

Refer to GHSP EIR **MM 4.9-4** and Proposed Project **MMs CUL-1** through **-5** above.

**Basis for Finding.** GHSP EIR **MM 4.9-4** and Project **MM CUL-1** through **MM CUL-5** requires Native American Monitoring, service agreements, a cultural resource management plan, pre-grading, on-site monitoring, and overall protection of Cultural and Tribal cultural resources. With implementation of Project **MM CUL-1** through **MM CUL-5**, and GHSP EIR **MM 4.9-4**, impacts would be less than significant.

#### ***Cumulative Cultural and Tribal Cultural Resources Impacts (Draft SEIR pgs. 4.3-30 to 4.3-31)***

For purposes of cumulative cultural and tribal cultural impacts analysis, cumulative impacts are considered in connection with the anticipated future development projects. Future cumulative development projects could encounter or impact cultural and tribal cultural resources. The analysis is focused on the Project's potential for resulting in site-specific impact that could contribute to a cumulative loss. Impacts are site-specific and not generally subject to cumulative impacts unless multiple projects

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impact a common resource, or an affected resource extends off-site across the locations of multiple projects, such as a historic townsite or district. With this consideration, the cumulative analysis for cultural resources considers whether the Project, in combination with the past, present, and reasonably foreseeable projects, could cumulatively affect any common cultural resources. Projects located in an archaeologically sensitive area are required to conduct archaeological monitoring during construction, which would reduce cumulative impacts to a less-than-significant level. In addition, GHSP EIR **MM 4.9-4** and **MMs CUL-1** through **-5** would apply to the Project, ensuring that its contribution to cumulative impacts would not be considerable.

As discussed above, while no archaeological and tribal cultural resources are expected on the Project site, the potential exists for undiscovered archaeological and tribal cultural resources to be adversely impacted during Project construction. With implementation of GHSP EIR **MM 4.9-4** and **MMs CUL-1** through **-5**, Project construction would not cause a substantial adverse change in the significance of historical, archaeological, and tribal cultural resources; a less than significant impact would occur.

## **K. Geology and Soils**

**Impact GEO-1** *Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*
- ii) Strong seismic ground shaking?*
- iii) Seismic-related ground failure, including liquefaction?*
- iv) Landslides?*

*(Draft SEIR pgs. 4.4-13 to 4.4-26)*

### **Earthquake Fault Rupture**

The Project site is located within the seismically active area of southern California and there is a high potential for the Project site to experience strong ground shaking from local and regional faults. While the Project site is not located within an Alquist-Priolo fault zone, it is located between Alquist-Priolo fault zones. The Fault Studies completed within the vicinity inferred geologic activity and that faults would exist between these Alquist-Priolo fault zones, which includes the Project site. In order to determine whether or not faults, active or otherwise, exist on the Project site further investigation would be required, including trenching and further design-level geotechnical investigations; see **MM GEO-2**. The impacts associated with the surface rupture of a known fault would be potentially significant. Therefore, with implementation of the **MM 4.1-3** included in the GHSP EIR and 2020 GHSP EIR Addendum, and the additional **MM GEO-1** and **MM GEO-2**, Project impacts on fault rupture would be reduced to less than significant levels.

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## Seismic Ground Shaking

The Project site is located within the seismically active area of southern California and there is a high potential for the Project site to experience strong ground shaking from local and regional faults. These hazards and their potential impact can be mitigated with proper seismic design to have less than significant impacts. More specifically, compliance with the design parameters pursuant to the latest California Building Code (CBC) and incorporation of **MM 4.1-3**, **MM GEO-1**, and **MM GEO-2** would ensure that proper building design is provided to reduce any risk of structure failure during a strong seismic ground shaking event. CBC contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock on-site, and the strength of ground motion with a specified probability at the site. Therefore, the Project would not cause or exacerbate adverse effects related to seismic shaking and future development of habitable structures within the Project site would be conducted in accordance with the latest CBC seismic standards. Additionally, the Project would incorporate **MM 4.1-3** included in the GHSP EIR and 2020 GHSP EIR Addendum, and **MM GEO-1** and **MM GEO-2**, and to ensure impacts would be reduced to less than significant impacts.

## Liquefaction

According to the Draft EIR Geotechnical Investigation and Rock Evaluation (**Draft SEIR Appendix E1**) and Geotechnical Information Report (**Draft SEIR Appendix E2**) prepared for the Project, the subsurface material at the Project site generally consisted of completely weathered to highly weathered bedrock material with some residual soils to a depth of 95 feet below ground surface overlying slightly weathered bedrock at depth. Bedrock units are considered to have a negligible liquefaction hazard. Additionally, the Project site is not located within any mapped liquefaction or Alquist-Priolo fault zone. Proposed structures are generally to be located on the cut hill pad and underlain by bedrock that are not prone to liquefaction. Portions planned on existing soils are not anticipated to be prone to liquefaction due to depth of groundwater and density of soils. Additionally, the Project is not identified within an area for having high or medium liquefaction susceptibility. However, the Geotechnical Information Report (**Draft SEIR Appendix E2**) states that further investigation is needed to evaluate thickness of sandy soils and presence of any groundwater near the boundaries of the Project site. Therefore, **MM GEO-3** and **MM GEO-4** are required to reduce impacts from presence of groundwater at the Project site and ensure that no new or increased impacts would occur related to liquefaction. Impacts would be reduced to less than significant levels.

## Landslides

The Project site is in an area designated by the County as having a moderate to high landslide susceptibility. The hilly terrain is planned to be graded down to a relatively flat pad for the future development. This removal of slopes within the Project site would mitigate the potential for landslides. It should be noted that slopes would exist in the proposed conditions of the Project site, however, these slopes would be less than 30 feet in height, and none would be steeper than 2H:1V. Thus, a slope stability analysis would not be required. Additionally, the Project would implement GHSP EIR **MM 4.1-10** and **MM GEO-5**. Lastly to the mitigation measures of the GHSP EIR and the 2020 Addendum to the GHSP EIR, the County of San Bernardino has required **MM GEO-1** through **MM GEO-5** to further reduce potential for slope instability. Therefore, impacts related to landslides would be mitigated to less than significant levels.

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## **Finding.**

The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving 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; Strong seismic ground shaking; Seismic-related ground failure, including liquefaction; and Landslides, with implementation of Project **MM GEO-1** through **MM GEO-5** and GHSP EIR **MM 4.1-3** and GHSP 2020 Addendum EIR **MM 4.1-10**. Impacts would be less than significant with mitigation incorporated.

## **Mitigation Measures**

**Proposed Project MM GEO-1:** Based on Figure 2 of the Geotechnical Information report prepared by Group Delta dated 11/3/23, the current Project Site includes APNs 0239-031-37, 0239-031-04, 0239-031-32, 0239-031-50, and a portion of Caltrans Interstate right-of-way easement. Figures and site plans will identify the proposed subdivided parcels within the project area, and pursuant to San Bernardino County Development Code 87.06.030 (c) (1) (A), “each proposed parcel shall be determined by the review authority to be ‘buildable’ because it contains at least one building site that can accommodate a structure in compliance with all applicable provisions of this Development Code.” Prior to issuance of any grading and/or construction permit, whichever occurs first, each proposed parcel of this Project shall be shown to contain buildable space in relation to geologic and geotechnical hazards.

**Proposed Project MM GEO-2:** Reports of previous investigation in the area of the Project site were provided by County staff to Group Delta Consultants and depict the presence of north and northeast trending fault activity between the two branches of the San Jacinto Alquist-Priolo Fault Zones that constrains the Project site. Group Delta’s report (Appendices E2 through E4 of the Draft SEIR) identifies multiple north and northeast trending lineaments within, adjacent to, and trending towards, the Project site from a historical aerial image review. Group Delta concludes that the aerial photo review is inconclusive; therefore, additional investigations are needed to determine the buildability of the proposed subdivided parcels per County Development Code 87.06.030 (e) (1) (A).

Prior to issuance of any grading and/or construction permit, whichever occurs first, additional investigation shall be completed by the applicant and approved by the County Geologist.

The County does not require a grading permit to conduct geologic/geotechnical investigations. Prior to commencing the required fault investigation, the project geotechnical consultant shall engage in consultation with the County Geologist to discuss:

- What investigation methods are to be used and when those methods will be conducted.
- How to handle possible complications that can arise from investigation results.

The project geotechnical consultant shall notify the County Geologist at least 48 hours in advance of the availability of field exposures for review. The fault study shall be submitted to the County Geologist for review and approval prior to issuance of any grading and/or construction permit, whichever occurs first.



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If Holocene-active faults, age-undetermined faults, or fault-related ground deformation is found onsite, structural setbacks shall be established in accordance with the Alquist-Priolo Earthquake Fault Zoning Act Subsection 3603 “Specific Criteria,” which states:

- No structure for human occupancy, identified as a project under Section 2621.6 of the Act, shall be permitted to be placed across the trace of an active fault. Furthermore, as the area within fifty (50) feet of such active faults shall be presumed to be underlain by active branches of that fault unless proven otherwise by an appropriate geologic investigation and report prepared as specified in Section 3603(d) of this subchapter, no such structures shall be permitted in this area.

AND Special Publication 42 (CGS, Rev. 2018) Section 5.6 “Contents of Fault Investigation Reports,” which states:

- The setback distance generally will depend on the quality of data, type and complexity of fault(s), and extent and severity of fault-related ground deformation encountered at the site. Lead agency regulations may dictate minimum distances.

AND San Bernardino County Development Code Section 82.15.040, which states:

- A structure used for human occupancy shall be located 50 feet or farther from any active earthquake fault traces. Lesser setbacks may be applicable in certain situations as determined by an appropriate geologic investigation and approved by the County Geologist or other engineering geologist designated by the Building Official.
- A structure used for critical facilities shall be located 150 feet or farther from any active earthquake fault trace by General Plan. Critical facilities shall include dams, reservoirs, fuel storage facilities, power plants, nuclear reactors, police and fire stations, schools, hospitals, rest homes, nursing homes, and emergency communication facilities.
- Utility lines and streets shall not be placed within the construction setback area of a hazardous fault except for crossing which can be made perpendicular to the fault trace or as recommended by the project geologist and approved by the County Geologist or individual designated by the Building Official.

**Proposed Project MM GEO-3:** Group Delta’s Geotechnical Information Report (Appendix E2 of the Draft SEIR) concluded that to evaluate the presence of groundwater at the project site, further investigation is needed. Prior to issuance of any grading and/or construction permit, whichever occurs first, further evaluation of potential groundwater impacts is required. If groundwater impacts are identified in the preliminary geotechnical investigation, prior to the issuance of any grading and/or construction permit, whichever occurs first, the Project Applicant/developer shall commit to implement all recommendations contained in the preliminary geotechnical investigation or any subsequent studies prepared by the project geotechnical consultant to reduce any direct and indirect impacts from the presence of groundwater, including, but not limited to shallow groundwater, seeps, springs, liquefaction/lateral spreading, hydro-collapse, sinkholes, etc. to reduce the impacts to the level of “less than significant” as determined by the County geologist. The preliminary geotechnical investigation and any subsequent studies shall be reviewed and approved by the County geologist.

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**Proposed Project MM GEO-4:** The southern portion of the Project site has been mapped in the Rasmussen 2000 report as a potential lateral spreading zone. Prior to the issuance of any grading and/or construction permit, whichever occurs first, the project geotechnical consultant shall complete an evaluation of the liquefaction/lateral spreading potential for the project, in accordance with the guidelines provided in Special Publication 117(a) (CGS, 2008).

If liquefaction and/or lateral spreading impacts are identified in the preliminary geotechnical investigation, the project geotechnical consultant shall commit to implement all recommendations contained in the preliminary geotechnical investigation or any subsequent studies prepared by the project geotechnical consultant to reduce direct and indirect impacts from liquefaction and/or lateral spreading to reduce the impacts to the level of “less than significant” as determined by the County geologist. The preliminary geotechnical investigation and any subsequent studies shall be reviewed and approved by the County geologist.

**Proposed Project MM GEO-5:** Group Delta’s Geotechnical Information Report (Appendix E2 of the Draft SEIR) concluded that the Project site is susceptible to landslides and that this hazard will be mitigated through the eventual removal of soils prone to land sliding. A preliminary temporary slope stability evaluation performed by Group Delta indicated that a 25-foot high temporary 1.5:1 (horizontal to vertical) slope with an assumed unit weight, phi angle and cohesion value can achieve a factor of safety of at least 1.3. Extensive rough grading (the removal of plus or minus 2,000,000 cubic yards of material) is being proposed to complete construction of the project, and the timeline for completion is not well defined. The grading contractor shall be responsible for excavation safety during rough grading and all excavations shall comply with the requirements of the current California and Federal Occupational Safety and Health Administration (CAL OSHA) and 29 CFR-Part 1926, Subpart C, as applicable. Without limiting the generality of the foregoing, final graded slopes shall be no steeper than 2:1 (horizontal to vertical) and shall not exceed 30 feet, unless supported by a slope stability analysis. Site specific recommendations for proposed slopes, along with preliminary foundation design recommendations shall be required prior to any grading and/or construction permit issuance, whichever occurs first.

**GHSP EIR MM 4.1-3:** Design and construct all structures in areas determined by the County Geologist to be subject to significant seismic shaking to withstand ground shaking forces of a minor earthquake without damage, of a moderate earthquake without structural damage, and a major earthquake without collapse.

**GHSP EIR 2020 Addendum MM 4.1-10:** Foundation and earthwork is to be supervised and certified by a geotechnical engineer and where deemed necessary, an engineering geologist, in projects where evaluations indicate that state-of-the-art measures can correct instability.

**Basis for Finding.** Project **MM GEO-1** requires each proposed parcel of the Project be shown to contain buildable space in relation to geologic and geotechnical hazards, prior to issuance of any grading and/or construction permit. Project **MM GEO-2** requires additional investigation be completed by the applicant and approved by the County Geologist. Project **MM GEO-3** requires further evaluation of potential groundwater impacts is required. Project **MM GEO-4** requires project geotechnical consultant complete an evaluation of the liquefaction/lateral spreading potential for the project. **MM GEO-5** would require site specific recommendations for proposed slopes, along with preliminary foundation design

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recommendations be required prior to any grading and/or construction permit issuance. GHSP EIR **MM 4.1-3** requires all design and construction be designed to withstand ground shaking forces. GHSP EIR 2020 Addendum **MM 4.1-10** requires foundation and earthwork be supervised and certified by a geotechnical engineer and where deemed necessary, an engineering geologist, in projects where evaluations indicate that state-of-the-art measures can correct instability. With implementation of Project **MM GEO-1** through **MM GEO-5** and GHSP EIR **MM 4.1-3** and GHSP 2020 Addendum EIR **MM 4.1-10**, impacts would be less than significant.

*Impact GEO-2      Would the Project result in substantial soil erosion or the loss of topsoil?*

*Impact GEO-3      Would the Project 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?*

*Impact GEO-4      Would the Project 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?*

*(Draft SEIR pgs. 4.4-26 to 4.4-29)*

### **Soil Erosion**

The Project would utilize different methods to help mitigate the soil erosion that might occur from the construction and operation of the Project site. The Project would use different methods of soil erosion best management practices (BMPs) such as: the use of catch basins to serve as inline treatment devices; storm inlets covered with filter fabrics, filter socks, or etc. to trap sediments and allow water to flow; storm inlets removed to help with soil erosion control; ensuring that the storm line is connected to the sanitary sewer; and maintaining good housekeeping policies during the construction and ongoing maintenance of the site. The potential hazard for erosion of soils would be less than significant with implementation of BMPs.

### **Liquefaction and Lateral Spreading**

Liquefaction and landslides are not considered to be a design concern for the Project with incorporation of **MMs GEO-3** through **-5**, and potential for lateral spreading would be low to negligible since the Project's would remove potential steep slopes with incorporation of **MM GEO-4**. The Project would implement GHSP EIR **MM 4.1-10**, to further reduce potential for slope instability. Additionally, the Project site is planned to be graded down to remove the majority of the mantle soils that could be prone to collapse or expansion. Following grading and prior to final development of the site, collapse and expansion potential would be less than significant. Additionally, the Project would implement **MM GEO-3** and **-4** that would require further technical evaluation of potential groundwater impacts including liquefaction and lateral spreading and require the applicant/developer to implement all recommendations contained in the geotechnical reports or any subsequent geotechnical studies. Therefore, impacts associated with liquefaction and lateral spreading would be reduced to less than significant levels.

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## **Subsidence**

The major cause of ground subsidence is the excessive withdrawal of groundwater. Based on the conditions encountered in the borings conducted for the Geotechnical Investigation and Rock Evaluation (**Draft SEIR Appendix E1**), groundwater was not observed within 100 feet of the ground surface, and groundwater is likely well over 100-feet below ground surface at the Project site. Local perched groundwater was not encountered during drilling operations and could be present in areas of highly weathered material over slightly weathered to fresh bedrock. The Project does not propose or require groundwater wells within the area and therefore the risk of ground subsidence as result of excessive groundwater withdrawal is low. Additionally, based on anticipated groundwater depths, it is not expected that groundwater would affect excavations for the foundations and utilities and subsidence is unlikely due to the distance to groundwater. However, **MM GEO-3** would be incorporated to further evaluate potential groundwater impacts and require the implementation of all geotechnical recommendations contained in the preliminary geotechnical reports and any subsequent studies. Furthermore, all structures would comply with CBC requirements to mitigate the possibility of subsidence. Therefore, impacts due to subsidence would be reduced to a less than significant level.

## **Expansive Soil**

According to the Geotechnical Investigation and Rock Evaluation (**Draft SEIR Appendix E2**), expansive soils would adversely impact the design, construction, or operation of the Project. Therefore, the Project site would not be impacted by significant soil expansion and a less than significant impact would occur.

## **Finding.**

The Project would not result in substantial soil erosion or the loss of topsoil; the Project would not 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; and the Project would not 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, with implementation of Project **MM GEO-3** through **MM GEO-5** and GHSP EIR 2020 Addendum **MM 4.1-10**. Impacts would be less than significant with mitigation incorporated.

## **Mitigation Measures**

Refer to GHSP EIR 2020 Addendum **MM 4.1-10** and Proposed Project **MMs GEO-3** through **-5** discussed above.

**Basis of Finding.** Project **MM GEO-3** requires further evaluation of potential groundwater impacts is required. Project **MM GEO-4** requires project geotechnical consultant complete an evaluation of the liquefaction/lateral spreading potential for the project. **MM GEO-5** would require site specific recommendations for proposed slopes, along with preliminary foundation design recommendations be required prior to any grading and/or construction permit issuance. GHSP EIR 2020 Addendum **MM 4.1-10** requires foundation and earthwork be supervised and certified by a geotechnical engineer and where deemed necessary, an engineering geologist, in projects where evaluations indicate that state-of-the-art measures can correct instability. With implementation of Project **MM GEO-3** through **MM GEO-5** and GHSP 2020 Addendum EIR **MM 4.1-10**, impacts would be less than significant.

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***Cumulative Geology and Soils Impacts (Draft SEIR pgs. 4.4-31 to 4.4-32)***

The southern California region is prone to seismic activity with a range of geologic and soil conditions which vary widely due to differences in landforms and proximity to fault zones. Therefore, while geotechnical and soil impacts may be associated with cumulative development, the very nature of the impacts is generally site-specific and typically little, if any, cumulative relationship exists between the development of a project and development within a larger cumulative area. Like the Project, future development projects would be required to comply with applicable state and regional building regulations, including the most recent CBC. Site-specific geologic hazards would be addressed in each project's geotechnical investigation. In addition, the County may also require even more rigorous standards depending on an individual project site's condition. Further, future developments would be required to comply with environmental analysis and review. Therefore, no significant cumulative impact would occur.

Additionally, other projects in the area would involve ground disturbance and could damage paleontological resources that could be buried in those project sites. As with the Project, other projects would require site specific paleontological analysis that could lead to mitigation requiring monitoring and recovery, identification, and curation of any resources discovered.

Buildout of the Project would not alter geologic events or soil features/characteristics (such as ground shaking, seismic intensity, or soil expansion). In addition, the Project would not be expected to significantly alter any paleontological resource with the implementation of mitigation measures listed above. Therefore, the Project would not expose people to greater seismic hazards nor significantly impact any paleontological resources, while other project developments located near seismic faults would differ in impacts.

**L. Greenhouse Gas Emissions**

***Impact GHG-1      Would the Project generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment? (Draft SEIR pgs. 4.5-19 to 4.3-24)***

The County of San Bernardino employs a GHG Development Review Process that specifies a two-step approach in quantifying GHG emissions. First, a screening threshold of 3,000 MTCO<sub>2</sub>e per year is used to determine if additional analysis is required. Projects that exceed the 3,000 MTCO<sub>2</sub>e per year screening threshold will be required to achieve a minimum 100 points per the Screening Tables or a 31 percent reduction over 2007 emissions levels. Consistent with CEQA guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions.

Project construction activities would generate direct CO<sub>2</sub>, N<sub>2</sub>O, and CH<sub>4</sub> emissions from construction equipment, transport of materials, and construction workers commuting to and from the Project site. As shown in **Draft SEIR Table 4.5-2**, the Project would result in approximately 20,072 MTCO<sub>2</sub>e over the course of construction. Construction GHG emissions are typically summed and amortized over a 30-year period, then added to the operational emissions. The amortized Project construction emissions would be 669 MTCO<sub>2</sub>e per year. Once construction is complete, construction related GHG emissions would cease.

Operational or long-term emissions would occur over the Project's lifetime. GHG emissions would result from direct emissions such as Project generated vehicular traffic, on-site combustion of natural gas, and



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operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power, the energy required to convey water to, and wastewater from the Project, the emissions associated with solid waste generated from the Project, and any fugitive refrigerants from air conditioning or refrigerators. The Project would generate approximately 70,123 MTCO<sub>2</sub>e annually from both construction and operations without including mitigation. With implementation of GHSP EIR **MMs 4.6-1** through **4.6-11**, the Project would generate approximately 67,279 MTCO<sub>2</sub>e annually from both construction and operations.

The Project would exceed the screening threshold of 3,000 MTCO<sub>2</sub>e/yr. This would be considered a potentially significant impact. Therefore, **MM GHG-1**, requiring the Project Applicant to commit to 100 points of GHG emission reduction measures is necessary to reduce GHG emissions to a less than significant level. GHG impacts would be reduced to a less than significant level with implementation of **MM GHG-1**.

**Finding.**

The Project would not generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment, with implementation of Project **MM GHG-1** and GHSP EIR **MMs 4.6-1** through **MM 4.6-11**. Impacts would be less than significant with mitigation incorporated.

**Mitigation Measures**

Refer to GHSP EIR **MMs 4.6-1** through **4.6-11** and Proposed Project **MM AQ-1** in Impact AQ-1.

**Proposed Project MM GHG-1:** The Project's final plans and designs shall include all Screening Table Measures selected to achieve a minimum of 100 points.

The Project shall implement Screening Table Measures located in Appendix A of the San Bernardino Greenhouse Gas Reduction Plan Update, providing for a minimum of 100 points per the County Screening Tables. The Screening Tables assign points for each feature incorporated into the Project. The point values correspond to the minimum emissions reduction expected from each feature. The menu of features allows maximum flexibility and options for how development projects can implement the GHG reduction measures. An example of how the Project could achieve a minimum of 100 Screening Table Points is provided in Section 4.4: Greenhouse Gas Emissions, Table 4.4-4, GHG Performance Standards for Commercial Development. By achieving the 100-point minimum, the Project would be consistent with the GHG Development Review Process' requirement to achieve at least 100 points and thus the Project is considered to have a less than significant individual and cumulatively considerable impact on GHG emissions.

**Basis of Finding.** Project **MM AQ-1**, and GHSP EIR **MMs 4.6-1** through **4.6-11**, requires measures which would reduce Project emissions. Project **MM GHG-1** requires final plans and designs include all Screening Table Measures selected to achieve a minimum of 100 points. With implementation of Project **MM GHG-1** and GHSP EIR **MMs 4.6-1** through **MM 4.6-11**, impacts would be less than significant.

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***Impact GHG-2*** ***Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Draft SEIR pgs. 4.5-24 to 4.5-28)***

The County's GHG Reduction Plan includes a review standard of 3,000 MTCO<sub>2</sub>e per year, which is used to identify projects that require the use of Screening Tables or a project-specific technical analysis to quantify and mitigate project emissions. The purpose of the Screening Tables is to provide guidance in measuring the reduction of GHG emissions attributable to certain design and construction measures incorporated into development projects. Projects that exceed the 3,000 MTCO<sub>2</sub>e/year of GHG emissions are required to either achieve a minimum 100 points per the Screening Tables or a 31 percent reduction over 2007 emissions levels. As shown in **Draft SEIR Table 4.5-4** and pursuant to Proposed Project **MM GHG-1**, the Project would earn 102 points on the County's GHG emissions reduction plan.

Therefore, the Project would be consistent with the County's GHG emissions reduction plan. Additionally, the Project would be consistent with all applicable Southern California Association of Governments (SCAG) Regional Transportation Plan/ Sustainable Communities Strategy (RTP/SCS) goals. Therefore, the Project would not result in any significant impacts or interfere with SCAG's ability to achieve the region's post-2020 mobile source GHG reduction targets. The Project's consistency with applicable California Air Resources Board (CARB) 2022 Scoping Plan Measures was also analyzed. As discussed previously, the County of San Bernardino has adopted a CEQA-qualified CAP and, as required by Proposed Project **MM GHG-1**, the Project must achieve a minimum of 100 Screening Tables Points, ensuring consistency with the San Bernardino Climate Action Plan (CAP). As noted in Scoping Plan Appendix D, consistency with a qualified CAP ensures consistency with the Scoping Plan, therefore the Project is consistent with 2022 Scoping Plan. Furthermore, compliance with applicable State standards (e.g., continuation of the Cap-and-Trade regulation; CARB's Mobile Source Strategy, Sustainable Freight Action Plan, and Advanced Clean Truck Regulation; Executive Order N-79-20; Senate Bill (SB) 100/renewable electricity portfolio improvements that require 60 percent renewable electricity by 2030 and 100 percent renewable by 2045, etc.) would ensure consistency with State and regional GHG reduction planning efforts. Overall, impacts would be reduced to a less than significant level.

**Finding.**

The Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases, with implementation of Project **MM GHG-1**. Impacts would be less than significant with mitigation incorporated.

**Mitigation Measures**

Refer to Proposed Project **MM GHG-1** above.

**Basis of Finding.** Project **MM GHG-1** requires final plans and designs include all Screening Table Measures selected to achieve a minimum of 100 points. With implementation of Project **MM GHG-1**, impacts would be less than significant.

***Cumulative Greenhouse Gas Emissions Impacts (Draft SEIR pgs. 4.5-28 to 4.3-29)***

The Project-related GHG emissions would exceed the County's 3,000 MTCO<sub>2</sub>e review standard. As such, the Project is required to achieve a minimum 100 points per the County's GHG Emissions Reduction Plan

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Screening Tables. According to the County’s GHG Emissions Reduction Plan Update, any project that achieves at least 100 points of GHG performance standards listed in the 2021 Greenhouse Gas Emissions Development Review Process Screening Tables would be consistent with the County’s GHG Emissions Reduction Plan to reduce emissions to 40 percent below 1990 levels by 2030. After implementing mitigation measures from the GHSP FEIR, **4.6-1** through **4.6-11** and **MM AQ-1**, the Project would result in approximately 67,279 MTCO<sub>2</sub>e per year; the Project would exceed the screening threshold of 3,000 MTCO<sub>2</sub>e/yr. This would be considered a potentially significant impact. Therefore, **MM GHG-1**, requiring the Project Applicant to commit to 100 points of GHG emission reduction measures is necessary to reduce GHG emissions to a less than significant level. As such, the Project does not conflict with applicable plans to reduce GHG emissions, the Project would be consistent with CARB’s 2022 Scoping Plan, SCAG’s RTP/SCS, and the San Bernardino County Regional Greenhouse Gas Reduction Plan. Consistency with these plans will demonstrate that the

Project will have a less than significant impact on GHG emissions and meeting this reduction would be consistent with the State’s long-term goal to achieve statewide carbon neutrality (zero net emissions) by 2045, and therefore, would result in a less than significant impact related to GHG emissions.

Each development within the Project would be required to earn a minimum 100 points on the County’s GHG Screening Tables. Therefore, Proposed Project **MM GHG-1**, requiring the Project Applicant to commit to 100 points of GHG emission reduction measures is necessary to reduce GHG emissions to a less than significant level. As such, the Project would be consistent with the State’s long-term goal to achieve statewide carbon neutrality by 2045. The Screening Table point system was devised to ensure Project compliance with the reduction measures in the GHG Reduction Plan such that GHG emissions from new development, when considered together with those existing development, will allow the County to meet future GHG emissions targets. Such projects are consistent with the GHG Reduction Plan and therefore will be determined to have a less than significant individual and cumulative impact for GHG emissions.

## **M. Noise**

***Impact NOI-1***      ***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? (Draft SEIR pgs. 4.6-14 to 4.6-18)***

Over the course of a typical construction day, construction equipment would be located as close as 100 feet to the nearest sensitive receptors but would typically be located at an average distance further away due to the nature of construction where equipment is mobile throughout the site during the day. In accordance with GHSP EIR 2020 Addendum **MM 4.5-1** and **4.5-2**, Project construction activities would occur between the hours of 7:00 a.m. and 7:00 p.m., pursuant to the County’s Municipal Code. As shown in **Draft SEIR Table 4.6-7**, construction noise could be as high as approximately 66 decibels A (dBA) Leq during building construction and paving at the residences north of the Project site. Therefore, Project construction activity would not exceed the significance threshold of 80 dBA Leq and construction noise impacts would be less than significant. Nevertheless, GHSP EIR 2020 Addendum **MM 4.5-3** requires that construction projects adjacent to noise-sensitive land use submit a noise mitigation plan to reduce construction noise. **MM NOI 1** is recommended to reduce Project construction noise and would fulfill the

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requirements listed within GHSP EIR 2020 Addendum **MM 4.5-3**. Therefore, with implementation of GHSP EIR 2020 Addendum **MM 4.5-3** and **MM NOI-1**, impacts associated with temporary increase in ambient noise levels would be less than significant.

With regard to off-site construction noise, off-site construction noise would be generated by hauling trucks transporting debris from the Project site. Construction of the Project would generate approximately up to 352 one-way inbound and outbound haul trips per day over the duration of three years. Inbound and outbound haul trucks would travel on designated haul routes via I-15 and I-215, would not pass sensitive receptors, and would occur during daytime hours. Therefore, the noise generated by 352 daily haul trips generated by construction of the Project would be negligible in comparison to the existing traffic noise on I-15 and I-215, and off-site construction noise impacts would be less than significant.

With regard to on-site operational stationary sources, as shown in **Draft SEIR Table 4.6-8**, the combined noise level is estimated to be up to 37 Leq, which would not exceed the residential nighttime threshold of 45 dBA Leq. In addition, the Project would include a fire station, as required by the County, and, at times, emergency sirens would be audible at nearby sensitive receptors. Most emergency vehicle sirens are rated around 124 dB at 10 feet from the siren. The nearest sensitive receptor to the proposed Fire Station driveway is 425 feet away from where the initial siren would sound. Based on standard geometric spreading of noise, at 425 feet, the siren noise would be 91.4 dB and would last approximately 10 seconds. However, noise from emergency equipment, vehicles, and devices is exempt from the noise standards of the County's municipal code per Section 83.01.080(G), Exempt Noise, and tends to be for very brief periods of time. Therefore, occasional emergency siren noise would be considered less than significant.

Concerning off-site operational traffic noise, the Project would generate new vehicle trips that would increase noise levels on nearby roadways. However, the Project would not make substantial alterations to roadway alignments or substantially change the vehicle classifications mix on local roadways. Impacts would be less than significant.

Overall, impacts concerning the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project would be less than significant with implementation of **MM NOI-1** and GHSP EIR 2020 Addendum 4.5-1 through 4.5-3.

#### **Finding.**

The Project would not generate 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, with implementation of Project **MM NOI-1** and GHSP EIR 2020 Addendum **MM 4.5-1** through **MM 4.5-3**. Impacts would be less than significant with mitigation incorporated.

#### **Mitigation Measures**

**Proposed Project MM NOI-1:** The Project applicant shall implement the following construction noise reduction measures.

- At least 10 days prior to the start of construction activities, a sign shall be posted at each construction site entrance, or other conspicuous location, that includes a 24-hour telephone

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number for project information, and a procedure where a construction manager will respond to and investigate noise complaints and take corrective action, if necessary, in a timely manner. The sign shall have a minimum dimension of 48 inches wide by 24 inches high with a one-inch minimum font height and shall also include contact information for Community Development Department staff. The sign shall be placed five feet above ground level.

- At least 21 days prior to the start of construction activities, all off-site businesses and residents within 500 feet of the Project site shall be notified of the planned construction activities. The notification shall include a brief description of the Project, the activities that would occur, the hours when construction would occur, and the construction period's overall duration. The notification shall include the telephone numbers of the County's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint.
- If a construction noise complaint(s) is registered, and if County code enforcement is not available to make noise measurements, the contractor shall retain a County approved noise consultant to conduct noise measurements at the properties that registered the complaint. The noise measurements shall be conducted for a minimum of one hour. The consultant shall prepare a letter report for code enforcement summarizing the measurements, calculation data used in determining impacts, and potential measures to reduce noise levels to the maximum extent feasible
- Staging and delivery areas shall be located as far as feasible from existing residences.
- Material hauling and deliveries shall be coordinated by the construction contractor to reduce the potential of trucks waiting to unload for protracted periods of time.
- To the extent feasible, hydraulic equipment shall be used instead of pneumatic impact tools, and electric powered equipment shall be used instead of diesel-powered equipment.
- For smaller equipment (such as air compressors and small pumps), line powered (electric) equipment shall be used to the extent feasible.
- Stationary noise sources (e.g., generators and air compressors) shall be located as far from sensitive receptors as possible, and they shall be muffled and enclosed within temporary sheds, or insulation barriers, as necessary.
- Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes. The construction manager shall be responsible for enforcing this.

**GHSP EIR 2020 Addendum MM 4.5-1:** County Performance Standards Section 87.0905(e) exempts, "Temporary construction, repair, or demolition activities between 7:00 a.m. and 7:00 p.m. except Sundays and Federal holidays." Construction, which will be subject to distance requirements outlined in Table 4.5-7 of the 2020 GHSP EIR Addendum, shall be subject to these limitations.

**GHSP EIR 2020 Addendum MM 4.5-2:** Haul truck deliveries shall be subject to the same hours specified for construction equipment (see above). Additionally, any construction projects where heavy trucks would

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exceed 100 daily trips shall be required to have a noise mitigation plan. To the extent feasible, the plan shall denote haul routes that do not pass sensitive land uses or residential dwellings.

**GHSP EIR 2020 Addendum MM 4.5-3:** Prior to the issuance of any grading permits, the County shall condition subdivision approval of any project adjacent to any developed/occupied noise sensitive land uses by requiring the developer to submit a construction related noise mitigation plan for the County's review and approval.

**Basis of Finding.** Project **MM NOI-1** requires a sign shall be posted at each construction site entrance, or other conspicuous location, that includes a 24-hour telephone number for project information, and a procedure where a construction manager will respond to and investigate noise complaints and take corrective action, if necessary, in a timely manner, prior to the start of construction activities. Additionally, **MM NOI-1** requires all off-site businesses and residents within 500 feet of the Project site be notified of the planned construction activities, prior to the start of construction activities. GHSP EIR 2020 Addendum **MM 4.5-1** through **4.5-3** requires conformance with County performance standards in which construction, demolition, and development activities are conducted within specific time frames, as well as a construction related noise mitigation plan be submitted for the County's review and approval. With implementation of Project **MM NOI-1** and GHSP EIR 2020 Addendum **MM 4.5-1** through **MM 4.5-3**, impacts would be less than significant.

*Cumulative Noise Impacts (Draft SEIR pgs. 4.6-19 to 4.3-22)*

As indicated in **Draft SEIR, pg. 4.6-20**, cumulative projects within the GHSP area are located sufficiently far such that construction or other stationary sources of on-site noise would not be additive. However, the traffic from the cumulative projects, as well as ambient growth, would be forced onto the same roadways and would be additive with project-generated mobile noise sources. A cumulative traffic-generated noise analysis was thus prepared for the GHSP EIR, to examine this potential impact. The GHSP EIR traffic-generated noise analysis examines the noise associated with year 2020 "without and with Project" traffic volumes with respect to the existing traffic volumes. For the purposes of the analysis, an impact is considered as being cumulatively significant if the cumulative total increase meets the criterion for significance (i.e., an increase of 5 dBA) and the Project adds measurably (i.e., 1 dBA) to this cumulative total (see Table 4.5-11 of the GHSP EIR).

**Draft SEIR Table 4.6-11** summarizes the estimated Project and cumulative traffic noise increases based on ADT traffic volume provided by David Evans and Associates, Inc. For the Project to generate a cumulative noise impact it would need to meet two requirements: (1) result in a cumulative noise increase of 5 dBA CNEL or greater and (2) the Project's contribution to the cumulative increase needs to be 1 dBA CNEL or greater. While the segments along Glen Helen Parkway between Glen Helen Road and Cajon Boulevard, and Cajon Boulevard and I-215 southbound ramps would have a cumulative increase of more than 5 dBA CNEL, the Project's contribution to the cumulative increase does not exceed 1 dBA CNEL. In addition, the two Glen Helen Parkway roadway segments where the Project's cumulative contribution does exceed 1 dBA CNEL, west of the I-15 southbound ramps and between the I-15 northbound ramps and Clearwater Parkway, the cumulative increase does not exceed the 5 dBA CNEL threshold. These roadway segments do not meet both requirements for a cumulative impact and therefore would result in a less than significant impact.



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## N. Transportation

### *Impact TRANS-1 Would the Project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? (Draft SEIR pgs. 4.7-14 to 4.7-19)*

The Project would be consistent with SB 375 by complying with SCAG's RTP/SCS and San Bernardino County Transportation Authority (SBCTA)'s Congestion Management Plan (CMP). The Project would also be consistent with SBCTA's CMP goals which include, but not limited to, adhering to the CMP by maintaining and enhancing the performance of Project area's multimodal transportation system and minimizing travel delay, providing technical consistency in multimodal transportation system analysis and providing consistent procedures to identify and evaluate the effectiveness of mitigation measures; and by providing for adequate funding of mitigations through payment of development impact fees. The Project would also comply with the Complete Streets Act of 2008 by being consistent with the Countywide Plan. More specifically, the Project's circulation system would be designed and constructed in conformance with relevant goals and policies in the Countywide Plan's Transportation and Mobility Element that pertain to the Project's circulation system. For example, the Project would be consistent with the Countywide Plan Policy TM-2.2, which requires roadway improvements that reinforce the character of the area, such as curbs and gutters, sidewalks, landscaping, street lighting, and pedestrian and bicycle facilities pursuant to the County's Development code.

The Project's on-site and off-site circulation/roadway improvements identified in the Project's Traffic Study (pursuant to GHSP EIR **MM 4.4-3** and further discussed in Draft SEIR, pg. 4.7-15) would be constructed in accordance with all applicable Countywide development code circulation and transportation regulations and in support of Countywide transportation-related policies to minimize impacts to traffic and circulation during construction activities.

There are no existing transit services that serve the Project site, nor does the Project propose the installation or extension of transit services to the Project site at this time. As such, Project construction, nor operation would impact transit services within the County. There are no existing bicycle or pedestrian services that serve the Project or are adjacent to the Project site. The Project proposes no new bicycle routes or other facilities and would not impact any existing bicycle facilities. The Project would improve roadways along the Project frontage to the full half-width improvements in accordance with the functional classification, these improvements may include pedestrian connections. As there are no existing pedestrian facilities that provide interconnectivity between existing uses adjacent to the Project site, there would be no impact to pedestrian facilities as a result of Project implementation. For the Project's interior street network, five-foot wide sidewalks would be provided along both travel lanes. A five-foot wide sidewalk would also be provided along southbound Glen Helen Parkway.

Therefore, construction-related impacts associated with the Project's proposed roadway improvements would not conflict with an applicable program plan, ordinance, or policy addressing the circulation system.

Once operational, the Project would be consistent with the Countywide Plan Transportation and Mobility Element's goals and policies by improving the operational conditions of the existing roadway network, satisfying the local and subregional mobility needs of residents, visitors and businesses in unincorporated areas, and improving access and connectivity among the Project area. The Project screens from VMT as a

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Project comprised of local serving retail uses with individual buildings under 50,000 square feet which satisfy the County's criterion that local serving retail under 50,000 square feet (per building) is presumed to have a less than significant impact. Furthermore, the Project would provide parking facilities between the various project uses (different retail businesses) in compliance with Policy TM-4.10 and 4.11. Sidewalks would ensure safe pedestrian connectivity would be provided between the various buildings.

Overall, the Project would not conflict with a program, plan, ordinance, or policy, addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. The Project includes roadway improvements that would be designed in accordance with applicable federal, state, and local provisions, design requirements, and policies. Furthermore, roadway improvements may include a combination of fee payments to established programs, construction of specific improvements, and payment of a fair-share contribution toward future improvements. Therefore, impacts under the Project would be less than significant with implementation of GHSP EIR **MM 4.4-3**.

**Finding.** The Project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, with implementation GHSP EIR **MM 4.4-3**. Impacts would be less than significant with mitigation incorporated.

#### **Mitigation Measures**

**GHSP EIR MM 4.4-3:** Specific projects and development applications within the Glen Helen Specific Plan area shall include traffic studies that focus on impacts to the local circulation system, access requirements and the effects of pass-by traffic on local intersections, as that traffic exits and enters the freeways. The mechanisms for mitigating the impacts of such projects on local circulation shall be identified in such studies, along with responsibility for their implementation.

**Basis of Finding.** GHSP EIR **MM 4.4-3** requires specific projects and development applications within the Glen Helen Specific Plan area include traffic studies that focus on impacts to the local circulation system, access requirements and the effects of pass-by traffic on local intersections, as that traffic exits and enters the freeways. With implementation of GHSP EIR **MM 4.4-3**, impacts would be less than significant.

**Impact TRANS-3** *Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Draft SEIR pgs. 4.7-21 to 4.7-23)*

Concerning off-site hauling, construction would include a period of off-site hauling of soil exports during the grading process. Trucks would be entering and exiting the Project site at construction entrances that would be identified on a Traffic Control Plan, as reviewed and approved by the County Department of Public Works and as required by **MM 6-2**. Furthermore, grading and hauling of earthwork is an anticipated activity during construction and frequent trips to and from the Project site would already be expected. Motorists and members of the public passing-by a construction zone would be on the lookout for construction equipment entering and exiting the Project site, especially as appropriate signage would be posted to indicate as such. As such, impacts would be less than significant with the implementation of GHSP EIR 2020 Addendum **MM 6-1** through **MM 6-3**.

Concerning on-site construction, the Project's construction would occur in conformance with the County of San Bernardino Development Code and to the standards of the County Department of Public Works.

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Furthermore, the Master Developer and/or Site Developer, as applicable, would implement standard safety practices during construction activities and will implement standard safety practices consistent with the California Division of Occupational Safety and Health (Cal/OSHA).

These construction entrances identified in the Traffic Control Plan would comply with the Development Code and would be required to be placed in a location that is both feasible for the maneuvering of construction equipment and trucks and in a location that minimizes conflict points with the existing traffic. Flaggers and other temporary traffic control measures, such as flexible traffic cones, barricades, and road signs, would be implemented to ensure adequate safety of construction workers and other users of the public roadways. Construction would be temporary, and use of temporary construction entrances would stop once construction is complete.

As these temporary construction entrances would be generally located in the same locations as the operational driveways, would be installed after mass grading, and would be paired with adequate traffic control devices, as reviewed and approved by the County Department of Public Works, construction of the Project would not result in the substantial increase of hazards due to a geometric design feature or an incompatible use. Impacts are less than significant.

During the Project's operational phase, the Project will not substantially increase hazards due to a geometric design feature or incompatible uses. The Project would construct internal private roadways which would be constructed to accommodate the traffic trips anticipated with the Project, including improvements to the public roadways adjacent and nearby the Project site.

The Project's roadways, ingress and egress, interior circulation elements, and improvements would be designed in conformance with the development and design standards of the GHSP, the County's Department of Public Works, Transportation Design Division standards, and applicable San Bernardino County Congestion Management Program procedures. Roadway improvements for the Project site would be designed and constructed to meet the GHSP design standards or County requirements for street widths, corner radii, and intersection control. Furthermore, the Project design includes geometric plans that identify roadway and intersection markings, signalizations, and sight lines. These plans would be reviewed and approved by the County of San Bernardino Public Works Department prior to the issuance of construction permits.

Adhering to applicable requirements would ensure that the Project would not include any sharp curves for the public and Project uses, or create dangerous intersections, or design hazards. Furthermore, the Project does not propose incompatible land uses, such as utilizing farm equipment, that would result in a potential significant traffic safety hazard. Therefore, potential impacts concerning design hazards would be less than significant.

Overall, impacts associated with hazards due to a geometric design feature would be less than significant with implementation of GHSP EIR 2020 Addendum **MMs 6-1** through **6-3**.

**Finding.**

The Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), with implementation of GHSP

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EIR 2020 Addendum **MMs 6-1** through **MM 6-3**. Impacts would be less than significant with mitigation incorporated.

**Mitigation Measures**

**GHSP EIR 2020 Addendum MM 6-1:** As a condition to the issuance of final grading permits, the Applicant shall be responsible for the repair of any damage to roads resulting from the delivery of heavy equipment and building materials and the import and export of soil and other materials to and from the project site. Any resulting roadway repairs shall be to the satisfaction of the City, if within the City, or the County, if located in an unincorporated County area.

**GHSP EIR 2020 Addendum MM 6-2: Traffic Control Plan.** If required by the County of San Bernardino Land Use Services Department, prior to the issuance of the final grading plan for new major development projects, defined herein as 50 or more new dwelling units and/or 50,000 or greater square feet of new non-residential use, the Applicant shall submit and, when deemed acceptable, the Land Use Services Department shall approve a traffic control plan (TCP), consistent with Caltrans' "Manual of Traffic Controls for Construction and Maintenance Work Zones," or such alternative as may be deemed acceptable by the Land Use Services Department, describing the Applicant's efforts to maintain vehicular and non-vehicular access throughout the construction period. If temporary access restrictions are proposed or deemed to be required by the Applicant, the plan shall delineate the period and likely frequency of such restrictions and describe emergency access and safety measures that will be implemented during those closures and/or restrictions.

**GHSP EIR 2020 Addendum MM 6-3: Construction Traffic Safety Plan.** If required by the County of San Bernardino Land Use Services Department, prior to the issuance of the final grading permit for new major development projects, the Applicant shall submit and, when deemed acceptable, the County shall approve a construction traffic mitigation plan (CTMP). The CTMP shall identify the travel and haul routes through residential neighborhoods, if any, to be used by construction vehicles; the points of ingress and egress of construction vehicles; temporary street or lane closures, temporary signage, and temporary striping; the location of materials and equipment staging areas; maintenance plans to remove spilled debris from neighborhood road surfaces; and the hours during which large construction equipment may be brought onto and off the project site. The CTMP shall provide for the scheduling of construction and maintenance-related traffic so that it does not unduly create any safety hazards to children, to pedestrians, and to other parties.

**Basis of Finding.** GHSP EIR 2020 Addendum **MM 6-1** requires the Applicant be responsible for the repair of any damage to roads resulting from the delivery of heavy equipment and building materials and the import and export of soil and other materials to and from the project site. Any resulting roadway repairs shall be to the satisfaction of the City, if within the City, or the County, if located in an unincorporated County area. GHSP EIR 2020 Addendum **MM 6-2** requires trucks to enter and exit the Project site at construction entrances that would be identified on a Traffic Control Plan, as reviewed, and approved by the County Department of Public Works. GHSP EIR 2020 Addendum **MM 6-3** requires the Applicant shall submit and, when deemed acceptable, the County shall approve a construction traffic mitigation plan (CTMP), if requires by the County, prior to the issuance of the final grading permit. The CTMP shall identify the travel and haul routes through residential neighborhoods, if any, to be used by construction vehicles;

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the points of ingress and egress of construction vehicles; temporary street or lane closures, temporary signage, and temporary striping; the location of materials and equipment staging areas; maintenance plans to remove spilled debris from neighborhood road surfaces; and the hours during which large construction equipment may be brought onto and off the project site. The CTMP shall provide for the scheduling of construction and maintenance-related traffic so that it does not unduly create any safety hazards to children, to pedestrians, and to other parties. With implementation of GHSP EIR 2020 Addendum **MMs 6-1** through **MM 6-3**, impacts would be less than significant.

***Impact TRANS-4 Would the Project result in inadequate emergency access? (Draft SEIR pgs. 4.7-24 to 4.7-25)***

Construction of the Project, including recordation of final subdivision map(s) and design review would be implemented in stages, provided that vehicular access, public facilities, and infrastructure are constructed to adequately serve the Project. During construction, the Project would not result in any significant emergency access impacts as the site is currently undeveloped and vacant. Additionally, during construction, through traffic would be maintained on Glen Helen Parkway such that there would continue to be bi-directional flow of traffic.

In case of an emergency, the Project's construction manager would have assigned staff to flag emergency response vehicles and direct them to the emergency location. Unimpeded access would be provided throughout the Project site by ensuring construction vehicles are not parked or placed in a manner that would impede access for emergency response vehicles. Site conditions, during and after the workday, would be either maintained or left in a condition that adheres to CAL/OSHA safety standards to prevent any hazardous condition that may affect construction staff and emergency responders.

Access would be maintained throughout the Project site for use by construction staff/inspectors, construction equipment and materials delivery/removal, and emergency response vehicles. Access roads would be maintained in good condition in order to allow for the safe passage for emergency response vehicles. Additionally, during construction on-site, individual lot construction would not require the closure of travel lanes along Glen Helen Parkway. All construction would occur on-site during individual lot construction. During initial site construction and other utility construction, there may be temporary lane closures on Glen Helen Parkway to accommodate utility placements. In this case, proper temporary construction traffic control devices would be installed, to include but not be limited to traffic cones, barricades, flaggers, and lighted signage, as is typical of construction that occurs within active public roadways, and as required by GHSP EIR 2020 Addendum **MMs 6-2** and **6-3**. Through traffic would be maintained throughout all times during construction. Should open cut trenches be required, steel plates would be placed over trenches to allow for traffic during periods where construction is inactive. Impacts during construction would be reduced to less than significant levels.

During operations, all driveways would be continually maintained to allow for the safe ingress and egress to/from the Project site. Additionally, driveways would be designed in accordance with all applicable design and safety standards required by adopted fire codes, safety codes, and building codes established by the County's Transportation Department and Fire Protection District. Further, the internal private roadways would be maintained to allow for the safe circulation of internal traffic and clear of obstructions to allow emergency services access to individual commercial or retail uses in the event of an emergency.

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With the primary entrance to the Project site, located at the intersection of Glen Helen Parkway and Clearwater Parkway, being improved with a traffic signal, there would be controlled access into and out of the Project site further allowing for controlled movement of vehicles and people.

Additionally, the Project would be reviewed by the County of San Bernardino Public Works and Fire Departments to ensure the Project sufficiently avoids hazards related to design features and that adequate emergency access is provided to the site. As a result, the Project would not substantially increase delays on street segments substantially that would result in inadequate emergency access. Therefore, impacts would be less than significant with the implementation of GHSP EIR 2020 Addendum **MMs 6-2** and **6-3**.

**Finding.**

The Project would not result in inadequate emergency access, with implementation of GHSP EIR 2020 Addendum **MMs 6-2** and **MM 6-3**. Impacts would be less than significant with mitigation incorporated.

**Mitigation Measures**

See GHSP EIR 2020 Addendum **MMs 6.2** and **6.3** above.

**Basis of Finding.** GHSP EIR 2020 Addendum **MM 6-2** requires trucks to enter and exit the Project site at construction entrances that would be identified on a Traffic Control Plan, as reviewed, and approved by the County Department of Public Works. GHSP EIR 2020 Addendum **MM 6-3** requires the Applicant shall submit and, when deemed acceptable, the County shall approve a construction traffic mitigation plan (CTMP), if requires by the County, prior to the issuance of the final grading permit. The CTMP shall identify the travel and haul routes through residential neighborhoods, if any, to be used by construction vehicles; the points of ingress and egress of construction vehicles; temporary street or lane closures, temporary signage, and temporary striping; the location of materials and equipment staging areas; maintenance plans to remove spilled debris from neighborhood road surfaces; and the hours during which large construction equipment may be brought onto and off the project site. The CTMP shall provide for the scheduling of construction and maintenance-related traffic so that it does not unduly create any safety hazards to children, to pedestrians, and to other parties. With implementation of GHSP EIR 2020 Addendum **MMs 6-2** and **MM 6-3**, impacts would be less than significant.

***Cumulative Transportation Impacts (Draft SEIR pgs. 4.7-25 to 4.7-26)***

Construction activities associated with the Project, in conjunction with nearby cumulative projects, would result in both temporary and long-term traffic impacts to local roadway system. However, the Project is not anticipated to conflict with transportation plans or policies and is consistent with all relevant Countywide goals and policies as listed above. As part of the County's discretionary review and approval process, all cumulative development projects are required to reduce construction traffic impacts on the local circulation system and implement mitigation measures pursuant to CEQA provisions. Consequently, future development on the cumulative development sites would not result in significant environmental transportation-related impacts, nor would future development on the cumulative development sites conflict with or obstruct a state or local plan or regulation related to transportation. Therefore, the Project would not cause a cumulatively considerable transportation impact, and no mitigation measures are required during the Project's construction phase.



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As discussed above, the Project screens from requiring a detailed VMT analysis and is assumed, due to consisting of local-serving commercial and retail uses, to have a less than significant impact. Additionally, with the recommended improvements identified in the Traffic Impact Study, operational impacts of the Project would be within the LOS D requirements of the County. Again, as stated previously, due to SB 743, LOS is no longer a basis for the determination of significance for transportation impacts under CEQA and discussion related to LOS is provided for information purposes only. Nevertheless, as the Project would maintain LOS D requirements, there would be less than significant impacts and the Project would not result in a cumulatively considerable contribution during the operations phase.

### **4.3 Effects Which Remain Significant and Unavoidable After Mitigation**

The County of San Bernardino having reviewed and considered the information contained in the Final SEIR, Technical Appendices and the administrative record, finds, pursuant to California Public Resources Code Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social, technological, or other considerations, makes infeasible the mitigation measures identified in the Final SEIR, and therefore, the Project would cause significant and unavoidable impacts to the categories of:

#### **A. Air Quality**

##### ***Impact AQ-1 Would the Project conflict with or obstruct implementation of the applicable air quality plan? (Draft SEIR pgs. 4.1-21 to 4.1-23)***

Criteria to determine consistency with the applicable air quality plan are provided on **Draft SEIR p. 4.1-22**. As shown in **Draft SEIR Table 4.1-8**, the Project's construction-related emissions with implementation of GHSP EIR 2020 Addendum **MMs 7-1 through 7-10** and **MM AQ-1** would reduce impacts below SCAQMD's construction standards (Draft EIR, pgs. 4.1-24 and 4.1-25). However, the Project's operational emissions would continue to exceed the SCAQMD's operational standards for reactive organic gases (ROG), Nitrogen Oxides (NO<sub>x</sub>), and CO, despite implementation of GHSP EIR **MMs 4.6-1 through 4.6-11**, and GHSP EIR 2020 Addendum **MMs 7-10, 7-12, and 7-16**. Therefore, the Project would potentially contribute to an existing air quality violation. Thus, the Project is not consistent with the first criterion. In addition, the Project would not result in a direct increase in population as it would not accommodate any new residents. As such, the Project would not result in substantial unplanned growth or unaccounted job growth projections used by the SCAQMD to develop the AQMP. Thus, the proposed Project is consistent with the 2022 AQMP and the second criterion.

Project emissions levels would remain significant and would contribute to the nonattainment designations in the South Coast Air Basin (SCAB). Therefore, the Project would be inconsistent with the AQMP, resulting in a significant and unavoidable impact despite the implementation of mitigation.

#### **Finding.**

The Project would conflict with or obstruct implementation of the applicable air quality plan, despite implementation of **Project MM AQ-1**, GHSP EIR **MMs 4.6-1 through 4.6-11**, and GHSP EIR 2020 Addendum **MMs 7-10, 7-12, and 7-16**. Impacts would be significant and unavoidable, despite the implementation of mitigation.

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### **Mitigation Measures**

**Proposed Project MM AQ-1:** Prior to issuance of grading permits, the applicant shall prepare and submit documentation to the County of San Bernardino that demonstrate the following:

- All off-road diesel-powered construction equipment greater than 50 horsepower meets California Air Resources Board Tier 4 Final off-road emissions standards. Requirements for Tier 4 Final equipment shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of each unit's Best Available Control Technology (BACT) documentation (certified tier specification or model year specification), and CARB or SCAQMD operating permit (if applicable) shall be provided to the County at the time of mobilization of each applicable unit of equipment.
- All construction equipment and delivery vehicles shall be turned off when not in use, or limit on-site idling for no more than 5 minutes in any 1 hour.

**GHSP EIR MM 4.6-1:** Provide adequate ingress and egress at all entrances to public facilities to minimize vehicle idling at curbsides.

- Submit building plans to Building and Safety for approval.
- Submit copy of approval by Building and Safety to Planning Division.
- Submit copy of approved plans to Planning Division for review and approval.

**GHSP EIR MM 4.6-2:** Provide dedicated turn lanes as appropriate and provide roadway improvements at heavily congested roadways.

- County Traffic Planning Section to identify heavily congested intersections and notify Building and Safety.
- Submit building plans to Building and Safety for approval.
- Submit copy of approval by Building and Safety to Planning Division.
- Submit copy of approved plans to Planning Division for review and approval.

**GHSP EIR MM 4.6-3:** Install energy efficient lighting.

- Submit building plans with Title 24 certification from a certified lighting/electrical engineer to Building and Safety for approval.
- Submit copy of approval by Building and Safety to Planning Division.
- Submit copy of approved plans to Planning Division for review and approval.

**GHSP EIR MM 4.6-4:** Landscape with native or drought-resistant species to reduce water consumption and to provide passive solar benefits.

- Submit landscaping and irrigation plans to Building and Safety for approval.
- Submit copy of approval by Building and Safety to Planning Division.
- Submit copy of approved plans to Planning Division for review and approval.

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**GHSP EIR MM 4.6-5:** Employers should provide local shuttle and transit shelters, and ride matching services.

- Submit plans to County Transportation Authority to determine need and/or location for transit shelters, bus stops, etc.
- Submit commercial and industrial site building plans to Building and Safety for approval.
- Submit copy of approval by Building and Safety to Planning Division.
- Submit copy of approved plans to Planning Division for review and approval.

**GHSP EIR MM 4.6-6:** Employers should provide bicycle lanes, storage areas, and amenities, and ensure efficient parking management.

- Submit plans to County Transportation Authority to determine need and/or location for bicycle improvements.
- Submit commercial and industrial site/building plans to Building and Safety for approval.
- Submit copy of approval by Building and Safety to Planning Division.
- Submit copy of approved plans to Planning Division for review and approval.

**GHSP EIR MM 4.6-7:** Employers should provide variable work hours and telecommuting to employees to comply with AQMP Advanced Transportation Technology ATT-01 and ATT-02 measures.

- Developers of commercial and industrial uses shall submit appropriate technology plans based on discussion or correspondence with SCAQMD personnel.
- Developers shall submit plans to County Planning to determine need and/or location for any technology improvements or systems for review and approval.
- Submit copy of approval from County Planning for commercial and industrial site building plans to Building and Safety for approval.

**GHSP EIR MM 4.6-8:** Employers should develop a trip reduction plan to comply with SCAQMD rule 2202.

- Developers of commercial and industrial uses shall submit a Trip Reduction Plan (TRP) to SCAQMD for review and approval.
- Submit TRP approved by SCAQMD to County Planning for review and approval.
- Submit TRP approved by SCAQMD and County Planning along with building plans to Building and Safety for approval.

**GHSP EIR MM 4.6-9:** Employers should provide ride matching, guaranteed ride home, or car/van pool to employees, as a part of the TDM program and to comply with the AQMP Transportation Improvements TCM-01 measure.

- Developers of commercial and industrial uses shall submit a Travel Demand Management (TDM) to SCAQMD for review and approval.
- Submit TDM approved by SCAQMD to County Planning for review and approval.

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- Submit TDM approved by SCAQMD and County Planning along with building plans to Building and Safety for approval.

**GHSP EIR MM 4.6-10: Synchronize traffic signals.** The areas where this measure would be applicable are roadway intersections within the Specific Plan area.

- County Traffic Planning Section to identify heavily congested intersections and notify Building and Safety.
- Submit building plans to Building and Safety for approval demonstrating that signals can be synchronized in the future.
- Developers to submit copy of approval by Building and Safety to Planning Division.
- Submit copy of approved plans to Planning Division for review and approval.
- County to synchronize traffic signals as funding is available.

**GHSP EIR MM 4.6-11:** Encourage the use of alternative fuel or low emission vehicles to comply with the AQMP On-Road Mobile M2 measure and the Off-Road Mobile Sources M9 and M10 measures.

- Developers of commercial and industrial uses shall submit an Alternative Fuel or Low Emission Vehicle Plan (AFLEVP) to SCAQMD for review and approval.
- Submit AFLEVP approved by SCAQMD to County Planning for review and approval.
- Submit AFLEVP approved by SCAQMD and County Planning along with building plans to Building and Safety for approval.

**GHSP EIR 2020 Addendum MM 7-1:** The Applicant shall water all active grading areas a minimum of three times per day (as opposed to two).

**GHSP EIR 2020 Addendum MM 7-2:** All construction equipment shall be properly tuned and maintained in accordance with manufacturer's specification.

**GHSP EIR 2020 Addendum MM 7-3:** The Applicant shall maintain and operate construction equipment so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues shall turn their engines off when not in use to reduce vehicle emissions. Construction emissions shall be phased and scheduled to avoid emissions peaks to the extent feasible and discontinued during second-stage smog alerts.

**GHSP EIR 2020 Addendum MM 7-4:** The Applicant shall use line power instead of diesel- or gas-powered generators at all construction sites wherever line power is reasonably available.

**GHSP EIR 2020 Addendum MM 7-5:** Unless required for safety reasons, during construction, equipment operators shall limit the idling of all mobile and stationary construction equipment to no more than five minutes. The use of diesel auxiliary power systems and main engines shall also be limited to no more than five minutes when within 100 feet of homes or schools while driver is resting.

**GHSP EIR 2020 Addendum MM 7-6:** Active grading activities shall be limited to 10 acres per day or less when grading within 1,000 feet of residential receptors.

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**GHSP EIR 2020 Addendum MM 7-7:** The Applicant shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the project site throughout the project construction. The Applicant shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. These measures include the following: (1) Use Tier II (2001 or later) heavy-duty diesel-powered equipment at the project site; (2) Apply NOX control technologies, such as fuel injection timing retard for diesel engines and air-to-air cooling, and diesel oxidation catalysts as feasible; feasibility shall be determined by using the cost-effectiveness formula developed by the Carl Moyer Program; and (3) General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions and keep all construction equipment in proper tune in accordance with manufacturer's specifications.

**GHSP EIR 2020 Addendum MM 7-8:** If stationary equipment, such as generators for ventilation fans, must be operated continuously, locate such equipment at least 100 feet from homes or schools, where possible.

**GHSP EIR 2020 Addendum MM 7-10:** The Applicant shall, to the extent feasible, promote, support, and encourage the scheduling of deliveries during off-peak traffic periods to encourage the reduction of trips during the most congested periods.

**GHSP EIR 2020 Addendum MM 7-12:** During site plan review, due consideration shall be given to the provision of safe and convenient pedestrian and bicycle access to transit stops and to public transportation facilities.

**GHSP EIR 2020 Addendum MM 7-16:** Future purchasers of real property located within 500 feet of the I-15 Freeway right-of-way and within 500 feet of the main truck route and active mining areas at the Cemex USA quarry and the Vulcan Materials Company plant shall, in accordance with the disclosure requirements of the California Department of Real Estate, receive notification that residential occupants and other sensitive receptors may be exposed to excess cancer risks as a result of long-term exposure to toxic air contaminants, including diesel particulate matter, associated with diesel-powered vehicles traveling along and operating within those areas.

**Basis of Finding.** Project **MM AQ-1** requires the applicant to prepare and submit documentation to the County of San Bernardino that demonstrate that all off-road diesel-powered construction equipment greater than 50 horsepower meets California Air Resources Board Tier 4 Final off-road emissions standards; requirements for Tier 4 Final equipment be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment; a copy of each unit's Best Available Control Technology (BACT) documentation (certified tier specification or model year specification), and CARB or SCAQMD operating permit (if applicable) be provided to the County at the time of mobilization of each applicable unit of equipment; and all construction equipment and delivery vehicles be turned off when not in use, or limit on-site idling for no more than 5 minutes in any 1 hour. Additionally, GHSP EIR **MM 4.6-1** through **MM 4.6-11** requires limitations on vehicle idling, provide dedicated turn lanes as appropriate and provide roadway improvements at heavily congested roadways, installation of energy efficient lighting, landscape with native or drought-resistant species, provisions for local public transportation, utilization of AQMP advanced transportation technologies, trip reduction plans, synchronized traffic signals, and encourage the use of alternative fuel or low emission vehicles. GHSP EIR 2020 Addendum **MM 7-1** through **MM 7-16** requires all active grading areas be watered, limits

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amount of grading per day, construction equipment be properly maintained, maintain and operate construction equipment so as to minimize exhaust emission, using line power instead of diesel- or gas-, promote, support, and encourage the scheduling of deliveries during off-peak traffic periods to encourage the reduction of trips during the most congested periods, due consideration be given to the provision of safe and convenient pedestrian and bicycle access to transit stops and to public transportation facilities, and future purchasers of real property located within 500 feet of the I-15 Freeway right-of-way and within 500 feet of the main truck route and active mining areas at the Cemex USA quarry and the Vulcan Materials Company plant shall, receive notification that residential occupants and other sensitive receptors may be exposed to excess cancer risks as a result of long-term exposure to toxic air contaminants, including diesel particulate matter, associated with diesel-powered vehicles traveling along and operating within those areas. Despite implementation of Project **MM AQ-1**, GHSP EIR **MMs 4.6-1** through **4.6-11**, and GHSP EIR 2020 Addendum **MMs 7-10**, **7-12**, and **7-16**, impacts would remain significant and unavoidable.

***Impact AQ-2      Would the Project 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? (Draft SEIR pgs. 4.1-23 to 4.1-28)***

Project construction activities would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern within the Project area are O<sub>3</sub>-precursor pollutants (i.e., ROG and NO<sub>x</sub>) and PM<sub>10</sub> and PM<sub>2.5</sub>. Construction-related emissions are short term and of temporary duration, lasting only as long as construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SCAQMD's thresholds of significance. Implementation of GHSP EIR 2020 Addendum **MMs 7-1** through **7-10** and **MM AQ-1** would reduce impacts below SCAQMD's construction standards (Draft SEIR, pgs. 4.1-24 and 4.1-25).

The Project's operational emissions would continue to exceed the SCAQMD's operational standards for ROG, NO<sub>x</sub>, and CO, despite implementation of GHSP EIR **MMs 4.6-1** through **4.6-11**, and GHSP EIR 2020 Addendum **MMs 7-10**, **7-12**, and **7-16** and compliance with applicable Plans, Programs, Policies (PPP)s-1 through -PPP-5. Mitigation measures from GHSP EIR **4.6-1** through **4.6-11** are required to reduce operational emissions to the maximum extent feasible. However, a majority of the operational emissions are from mobile sources. Motor vehicle emissions are regulated by State and Federal standards and the Project has no control over these standards. Therefore, even with mitigation, operational emissions from the Project would exceed the SCAQMD thresholds for ROG, NO<sub>x</sub>, and CO, which represents an unavoidable significant impact.

**Finding.**

The Project would 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, despite implementation of Proposed Project **MM AQ-1**, GHSP EIR **MMs 4.6-1** through **4.6-11**, and GHSP EIR 2020 Addendum **MMs 7-1** through **7-10**. Impacts would be significant and unavoidable, despite the implementation of mitigation.



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### **Mitigation Measures**

Refer to Proposed Project **MM AQ-1**, GHSP EIR **MMs 4.6-1** through **4.6-11**, and GHSP EIR 2020 Addendum **MMs 7-1** through **7-10**, **7-12**, and **7-16** in Impact AQ-1 above.

**Basis of Finding.** Project **MM AQ-1** requires the applicant to prepare and submit documentation to the County of San Bernardino that demonstrate that all off-road diesel-powered construction equipment greater than 50 horsepower meets California Air Resources Board Tier 4 Final off-road emissions standards; requirements for Tier 4 Final equipment be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment; a copy of each unit's Best Available Control Technology (BACT) documentation (certified tier specification or model year specification), and CARB or SCAQMD operating permit (if applicable) be provided to the County at the time of mobilization of each applicable unit of equipment; and all construction equipment and delivery vehicles be turned off when not in use, or limit on-site idling for no more than 5 minutes in any 1 hour. Additionally, GHSP EIR **MM 4.6-1** through **MM 4.6-11** requires limitations on vehicle idling, provide dedicated turn lanes as appropriate and provide roadway improvements at heavily congested roadways, installation of energy efficient lighting, landscape with native or drought-resistant species, provisions for local public transportation, utilization of AQMP advanced transportation technologies, trip reduction plans, synchronized traffic signals, and encourage the use of alternative fuel or low emission vehicles. GHSP EIR 2020 Addendum **MM 7-1** through **MM 7-16** requires all active grading areas be watered, limits amount of grading per day, construction equipment be properly maintained, maintain and operate construction equipment so as to minimize exhaust emission, using line power instead of diesel- or gas-, promote, support, and encourage the scheduling of deliveries during off-peak traffic periods to encourage the reduction of trips during the most congested periods, due consideration be given to the provision of safe and convenient pedestrian and bicycle access to transit stops and to public transportation facilities, and future purchasers of real property located within 500 feet of the I-15 Freeway right-of-way and within 500 feet of the main truck route and active mining areas at the Cemex USA quarry and the Vulcan Materials Company plant shall, receive notification that residential occupants and other sensitive receptors may be exposed to excess cancer risks as a result of long-term exposure to toxic air contaminants, including diesel particulate matter, associated with diesel-powered vehicles traveling along and operating within those areas. Despite implementation of Project **MM AQ-1**, GHSP EIR **MMs 4.6-1** through **4.6-11**, and GHSP EIR 2020 Addendum **MMs 7-10**, **7-12**, and **7-16**, impacts would remain significant and unavoidable.

### ***Cumulative Air Quality Impacts (Draft SEIR pgs. 4.7-25 to 4.7-26)***

#### **Cumulative Construction Impacts**

The SCAB is designated nonattainment for O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> for the CAAQS and nonattainment for O<sub>3</sub> and PM<sub>2.5</sub> for the NAAQS. Appendix D of the SCAQMD *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution* (2003) notes that projects that result in emissions that do not exceed the project specific SCAQMD regional thresholds of significance should result in a less than significant impact on a cumulative basis unless there is other pertinent information to the contrary. The mass-based regional significance thresholds published by the SCAQMD are designed to ensure compliance with both NAAQS and CAAQS and are based on an inventory of projected emissions in the SCAB.

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Therefore, if a project is estimated to result in emissions that do not exceed the thresholds, the project's contribution to the cumulative air quality impact in the SCAB would not be cumulatively considerable. Project construction-related emissions with the incorporation of **MM AQ-1** would not exceed the SCAQMD significance thresholds for criteria pollutants. Therefore, the Project would not generate a cumulatively considerable contribution to air pollutant emissions during construction.

The SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to the Federal Clean Air Act (FCAA) mandates. The analysis assumed fugitive dust controls would be utilized during construction, including frequent water applications. SCAQMD rules, mandates, and compliance with adopted AQMP emissions control measures would also be imposed on construction projects throughout the SCAB, which would include related projects. Compliance with SCAQMD rules and regulations would further reduce Project construction-related emissions. Therefore, Project-related construction emissions, combined with those from other projects in the area, would not substantially deteriorate local air quality. The Project's construction-related emissions would not result in a cumulatively considerable contribution to significant cumulative air quality.

### **Cumulative Operational Impacts**

The SCAQMD has not established separate significance thresholds for cumulative operational emissions. The nature of air emissions is largely a cumulative impact. As a result, no single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, individual project emissions contribute to existing cumulatively significant adverse air quality impacts. The SCAQMD developed the operational thresholds of significance based on the level above which individual project emissions would result in a cumulatively considerable contribution to the SCAB's existing air quality conditions. Therefore, a project that exceeds the SCAQMD operational thresholds would also be a cumulatively considerable contribution to a significant cumulative impact.

The Project's operational emissions (primarily mobile source emissions) would exceed the SCAQMD threshold for ROG, NO<sub>x</sub>, and CO despite the implementation of mitigation. As a result, operational emissions associated with the Project would result in a cumulatively considerable contribution to significant cumulative air quality impacts. Emissions of motor vehicles are controlled by State and Federal standards and the Project has no control over these standards. The application of mandatory plans, programs, and policies along with the implementation of operational mitigation measures from the GHSP EIR, **4.6-1** through **4.6-11**, would reduce some emissions, but the majority of the mobile source emissions are beyond the Project's control. Therefore, the Project would contribute to a significant cumulative operational impact.

### ***4.4 Environmental Impacts Previously Analyzed as Part of the GHSP EIR and/or the 2020 Addendum to the GHSP EIR Which Are Not "New" or "Substantially More Severe" as a Result of Project Implementation***

The County determined that the Project would result in no impact or less than significant impact on the following resource areas: aesthetics, agriculture and forestry services, energy, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, utilities and service systems, and wildfire. In accordance with CEQA Guidelines

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Section 15128, these issues were not discussed in detail in the Draft SEIR (refer to **Draft SEIR Chapter 7.0, Effects Found Not to be Significant**, for more detail). The Project and these resource areas listed above were previously analyzed as part of the Glen Helen Specific Plan Program EIR (SCH# 2000011093), which was certified on November 15, 2005, and its 2020 Addendum. Further, pursuant to State CEQA Guidelines Section 15150, the Findings of Fact for the GHSP are herein incorporated by reference to this document. Pursuant to State CEQA Guidelines Section 15162, the Draft SEIR focuses on issues that represent “new” or “substantially more severe” significant environmental impacts than evaluated in the GHSP Program EIR or the 2020 Addendum to the GHSP EIR.

Some of the resource areas analyzed in the previous GHSP EIR identified mitigation measures that would be required to be implemented to reduce impacts to less than significant. The Draft SEIR identified that there was no new information of substantial importance, which was not known or could not have been known at the time of the previous GHSP EIR, and with the implementation of the previously approved mitigation measures there would be no new or substantially more severe impacts. As such, these resource areas were determined by the County to result in no impact or less than significant impact considering the proposed Project.

## **B. Aesthetics**

Regarding scenic resources, while the San Bernardino Countywide Plan’s Policy Plan does not officially designate any scenic vistas near the Project site, the San Gabriel and San Bernardino Mountains, along with the Jurupa Hills are still considered a valuable visual resource for the County, adjacent cities, and region (refer to **Page 7-3** of the **Draft SEIR**). The Project would introduce new, vertical developments in the form of commercial and retail center land uses to an undeveloped site. The presence of the commercial and retail buildings would be visible to surrounding properties, but the buildings would not significantly impede the visibility of views of the San Gabriel Mountains located to the northwest, San Bernardino Mountains located to the northeast, and the Jurupa Hills located to the south from street level or at various distances around the Project.

Similar to the GHSP analysis of the North Glen Helen sub-planning area, land use change as a result of new development under the GHSP would enhance the existing visual quality in the GHSP area by removing a vacant structure currently open to public view.

Further, the Project would comply with the development standards and design guidelines concerning building height, architectural facades, and landscaping that are identified in the GHSP which were developed with the intent to protect the existing visual character of this region of the County.

The Project would comply with the development standards found within Chapter 83.06 (Fences, Hedges, and Walls), Chapter 83.07 (Glare and Outdoor Lighting), Chapter 83.10 (Landscaping Standards), and Chapter 83.13 (Sign Regulations) of the County’s Development Code. Additionally, the Project is within the North Glen Helen sub-planning area of the GHSP.

The Project would implement **MM 13-4** and **MM 13-5** of the 2020 Addendum to the GHSP EIR (refer to **Page 7-5** of the **Draft SEIR**).

The Project would have no impact on State-designated scenic highways and would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings

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within a State scenic highway. The Project is within a Scenic Resources overlay, pursuant to the approved GHSP and would be subject to the policies and restrictions described in the Scenic Resources Overlay District. The GHSP has established conditions relating to projects within the Scenic Resources overlay. The Project would adhere to this criteria by not constructing structures in exceedance of the 60-foot maximum height for a structure in the GHSP-DR zone; including landscaping and plantings through the incorporation 568,523 square feet of landscaping, or approximately 40.6 percent of the Project site; screening outside storage areas; and undergrounding utilities.

Regarding visual character, future development under the Project would adhere to the County Code which includes general development requirements for development density, screening and setback, signing, landscaping, lighting, height limitations, and other aspects related to aesthetic impacts. The Project proposes relatively minor changes in allowable uses within the existing GHSP Destination Recreation (DR) zone.

Adherence to the design standards of the County Development Code Section 83.07.030 would ensure that light and glare from the Project would be minimized.

Pursuant to CEQA Guidelines Section 15162, impacts related to aesthetic resources would not consist of new or substantially more severe impacts than what was previously analyzed by the GHSP EIR or the 2020 Addendum to the GHSP EIR.

### **C. Agriculture and Forestry Services**

The Project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The adjacent land is designated as urban and built-up land. The Project would not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The Project site does not contain lands designated for agricultural use of a Williamson Act contract. The Project site is designated for Glen Helen Specific Plan – Destination Recreation and is not zoned for agricultural uses. The Project does not contain lands designated for forest land or timberland. The Project would not 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)). The Project would not result in the loss of forest land or conversion of forest land to non-forest use, nor would the GHSP involve other changes in the existing environment which, due to its location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. Pursuant to CEQA Guidelines Section 15162, impacts related to agriculture and forestry resources would not consist of new or substantially more severe impacts than what was previously analyzed by the GHSP EIR or the 2020 Addendum to the GHSP EIR.

### **D. Energy**

The Project would not substantially affect existing energy fuel supplies or resources. New capacity or additional sources of construction fuel are not anticipated to be required. Existing and planned transportation fuel supplies would be sufficient to serve the Project's temporary construction demand. Adherence to air quality **MM 7-3** and **MM 7-5** from the 2020 Addendum EIR and **MM AQ-1** from the Draft SEIR will reduce fuel consumption by ensuring construction equipment is maintained and that engine

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idling is reduced to a minimum (refer to **Page 4.1-20** and **Page 4.1-28** of the **Draft SEIR**). There are no aspects of the Project that would foreseeably result in the inefficient, wasteful, or unnecessary use of energy during construction activities.

During operation, the Project would comply with applicable energy standards and new capacity would not be required. The Project would be required to comply with California's Energy Efficiency Standards for Residential and Non-Residential Buildings which would reduce the growth in electricity and natural gas usage. Further, the Project would comply with and implement **MM 4.6-3** and **MM 4.6-4** from the GHSP EIR and install energy efficient lighting (refer to **Page 7-19** of the **Draft SEIR**). Additionally, the GHSP EIR included Energy Efficient mitigation measures, **4.6-3** through **4.6-11**, to further reduce impacts to less than significant (refer to **Page 7-19** of the **Draft SEIR**). None of the Project energy uses exceed one percent of the corresponding uses within the County. All Project buildings will comply with energy and fuel efficiency laws and regulations; thus, the Project would not be wasteful or inefficient. Pursuant to CEQA Guidelines Section 15162, impacts related to energy resources would not consist of new or substantially more severe impacts than what was previously analyzed by the GHSP EIR or the 2020 Addendum to the GHSP EIR.

## **E. Hazards and Hazardous Materials**

The Project would utilize chemical substances common with typical construction, landscaping, and cleaning activities and do not generally pose a significant hazard to the public or environment. The two gas stations proposed under the Project would be installed under oversight by the County Fire Department. The Project would be subject to the requirements of the South Coast Air Quality Management District (SCAQMD) Rule 461, which requires all aboveground and underground storage tanks be equipped with a CARB certified enhanced vapor recovery system reducing the risk of gasoline spillage.

The Project would not release hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The nearest school is Paakuma' K-8 School at 17825 Sycamore Creek Loop Parkway, approximately 1.3 miles to the southwest of the Project site. The Project is not anticipated to generate significant hazardous materials that would impact this school.

The Project site is not listed under the California Hazardous Waste and Substance Site List (Cortese List). Materials and substances would all be subject to applicable health and safety requirements under the Occupational Safety and Health Administration (OSHA).

Regarding potential hazards near an airport, the Project site is not located near to a public airport or public use airport. The nearest airport is located approximately 12 miles southeast of the Project site.

The Project is not anticipated to interfere or impair an adopted emergency response or evacuation plan. Emergency access to the Project site would be provided at the existing signalized intersection of Glen Helen Parkway and Clearwater Parkway at the southern portion of the Project site. Additionally, the proposed Fire/Sheriff Station would have driveway access directly to Glen Helen Parkway to provide emergency vehicle access from the station to public roadways. Furthermore, the Project would construct 30-foot-wide driveways throughout the Project site to provide circulation to the individual developments.

Regarding wildlife hazards, the Project site is located within a State Responsibility Area (SRA), Very High Fire Hazard Severity Zone (VHFHSZ) and would adhere to the California Governor's Office of Emergency

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Management Agency to prepare a Standardized Emergency Management System program (Title 19 CCR Section 2400 et seq.), which sets forth measures by which a jurisdiction should handle emergency disasters, and CCR Section 51175 through 51189. The Project would also comply with the San Bernardino Countywide Plan Hazards Element to ensure adequate emergency services and fire protection would be provided to the Project site. Furthermore, the County's and County Fire Department's review of all future permits for development would include review of access for emergency vehicles during construction and operation, in accordance with the California Fire Code.

Pursuant to CEQA Guidelines Section 15162, impacts related to hazards and hazardous materials would not consist of new or substantially more severe impacts than what was previously analyzed by the GHSP EIR or the 2020 Addendum to the GHSP EIR.

## **F. Hydrology and Water Quality**

Regarding water quality standards, the Project would implement temporary and permanent best management practices (BMPs) which would prevent or substantially limit the runoff of pollutants and as such the Project would not violate any water quality standards.

Regarding groundwater supplies and groundwater recharge, the Project site has been zoned and accounted for in the County's general plan documents and analyses as well as the Water District's planning documents, the assumed water consumptions have been accounted for in the available water supplies. Further, the Project would construct underground detention and infiltration basins which would allow at captured stormwater from the Project site to infiltrate into the soils and provide the opportunity to recharge groundwater supplies.

Regarding the existing drainage patterns, the Project site generally consists of two hills and all stormwaters would drain away from the Project site toward its boundaries. The Project would implement BMPs and landscaping which would stabilize slopes within the Project site such that erosion and siltation would not occur. Additionally, the Project would be designed to accommodate and infiltrate the 100-year storm events. This would result in the Project not contributing to the exceedance of capacity for existing stormwater drainage infrastructure in the area and region.

Concerning Project inundation and flood hazards, the Project site is not located within a flood hazard area, nor is it located within proximity to the ocean such that tsunami could be a risk, nor is it located adjacent to standing bodies of water such that seiche during ground shaking events could risk the release of pollutants due to Project inundation. Further, the Project site is located at a relative high point such that flood depths would need to be so substantial that there would be regional disruption and catastrophe.

Despite these facts, the Project, as it is located within a previously approved and analyzed specific plan area, would implement **MM 4.2-6** and **MM 4.2-7** from the GHSP EIR and **MM 4.2-1**, **MM 4.2-2**, **MM 4-2**, and **MM 4-3** from the 2020 Addendum to the GHSP EIR (refer to **Page 7-33** through **Page 7-36** of the **Draft SEIR**). Pursuant to CEQA Guidelines Section 15162, impacts related to hydrology and water quality would not consist of new or substantially more severe impacts than what was previously analyzed by the GHSP EIR or the 2020 Addendum to the GHSP EIR.

## **G. Land Use and Planning**



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The Project would provide for minor modifications to the GHSP-DR zoning. These modifications would modernize and expand the allowable uses and the conditionally allowable uses within the GHSP-DR zone. There are no established communities directly adjacent to the Project site such that development of the Project would physically divide these established communities. While the Project is generally consistent with the Countywide Policy Plan goals and policies, it is partially located within the San Bernardino National Forest boundary. As such, the Project would comply with **MM 1-7** through **MM 1-9** from the 2020 Addendum to the GHSP EIR (refer to **Page 7-37** of the **Draft SEIR**).

The Project would not result in a change in, or conflict with a land use or zoning district that would result in potentially significant impacts. Pursuant to CEQA Guidelines Section 15162, impacts related to land use and planning would not consist of new or substantially more severe impacts than what was previously analyzed by the GHSP EIR or the 2020 Addendum to the GHSP EIR.

#### **H. Mineral Resources**

A portion of the Project site is located on lands designated as Mineral Resource Zone 3 (MRZ-3) by the County, which designates land that has areas containing known or inferred mineral deposits that may qualify as mineral resource. The Project site is not designated for mineral extraction uses nor would mineral extraction be allowed without the approval of a conditional use permit. No part of the Project site is within a boundary that is owned or controlled by an aggregate producer or has previously been used for mineral extraction. As the Project site does not currently contain mineral extraction facilities, consists of previously disturbed land, and has not been designated as containing confirmed mineral resources of significance, the Project would not result in the loss of availability of known mineral resources which are of value to the region and the residents of the State. Pursuant to CEQA Guidelines Section 15162, impacts related to mineral resources would not consist of new or substantially more severe impacts than what was previously analyzed by the GHSP EIR or the 2020 Addendum to the GHSP EIR.

#### **I. Population and Housing**

There are no changes from that previously analyzed. As described previously, the Project uses are similar to what was previously analyzed within the GHSP EIR and 2020 GHSP EIR Addendum development that was evaluated in the GHSP EIR and 2020 GHSP EIR Addendum and would not result in any additional population or employment. Thus, there would be no increase in population or employment beyond those identified in the previous GHSP EIR. Pursuant to CEQA Guidelines Section 15162, impacts related to population and housing would not consist of new or substantially more severe impacts than what was previously analyzed by the GHSP EIR or the 2020 Addendum to the GHSP EIR.

#### **J. Public Services**

Regarding fire services, the Project would provide land and prepare for the construction and operation of a new Fire/Sheriff Station on the northeast corner of the Project site. This station would provide adequate driveway space for fire engines to navigate and safely be deployed to respond to emergency calls within the Project site. Additionally, prior to commencement of any construction activities, and pursuant to the San Bernardino County Code of Ordinance § 85.01, the Project design plans would be reviewed by all applicable local agencies, including the San Bernardino County Fire Department, to ensure compliance with the County's Development Codes and Ordinances, Policy Plan, and all applicable emergency response and fire safety requirements of the San Bernardino County Fire Department and the California Fire Code.

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In addition, the Project, as it is part of a previously approved and analyzed specific plan area and would implement **MM 4.11-1** through **MM 4.11-3** from the GHSP EIR, and **MM 10-1** and **MM 10-2** from the 2020 Addendum to the GHSP EIR.

Regarding police services, law enforcement services are provided by the San Bernardino County Sheriff's Department. The Central Valley Station (CVS) is located at 655 East Third Street in the City of San Bernardino. Within the service area of this facility, there exists a population to officer ratio of approximately one sworn officer for each 1,000 residents. The implementation of the Project would not require new police services to be added, regardless, the Project is providing the means for a new Fire/Sheriff Station to be constructed on-site.

Regarding schools, the Project does not consist of land uses which would increase the demand on school systems, such as residential uses, within the area, however, the Project would be required to comply with **MM 9-6** of the 2020 Addendum to the GHSP EIR.

Refer to **Section 4.4.K, Recreation** of these Findings below for information regarding parks.

Concerning other public facilities, the County's permitting process would ensure that the uses would be located and secured in a manner that would not result in an increased need for public facilities, or that there is a mechanism in place to expand and provided services should a project require expanded uses. However, the Project would not increase demands on public facilities and services beyond those previously analyzed in the GHSP EIR and the 2020 Addendum to the GHSP EIR. Pursuant to CEQA Guidelines Section 15162, impacts related to public services would not consist of new or substantially more severe impacts than what was previously analyzed by the GHSP EIR or the 2020 Addendum to the GHSP EIR.

#### **K. Recreation**

The Project does not include a residential component such that there would be an increase demand on parks and recreational uses. There are no changes, and no expansion of urban land uses beyond what was previously analyzed in the GHSP EIR and the 2020 Addendum to the GHSP EIR. The Project would not directly result in a need for additional recreational facilities. Pursuant to CEQA Guidelines Section 15162, impacts related to recreation would not consist of new or substantially more severe impacts than what was previously analyzed by the GHSP EIR or the 2020 Addendum to the GHSP EIR.

#### **L. Utilities and Service Systems**

The Project would require new utility connections including water, wastewater, stormwater, electricity, natural gas, and telecommunications. All utilities would be undergrounded where feasible or to the extent possible. With regards to water services and water supply, the Project site is within West Valley Water District's (WVWD) sphere of influence and therefore would be served by WVWD. WVWD services would be extended and upsized as necessary to service the Project site. The Project would have sufficient water supplies during the foreseeable future development during normal, dry and multiple dry years due to WVWD's excess water supply.

Regarding stormwater infrastructure, the Project would connect to existing stormwater infrastructure and would not require regional or capital improvement of stormwater drainage infrastructure. All stormwater

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drainage infrastructure developed within the Project site would be designed to capture and infiltrate the design storm event, specifically the 100-year storm event.

Regarding sanitary services, the Project would be required to construct new sanitary infrastructure (refer to **Figure 3-7** of the **Draft SEIR**). The County Special Districts Service Area 70 GH Glen Helen existing wastewater treatment plant capacity would be able to adequately serve the additional sanitary demand caused by the Project.

With regards to electrical services, the Project site is currently served with electric power through electricity distribution lines that are both aboveground and buried. Additional electrical infrastructure would be installed to provide electricity to the Project site and individual developments within the Project site. Southern California Edison (SCE) has provided the Project Applicant with a will serve letter notifying that electrical services would be provided to the Project site.

Regarding telecommunications services, the construction of substantial new telecommunication infrastructures would not be required. The Project site is served by existing natural gas and telecommunication facilities and implementation of the Project would not require the relocation existing utility facilities nor create the need to construct additional natural gas and telecommunication facilities of which could cause significant environmental effects to meet the Projects utility demand.

Solid waste services for the Project site would be provided by Burrtec, a privately held solid waste company. Solid waste generated by the Project would not exceed state or County standards, nor would it be in excess of the capacity of local solid waste infrastructure. As the Project site is located within a previously approved and analyzed specific plan area, the Project would be required to comply with and implement all applicable mitigations measures identified in the GHSP EIR and the 2020 Addendum to the GHSP EIR which can be found in **Table 1-1** of the **Draft SEIR**.

There are no changes, and no expansion of urban land uses beyond what was previously analyzed. The Project uses are similar to construction that is needed for development of the GHSP EIR and 2020 GHSP EIR Addendum that was evaluated in the GHSP EIR. However, the Project would implement **MM 10-3** and **MM 10-4** of the 2020 Addendum to the GHSP EIR (refer to **Page 7-54** of the **Draft SEIR**). Pursuant to CEQA Guidelines Section 15162, impacts related to utilities and service systems would not consist of new or substantially more severe impacts than what was previously analyzed by the GHSP EIR or the 2020 Addendum to the GHSP EIR.

## **M. Wildfire**

The Project site is located within an SRA, VHFHSZ. During fire emergencies, specific evacuation routes would be designated, and all evacuation procedures would comply with the County's Emergency Management Plan. Emergency access to the Project site would be provided at the existing signalized intersection of Glen Helen Parkway and Clearwater Parkway at the southern portion of the Project site. Compliance with the requirements for emergency lane width, vertical clearance, and distance would ensure that adequate emergency access is available for all new development and redevelopment projects. Future construction and operation of the Project is not expected to create risks of wildfire that what was previously analyzed within the GHSP EIR.

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Regarding the spread of wildfire, Project construction, along with the removal of any brush, trees, and grasses would limit the potential for wildfire spreading by removal of source materials. In addition, the Project, as it is part of a previously approved and analyzed specific plan area and would implement **MM 4.11-2** of the GHSP EIR (refer to **Table 1-1** of the **Draft SEIR**). The Project would be subject to additional development standards (such as setback requirements, fuel modification zones, vehicular access, building separation, erosion and sediment control, and other design requirements) to provide greater public safety in these fire-prone areas.

Regarding post-fire slope instability, the Project would not expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes, due to the removal of steep slopes from the Project site. Pursuant to CEQA Guidelines Section 15162, impacts related to wildfire would not consist of new or substantially more severe impacts than what was previously analyzed by the GHSP EIR or the 2020 Addendum to the GHSP EIR.

## **Section 5. Other CEQA Considerations**

### ***Growth Inducing Impacts***

CEQA Guidelines Section 15126.2(e) requires that EIRs include a discussion of ways in which a proposed project could induce growth. The CEQA Guidelines identify a project as “growth-inducing” if it fosters economic or population growth or if it encourages the construction of additional housing either directly or indirectly in the surrounding environment. Please refer to Section 5.4 of the Draft SEIR for an analysis of the potential growth-inducing impacts of the Project.

New employees from commercial or industrial development and new population from residential development represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area. The Project would therefore have a growth-inducing impact if it would:

- Directly or indirectly foster economic or population growth, or the construction of additional housing;
- Remove obstacles to population growth;
- Require the construction of new or expanded facilities that could cause significant environmental effects; or
- Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

Growth anticipated to occur within the GHSP area would be internally compatible with existing land uses. The GHSP is intended to provide a comprehensive guide for quality land development with a viable program for building and financing the infrastructure necessary to support it. Implementation of the GHSP would not result in the construction of substantial new infrastructure or facilities that could otherwise induce further growth outside the GHSP boundaries. The GHSP is anticipated to encourage new commercial development within the site, and result in indirect economic growth stimulated by new jobs and economic activity. However, this induced growth would not significantly exceed local and regional

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growth projections. Implementation of the GHSP would contribute to a more favorable jobs/housing balance within San Bernardino County and the Southern California Association of Governments (SCAG) region.

The Project, when implemented, would directly induce population growth and employment in the County through the development of approximately 202,900 SF of commercial and retail center land uses. The Project would generate new businesses that would induce population and economic growth. The construction phase of the Project would generate employment opportunities, including construction management, engineering, and labor. Construction related jobs are not considered significantly growth inducing because they are temporary in nature and are anticipated to be filled by persons within San Bernardino County and the surrounding communities. New commercial, retail, hospitality, and civic uses would provide a variety of job opportunities, which would cause some direct economic growth due to the commercial uses and an indirect economic growth due to its development. However, the Project does not include a residential component and there are no changes to the physical condition of the Project site or the scale/scope of the Project from that previously analyzed in the GHSP EIR.

Additionally, the Project would not require the expansion of utility facilities such as water treatment plants or landfills. Adequate capacity was concluded for each of those facilities. The GHSP EIR determined that impacts related to population, housing, and employment would be less than significant.

Based upon these considerations, the Project will not result in significant growth-inducing impacts.

### ***Significant and Irreversible Environmental Changes***

CEQA Guidelines Section 15126.2(d) requires a discussion of any significant irreversible environmental changes that would be caused by a proposed project. Generally, the section states that a project would result in significant irreversible environmental changes if the following occurs:

- The project would involve a large commitment of nonrenewable resources in a way that would make their nonuse or removal unlikely;
- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; and
- The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

Build-out of the Project would commit nonrenewable resources during Project construction and operation. These energy resource demands would be used for construction, heating and cooling of buildings, transportation of people and goods to and from the GHSP area, heating and refrigeration for food preparation and water, as well as lighting and other associated energy needs. The Project proposes two fueling stations and would store fossil fuels on the Project site. Fossil fuels on-site would not be stored in a manner that would make their removal unlikely. No infrastructure is proposed to store fossil fuels without the ability of removal. The Project would also require the commitment of land on which the Project would be developed for commercial, retail, hospitality, and civic uses. However, those commitments would occur in accordance with the adopted goals, policies, and implementation measures

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of the San Bernardino Countywide Plan, as a matter of public policy, those commitments have been determined to be acceptable. Similarly, the Project would comply with any federal, state, and local air quality and water quality regulations to further ensure the least amount of environmental impact. The mixed-use nature of the Project would not influence the existing land area as the Project complies with the goals and policies of the San Bernardino Countywide Plan. Compliance with the San Bernardino Countywide Plan ensures that any irreversible environmental changes associated with those commitments will be minimized.

### ***Mandatory Findings of Significance***

Regarding impacts on habitat or species, the Project would have less than significant impacts to biological resources with mitigation incorporated; refer to **Section 4.2, Biological Resources**, of this Draft SEIR. The Project site only has one special-status plant species observed on-site, approximately five Southern California black walnut (*Juglans californica*), considered a CNPS Rare Plant Rank 4.2. According to the Habitat Assessment (**Appendix C1** of the Draft SEIR) and Special-Status Plant Survey Report (**Appendix C2** of the Draft SEIR), the presence of this species on site, therefore, does not rise to the level of a species of concern under CEQA and, as such, is not expected to contribute to the long-term conservation of the value for the species, and impacts would be less than significant, and no mitigation is required. The Project will adhere to the San Bernardino County Ordinance Section 88.01.050 Native Tree or Plant Removal Permits for the removal of any of the five Southern California black walnuts (*Juglans californica*) if it is necessary for the Project to help with minimization of any impacts. Project development would not impact federally or State listed species known to occur in the general vicinity designated Critical Habitats or regional wildlife movement corridors/linkages and would incorporate **MMs 4.8-2, 4.8-5, and 4.8-6** from the GHSP EIR.

Additionally, a Jurisdiction Delineation Report (**Appendix C3** of the Draft SEIR) was conducted for the Project site, to determine if features on site would be considered jurisdictional. It was concluded that the Project would not have a substantial adverse effect on state or federally protected waters or wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Therefore, the Project would not result in new or substantial increases in the magnitude of impacts compared to the GHSP EIR and 2020 GHSP EIR Addendum. The PDP/TPM would allow for development of approximately 202,900 square feet of commercial and retail center land uses. The Project proposes relatively minor changes in allowable uses within the existing GHSP-DR zone. There are no substantial changes to the physical condition of the Project site or the scale or scope of the proposed development from that previously analyzed within the GHSP EIR and 2020 GHSP EIR Addendum.

Regarding short-term versus long-term goals, the Project involves the development of approximately 202,900 SF of commercial and retail center land uses on an approximately 32-acre site. **Section 5.3: Significant Irreversible Environmental Changes**, of this document addresses the short-term and irretrievable commitment of natural resources to ensure that the consumption is justified on a long-term basis. In addition, **Section 1.0: Executive Summary**, identifies all significant and unavoidable impacts that could occur that would result in a long-term impact on the environment. Lastly, **Section 5.4: Growth-Inducing Impacts** identifies any long-term environmental impacts associated with economic and population growth that are associated with the Project.



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Regarding cumulatively considerable impacts, this Draft SEIR provides a cumulative impact analysis for each of the environmental topics listed above and are provided in **Section 4.1: Air Quality** through **Section 4.7: Transportation** of this Draft SEIR.

Regarding substantial adverse effects on human beings, the following topic areas were determined to be significant and unavoidable with respect to adverse effects on human beings:

- Project-Related Operation Emissions
- AQMP Consistency
- Cumulative Emissions
- Project-Related GHG Emissions

## **Section 6. Evaluation of Alternatives**

In accordance with CEQA Guidelines Section 15126.6(a), an EIR shall describe a range of reasonable alternatives to the project or to the location of the project that could feasibly avoid or lessen any significant environmental impacts of the project while attaining most of the project’s basic objectives and evaluate the comparative merits of the alternatives. The Project’s objectives are provided in **Section 3.2, Project Objectives** and below. CEQA Guidelines Section 15126.6(b) states that the selection of project alternatives “shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly.” As described in CEQA Guidelines Section 15126.6(f)(1), among the factors that may be taken into account when addressing the feasibility of alternatives are environmental impacts, site suitability, economic viability, social and political acceptability, technological capacity, availability of infrastructure, Countywide Plan consistency, specific plan consistency, regulatory limitations, jurisdictional boundaries, and whether the project proponent could reasonably acquire, control, or otherwise have access to an alternative site. If an alternative has effects that cannot be reasonably identified, if its implementation is remote or speculative, or if it would not achieve the basic project objectives, it need not be considered in the EIR.

The Projects potentially significant impacts are defined in **Section 4.1: Air Quality** through **Section 4.7: Transportation** of the Draft SEIR. As noted in these sections, most of the potentially significant impacts identified can be mitigated to a less than significant level through implementation of Project design features, standard conditions, and feasible mitigation measures with the exception of air quality. In response to the potentially significant impacts that were identified, the SEIR includes the following alternatives for consideration by decision-makers upon action related to the Project:

1. No Project Alternative
2. Existing Specific Plan Alternative
3. Reduced Density Alternative

CEQA Guidelines Section 15126.6(e)(2) indicates that an analysis of alternatives to a proposed project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR, and that

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if the “no project” alternative is the environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining alternatives. In general, the environmentally superior alternative is the alternative with the least adverse impacts on the environment.

The impacts of each alternative evaluated in detail in the Draft SEIR are compared to the Project’s impacts in Draft SEIR **Section 6.0: Alternatives**, with a summary of comparative impacts provided in **Draft SEIR Table 6-2**.

The County finds that a good faith effort was made to evaluate all feasible alternatives in the EIR that are reasonable alternatives to the Project and could feasibly obtain the basic objectives of the Project, even if alternatives might impede attainment of the Project objectives or be more costly. As a result, the scope of alternatives analyzed in the Final SEIR is not unduly limited or narrow. The County also finds that all reasonable alternatives were reviewed, analyzed, and discussed in the review process of the EIR and the ultimate decision on the Project.

### **Project Objectives**

In identifying potentially feasible alternatives to the Project, the following Project objectives were considered:

- **Objective 1:** Reinforce Glen Helen as a prominent gateway and as a regional entertainment/recreation destination.
- **Objective 2:** Provide new retail and commercial development that would serve currently underserved residents of the area as well as the region in general by providing goods and services to traffic passing by on the I-15 freeway, which are currently underserved.
- **Objective 3:** Create new employment opportunities.
- **Objective 4:** Provide quality public facilities to serve new development, including a Fire and Sheriff’s station to serve the region.
- **Objective 5:** Respect the historic roots of the Glen Helen area, include including old Route 66 and historic Devore community, through design themes and cultural activities.
- **Objective 6:** Establish Glen Helen as an economically sound enclave of specialized businesses and commercial recreation/entertainment venues.
- **Objective 7:** Landscaping appropriate to the level of development and in excess of current landscape coverage standards and sensitive to surrounding areas.
- **Objective 8:** Provide new retail and commercial development that would be easily accessible from I-15 and I-215 by-pass traffic, providing convenient shopping opportunities to by-pass drivers and reducing overall vehicle miles traveled in the region.

### **6.1 Alternatives Rejected as Infeasible**

State CEQA Guidelines Section 15126.6(c) states that an EIR should identify any alternatives that were considered by the lead agency but rejected because the Alternative would be infeasible, fail to meet most of the basic project objectives, or are unable to avoid significant environmental impacts. Furthermore, an EIR may consider an alternative location for the proposed Project but is only required to do so if significant

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project effects would be avoided or substantially lessened by moving the Project to another site and if the Project proponent can reasonably acquire, control, or otherwise have access to the alternative site. In developing the Project and alternatives, consideration was given to the density of development that could meet Project objectives and reduce significant impacts. The anticipated significant impacts would result from the intensity of the development proposed. In this case, an alternative site analysis is not considered appropriate as the Project proposes to provide retail/commercial uses and public services, such as fire and police, to currently underserved residential communities, such as the communities of Devore to the north, Verdmont to the east, and the single-family homes inside and surrounding Sycamore Creek Loop Parkway to the south, which is located along the Lytle Creek. Although an alternative site with similar uses could be proposed elsewhere, the Project site is centrally located to these existing residential communities and provides an equitable opportunity for residents to utilize retail/commercial uses and to be covered by emergency services, such as fire and police. Further, an alternative site would not fully achieve the objectives of the Project. Also note, that no alternative sites have been identified by stakeholders including public comments at the NOP Public Scoping Meeting.

Additionally, an alternative use for recreational uses is not considered appropriate as the Project is immediately adjacent to a large regional park that provides recreational opportunities to many residents, not just in the immediate vicinity of the Project site, but also to residents of the entire southern California region. Additionally, this alternative would not be feasible as the County does not currently own the land to be able to provide recreational services and the County has identified a need for retail/commercial uses and for emergency public services, such as fire and police, in this area of the County. The site is also not accessible without substantial grading; therefore, an active recreational use would have similar construction-related air quality and GHG impacts as the Project due to grading the site to provide suitable recreational surfaces. Further, this Alternative would not fully meet or achieve the objectives of the Project.

As identified in PRC Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), findings are required only for “alternatives identified in the environmental impact report.” Alternatives that are not reviewed in detail in the EIR because they have been determined to be infeasible need not be discussed in the findings. Therefore, findings are not provided for alternatives considered in the Draft SEIR and rejected from detailed analysis.

## **6.2 Alternatives Analyzed in the SEIR**

### **6.2.1 Alternative 1: No Project – No Development Alternative**

Pursuant to CEQA Guidelines Section 15126.6(e)(3)(B), the No Project – No Development Alternative (Alternative 1) allows decision-makers to compare the environmental impacts of approving the Project to the environmental impacts that would occur if the property were left in its existing conditions for the foreseeable future. Alternative 1 assumes that the existing land uses and condition of the Project site at the time environmental analysis is commenced would continue to exist without the Project. The setting of the Project site at the time environmental analysis was commenced is described as part of the existing conditions within **Section 3.0, Project Description** and throughout **Section 4.0 of the Draft SEIR**. The discussion within the respective sections provides a description of the environmental conditions regarding the individual environmental issues.

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Under existing conditions, the Project site is nearly entirely undisturbed and is mostly undeveloped with native and non-native vegetation throughout the Project site. There is an existing building on the northern portion of the Project site that includes graded areas, a driveway, and the structure itself.

Alternative 1 assumes the Project would not be implemented and proposed land use and other improvements would not be constructed as related to proposed Project. Note that this Alternative would not preclude future development concepts being pursued at the Project site at a later date.

**Finding.** The County finds that the No Project Alternative is infeasible because it would not meet any of the Project Objectives and would not provide any of the benefits associated with the Project, and thus rejects this alternative.

**Basis for Finding.** Alternative 1 would have reduced environmental impacts compared to the Project and would avoid the one identified unavoidable significant impact of the Project related to air quality. However, this alternative would not accomplish the Project objectives of providing a retail/commercial use area in close proximity to regional transportation corridors and currently underserved residential communities. In addition, this Alternative 1 would not preclude future development proposals for the Project site.

### **6.2.2 Alternative 2: Existing Specific Plan Alternative**

The Existing Specific Plan Alternative (Alternative 2), consistent with State CEQA Guidelines Section 15126.6, assumes development of the Project site pursuant to the existing Countywide Plan and zoning designations, which would be pursuant to the current GHSP.

Alternative 2 would develop the Project site consistent with the prior approved GHSP and consistent with the current County of San Bernardino Countywide Plan. Alternative 2 would be consistent with the Countywide Plan's Special Development (SD) land use category and with the zoning of Glen Helen Specific Plan – Destination Recreation (GHSP-DR). The GHSP-DR zone in the GHSP is intended to accommodate residential land uses, low-intensity service commercial and recreation entertainment uses and would allow for planned development residential uses. Land uses within the DR zone include recreation vehicle parks, private campgrounds, residential uses, bed and breakfast establishments, restaurants, and limited retail commerce, as well as a full range of recreation-oriented activities. The Specific Plan Amendment proposed as part of the Project would not alter any of the design standards or development regulations within the GHSP but would simply allow for an expanded ranged of uses allowed within the GHSP-DR zone. The primary difference in uses would be that restaurants with drive-throughs, service/gas stations, and government/civic facilities would not be allowed as part of Alternative 2. Overall, the specific plan amendment constitutes very minor changes to the allowable uses of the existing GHSP-DR zone within the GHSP. However, under Alternative 2, these changes would not occur, restaurants with neither outdoor seating nor drive-through services would be allowed, nor would gas/service stations be allowed. The GHSP-DR zone in the existing Specific Plan would generally allow retail, commercial, and recreation/entertainment services.

No General Plan Amendment is required or proposed under the Project. Therefore, for the purposes of this alternatives analysis, the Existing Specific Plan alternative is assumed to result in a similar intensity of

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development of allowable land uses as that proposed in the Project. For the purposes of this alternative, it is assumed that the same location would be utilized.

**Finding.** The County finds that the Existing Specific Plan Alternative would generally meet the Project objectives, but some important objectives would be met to a lesser extent than the Project while resulting in mostly similar or greater environmental impacts, and thus rejects this alternative.

**Basis for Finding.** Alternative 2 would have a similar or greater environmental impact compared to the Project and would not avoid the identified unavoidable significant impact of the Project related to air quality. This alternative could accomplish some of the objectives of the Project to provide retail trade/personal services to currently underserved residential communities in the region, however the full extent of these services would not be able to be provided.

### **6.2.3 *Alternative 3: Reduced Intensity Alternative***

The Reduced Density Alternative (Alternative 3) would entail the development of the Project site with the proposed Specific Plan Amendment being adopted by the County Board of Supervisors, but at a smaller development density than what was proposed for the Project. For the purposes of this analysis, a 25 percent reduction in density was assumed.

**Finding.** The County finds that the Reduced Density Alternative is infeasible because it fails to meet important Project objectives, would result in greater impacts for most environmental resource areas as compared to the Project, and would require additional approvals by other agencies, and thus rejects this alternative.

**Basis for Finding.** Overall, the Reduced Density Alternative would have slightly reduced environmental impacts compared to the Project, although it would not avoid the identified unavoidable significant impacts of the Project related to air quality. This alternative could partially accomplish the primary Project objective to provide retail/commercial uses to currently underserved residential communities in the region, albeit with a reduction in the variety and quantity of services and shopping choices available. This may result in the need for local serving retail and commercial uses for nearby residential communities in the area to not be fully met. Additionally, since the construction-related impacts of this Alternative 3 would be similar to the Project, including the site preparation and grading portions, there would be a similar impact with a less desirable result related to the Project objectives. Essentially, there would be similar impacts with less ongoing benefits to the County, local residents and pass-by visitors due to reduced retail and service opportunities. Further, the cost to prepare the Project site for development may not be financially feasible when compared to the potential return from a reduced density project.

### **6.2.4 *Environmentally Superior Alternative***

CEQA Guidelines Section 15126.6(e)(2) requires the designation of an environmentally superior alternative to the Project and, if the environmentally superior alternative is the No Project Alternative, selection of an environmentally superior alternative from among the remaining alternatives.

Of the alternatives listed above, Alternative 3, Reduced Density Alternative, is conservatively considered as the environmentally superior alternative, as Alternative 3 would reduce the development footprint by 25 percent, therefore, Alternative 3 has fewer environmental impacts than the proposed Project or any

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of the other alternatives, particularly as it relates to impacts to air quality, GHG, noise, and transportation. However, Alternative 3 would not meet Objectives 6 and 8. Alternative 3 would not establish Glen Helen as an economically sound enclave of specialized businesses and commercial recreation/entertainment venues as the reduced density of development and available retail/commercial uses on site would not adequately fulfill the needs of nearby communities. Customer demand would remain while the capacity would not adequately fulfill these demands. As a result, nearby residents may be required to travel to other retail areas within the region to fulfill their needs. Alternative 3, while providing new retail and commercial development, would not provide convenient shopping opportunities to bypass drivers. As previously discussed, the reduced density of development would reduce the capacity of the retail/commercial uses to serve customers resulting in increased queueing and wait times, which would in turn reduce the convenience for passers-by.

## **Section 7. Findings Regarding the Final SEIR**

Chapter 2.0, Comment Letters and Responses to Comments, of the Final SEIR provides the comments received during the public review period on the Draft SEIR, as well as San Bernardino County's responses to these comments. The focus of the responses to comments is on the disposition of significant environmental issues as raised in the comments, as specified by CEQA Guidelines Section 15088(c). The County provided a written proposed response to each public agency on comments made by that public agency pursuant to CEQA Guidelines Section 15088(b).

One commenter requested to work with the County and/or developer to ensure a historic marker, Pioneer Woman, located within the Project boundary, is properly preserved. County staff coordinated with this commenter as requested. On February 7, 2024, the commenter sent a follow up email stating that on February 6, 2024, the San Bernardino Historical & Pioneer Society held a special board meeting. The Board unanimously approved moving the Pioneer Women monument from its previous location, at the intersection of Glen Helen Parkway and the northbound Interstate-15 (I-15) freeway on-ramp, to a site in Glen Helen Park, near the existing Sycamore Grove Monument, at the Applicant's expense. See Section 2.0, Comment Letters and Responses to Comments for further detail.

The purpose of the Final SEIR is to respond to all comments received by the County regarding the environmental information and analyses contained in the Draft SEIR. Chapter 3.0, Corrections and Additions to the SEIR, of the Final SEIR includes any clarifications/corrections to the text of the SEIR generated either from responses to comments or independently by San Bernardino County. San Bernardino County finds that comments made on the Draft SEIR, the responses to these comments, and revisions to the EIR clarify or update the analysis presented in the document but do not change the analysis or conclusions of the SEIR. Accordingly, no significant new information, as described in CEQA Guidelines Section 15088.5, was added to the SEIR after the Draft SEIR was made available for public review.

The comments, responses to comments, and the clarifications to the SEIR do not trigger the need to recirculate the EIR pursuant to CEQA Guidelines Section 15088.5. These changes merely clarify or update the discussion but do not change the analysis or conclusions of the SEIR. Based on the analysis in the Draft SEIR, the comments received, and the responses to these comments, no substantial new environmental issues have been raised that have not been adequately addressed in the SEIR. Also, no



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changes to the analysis or conclusions of the SEIR are necessary based on the comments, the responses to the comments, and the revisions to the SEIR.

## **Section 8. Findings Regarding the Mitigation Monitoring and Reporting Program**

PRC Section 21081.6 requires that when a public agency is making the finding required by PRC Section 21081(a)(1), the public agency shall adopt a reporting or monitoring program for the changes made to the Project or conditions of Project approval adopted in order to mitigate or avoid significant effects on the environment.

The mitigation measures in the MMRP would serve to avoid or reduce environmental impacts associated with implementation of the Project to less than significant levels, as supported by substantial evidence in the Record of Proceedings for the Project. The MMRP ensures implementation of the mitigation measures and provides the following information: (1) the full text of the mitigation measure and the impact statement(s) to which it applies; (2) the timing/phase of the Project during which the measure would be implemented; (3) the agency responsible for monitoring implementation of the mitigation measure; and (4) the procedure to demonstrate implementation and compliance of the mitigation measure. Thus, the County hereby finds that the MMRP meets the requirements of PRC Section 21081.6.

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## Section 9. Statement of Overriding Considerations

### 9.1 Introduction

The California Environmental Quality Act (CEQA) and the CEQA Guidelines provide in part the following:

- (a) CEQA requires that the decision maker balance the benefits of a Project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of the Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) Where the decision of the public agency allows the occurrence of significant effect that are identified in the Final EIR but are not mitigated, the agency must state in writing the reasons to support its action based on the Final EIR and/or other information in the record. This statement may be necessary if the agency also makes the findings under Section 15091(a)(2) or (a)(3) of the CEQA Guidelines.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the Notice of Determination (Section 15093 of the CEQA Guidelines).

The County of San Bernardino, having reviewed and considered the information contained in the Final SEIR for the Project, Responses to Comments and the public record, adopts the following Statement of Overriding Considerations that have been balanced against the unavoidable adverse impacts in reaching a decision on this Project.

### 9.2 Overriding Considerations

To the extent that the significant effects of the Project are not avoided or substantially lessened to below a level of significance, the County of San Bernardino, having reviewed and considered the information contained in the EIR and the public record, and having balanced the benefits of the Project against the unavoidable effects which remain, finds that such unmitigated effects to be acceptable in view of the following overriding considerations. CEQA Guidelines Section 15093(a) requires the Lead Agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits outweigh the unavoidable adverse environmental effect, the adverse environmental effects may be considered acceptable. The following are a list Project benefits:

1. All feasible mitigation measures have been imposed to lessen Project impacts to less than significant levels; and furthermore, that alternatives to the Project are infeasible because while they have similar or less environmental impacts, they do not provide the benefits of the Project, when compared to the Project, as described in the Statement of Facts and Findings.
2. The Project as proposed includes the development of approximately 202,900 square feet of potential commercial and retail uses including overnight accommodations for travelers/visitors to the area such as hotels; fitness facilities such as health clubs; markets and shops that will serve the local community; auto service stations such as car washes and gas stations; and restaurants.

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3. The Project as proposed includes the development of a joint public facility for the Fire and Sheriff Departments.
  4. All commercial buildings in the Project will be designed to comply with California Green Building Standards Code (CCR, Title 24, Part 11), which promote healthy, highly efficient, and sustainable green buildings.
  5. The Project will provide all necessary infrastructure to enable solar photovoltaic systems when applicable on the roofs of the commercial buildings.
  6. The Project would encourage alternative modes of transportation and accessibility with 5-foot-wide sidewalks proposed along the interior streets and a 5-foot wide sidewalk along Glen Helen Parkway, adjacent to The Oasis at Glen Helen Parkway.
  7. The Project is consistent with, and will contribute to, achieving the goals and objectives established by the County's General Plan – referred to as the "Countywide Plan". Implementing the County's Countywide Plan as a policy is a legal and social prerogative of the County.
  8. As the Project includes commercial and retail uses, approval of the Project will create local and regional employment-generating opportunities for citizens of the County and surrounding communities. In addition, construction of the Project will result in temporary employment for individuals in the construction field.
  9. Construction-related spending for materials, hardware, etc. and spending by construction workers at restaurants, service stations, and similar businesses will create an ongoing stimulus to the local and regional economies during the development of the Project over the course of several years.
  10. Approval of the Project will contribute towards maximizing employment opportunities within the County to improve the jobs-housing balance and to reduce systemic unemployment within the County. The Project will include the development of businesses that will serve consumers and businesses in the County and region.
  11. Approval of the Project will enhance the fiscal performance of the County. It will also contribute to the City of Rialto's fiscal sustainability as it is within that city's Sphere of Influence. The Project would help stabilize the County's fiscal health.
  12. Approval of the Project will result in improved infrastructure to keep pace with local and regional development and will enhance the quality of life for the County's and neighboring cities' residents by interconnecting various land uses through the improvement of existing roadways and construction of new signals. As the Project is in the Sphere of Influence of the City of Rialto, it will positively contribute to the well-being of Rialto's residents and business community.
  13. The Project is strategically located in close proximity to Interstate 15 (I-15) and Interstate 215 (I-215), roads, and nearby airports such as Ontario International Airport and the development of locally accessible retail and commercial uses will reduce vehicle miles traveled.
  14. The Project will provide a network of fully improved internal driveways for the mobility of visitors and customers.

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15. The Project will pay fair share contributions towards future regional circulation improvements.
  16. The Project is in alignment with the original intent of the Glen Helen Specific Plan as with its implementation it will provide low-intensity retail and commercial uses.
  17. New retail and commercial development within the Project will not exceed the maximum Floor Area Ratio of 0.20 allowed in the Glen Helen Specific Plan.

Although significant impacts will remain, the County will mitigate any significant adverse impacts to air quality to the maximum extent practicable. In its decision to approve the Project, the County has considered the Project benefits to outweigh the environmental impacts.

## **Section 10. Certification of the Final SEIR**

### **10.1 Findings**

The County certifies that the Final SEIR was prepared in compliance with CEQA and the CEQA Guidelines and that the County has complied with CEQA's procedural and substantive requirements.

The County further certifies that it has reviewed and considered the Final SEIR in evaluation the Project and that the Final SEIR reflects the independent judgment and analysis of the County. The County further finds that no new significant information as defined by CEQA Guidelines Section 15088.5, has been received by the County after the circulation of the Draft EIR that would require recirculation.

Accordingly, the County certifies the Final SEIR for The Oasis at Glen Helen Parkway Project.

As the decision-making body for approval, the County has reviewed and considered the information contained in the Findings and supporting documentation. The County determines that the Findings contain a complete and accurate reporting of the unavoidable impacts and benefits of the Project as detailed in the Statement of Overriding Considerations.

### **10.2 Significant Unavoidable Impacts**

#### **10.2.1 GHSP EIR and 2020 GHSP EIR Addendum**

A summary of the impacts identified in the GHSP EIR indicated that implementation of the GHSP project would result in significant and unavoidable impacts in the areas of Traffic and Circulation, Climate and Air Quality, and Visual Resources/Aesthetics.

#### ***Traffic and Circulation***

At the time of the certification of the GHSP EIR, SB 743 was not in force. As such, LOS was used as the basis for determination of significance of transportation impacts. At the time of the 2005 GHSP EIR, VMT was used as a tool to determine air quality impacts and emissions from transportation uses. The 2000 GHSP EIR identified that the specific plan would generate 98,335 daily trips for a total of 1,087,755 vehicle miles per day and utilized a VMT value from the then current SCAQMD Handbook that set the average trip length at 13.6 miles per trip. At the time, VMT was not used for the consideration of transportation impacts and as such, no conclusion of transportation impacts were drawn from this information. While not relevant under CEQA, LOS impacts are relevant to the County's goals and policies in the Countywide Plan as identified in the Transportation and Mobility Element. The GHSP EIR determined that the

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implementation of the GHSP would have a net decrease in the number of trips compared to the then assumed land uses for the Specific Plan area. Generally, all roadway sections, except I-15, which would operate at a higher (better) LOS than what was assumed in the General Plan, at the time. I-15 would maintain its operation of LOS F and as such, was determined to be a significant impact. To mitigate impacts related to this significant impact to I-15, the GHSP EIR identified four mitigation measures that would be implemented. After application of mitigation, I-15 would continue to operate at LOF F and was considered a significant unavoidable impact. Again, as previously mentioned, due to SB 743, LOS is no longer used as a basis of determination for the significance of transportation impacts under CEQA.

The GHSP EIR (SCH# 2000011093), as amended in December 2020 (2020 GHSP EIR Addendum), included mitigation measures. The 2020 GHSP EIR Addendum found that no new significant adverse impacts are identified or anticipated, and no new mitigation measures are required as a result of the proposed GHSP Amendment.

No new significant and unavoidable impacts concerning transportation have been identified for this Project.

### ***Climate and Air Quality***

The GHSP EIR analyzed air quality impacts related to the implementation and build out of the specific plan. The GHSP EIR determined that construction activities would result in emissions for NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> that would exceed the daily and quarterly thresholds set by SCAQMD. Similarly, it was determined that operational activities, specifically vehicle emissions, would exceed the daily SCAQMD thresholds of significance for CO, ROG, and NO<sub>x</sub>. As a result, significant and unavoidable impacts related to air quality were identified as part of the GHSP EIR. The GHSP EIR (SCH# 2000011093), as amended in December 2020 (2020 GHSP EIR Addendum), included mitigation measures. The GHSP EIR 2020 Addendum found that there would be significant unavoidable impacts related to the construction emissions of CO, NO<sub>x</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and VOCs. Additionally, the GHSP EIR 2020 Addendum found that operational emissions of CO, PM<sub>10</sub>, PM<sub>2.5</sub>, NO<sub>x</sub>, and VOCs would be above the SCAQMD thresholds of significance. The GHSP EIR 2020 Addendum identified mitigation measures that would reduce the impacts of these emissions; however, the implementation of mitigation measures would not reduce emissions of these pollutants below SCAQMD thresholds of significance.

The Project's operational-related emissions for ROG, NO<sub>x</sub>, and CO would exceed SCAQMD's thresholds of significance after the implementation of all feasible and reasonable mitigation measures, consistent with the findings of the GHSP EIR. As such, no new significant and unavoidable impacts concerning air quality have been identified for this Project.

### ***Visual Resources/Aesthetics***

Scenic vistas generally provide visual access or panoramic views to a large geographic area. A substantial adverse effect on a scenic vista would occur if the vista was screened from view, the access to a formerly available public viewing position was blocked, or visual resources were obstructed by view or access to them. Scenic vistas viewable from this point of the County include distant views of the San Gabriel Mountains located to the northwest, San Bernardino Mountains located to the northeast, and the Jurupa Hills located to the south. These vistas provide an aesthetically pleasing natural backdrop for the County's

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residents. While the San Bernardino Countywide Plan's Policy Plan does not officially designate any scenic vistas near the GHSP, the San Gabriel and San Bernardino Mountains, along with the Jurupa Hills are still considered a valuable visual resource for the County, adjacent cities, and region. As discussed within the GHSP EIR, the GHSP is comprised of several sub-planning areas: Cajon and Kendall Corridors; Devore; North Glen Helen; Central Glen Helen; South Glen Helen; Sycamore Flats/ Sycamore Canyon. The GHSP EIR concluded that less than significant impacts on scenic vistas would occur within the Cajon and Kendall Corridors, Devore, North Glen Helen, Central Glen Helen, and South Glen Helen sub-planning areas. However, potentially significant impacts to scenic vistas and resources may occur in the Sycamore Flats/ Sycamore Canyon sub-planning area as result of the GHSP. Mitigation measures (MM 4.10-1 through MM 4.10-3) in the form of development standards are incorporated into the GHSP in order to minimize adverse impacts on the visual resources within this sub-planning area. However, due to the magnitude of change in the nature of existing scenic resources and proposed land uses, the level of impact was considered to be significant and unavoidable for the Sycamore Flats/ Sycamore Canyon area.

### **10.2.2 Proposed Project**

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the County. The following significant environmental impacts have been identified in the Final SEIR and will require mitigation but cannot be mitigated to a level of insignificance:

#### **Air Quality**

The Project would result in the following significant and unavoidable air quality impacts, despite the implementation of all feasible mitigation measures: (1) conflict with or obstruct implementation of the applicable air quality plan, due to construction and operational emissions; (2) result in a cumulatively considerable net increase in criteria pollutants for which the region is non-attainment, due to construction and operational emissions; and (3) although localized impacts would be less than significant for both Project-related construction and operational emissions, a significant and unavoidable cumulative impact would result due to regional criteria pollutant emissions.

Details of these significant unavoidable adverse impacts were discussed in the Draft SEIR (refer to **pages 4.1-21** through **4.1-23** of the Draft SEIR) and are summarized, or were otherwise provided in *Section 4.3, Environmental Effects Which Remain Significant and Unavoidable After Mitigation and Findings*, in the Facts and Findings and Statement of Statement of Overriding Considerations.

The County has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the County determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the Statement of Overriding Considerations (See Section 9.0).

### **10.3 Conclusions**

1. Except as to those impacts stated above relating to air quality, all other significant environmental impacts from the implementation of the Project have been identified in the SEIR and, with implementation of the mitigation measures identified, will be mitigated to less than significant levels.



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2. Alternatives to the Project, which could potentially achieve the basic objectives of the Project, have been considered and rejected in favor of the Project.
  3. Environmental, economic, social, and other considerations and benefits derived from the development of the Project override and considered any alternatives to the Project or further mitigation measures beyond those incorporated into the Project were rejected in favor of the Project.

## **Section 11. Adoption of Mitigation Monitoring and Reporting Program**

Pursuant to *Public Resources Code* Section 21081.6, the County hereby adopts, as conditions of approval of the Project, the Mitigation Monitoring and Reporting Plan (MMRP). In the event of any inconsistencies between the mitigation measures set forth herein and the attached MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

## Attachment A

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# Mitigation Monitoring and Reporting Program (MMRP)

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p><b>Section 4.1, Air Quality</b></p> <p><b>Proposed Project MM AQ-1:</b> Prior to issuance of grading permits, the applicant shall prepare and submit documentation to the County of San Bernardino that demonstrate the following:</p> <ul style="list-style-type: none"> <li>All off-road diesel-powered construction equipment greater than 50 horsepower meets California Air Resources Board Tier 4 Final off-road emissions standards. Requirements for Tier 4 Final equipment shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of each unit's Best Available Control Technology (BACT) documentation (certified tier specification or model year specification), and CARB or SCAQMD operating permit (if applicable) shall be provided to the County at the time of mobilization of each applicable unit of equipment.</li> <li>All construction equipment and delivery vehicles shall be turned off when not in use, or limit on-site idling for no more than 5 minutes in any 1 hour.</li> </ul>	<p>Prior to issuance of grading permits</p>	<p>County Land Use Services Department Project Applicant</p>	<p>Applicant shall prepare and submit documentation to the County of San Bernardino.</p>	
<p><b>Proposed Project MM AQ-2:</b> The Project applicant shall submit a Dust Control Management Plan limiting the generation of fugitive dust to the County of San Bernardino. The Dust Control Management Plan shall be approved prior to the approval of the grading permit. The Dust Control Management Plan shall include, but not limited to, the following:</p> <ul style="list-style-type: none"> <li>Prior to Grading Permit issuance, a sign, legible at 50 feet shall be posted at the Project construction site. The sign(s) shall be reviewed and approved by the Building Official and County Planning Department, prior to posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints.</li> <li>During construction, the contractor will designate a member of the construction staff as a Dust Control Coordinator. The Dust Control Coordinator will be present during all earthmoving activities and respond to local complaints about fugitive dust.</li> </ul>	<p>Prior to the approval of the grading permit</p>	<p>County Land Use Services Department Project Applicant</p>	<p>Applicant shall prepare and submit documentation to the County of San Bernardino</p>	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p>When a complaint is received, the Dust Control Coordinator shall notify the County within 24-hours of the complaint, determine the cause, and implement reasonable measures to resolve the complaint as deemed acceptable by the Public Works Department.</p> <ul style="list-style-type: none"> <li>• Soil stockpiles maintained as part of the Project will be stabilized to reduce fugitive dust. Soil stockpiles may be stabilized by wetting to form a crust or other treatment – such as covering, use of soil binders, chemical soil stabilizers, geotextiles, mulching, or hydroseeding.</li> <li>• Any Project-related person operating a vehicle on a public roadway with a load of dirt, sand, gravel, or other loose material – which may be susceptible to generating dust – will cover the load or maintain two feet or more of freeboard during transportation.</li> <li>• All grading and excavation activities shall cease during periods of sustained wind events. These events are defined as winds exceeding 20 mph for more than 3 minutes in any 60-minute period. A sustained wind event will be measured by monitoring the nearest National Weather Service monitoring station or by using a kestrel wind meter or similar device. In the event that operations are shut down during high winds, watering of the area will continue to minimize fugitive dust. Construction activities will resume when wind speeds fall below the 20 mph 3-minute aggregate period in any 60-minute period.</li> <li>• A speed limit of 15 mph for construction vehicles will be implemented on all unpaved roads. The contractor will post speed limit signs and discuss speed limits during tailboard meetings.</li> </ul> <p><b>GHSP EIR MM 4.6-1:</b> Provide adequate ingress and egress at all entrances to public facilities to minimize vehicle idling at curbsides.</p> <ul style="list-style-type: none"> <li>• Submit building plans to Building and Safety for approval.</li> </ul>	Pre-construction	County Building and Safety Department	Applicant shall prepare and submit documentation to the County of San Bernardino	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>Submit copy of approval by Building and Safety to Planning Division.</li> <li>Submit copy of approved plans to Planning Division for review and approval.</li> </ul>		County Planning Division		
<p><b>GHSP EIR MM 4.6-2:</b> Provide dedicated turn lanes as appropriate and provide roadway improvements at heavily congested roadways.</p> <ul style="list-style-type: none"> <li>County Traffic Planning Section to identify heavily congested intersections and notify Building and Safety.</li> <li>Submit building plans to Building and Safety for approval.</li> <li>Submit copy of approval by Building and Safety to Planning Division.</li> </ul> <p>Submit copy of approved plans to Planning Division for review and approval.</p>	Pre-construction	County Traffic Department County Building and Safety Department County Planning Division	Applicant shall prepare and submit documentation to the County of San Bernardino	
<p><b>GHSP EIR MM 4.6-3:</b> Install energy efficient lighting.</p> <ul style="list-style-type: none"> <li>Submit building plans with Title 24 certification from a certified lighting/electrical engineer to Building and Safety for approval.</li> <li>Submit copy of approval by Building and Safety to Planning Division.</li> </ul> <p>Submit copy of approved plans to Planning Division for review and approval.</p>	Pre-construction	County Building and Safety Department County Planning Division	Applicant shall prepare and submit documentation the County of San Bernardino	
<p><b>GHSP EIR MM 4.6-4:</b> Landscape with native or drought-resistant species to reduce water consumption and to provide passive solar benefits.</p> <ul style="list-style-type: none"> <li>Submit landscaping and irrigation plans to Building and Safety for approval.</li> <li>Submit copy of approval by Building and Safety to Planning Division.</li> </ul> <p>Submit copy of approved plans to Planning Division for review and approval.</p>	Pre-construction	County Building and Safety Department County Planning Division	Applicant shall prepare and submit documentation to the County of San Bernardino	
<p><b>GHSP EIR MM 4.6-5:</b> Employers should provide local shuttle and transit shelters, and ride matching services.</p>	Pre-construction	County Transportation Authority	Applicant shall prepare and submit documentation to the County of San Bernardino	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>Submit plans to County Transportation Authority to determine need and/or location for transit shelters, bus stops, etc.</li> <li>Submit commercial and industrial site building plans to Building and Safety for approval.</li> <li>Submit copy of approval by Building and Safety to Planning Division.</li> </ul> <p>Submit copy of approved plans to Planning Division for review and approval.</p>		<p>County Building and Safety Department</p> <p>County Planning Division</p>	<p>County Transportation Authority</p>	
<p><b>GHSP EIR MM 4.6-6:</b> Employers should provide bicycle lanes, storage areas, and amenities, and ensure efficient parking management.</p> <ul style="list-style-type: none"> <li>Submit plans to County Transportation Authority to determine need and/or location for bicycle improvements.</li> <li>Submit commercial and industrial site/building plans to Building and Safety for approval.</li> <li>Submit copy of approval by Building and Safety to Planning Division.</li> </ul> <p>Submit copy of approved plans to Planning Division for review and approval.</p>	<p>Pre-construction</p>	<p>County Transportation Authority</p> <p>County Building and Safety Department</p> <p>County Planning Division</p>	<p>Applicant shall prepare and submit documentation to the County of San Bernardino County Transportation Authority</p>	
<p><b>GHSP EIR MM 4.6-7:</b> Employers should provide variable work hours and telecommuting to employees to comply with AQMP Advanced Transportation Technology ATT-01 and ATT-02 measures.</p> <ul style="list-style-type: none"> <li>Developers of commercial and industrial uses shall submit appropriate technology plans based on discussion or correspondence with SCAQMD personnel.</li> <li>Developers shall submit plans to County Planning to determine need and/or location for any technology improvements or systems for review and approval.</li> </ul> <p>Submit copy of approval from County Planning for commercial and industrial site building plans to Building and Safety for approval.</p>	<p>Pre-construction</p>	<p>South Coast Air Quality Management District</p> <p>County Planning Division</p> <p>Project Applicant</p>	<p>Applicant shall prepare and submit documentation to the County of San Bernardino Building and Safety Department</p>	
<p><b>GHSP EIR MM 4.6-8:</b> Employers should develop a trip reduction plan to comply with SCAQMD rule 2202.</p>	<p>Pre-construction</p>	<p>South Coast Air Quality</p>	<p>Applicant shall prepare and submit documentation to the County of San Bernardino</p>	



Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>Developers of commercial and industrial uses shall submit a Trip Reduction Plan (TRP) to SCAQMD for review and approval.</li> <li>Submit TRP approved by SCAQMD to County Planning for review and approval.</li> </ul> <p>Submit TRP approved by SCAQMD and County Planning along with building plans to Building and Safety for approval.</p>		<p>Management District</p> <p>County Planning Division</p> <p>Project Applicant</p>	<p>Building and Safety Department</p>	
<p><b>GHSP EIR MM 4.6-9:</b> Employers should provide ride matching, guaranteed ride home, or car/van pool to employees, as a part of the TDM program and to comply with the AQMP Transportation Improvements TCM-01 measure.</p> <ul style="list-style-type: none"> <li>Developers of commercial and industrial uses shall submit a Travel Demand Management (TDM) to SCAQMD for review and approval.</li> <li>Submit TDM approved by SCAQMD to County Planning for review and approval.</li> </ul> <p>Submit TDM approved by SCAQMD and County Planning along with building plans to Building and Safety for approval.</p>	Pre-construction	<p>South Coast Air Quality Management District</p> <p>County Planning Division</p> <p>Project Applicant</p>	<p>Applicant shall prepare and submit documentation to the County of San Bernardino Building and Safety Department</p>	
<p><b>GHSP EIR MM 4.6-10:</b> Synchronize traffic signals. The areas where this measure would be applicable are roadway intersections within the Specific Plan area.</p> <ul style="list-style-type: none"> <li>County Traffic Planning Section to identify heavily congested intersections and notify Building and Safety.</li> <li>Submit building plans to Building and Safety for approval demonstrating that signals can be synchronized in the future.</li> <li>Developers to submit copy of approval by Building and Safety to Planning Division.</li> <li>Submit copy of approved plans to Planning Division for review and approval.</li> </ul> <p>County to synchronize traffic signals as funding is available.</p>	Pre-construction	<p>County Traffic Planning Department</p> <p>County Building and Safety Department</p> <p>County Planning Division</p> <p>Project Applicant</p>	<p>Applicant shall prepare and submit documentation to the County of San Bernardino Building and Safety Department</p>	
<p><b>GHSP EIR MM 4.6-11:</b> Encourage the use of alternative fuel or low emission vehicles to comply with the AQMP On-Road Mobile M2 measure and the Off-Road Mobile Sources M9 and M10 measures.</p>	Pre-construction	<p>South Coast Air Quality</p>	<p>Applicant shall prepare and submit documentation to the County of San Bernardino</p>	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>Developers of commercial and industrial uses shall submit an Alternative Fuel or Low Emission Vehicle Plan (AFLEVP) to SCAQMD for review and approval.</li> <li>Submit AFLEVP approved by SCAQMD to County Planning for review and approval.</li> </ul> <p>Submit AFLEVP approved by SCAQMD and County Planning along with building plans to Building and Safety for approval.</p>		<p>Management District</p> <p>County Planning Division</p> <p>County Building and Safety Department</p> <p>Project Applicant</p>		
<p><b>GHSP EIR 2020 Addendum MM 7-1:</b> The Applicant shall water all active grading areas a minimum of three times per day (as opposed to two).</p>	<p>During grading</p>	<p>County Land Use Services Department</p> <p>Project Applicant</p>	<p>Applicant shall prepare and submit documentation to the County of San Bernardino</p>	
<p><b>GHSP EIR 2020 Addendum MM 7-2:</b> All construction equipment shall be properly tuned and maintained in accordance with manufacturer's specification.</p>	<p>Pre-construction</p>	<p>County Land Use Services Department</p> <p>Project Applicant</p>	<p>Applicant shall prepare and submit documentation to the County of San Bernardino</p>	
<p><b>GHSP EIR 2020 Addendum MM 7-3:</b> The Applicant shall maintain and operate construction equipment so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues shall turn their engines off when not in use to reduce vehicle emissions. Construction emissions shall be phased and scheduled to avoid emissions peaks to the extent feasible and discontinued during second-stage smog alerts.</p>	<p>During construction</p>	<p>County Land Use Services Department</p> <p>Project Applicant</p>	<p>Applicant shall prepare and submit documentation to the County of San Bernardino</p>	
<p><b>GHSP EIR 2020 Addendum MM 7-4:</b> The Applicant shall use line power instead of diesel- or gas-powered generators at all construction sites wherever line power is reasonably available.</p>	<p>During construction</p>	<p>County Land Use Services Department</p> <p>Project Applicant</p>	<p>Applicant shall prepare and submit documentation to the County of San Bernardino</p>	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p><b>GHSP EIR 2020 Addendum MM 7-5:</b> Unless required for safety reasons, during construction, equipment operators shall limit the idling of all mobile and stationary construction equipment to no more than five minutes. The use of diesel auxiliary power systems and main engines shall also be limited to no more than five minutes when within 100 feet of homes or schools while driver is resting.</p>	<p>During construction</p>	<p>County Land Use Services Department Project Applicant</p>	<p>Applicant shall prepare and submit documentation to the County of San Bernardino</p>	
<p><b>GHSP EIR 2020 Addendum MM 7-6:</b> Active grading activities shall be limited to 10 acres per day or less when grading within 1,000 feet of residential receptors.</p>	<p>Pre-construction</p>	<p>County Land Use Services Department Project Applicant</p>	<p>Applicant shall prepare and submit documentation to the County of San Bernardino</p>	
<p><b>GHSP EIR 2020 Addendum MM 7-7:</b> The Applicant shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the project site throughout the project construction. The Applicant shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. These measures include the following: (1) Use Tier II (2001 or later) heavy-duty diesel-powered equipment at the project site; (2) Apply NO<sub>x</sub> control technologies, such as fuel injection timing retard for diesel engines and air-to-air cooling, and diesel oxidation catalysts as feasible; feasibility shall be determined by using the cost-effectiveness formula developed by the Carl Moyer Program; and (3) General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions and keep all construction equipment in proper tune in accordance with manufacturer's specifications.</p>	<p>Pre-construction</p>	<p>County Land Use Services Department Project Applicant</p>	<p>Applicant shall prepare and submit documentation to the County of San Bernardino</p>	
<p><b>GHSP EIR 2020 Addendum MM 7-8:</b> If stationary equipment, such as generators for ventilation fans, must be operated continuously, locate such equipment at least 100 feet from homes or schools, where possible.</p>	<p>Pre-construction</p>	<p>County Land Use Services Department Project Applicant</p>	<p>Applicant shall prepare and submit documentation to the County of San Bernardino</p>	
<p><b>GHSP EIR 2020 Addendum MM 7-10:</b> The Applicant shall, to the extent feasible, promote, support, and encourage the scheduling of</p>	<p>Pre-construction</p>	<p>County Land Use Services Department</p>	<p>Applicant shall prepare and submit documentation to the County of San Bernardino</p>	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
deliveries during off-peak traffic periods to encourage the reduction of trips during the most congested periods.		Project Applicant		
<b>GHSP EIR 2020 Addendum MM 7-12:</b> During site plan review, due consideration shall be given to the provision of safe and convenient pedestrian and bicycle access to transit stops and to public transportation facilities.	During site plan review	County Land Use Services Department	Applicant shall prepare and submit documentation to the County of San Bernardino	
<b>GHSP EIR 2020 Addendum MM 7-16:</b> Future purchasers of real property located within 500 feet of the I-15 Freeway right-of-way and within 500 feet of the main truck route and active mining areas at the Cemex USA quarry and the Vulcan Materials Company plant shall, in accordance with the disclosure requirements of the California Department of Real Estate, receive notification that residential occupants and other sensitive receptors may be exposed to excess cancer risks as a result of long-term exposure to toxic air contaminants, including diesel particulate matter, associated with diesel-powered vehicles traveling along and operating within those areas.	Pre-construction	Project Applicant County Land Use Services Department	Applicant shall prepare and submit documentation to the County of San Bernardino	
<b>Section 4.2, Biological Resources</b>				
<b>Proposed Project MM BIO-1:</b> In order to protect special-status wildlife species such as the San Diego desert woodrat ( <i>Neotoma lepida intermedia</i> ), Coastal whiptail ( <i>Aspidoscelis tigris steinegeri</i> ), and Coast horned lizard ( <i>Phrynosoma blainvillii</i> ), a pre-construction clearance survey shall be conducted prior to any ground disturbance or vegetation removal activities that may disrupt the species. The Proposed Project biologist shall ensure that impacts to any special-status wildlife observed during preconstruction clearance surveys are reduced or avoided such that impacts are less than significant (e.g., avoidance buffers, relocation from harm's way, etc.).	Pre-construction	County Land Use Services Department Project Applicant Qualified biologist	Compliance shall be demonstrated by a letter report containing the results of the survey.  If necessary, consultation with the CDFW and/or USFWS. Compliance shall be demonstrated by an Incidental Take Permit(s) from the CDFW and/or USFWS.	
<b>GHSP EIR MM 4.8-2: Replace RSS Habitat.</b> For every acre of RSS that is impacted, the project proponent will replace at a 2:1 ratio. Habitat may be created and/or set aside as on-site mitigation. If the project site does not contain sufficient habitat to fulfill the acreage requirement, off-site mitigation areas may need to be set aside.	Pre-construction	Qualified Biologist County Planning Division	Compliance shall be demonstrated by a letter report containing the results of the survey.	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
		California Department of Fish and Game and U.S. Fish and Wildlife Service Project Applicant	If necessary, consultation with the CDFW and/or USFWS. Compliance shall be demonstrated by an Incidental Take Permit(s) from the CDFW and/or USFWS.	
<b>GHSP EIR MM 4.8-5: Raptor Nests.</b> Prior to the removal of any stand of trees, a biologist should visit the site to determine if raptor nests have been constructed. If nests are observed, a biologist will identify nesting areas and must be on-site at the time of tree removal.	Prior to the removal of any stand of trees	Qualified Biologist County Planning Division California Department of Fish and Game and U.S. Fish and Wildlife Service Project Applicant	Compliance shall be demonstrated by a letter report containing the results of the survey.  If necessary, consultation with the CDFW and/or USFWS. Compliance shall be demonstrated by an Incidental Take Permit(s) from the CDFW and/or USFWS.	
<b>GHSP EIR MM 4.8-6: Raptor Nests.</b> If raptors are observed nesting, CDFG shall be consulted and contacted to determine the type and duration of construction that would be allowed during nesting season.	Pre-construction	Qualified Biologist County Planning Division California Department of Fish and Game and U.S. Fish and Wildlife Service Project Applicant	Compliance shall be demonstrated by a letter report containing the results of the survey.  Evidence of USFWS and/or CDFW determination and payment of required fees shall be submitted to the County.	
<b>GHSP EIR 2020 Addendum MM 5-5: Nesting Birds.</b> To protect nesting birds regulated by the federal Migratory Bird Treaty Act, to the extent feasible, vegetation removal activities shall be scheduled	Pre-construction	Project Applicant County Land Use Services Department	Compliance shall be demonstrated and verified	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p>between September 1 and February 14 to avoid the nesting bird season. If clearing and/or grading activities cannot be avoided during the nesting season, all suitable habitat will be thoroughly surveyed for the presence of nesting birds by a qualified biologist prior to removal. If any active nests are detected, the area will be flagged, along with a minimum 100-foot buffer (buffer may range between 100 and 300 feet as determined by the monitoring biologist) with an appropriate buffer as determined by a qualified biologist and will be avoided until the nesting cycle is complete or it is determined by the monitoring biologist that the nest has failed. A biologist will be present on the site to monitor any vegetation removal to ensure that nests not detected during the initial survey are not disturbed.</p>		<p>Project Applicant Qualified biologist</p>	<p>through periodic inspections by the County. If necessary, consultation with the CDFW and/or USFWS.</p>	
<p><b>GHSP EIR 2020 Addendum MM 5-8: Invasive Plant Management Plan.</b> Prior to the commencement of any grubbing or grading activities, the Applicant shall submit and, when acceptable, the Director shall approve an invasive plant management plan, including, but not necessarily limited to: (1) preventive practices to avoid the transport and spread of weeds and weed seed during project development and operation; (2) a plan to control noxious weeds and weeds of local concern within designated open space areas; and (3) a strategy to educate construction personnel and homeowners in noxious weed identification and awareness. The invasive plant management plan shall incorporate weed prevention and control measures including, but not necessarily limited to: (1) use of only certified weed-free hay, straw, and other organic mulches to control erosion; (2) use of road surfacing and other earthen materials for construction that are certified weed free; and (3) use of only certified weed-free seed for the reclamation of disturbed areas.</p>	<p>Prior to the commencement of any grubbing or grading activities</p>	<p>County Land Use Services Department Project Applicant</p>	<p>Compliance shall be demonstrated verified through periodic inspections by the County.</p>	
<p><b>Section 4.3, Cultural and Tribal Cultural Resources</b></p>				
<p><b>Proposed Project MM CUL-1 Native American Monitoring Morongo Band of Mission Indians</b></p>	<p>Prior to the issuance of grading permits</p>	<p>County Land Use Services Department</p>	<p>Compliance shall be demonstrated and verified through periodic inspections by the County, Morongo Band of</p>	



Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p><b><u>Tribal Monitoring Services Agreement:</u></b> Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Services Agreement with the Morongo Band of Mission Indians (MBMI) for the Project. The Tribal Monitor shall be on-site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal Monitor shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources.</p> <p><b><u>Cultural Resource Management Plan</u></b> Prior to any ground-disturbing activities the project Archaeologist shall develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the project site. This Plan shall be written in consultation with the consulting Tribes(s) and shall include the following: approved Mitigation Measures (MM)/Conditions of Approval (COA), contact information for all pertinent parties, parties' responsibilities, procedures for each MM or COA, and an overview of the project schedule.</p> <p><b><u>Pre-Grade Meeting</u></b> The retained Qualified archeologist and Consulting Tribes(s) representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.</p> <p><b><u>On-site Monitoring</u></b> During all ground-disturbing activities the Qualified Archaeologist and the Tribal Monitor shall be on-site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Tribal Monitoring will be</p>		<p>Project Applicant</p> <p>Tribal Monitor</p>	<p>Mission Indians (MBMI), and Gabrieleño Band of Mission Indians – Kizh Nation.</p> <p>Upon discovery, coordination with the Morongo Band of Mission Indians Cultural Resources Department and Gabrieleño Band of Mission Indians – Kizh Nation.</p>	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p><u>discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The Qualified Archaeologist, in consultation with the Tribal Monitor, shall be responsible for determining the duration and frequency of monitoring.</u></p> <p>The project applicant shall retain a Native American Monitor from or approved by the Morongo Band of Mission Indians (MBMI). The monitor shall be retained prior to the commencement of any "ground disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. Monitoring shall occur during all initial phases of "ground disturbing activity" within the first ten feet below the ground surface. A monitoring agreement shall be created between the project applicant and MBMI, if required by MBMI, and a copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground disturbing activity, or the issuance of any permit necessary to commence a ground disturbing activity.</p> <p>A Cultural Resources Management Plan (CRMP) shall be created by an archaeologist that meets Secretary of Interior (SOI) professional qualifications in archaeology that outlines monitoring requirements for the project. A pre-construction meeting with all on-site personnel and the monitor will occur to discuss the requirements outlined in the project mitigation and the CRMP. The CRMP will be followed by all on-site personnel and monitors throughout the duration of project implementation.</p> <p>All monitors will complete daily monitoring logs that will provide descriptions of the relevant ground disturbing activities, the type of</p>				

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p><del>construction activities performed, locations of ground-disturbing activities, soil types, cultural related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered ICRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "ICR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.</del></p> <p>Monitoring shall conclude when all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project within the first ten feet below ground surface are complete. Project implementation will not be stalled or delayed for any planned ground-disturbing activities for which the any Tribe is unable to provide a monitor.</p> <p><b>Gabrieleño Band of Mission Indians-Kizh Nation</b></p> <p>The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.</p> <p>A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.</p>				

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p>The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.</p> <p>On-site tribal monitoring shall conclude <u>when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits upon the latter of the following: (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs. The Qualified Archaeologist, in consultation with the Tribal Monitor, shall be responsible for determining the duration and frequency of monitoring.</u></p>	Construction	County Land Use Services Department Project Applicant Tribal Monitor	Upon discovery, a Monitoring and Treatment Plan prepared by Qualified Archaeologist shall be submitted to the Director of the Planning Division for review and comment.	
<p><b>Proposed Project MM CUL-2: Inadvertent Discovery of Archaeological Resources</b>  <b>Morongo Band of Mission Indians</b>  <u>Inadvertent Discovery of Cultural Resources</u> In the event that previously unidentified cultural resources are unearthed during construction, the Qualified Archaeologist and the Tribal Monitor shall have the authority to temporarily divert and/or temporarily</p>				

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p><u>halt ground-disturbance operations in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.</u></p> <p><u>If a potentially significant cultural resource(s) is discovered, work shall stop within a 50-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. All work shall be diverted away from the vicinity of the find, so that the find can be evaluated by the Qualified Archaeologist and Tribal Monitor[s]. The Archaeologist shall notify the Lead Agency and consulting Tribel[s] of said discovery. The Qualified Archaeologist, in consultation with the Lead Agency, the consulting Tribel[s], and the Tribal Monitor, shall determine the significance of the discovered resource. A recommendation for the treatment and disposition of the Tribal Cultural Resource shall be made by the Qualified Archaeologist in consultation with the Tribel[s] and the Tribal Monitor[s] and be submitted to the Lead Agency for review and approval. Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference:</u></p> <p><u>A. Full avoidance.</u></p> <p><u>B. If avoidance is not feasible, Preservation in place.</u></p> <p><u>C. If Preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or Deed Restriction.</u></p> <p><u>D. If all other options are proven to be infeasible, data recovery through excavation and then curation in a Curation Facility that meets the Federal Curation Standards (CFR 79.1)</u></p> <p><b>Yuhaaviatam of San Manuel Nation</b></p> <p>If archaeological resources are encountered within the Project site during project construction, work within 50 ft of the find shall be suspended or diverted. The project proponent/applicant shall retain</p>			<p>Compliance report by Qualified Archaeologist.</p> <p>Upon discovery, coordination with the Morongo Band of Mission Indians Cultural Resources Department, Gabrieleño Band of Mission Indians – Kizh Nation, and Yuhaaviatam of San Manuel Nation.</p>	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p><b>Mitigation Measure</b></p> <p>an archaeologist that meets Secretary of Interior (SOI) professional qualifications in archaeology to perform an assessment of the resource. Depending on the nature of any such find, evaluation may include determination of site boundaries and assessment of site integrity and significance. Standards for site evaluation shall adhere to appropriate State and Federal requirements (including PRC Section 21083). The Yuhaaviatam of San Manuel Nation Cultural Resources and the <del>Morongo Band of Mission Indians</del> shall be contacted of any pre-contact cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Evaluation may include, if necessary, site mapping and/or limited subsurface testing using standard archaeological methods. If after evaluation a resource is judged to be of significance pursuant to California Environmental Quality Act criteria (Section 15064.5), a mitigation plan shall be prepared in accordance with appropriate guidelines and in coordination with the aforementioned tribes, and submitted to the San Bernardino County Land Use Services Department Planning Division. Mitigation could include avoidance, site capping, data recovery, a combination of these, or other measures as the situation dictates. Consultation with a representative of a recognized local Native American group shall be reflected in the formulation of any mitigation plan. Preferences for treatment are as follows:</p> <ol style="list-style-type: none"> <li>5. Full avoidance/preservation in place</li> <li>6. If not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or Deed Restriction.</li> <li>7. If agreed upon by all consulting Tribes, language noted below about transfer of materials to the Gabrieleño Band of Mission Indians-Kizh Nation shall be followed.</li> <li>8. If all other options are proven to be infeasible, then materials will be curated in a facility that can meet standards and</li> </ol>				

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p>requirements outlined in the Office of Historic Preservation 1993 curation guidelines within the County.</p> <p>Any and all archaeological documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to the consulting Tribes, who shall be consulted throughout the life of the project.</p> <p><b>Gabrieleño Band of Mission Indians-Kizh Nation</b></p> <p>Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.</p> <p><b>Proposed Project MM CUL-3: Retention of Archaeologist.</b> <u>Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits, the Applicant shall retain a Qualified Archaeologist who meets the U.S. Secretary of the Interior Standards (SOI). The Archaeologist shall be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resources. The Archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribe[s], Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event.</u></p>	<p>Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits</p>	<p>County Land Use Services Department Project Applicant Qualified Archaeologist</p>	<p>Upon discovery, a Monitoring and Treatment Plan prepared by Qualified Archaeologist shall be submitted to the Director of the Planning Division for review and comment.  Compliance report by Qualified Archaeologist.</p>	



Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p><b>Mitigation Measure</b></p> <p><u>Proposed Project MM CUL-4: FINAL REPORT: The final report(s) created as a part of the project (AMTP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribes(s) for review and comment. After approval of all parties, the final reports are to be submitted to the Eastern Information Center, and the Consulting Tribes(s).</u></p>	<p>Construction</p>	<p>County Land Use Services Department Project Applicant Qualified Archaeologist</p>	<p>Upon discovery, a Monitoring and Treatment Plan prepared by Qualified Archaeologist shall be submitted to the Director of the Planning Division for review and comment.  Compliance report by Qualified Archaeologist.</p>	
<p><b>Proposed Project MM CUL-35: Inadvertent Discovery of Human Remains and Associated Funerary Materials</b></p> <p><u><b>Gabrieleño Band of Mission Indians-Kizh Nation</b></u> Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resources Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any discovery of human remains/burial good shall be kept confidential to prevent further disturbance.</p>	<p>Construction</p>	<p>County Land Use Services Department Project Applicant Tribal Monitor</p>	<p>Upon discovery, a Monitoring and Treatment Plan prepared by Qualified Archaeologist shall be submitted to the Director of the Planning Division for review and comment.  Compliance report by Qualified Archaeologist.  Upon discovery, coordination with the Morongo Band of Mission Indians Cultural Resources Department, Gabrieleño Band of Mission Indians – Kizh Nation, and Yuhaaviatam of San Manuel Nation.</p>	
<p><b>Morongo Band of Mission Indians</b></p> <p><u>The Morongo Band of Mission Indians requests the following specific conditions to be imposed in order to protect Native American human remains and/or cremations. No photographs are to be taken except by the coroner, with written approval by the consulting Tribes(s).</u></p>				

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p><b>Mitigation Measure</b></p> <p><u>A. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5, and Public Resources Code (PRC) § 5097.98.</u></p> <p><u>B. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5.</u></p> <p><u>C. The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98</u></p> <p><u>D. If the Morongo Band of Mission Indians has been named the Most Likely Descendant (MLD), the Tribe may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[j]). Reburial location of human remains and/or cremations will be determined by the Tribe's Most Likely Descendant (MLD), the landowner, and the City Planning Department.</u></p>				

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p>Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt within the vicinity (i.e., 100 ft) and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC), who will then designate a Most Likely Descendant (MLD) for the remains. The MLD shall inspect the discovery within 48 hours of notification or within another time frame agreed upon between the landowner and MLD. The preferred manner of treatment for discovered human remains and/or burial goods is avoidance/preservation in place. Should this not be feasible, the landowner and MLD will identify a suitable location for reburial or, if an agreement is not reached, the remains will be reburied with appropriate dignity on site as close to the original discovery location as possible. Any discovery and location of human remains/burial goods shall be kept confidential, per the exemption of such information from disclosure as a result of the California Public Records Act (California Government Code § 6254[r]).</p>	Construction	Qualified Archaeologist	Upon discovery, a Monitoring and Treatment Plan prepared by Qualified Archaeologist shall be submitted to the Director of the Planning Division for review and comment.  Compliance report by Qualified Archaeologist.  Upon discovery, coordination with the Morongo Band of Mission Indians Cultural Resources Department,	
<p><b>GHSP EIR MM 4-9-4: Encountering Archeological Resources.</b> If archeological resources are encountered within the Specific Plan area during construction, work <u>within 50 feet in the vicinity</u> of the find shall be suspended or diverted. The project proponent/applicant shall retain <del>a qualified</del> <u>an</u> archeologist <u>that meets Secretary of Interior (SOI) professional qualifications in archaeology</u> to perform an assessment of the resource.</p>				

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<b>Section 4.4, Geology and Soils</b>				
<b>Proposed Project MM GEO-1:</b> Based on Figure 2 of the Geotechnical Information report prepared by Group Delta dated 11/3/23, the current Project Site includes APNs 0239-031-37, 0239-031-04, 0239-031-32, 0239-031-50, and a portion of Caltrans Interstate right-of-way easement. Figures and site plans will identify the proposed subdivided parcels within the project area, and pursuant to San Bernardino County Development Code 87.06.030 (e) (1) (A), “each proposed parcel shall be determined by the review authority to be ‘buildable’ because it contains at least one building site that can accommodate a structure in compliance with all applicable provisions of this Development Code.” Prior to issuance of any grading and/or construction permit, each proposed parcel of this Project shall be shown to contain buildable space in relation to geologic and geotechnical hazards.	Prior to issuance of any grading and/or construction permit	County Land Use Services Department County Geologist Project Applicant	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<b>Proposed Project MM GEO-2:</b> Reports of previous investigation in the area of the Project site were provided by County staff to Group Delta Consultants and depict the presence of north and northeast trending fault activity between the two branches of the San Jacinto Alquist-Priolo Fault Zones that constrains the Project site. Group Delta’s report (Appendices E2 through E4 of the Draft SEIR) identifies multiple north and northeast trending lineaments within, adjacent to, and trending towards, the Project site from a historical aerial image review. Group Delta concludes that the aerial photo review is inconclusive; therefore, additional investigations are needed to determine the buildability of the proposed subdivided parcels per County Development Code 87.06.030 (e) (1) (A).  Prior to issuance of any grading and/or construction permit, additional investigation shall be completed by the applicant and approved by the County Geologist.	Prior to issuance of any grading and/or construction permit	County Land Use Services Department County Geologist Project Applicant	Compliance shall be demonstrated through submission of a faulting study.	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p>The County does not require a grading permit to conduct geologic/geotechnical investigations. Prior to commencing the required fault investigation, the project geotechnical consultant shall engage in consultation with the County Geologist to discuss:</p> <ul style="list-style-type: none"> <li>• What investigation methods are to be used and when those methods will be conducted.</li> <li>• How to handle possible complications that can arise from investigation results.</li> </ul> <p>The project geotechnical consultant shall notify the County Geologist at least 48 hours in advance of the availability of field exposures for review. The fault study shall be submitted to the County Geologist for review and approval prior to issuance of any grading and/or construction permit.</p> <p>If Holocene-active faults, age-undetermined faults, or fault-related ground deformation is found on-site, structural setbacks shall be established in accordance with the Alquist-Priolo Earthquake Fault Zoning Act Subsection 3603 "Specific Criteria," which states:</p> <ul style="list-style-type: none"> <li>• No structure for human occupancy, identified as a project under Section 2621.6 of the Act, shall be permitted to be placed across the trace of an active fault. Furthermore, as the area within fifty (50) feet of such active faults shall be presumed to be underlain by active branches of that fault unless proven otherwise by an appropriate geologic investigation and report prepared as specified in Section 3603(d) of this subchapter, no such structures shall be permitted in this area.</li> </ul> <p>AND Special Publication 42 (CGS, Rev. 2018) Section 5.6 "Contents of Fault Investigation Reports," which states:</p> <ul style="list-style-type: none"> <li>• The setback distance generally will depend on the quality of data, type and complexity of fault(s), and extent and severity of fault-related ground deformation encountered at the site. Lead agency regulations may dictate minimum distances.</li> </ul> <p>AND San Bernardino County Development Code Section 82.15.040, which states:</p>				

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>A structure used for human occupancy shall be located 50 feet or farther from any active earthquake fault traces. Lesser setbacks may be applicable in certain situations as determined by an appropriate geologic investigation and approved by the County Geologist or other engineering geologist designated by the Building Official.</li> <li>A structure used for critical facilities shall be located 150 feet or farther from any active earthquake fault trace by General Plan. Critical facilities shall include dams, reservoirs, fuel storage facilities, power plants, nuclear reactors, police and fire stations, schools, hospitals, rest homes, nursing homes, and emergency communication facilities.</li> </ul> <p>Utility lines and streets shall not be placed within the construction setback area of a hazardous fault except for crossing which can be made perpendicular to the fault trace or as recommended by the project geologist and approved by the County Geologist or individual designated by the Building Official.</p>	<p>Prior to issuance of any grading and/or construction permit</p>	<p>County Land Use Services Department County Geologist Project Applicant</p>	<p>Compliance shall be demonstrated and verified through periodic inspections by the County.</p>	
<p><b>Proposed Project MM GEO-3:</b> Group Delta's Geotechnical Information Report (Appendix E2 of the Draft SEIR) concluded that to evaluate the presence of groundwater at the project site, further investigation is needed. Prior to issuance of any grading and/or construction permit, further evaluation of potential groundwater impacts is required. If groundwater impacts are identified in the preliminary geotechnical investigation, prior to the issuance of any grading and/or construction permit, the Project Applicant/developer shall commit to implement all recommendations contained in the preliminary geotechnical investigation or any subsequent studies prepared by the project geotechnical consultant to reduce any direct and indirect impacts from the presence of groundwater, including, but not limited to shallow groundwater, seeps, springs, liquefaction/lateral spreading, hydro-collapse, sinkholes, etc. to reduce the impacts to the level of "less than significant" as determined by the County geologist. The</p>				

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p>preliminary geotechnical investigation and any subsequent studies shall be reviewed and approved by the County geologist.</p> <p><b>Proposed Project MM GEO-4:</b> The southern portion of the Project site has been mapped in the Rasmussen 2000 report as a potential lateral spreading zone. Prior to the issuance of any grading and/or construction permit, the project geotechnical consultant shall complete an evaluation of the liquefaction/lateral spreading potential for the project, in accordance with the guidelines provided in Special Publication 117(a) (CGS, 2008).</p> <p>If liquefaction and/or lateral spreading impacts are identified in the preliminary geotechnical investigation, the project geotechnical consultant shall commit to implement all recommendations contained in the preliminary geotechnical investigation or any subsequent studies prepared by the project geotechnical consultant to reduce direct and indirect impacts from liquefaction and/or lateral spreading to reduce the impacts to the level of "less than significant" as determined by the County geologist. The preliminary geotechnical investigation and any subsequent studies shall be reviewed and approved by the County geologist.</p>	<p>Prior to the issuance of any grading and/or construction permit</p>	<p>County Land Use Services Department County Geologist Project Applicant</p>	<p>Compliance shall be demonstrated and verified through periodic inspections by the County.</p>	
<p><b>Proposed Project MM GEO-5:</b> Group Delta's Geotechnical Information Report (Appendix E2 of the Draft SEIR) concluded that the Project site is susceptible to landslides and that this hazard will be mitigated through the eventual removal of soils prone to land sliding. A preliminary temporary slope stability evaluation performed by Group Delta indicated that a 25-foot high temporary 1.5:1 (horizontal to vertical) slope with an assumed unit weight, phi angle and cohesion value can achieve a factor of safety of at least 1.3. Extensive rough grading (the removal of plus or minus 2,000,000 cubic yards of material) is being proposed to complete construction of the project, and the timeline for completion is not well defined. The grading contractor shall be responsible for excavation safety during rough grading and all excavations shall comply with the requirements of the current California and Federal Occupational Safety and Health Administration (CAL OSHA) and 29 CFR-Part 1926,</p>	<p>Prior to the issuance of any grading and/or construction permit</p>	<p>County Land Use Services Department County Geologist Project Applicant</p>	<p>Compliance shall be demonstrated and verified through periodic inspections by the County.</p>	



Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p><b>Mitigation Measure</b></p> <p>Subpart C, as applicable. Without limiting the generality of the foregoing, final graded slopes shall be no steeper than 2:1 (horizontal to vertical) and shall not exceed 30 feet, unless supported by a slope stability analysis. Site specific recommendations for proposed slopes, along with preliminary foundation design recommendations shall be required prior to any grading and/or construction permit issuance.</p>				
<p><b>GHSP EIR MM 4.1-3:</b> Design and construct all structures in areas determined by the County Geologist to be subject to significant seismic shaking to withstand ground shaking forces of a minor earthquake without damage, of a moderate earthquake without structural damage, and a major earthquake without collapse.</p>	Pre-construction	County Building and Safety Department County Geologist County Planning Division	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<p><b>GHSP EIR 2020 Addendum MM 4.1-10:</b> Foundation and earthwork is to be supervised and certified by a geotechnical engineer and where deemed necessary, an engineering geologist, in projects where evaluations indicate that state-of-the-art measures can correct instability.</p>	Pre-construction	County Building and Safety Department Planning Division	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<p><b>Section 4.5, Greenhouse Gas Emissions</b></p>				
<p>Refer to <b>GHSP EIR MM 4.6-1 through 4.6-11, and Proposed Project MM AQ-1</b> above.</p>	Construction	South Coast Air Quality Management District County Planning Division County Building and Safety Department	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<p><b>Proposed Project MM GHG-1:</b> The Project's final plans and designs shall include all Screening Table Measures selected to achieve a minimum of 100 points.</p> <p>The Project shall implement Screening Table Measures located in Appendix A of the San Bernardino Greenhouse Gas Reduction Plan Update, providing for a minimum of 100 points per the County Screening Tables. The Screening Tables assign points for each feature incorporated into the Project. The point values correspond to the minimum emissions reduction expected from each feature.</p>				

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p>The menu of features allows maximum flexibility and options for how development projects can implement the GHG reduction measures. An example of how the Project could achieve a minimum of 100 Screening Table Points is provided in Section 4.4: Greenhouse Gas Emissions, Table 4.4-4, GHG Performance Standards for Commercial Development. By achieving the 100-point minimum, the Project would be consistent with the GHG Development Review Process' requirement to achieve at least 100 points and thus the Project is considered to have a less than significant individual and cumulatively considerable impact on GHG emissions.</p>				
<b>Section 4.6, Noise</b>				
<p><b>Proposed Project MM NOI-1:</b> The Project applicant shall implement the following construction noise reduction measures.</p> <ul style="list-style-type: none"> <li>At least 10 days prior to the start of construction activities, a sign shall be posted at each construction site entrance, or other conspicuous location, that includes a 24-hour telephone number for project information, and a procedure where a construction manager will respond to and investigate noise complaints and take corrective action, if necessary, in a timely manner. The sign shall have a minimum dimension of 48 inches wide by 24 inches high with a one-inch minimum font height and shall also include contact information for Community Development Department staff. The sign shall be placed five feet above ground level.</li> <li>At least 21 days prior to the start of construction activities, all off-site businesses and residents within 500 feet of the Project site shall be notified of the planned construction activities. The notification shall include a brief description of the Project, the activities that would occur, the hours when construction would occur, and the construction period's overall duration. The notification shall include the telephone numbers of the County's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint.</li> <li>If a construction noise complaint(s) is registered, and if County code enforcement is not available to make noise measurements,</li> </ul>	Pre-construction	County Land Use Services Department Project Applicant	Compliance shall be demonstrated and verified through periodic inspections by the County.	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p>the contractor shall retain a County approved noise consultant to conduct noise measurements at the properties that registered the complaint. The noise measurements shall be conducted for a minimum of one hour. The consultant shall prepare a letter report for code enforcement summarizing the measurements, calculation data used in determining impacts, and potential measures to reduce noise levels to the maximum extent feasible</p> <ul style="list-style-type: none"> <li>• Staging and delivery areas shall be located as far as feasible from existing residences.</li> <li>• Material hauling and deliveries shall be coordinated by the construction contractor to reduce the potential of trucks waiting to unload for protracted periods of time.</li> <li>• To the extent feasible, hydraulic equipment shall be used instead of pneumatic impact tools, and electric powered equipment shall be used instead of diesel-powered equipment.</li> <li>• For smaller equipment (such as air compressors and small pumps), line powered (electric) equipment shall be used to the extent feasible.</li> <li>• Stationary noise sources (e.g., generators and air compressors) shall be located as far from sensitive receptors as possible, and they shall be muffled and enclosed within temporary sheds, or insulation barriers, as necessary.</li> </ul> <p>Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes. The construction manager shall be responsible for enforcing this.</p>	Pre-construction	County Public Works	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<p><b>GHSP EIR 2020 Addendum MM 4.5-1:</b> County Performance Standards Section 87.0905(e) exempts, "Temporary construction, repair, or demolition activities between 7:00 a.m. and 7:00 p.m. except Sundays and Federal holidays." Construction, which will be subject to distance requirements outlined in Table 4.5.7 of the <u>2020 GHSP EIR Addendum</u>, shall be subject to these limitations.</p>				

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<b>GHSP EIR 2020 Addendum MM 4.5-2:</b> Haul truck deliveries shall be subject to the same hours specified for construction equipment (see above). Additionally, any construction projects where heavy trucks would exceed 100 daily trips shall be required to have a noise mitigation plan. To the extent feasible, the plan shall denote haul routes that do not pass sensitive land uses or residential dwellings.	Pre-construction	County Public Works	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<b>GHSP EIR 2020 Addendum MM 4.5-3:</b> Prior to the issuance of any grading permits, the County shall condition subdivision approval of any project adjacent to any developed/occupied noise sensitive land uses by requiring the developer to submit a construction related noise mitigation plan for the County's review and approval.	Prior to the issuance of any grading permits	County Environmental Health Services Department and Public Works Division	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<b>Section 4.7, Transportation</b>				
<b>GHSP EIR MM 4.4-3:</b> Specific projects and development applications within the Glen Helen Specific Plan area shall include traffic studies that focus on impacts to the local circulation system, access requirements and the effects of pass-by traffic on local intersections, as that traffic exits and enters the freeways. The mechanisms for mitigating the impacts of such projects on local circulation shall be identified in such studies, along with responsibility for their implementation.	Pre-construction	County Traffic Planning and Public Works Division	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<b>GHSP EIR 2020 Addendum MIM 6-1:</b> As a condition to the issuance of final grading permits, the Applicant shall be responsible for the repair of any damage to roads resulting from the delivery of heavy equipment and building materials and the import and export of soil and other materials to and from the project site. Any resulting roadway repairs shall be to the satisfaction of the City, if within the City, or the County, if located in an unincorporated County area.	Construction Operation	County Land Use Services Department Project Applicant	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<b>GHSP EIR 2020 Addendum MM 6-2: Traffic Control Plan.</b> If required by the County of San Bernardino Land Use Services Department, prior to the issuance of the final grading plan for new major development projects, defined herein as 50 or more new dwelling units and/or 50,000 or greater square feet of new non-residential use, the Applicant shall submit and, when deemed acceptable, the Land Use Services Department shall approve a traffic control plan	Prior to the issuance of the final grading plan	County Land Use Services Department Project Applicant	Compliance shall be demonstrated and verified through periodic inspections by the County.	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p>(TCP), consistent with Caltrans' "Manual of Traffic Controls for Construction and Maintenance Work Zones," or such alternative as may be deemed acceptable by the Land Use Services Department, describing the Applicant's efforts to maintain vehicular and non-vehicular access throughout the construction period. If temporary access restrictions are proposed or deemed to be required by the Applicant, the plan shall delineate the period and likely frequency of such restrictions and describe emergency access and safety measures that will be implemented during those closures and/or restrictions.</p>				
<p><b>GHSP EIR 2020 Addendum MM 6-3: Construction Traffic Safety Plan.</b> If required by the County of San Bernardino Land Use Services Department, prior to the issuance of the final grading permit for new major development projects, the Applicant shall submit and, when deemed acceptable, the County shall approve a construction traffic mitigation plan (CTMP). The CTMP shall identify the travel and haul routes through residential neighborhoods, if any, to be used by construction vehicles; the points of ingress and egress of construction vehicles; temporary street or lane closures, temporary signage, and temporary striping; the location of materials and equipment staging areas; maintenance plans to remove spilled debris from neighborhood road surfaces; and the hours during which large construction equipment may be brought onto and off the project site. The CTMP shall provide for the scheduling of construction and maintenance-related traffic so that it does not unduly create any safety hazards to children, to pedestrians, and to other parties.</p>	<p>Prior to the issuance of the final grading permit</p>	<p>County Land Use Services Department Project Applicant</p>	<p>Compliance shall be demonstrated and verified through periodic inspections by the County.</p>	
<p><b>Section 7.2. Aesthetics</b></p>				
<p><b>GHSP EIR 2020 Addendum MM 13-4:</b> Areas that have been mass graded to accommodate later development upon which no project is immediately imminent shall be hydroseeded or otherwise landscaped with a plant palette incorporating native vegetation and shall be routinely watered to retain a landscape cover thereupon pending the area's subsequent development. The landscape plan shall include a mix of such species appropriate for hydro-seeding and</p>	<p>Pre-construction</p>	<p>County Land Use Services Department Project Applicant</p>	<p>Compliance shall be demonstrated and verified through periodic inspections by the County.</p>	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p>shall be approved by the County of San Bernardino Land Use Services and Fire Departments prior to the issuance of grading permits.</p>				
<p><b>GHSP EIR 2020 Addendum MM 13-5:</b> Grading within retained open space areas shall be minimized to the extent feasible. Graded open space areas within and adjacent to retained open space areas shall be revegetated with plants selected from a landscape palette emphasizing the use of native plant species.</p>	Pre-construction	County Land Use Services Department Project Applicant	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<b>Section 7.4, Energy</b>				
<p><b>GHSP EIR 2020 Addendum MM 4.6-3:</b> Install energy-efficient lighting.</p>	Pre-construction	County Building and Safety Department County Planning Division	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<p><b>GHSP EIR 2020 Addendum MM 4.6-4:</b> Landscape with native or drought-resistant species to reduce water consumption and to provide passive solar benefits.</p>	Pre-construction	County Building and Safety Department County Planning Division	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<p><b>GHSP EIR 2020 Addendum MM 4.6-5:</b> Employers should provide local shuttle and transit shelters, and ride matching services.</p>	Pre-construction	County Transportation Authority County Building and Safety Department County Planning Division	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<p><b>GHSP EIR 2020 Addendum MM 4.6-6:</b> Employers should provide bicycle lanes, storage areas, and amenities, and ensure efficient parking management.</p>	Pre-construction	County Transportation Authority	Compliance shall be demonstrated and verified through periodic inspections by the County.	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
		County Building and Safety Department County Planning Division		
<b>GHSP EIR 2020 Addendum MM 4.6-7:</b> Employers should provide variable work hours and telecommuting to employees to comply with AQMP Advanced Transportation Technology ATT-01 and ATT-02 measures.	Pre-construction	County Land Use Services Department Project Applicant	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<b>GHSP EIR 2020 Addendum MM 4.6-8:</b> Employers should develop a trip reduction plan to comply with SCAQMD rule 2202.	Pre-construction	South Coast Air Quality Management District County Planning Division Project Applicant	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<b>GHSP EIR 2020 Addendum MM 4.6-9:</b> Employers should provide ride matching, guaranteed ride home, or car/van pool to employees, as a part of the TDM program and to comply with the AQMP Transportation Improvements TCM-01 measure.	Pre-construction	South Coast Air Quality Management District County Planning Division Project Applicant	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<b>GHSP EIR 2020 Addendum MM 4.9-10:</b> Synchronize traffic signals. The areas where this measure would be applicable are roadway intersections within the Specific-Plan area.	Pre-construction	County Land Use Services Department Project Applicant	Compliance shall be demonstrated and verified through periodic inspections by the County.	



Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<b>GHSP EIR 2020 Addendum MM 4.9-11:</b> Encourage the use of alternative fuel or low emission vehicles to comply with the AQMP On-Road Mobile M2 measure and the Off-Road Mobile Sources M9 and M10 measures.	Pre-construction	County Land Use Services Department Project Applicant	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<b>Section 7.6, Hydrology and Water Quality</b>				
<b>GHSP EIR MM 4.2-6: Storm Runoff.</b> At the time that site specific development occurs, along-term water monitoring program shall be implemented to regularly test the water quality at the storm drainage outlets within Lytle Creek. If-test results determine that the water quality standards established by the RWQCB are not being met, corrective actions acceptable to the RWQCB will be taken to improve the quality of surface runoff discharged from the outlets to a level in compliance with the adopted RWQCB standards.	Construction	County Land Development Division Regional Water Quality Control Board (RWQCB)	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<b>GHSP EIR MM 4.2-7: Best Management Practices.</b> The County shall review subsequent development projects within the Specific Plan area for the application of Best Management Practices (BMPs) to reduce water pollution from urban runoff. Among the source-reduction BMPs available to the County for application to such projects are the following: <ul style="list-style-type: none"> <li>• Animal waste reduction</li> <li>• Exposure reduction</li> <li>• Recycling/waste disposal</li> <li>• Parking lot and street cleaning</li> <li>• Infiltration (exfiltration) devices</li> <li>• Oil and grease traps</li> <li>• Sand traps</li> <li>• Filter strips</li> <li>• Regular/routine maintenance</li> </ul> The specific measures to be applied shall be determined in conjunction with review of required project hydrology and hydraulic	Construction	County Building and Safety Department Flood Control Division County Planning Division	Compliance shall be demonstrated and verified through periodic inspections by the County.	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p>studies, and shall conform to standards of the County's Municipal Stormwater Permit, under the NPDES program.</p> <p><b>GHSP EIR 2020 Addendum MM 4.2-1:</b> All development shall comply with the National Pollution Discharge Elimination System (NPDES) regulations. Prior to the issuance of a grading permit, applicants shall demonstrate compliance with NPDES Storm Water Permit requirements to the satisfaction of the County of San Bernardino. Applicable Best Management Practice (BMP) provisions shall be incorporated into the NPDES permit.</p>	Construction	County Building and Safety Department County Planning Division	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<p><b>GHSP EIR 2020 Addendum MM 4.2-2:</b> Individual projects within the specific plan area shall be reviewed by the San Bernardino Flood Control County Land Use Services Land Division for the inclusion of appropriate structural and nonstructural BMPs to control storm water discharges and protect water quality.</p>	Construction	County Building and Safety Department Flood Control Division County Planning Division	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<p><b>GHSP EIR 2020 Addendum MIM 4-2: Source Control BMPs.</b> The following source control BMPs, or such other comparable measures as may be established by the County of San Bernardino Land Use Services Department, shall be adopted as a condition of approval for subsequent tract maps approved by the County within the project boundaries. (1) The master homeowners' association (HOA) and/or property owners' association (POA) will be given a copy of the SWQMP. Annually, the representatives of the HOA/POA, their employees, landscapers, property managers, and other parties responsible for proper functioning of the BMPs shall receive verbal and written training regarding the function and maintenance of the project's BMPs. The homeowners will be provided annual notices of water quality issues through an association published newsletter. (2) Vegetated buffer strips shall be properly maintained with vegetation but not overly fertilized. (3) Resident education and participation will be implemented to manage pollutants that contribute to</p>	Construction	County Land Use Services Department Project Applicant	Compliance shall be demonstrated and verified through periodic inspections by the County.	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p>biological oxygen demand. For example, residents shall be encouraged to keep pets on leashes and to remove feces in order to limit organic material in storm water runoff. Residents shall be further encouraged to irrigate their properties at certain times of the day in order to limit nuisance flow runoff carrying pesticides and other organic material. (4) Vehicle leak and spill control shall be implemented by educating and requiring vehicle and equipment maintenance, proper vehicle and maintenance fueling, and education of how to handle accidental spills. Stringent fines shall be applied to those who violate these requirements and participate in illegal dumping of hazardous material. Street and storm drain maintenance controls shall be put in place with signs posted prohibiting illegal dumping into street and storm drains. (5) Residents will be advised of the location of household hazardous waste collection facilities in the vicinity of the project site, including information on the proper disposal of fertilizers, pesticides, cleaning solutions, paint products, automotive products, and swimming pool chemicals. Proper material storage control by residents shall be encouraged to keep materials from causing groundwater contamination, soil contamination, and storm water contamination. The nearest household hazardous waste collection facility is the City of Rialto Household Hazardous Waste Collection Facility at 246 S. Willow Avenue, Rialto.</p>	<p>Prior to the issuance of any grading permits</p>	<p>County Land Use Services Department Project Applicant</p>	<p>Compliance shall be demonstrated and verified through periodic inspections by the County.</p>	
<p><b>GHSP EIR 2020 Addendum MM 4-3: Water Quality Monitoring.</b> Prior to the issuance of any grading permits, the Applicant shall submit, and when acceptable, the County of San Bernardino Land Use Services Department shall approve, a Water Quality Management Plan (WQMP) for long-term water monitoring program designed to ensure that the project's proposed BMPs meet or exceed applicable water quality standards established by the California Regional Water Quality Control Board, Santa Ana Region (SARWQCB) and contained in the then current NPDES Permit. In accordance with that program, the Applicant shall implement all required BMPs, which may include site design, hydromodification, structural source control, and non-structural source control</p>				

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p>measures, to ensure the NPDES Permit requirements related to water quality are met. BMPs would be in place for the life of the project and would be subject to the Operations &amp; Maintenance protocols of the WQMP.</p>				
<b>Section 7.7, Land Use and Planning</b>				
<p><b>GHSP EIR 2020 Addendum MM 1-7:</b> In order to avoid potential conflicts with the United States Forest Service's resource management plans, prior to the approval of any tentative tract map on lands abutting the National Forest, the Applicant shall prepare a landline survey delineating the project's boundaries relative to boundaries of the San Bernardino National Forest. The Applicant shall avoid disturbance to all public land survey monuments, private property corners, and forest boundary markers. In the event that any such land markers or monuments on National Forest System lands are destroyed by an act or omission of the Applicant, depending on the type of monument destroyed, the Applicant shall reestablish or reference same in accordance with: (1) the procedures outlined in the "Manual of Instructions for the Survey of the Public Land of the United States"; or (2) the specifications of the County Surveyor; or (3) the specifications of the Forest Service. Further, the Applicant shall ensure that any such official survey records affected are amended, as provided by law.</p>	Pre-construction	County Land Use Services Department Project Applicant	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<p><b>GHSP EIR 2020 Addendum MM 1-8:</b> With the exception of Planning Area 15 which is subject to a 24-foot building setback requirements, unless otherwise approved by the responsible fire authority or a lesser setback is approved by the Director upon receipt of a use-specific application, design and development plans shall include a minimum 25-foot building setback from adjoining National Forest System lands. Landscape plans for the setback area shall, to the extent feasible, utilize plant materials indigenous to the San Bernardino National Forest.</p>	Pre-construction	County Land Use Services Department Project Applicant	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<b>Section 7.10, Public Services</b>				
<p><b>GHSP EIR 2020 Addendum MM 4.11-1:</b> Commercial/industrial buildings shall provide fire hydrants to within 150 feet of all portions</p>	Pre-construction	County Fire Department	Compliance shall be demonstrated and verified	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p>of commercial/industrial buildings as measured along vehicular travelways.</p>		<p>County Building and Safety Department County Planning Division</p>	<p>through periodic inspections by the County.</p>	
<p><b>GHSP EIR 2020 Addendum MM 4.11-2:</b> All water lines servicing the lots established for commercial use will be required to have a hydrant water system capable of providing a minimum fire flow set at 3,500 gpm at 20 psi residual operating pressure for a 3-hour period (based upon type V, combustible buildings no larger than 18,000 feet).</p>	<p>Pre-construction</p>	<p>County Fire Department County Building and Safety Department Project Applicant</p>	<p>Compliance shall be demonstrated and verified through periodic inspections by the County.</p>	
<p><b>GHSP EIR 2020 Addendum MM 4.11-3:</b> Concurrent with the issuance of building permits the applicants shall pay all scheduled fees as applicable, to finance the fire protection infrastructure required to service the project site.</p>	<p>Concurrent with the issuance of building permits</p>	<p>County Fire Department County Building and Safety Department Project Applicant</p>	<p>Compliance shall be demonstrated and verified through periodic inspections by the County.</p>	
<p><b>GHSP EIR 2020 Addendum MM 9-6: Schools.</b> Prior to the issuance of any building permits for residential and/or non-residential uses, the Applicant shall present the County with a certificate of compliance or other documentation acceptable to the County demonstrating that the Applicant has complied with applicable school board resolutions governing the payment of school impact fees and/or has entered into an Assembly Bill 2926-authorized school facilities funding mitigation agreement with the applicable school district(s) is exempt from the payment of school impact fee exactions.</p>	<p>Prior to the issuance of any building permits for residential and/or non-residential uses</p>	<p>County Land Use Services Department Project Applicant</p>	<p>Compliance shall be demonstrated and verified through periodic inspections by the County.</p>	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<b>GHSP EIR 2020 Addendum MM 10-1: Water Supply.</b> Prior to the issuance of any grading permits, the San Bernardino County Fire Department shall review and, when deemed acceptable, approve final water improvement plans including, but not limited to, the location, sizing, design, and capacity of any proposed water storage tanks, water mains, and fire hydrants to ensure the sufficiency of fire storage and delivery capacity and compliance with applicable County requirements.	Prior to the issuance of any grading permits	County Fire Department Project Applicant	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<b>GHSP EIR 2020 Addendum MM 10-2: Water Supply.</b> Prior to the issuance of building permits for structures intended for human occupancy, fire hydrants shall be installed in compliance with applicable code requirements (e.g., Section 10.301 of the Uniform Fire Code) or, if fire flow requirements cannot be fully satisfied from existing on-site fire hydrants and mains, alternative fire flow delivery measures acceptable to the San Bernardino County Fire Department shall be formulated and made conditions of grading permit approval. Prior to permit issuance, a letter of compliance or similar documentation shall be submitted to the County of San Bernardino Land Use Services Department by the Fire Chief or designee.	Prior to the issuance of any grading permits	County Fire Department Project Applicant	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<b>Section 7.12: Utilities and Service Systems</b>				
<b>GHSP EIR 2020 Addendum MM 10-3: Water Supply.</b> Prior to the issuance of any building permits, the Applicant shall deliver to the County a will-serve letter or similar documentation from the project's water purveyor, as may be acceptable to the Land Use Services Department, documenting the availability and sufficiency of water supplies to serve the proposed development.	Prior to the issuance of any building permits	County Land Use Services Department Project Applicant	Compliance shall be demonstrated and verified through periodic inspections by the County.	
<b>GHSP EIR 2020 Addendum MM 10-4: Wastewater.</b> Prior to the issuance of building permits for any use that generates additional sewer flows, the Land Use Services Department shall verify that adequate sewer capacity is in place to accommodate that development. This measure neither obligates the County to fund nor stipulates a performance schedule whereby any publicly funded improvements to the County's sewer collection and treatment system shall be implemented.	Prior to the issuance of any building permits	County Land Use Services Department Project Applicant	Compliance shall be demonstrated and verified through periodic inspections by the County.	

Mitigation Measure	Timing	Monitoring Responsibility	Compliance/Monitoring Procedure	Monitor (Signature Required) (Date of Compliance)
<p><b>Section 7.13, Wildfire</b>  Refer to <b>GHSP EIR 2020 Addendum MM 4.11-2</b> above.</p>	Pre-construction	County Land Use Services Department Project Applicant	Compliance shall be demonstrated and verified through periodic inspections by the County.	