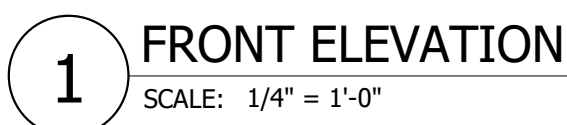
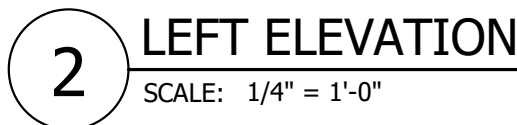


04.05 CULTURED STONE VENEER, SKYLINE, COUNTRY LEDGESTONE
04.06 CULTURED STONE VENEER CAP, SKYLINE, COUNTRY LEDGESTONE
05.01 PRE-FINISHED GUTTER AND DOWNSPOUT, BRITTE RED
05.03 PAINTED STEEL, BLACK FOX
05.06 MCBI PRE-FINISHED METAL ROOF, 1 3/4" STANDING SEAM, MIDNIGHT BRONZE
05.21 PRE-FINISHED METAL COPING, COLOR MIDNIGHT BRONZE
05.69 STEEL AWNING, COLOR P-9
05.79 3/4" METAL SOFFIT, COMMERCIAL GRADE. COLOR: PAINTED BLACK FOX SW 7020

06.04 FIBER CEMENT BOARD & BATTEN SIDING, BB-2
06.05 FIBER CEMENT BOARD & BATTEN SIDING, BB-1
06.06 FIBER CEMENT TRIM BB-3
08.02 ALUMINUM STOREFRONT SYSTEM, DARK BRONZE
08.04 HOLLOW METAL DOOR AND FRAME, PAINT TO MATCH SIDING
08.05 WINDOW, SEE SCHEDULE

10.01 ROOF ACCESS LADDER W/ SECURITY GATE, SEE DETAIL 1/A5.11. POWDER COATED COLOR TO MATCH SIDING GB-1

32.01 CHAIN LINK FENCE WITH PRIVACY SLATS. COLOR TO MATCH BUILDING FIELD COLOR



Prototype Version: 50_L_RR_2202
Building Square Footage: 5,637 SF
Construction Type/Occupancy Classification: V-B / M

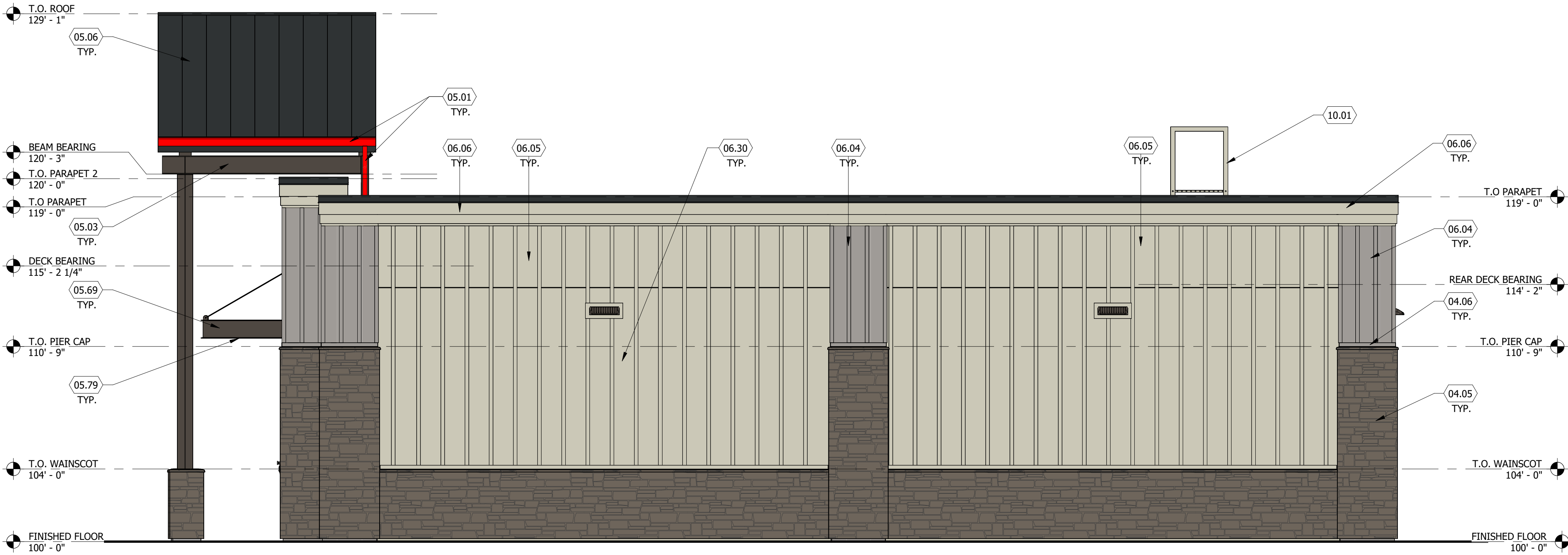
MAVERIK



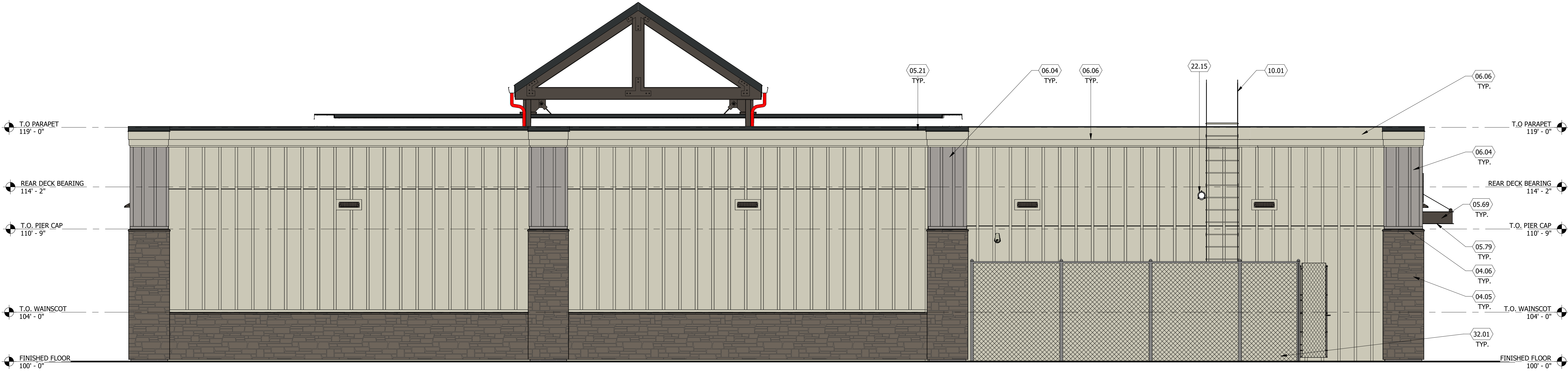
185 S. State Street
Salt Lake City, Utah 84111

KEYED NOTES

- 04.05 CULTURED STONE VENEER, SKYLINE, COUNTRY LEDGESTONE
- 04.06 CULTURED STONE VENEER CAP, SKYLINE, COUNTRY LEDGESTONE
- 05.01 PRE-FINISHED GUTTER AND DOWNSPOUT, BRITE RED
- 05.03 PAINTED STEEL, BLACK FOX
- 05.06 MBCI PRE-FINISHED METAL ROOF, 1 3/4" STANDING SEAM, MIDNIGHT BRONZE
- 05.21 PRE-FINISHED METAL COPING, COLOR MIDNIGHT BRONZE
- 05.69 STEEL AWNING, COLOR P-9
- 05.79 3/4" METAL SOFFIT, COMMERCIAL GRADE. COLOR: PAINTED BLACK FOX SW 7020
- 06.04 FIBER CEMENT BOARD & BATTEN SIDING, BB-2
- 06.05 FIBER CEMENT BOARD & BATTEN SIDING, BB-1
- 06.06 FIBER CEMENT TRIM BB-3
- 06.30 HORIZONTAL JOINT IN SIDING
- 10.01 ROOF ACCESS LADDER W/ SECURITY GATE, SEE DETAIL 1/A5.11. POWDER COATED COLOR TO MATCH SIDING BB-1
- 22.15 ROOF OVERFLOW DRAIN SCUPPER, SEE PLUMBING DRAWINGS
- 32.01 CHAIN LINK FENCE WITH PRIVACY SLATS. COLOR TO MATCH BUILDING FIELD COLOR



2 RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

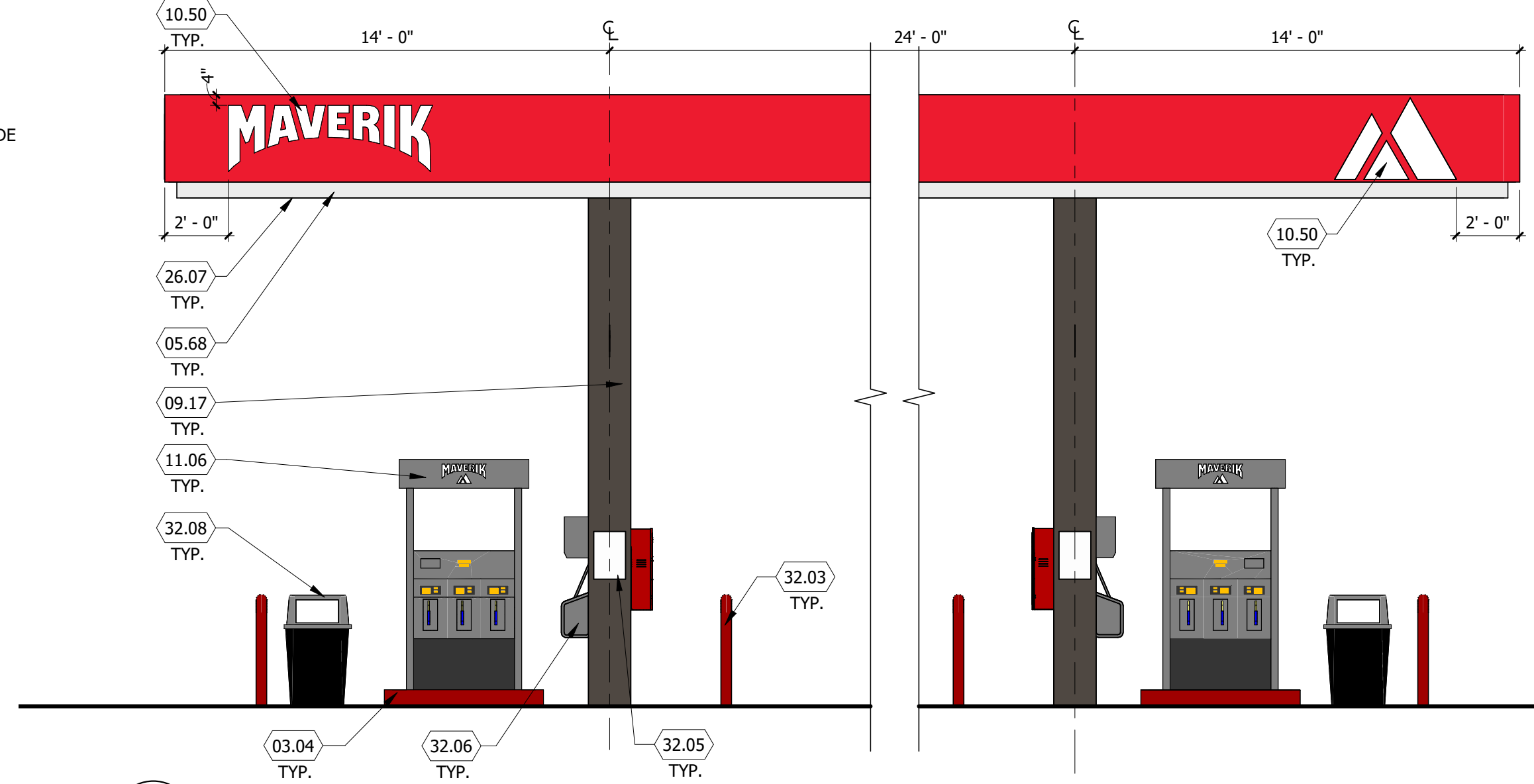
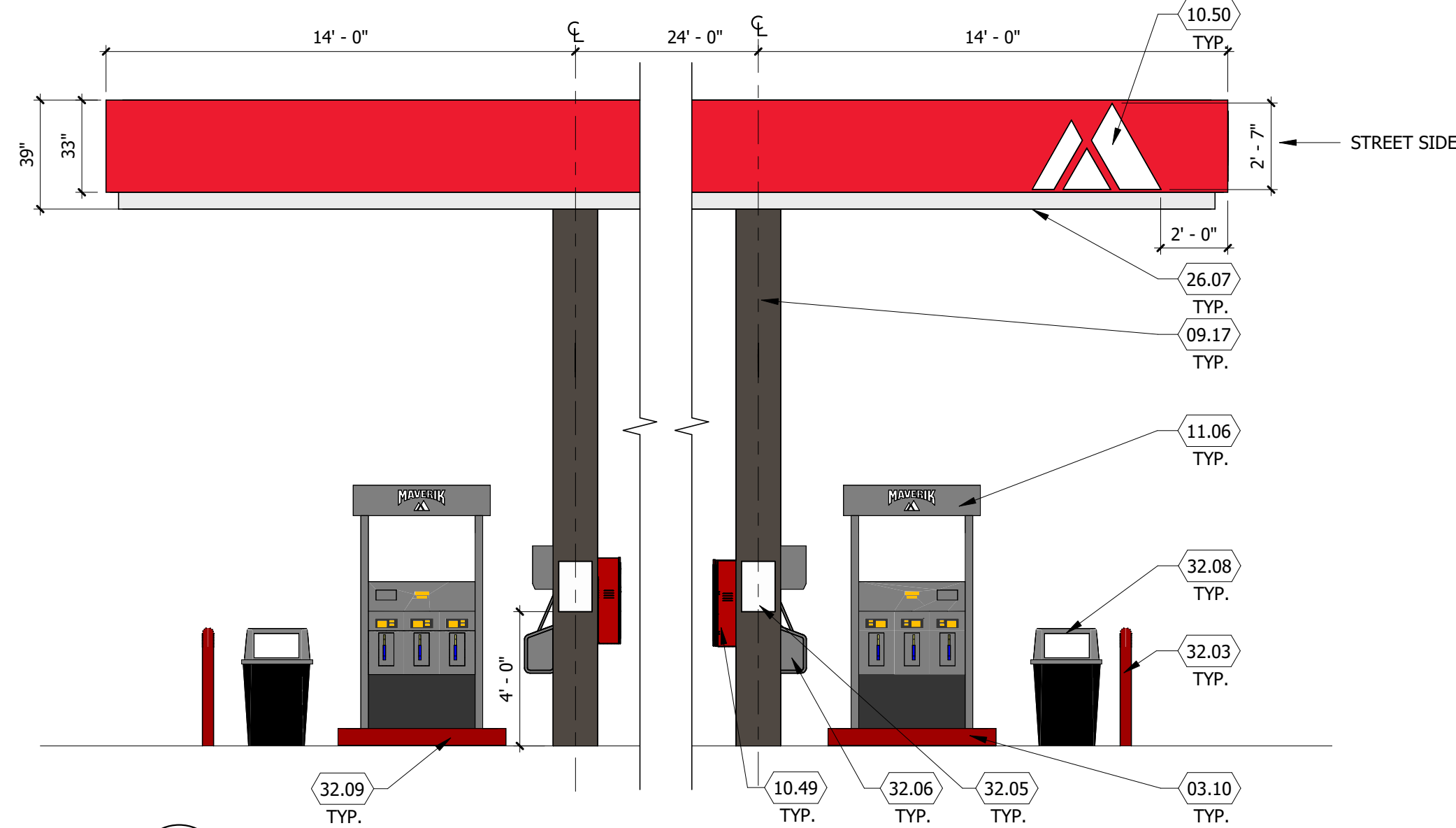


1 REAR ELEVATION
SCALE: 1/4" = 1'-0"

PROPOSED MAVERIK C-STORE

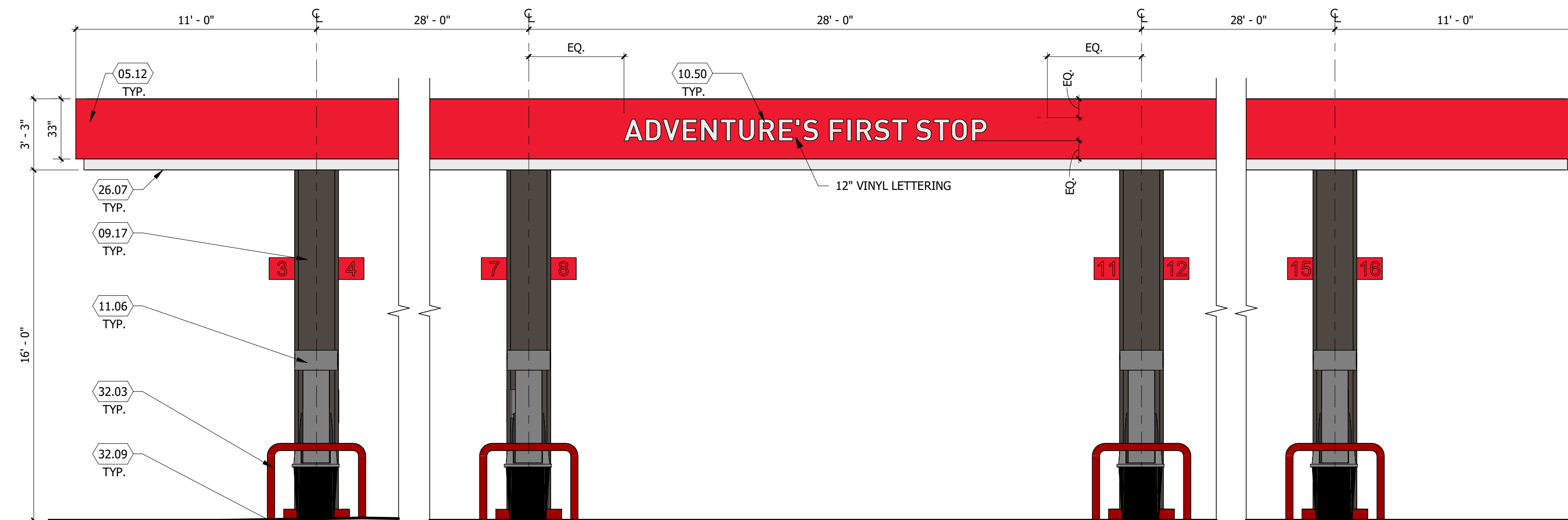
Prototype Version: 50_L_RR_2202
Building Square Footage: 5,637 SF
Construction Type/Occupancy Classification: V-B / M
A-5 | EXTERIOR ELEVATIONS



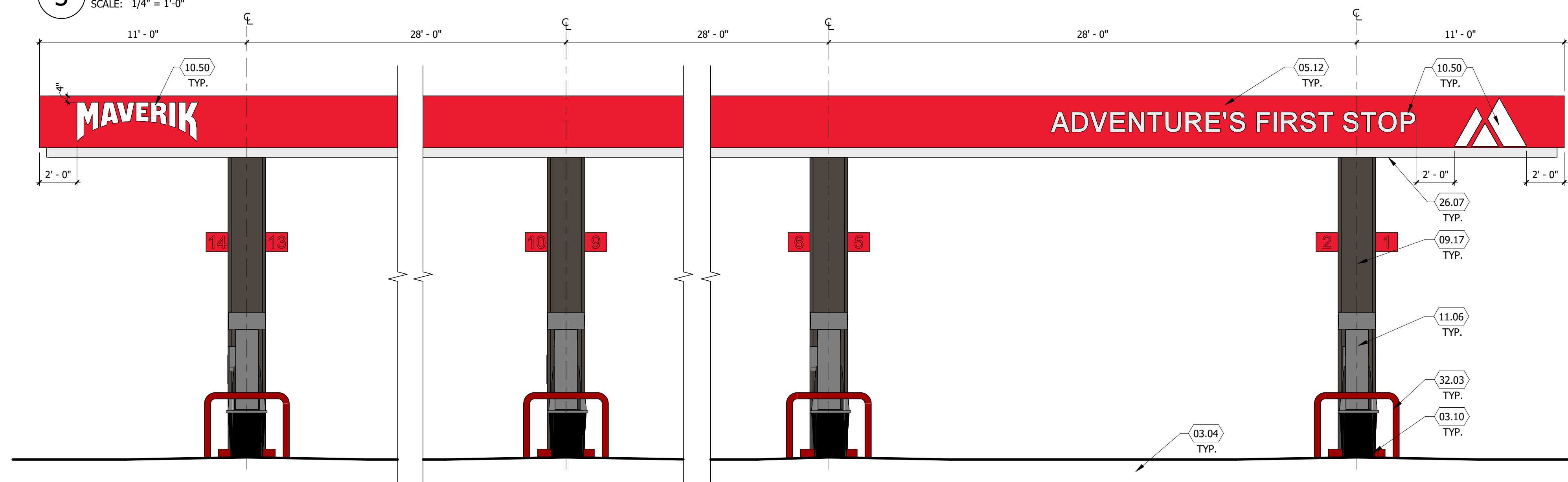


KEYED NOTES

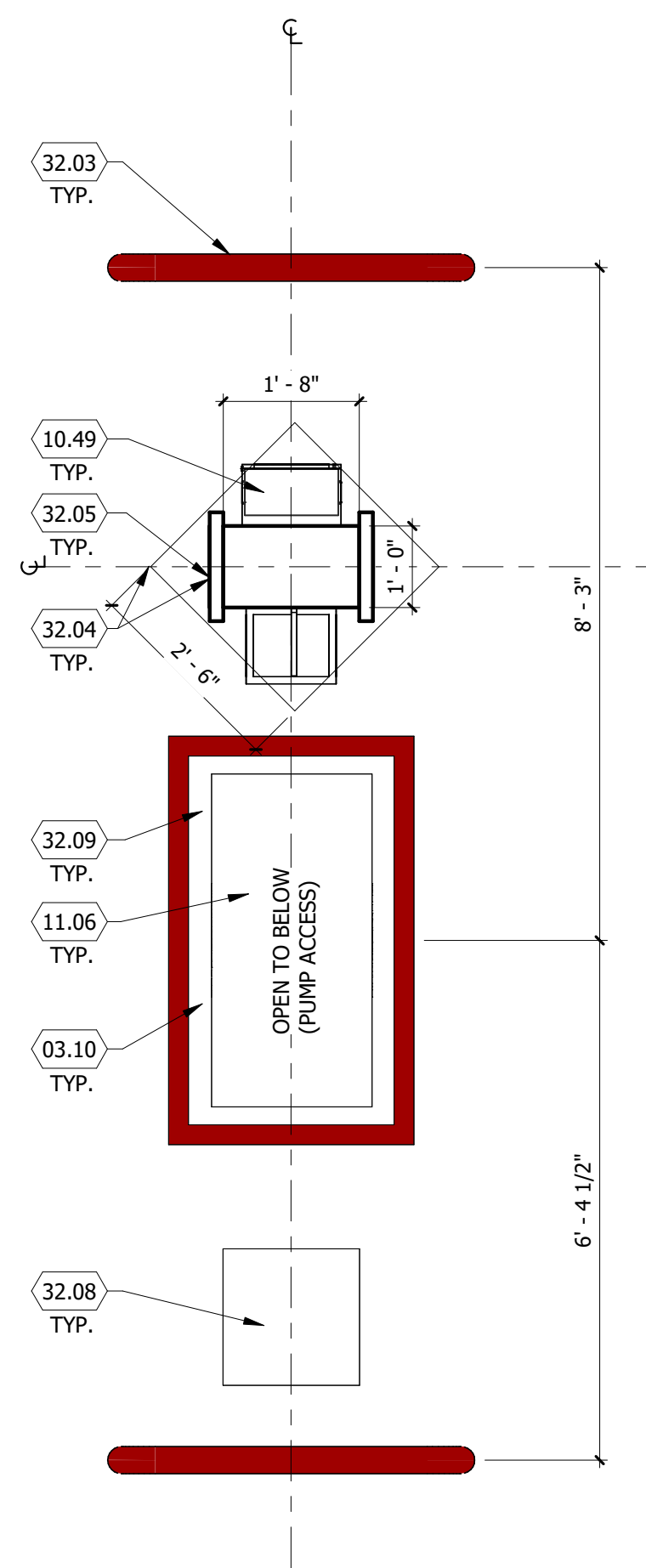
- 03.04 REINFORCED CONCRETE PAD
- 03.10 6" MIN. RAISED CONCRETE ISLAND W/ TOOLED EDGES AND CORNERS. VERIFY SIZE W/ DISPENSER SUPPLIER +/-5'-0" X 3'-0" (NO METAL FORM). ACCESSIBLE ISLAND TO BE 6"; SEE CIVIL DRAWINGS FOR LOCATION
- 05.12 ALUMINUM COMPOSITE METAL PANEL, EASTMAN RED
- 05.68 ALUMINUM COMPOSITE METAL PANEL, WHITE
- 09.17 PANEL COLUMN CLADDING, COLOR TO MATCH P-9
- 10.49 4A-40 BC FIRE EXTINGUISHER W/ CASE, LOCATE WITHIN 75' OF ALL PUMPS, DISPENSERS, OR STORAGE TANK. LOCATION TO BE FINALIZED BY FIRE MARSHAL
- 10.50 SIGNAGE TO BE COORDINATED BY FUEL CANOPY CONTRACTOR WITH OWNER DISPENSING STATION (BY OTHERS)
- 11.06 ALL LIGHT FIXTURES (NOT SHOWN) TO BE FLUSH MOUNTED WITHIN THE DECK PANEL SOFFIT (SOFFIT COLOR P-7). SEE ELECTRICAL AND FUEL DISPENSING DRAWINGS
- 32.03 4" DIAMETER "U" BOLLARD, SET AND FILLED W/ CONCRETE, SEE CIVIL DRAWINGS. PAINTED P-4
- 32.04 EXPANSION JOINTS, TO BE FILLED W/ "JET FUEL RESISTANT" SEALANT, SEE CIVIL DRAWINGS
- 32.05 SIGNAGE, BY OWNER, TO COMPLY WITH IFC 2305.6 AND POSTED ON EACH SIDE OF COLUMN
- 32.06 S.S.I. (WINDOW WASH/PAPER TOWEL) PROVIDED BY OWNER INSTALLED BY CONTRACTOR, MOUNTED TO COLUMN PER ADA REQUIREMENTS (4'-0" MAX A.F.F. TO PAPER TOWEL FOLD)
- 32.08 TRASH CONTAINER, PROVIDED BY OWNER
- 32.09 PAINT CONCRETE CURB EDGE P-4, SEE SCHEDULE ON SHEET A6.03



3 FUEL DISPENSING CANOPY - BUILDING SIDE ELEVATION
SCALE: 1/4" = 1'-0"



1 FUEL DISPENSING CANOPY - STREET SIDE ELEVATION
SCALE: 1/4" = 1'-0"



2 CANOPY COLUMN PLAN
SCALE: 1/2" = 1'-0"

PROPOSED MAVERIK C-STORE

NOTE:
FUEL CANOPY DRAWINGS PROVIDED ARE
CONCEPTUAL, AND MAY VARY FROM SITE TO SITE.

Prototype Version: 50_L_RR_2202

Building Square Footage: 5,637 SF

Construction Type/Occupancy Classification: V-B / M

A-6

CANOPY ELEVATIONS





BB-1 Fiberboard -
Worldly Gray

BB-2 Fiberboard -
Gauntlet Gray

BB-3 Fiberboard -
Worldly Gray



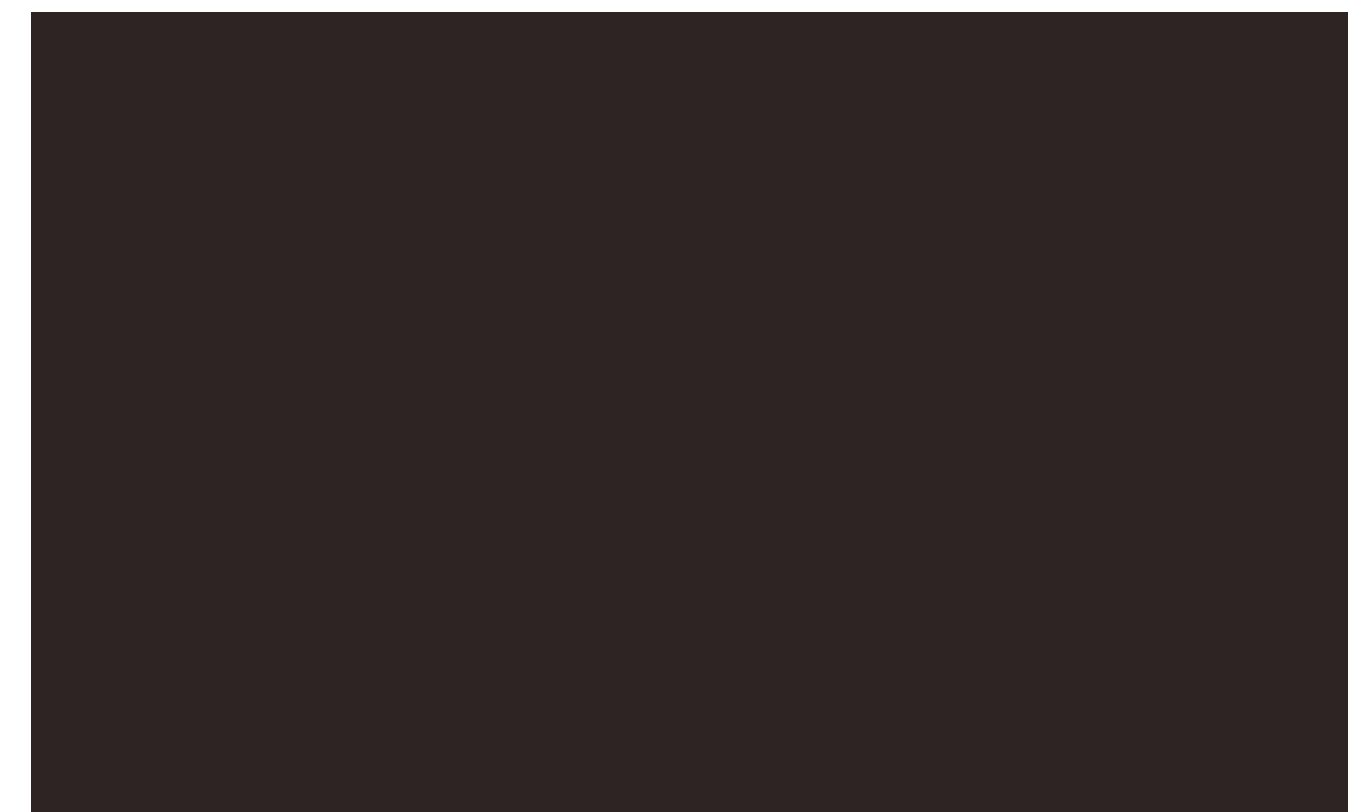
Cultured Stone - Skyline, Country LedgeStone



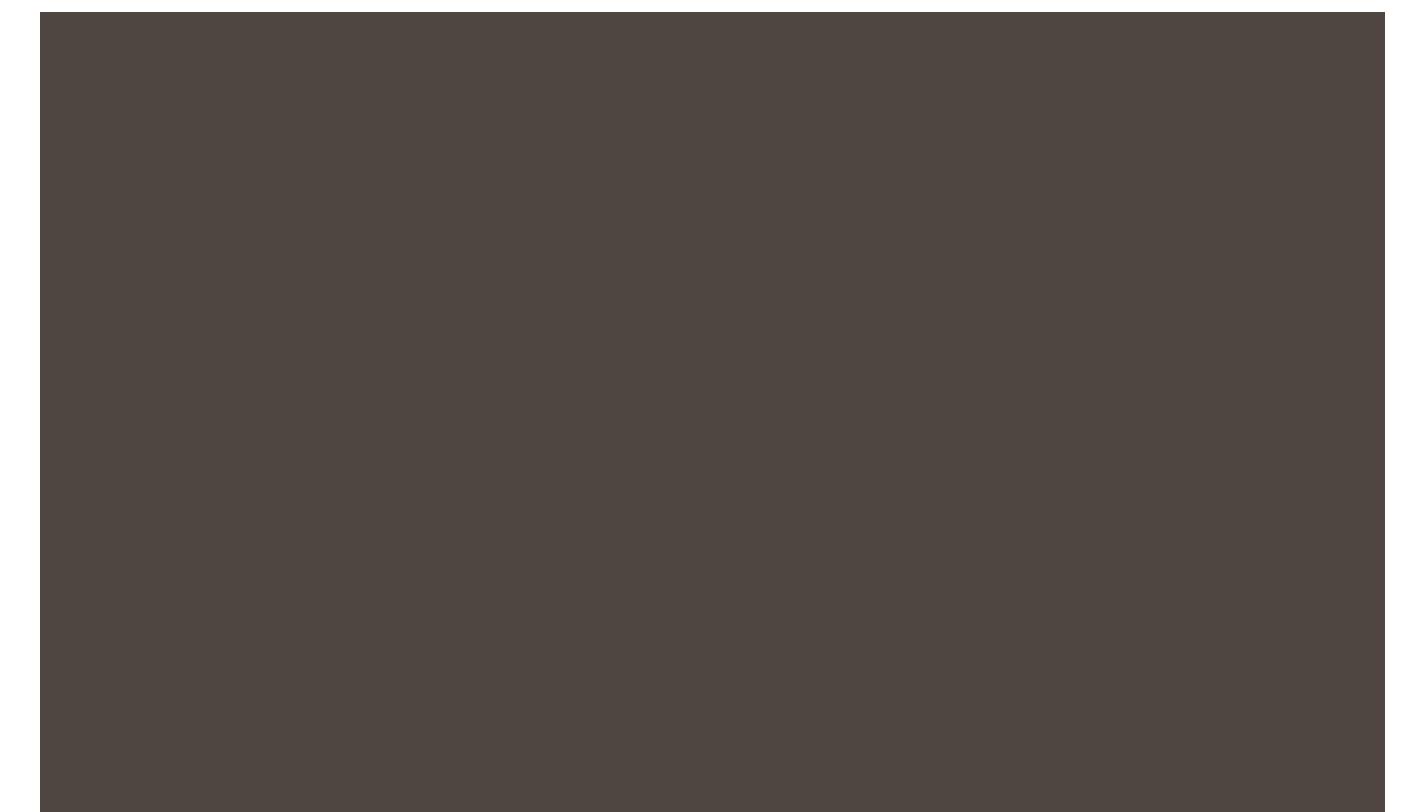
C-1 MSCI Midnight Bronze



C-2 MSCI Brite Red



Anodized - Dark Bronze



Paint - Black Fox

PROPOSED MAVERIK C-STORE

Prototype Version: 50_L_RR_2202

Building Square Footage: 5,637 SF

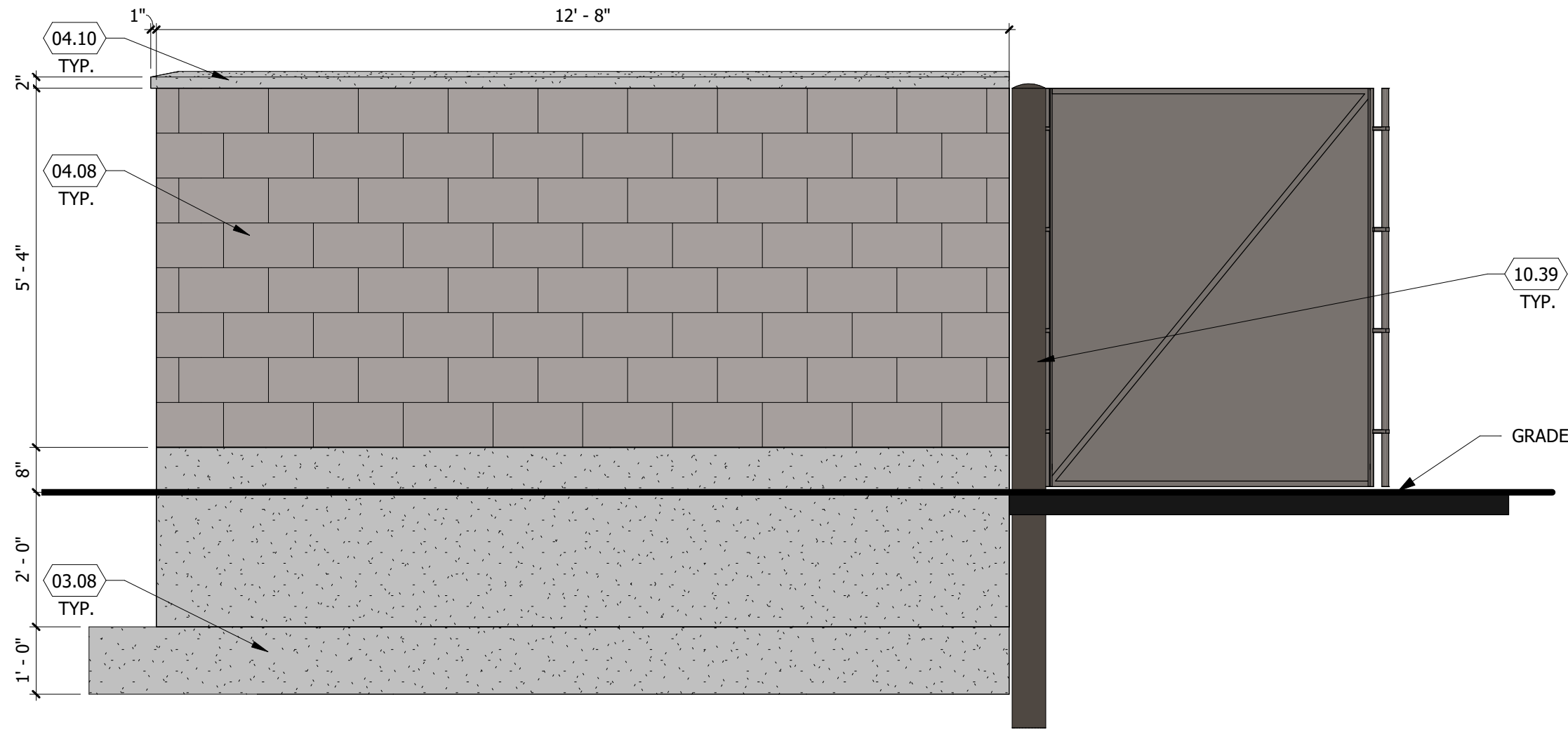
Construction Type/Occupancy Classification: V-B / M

A-7

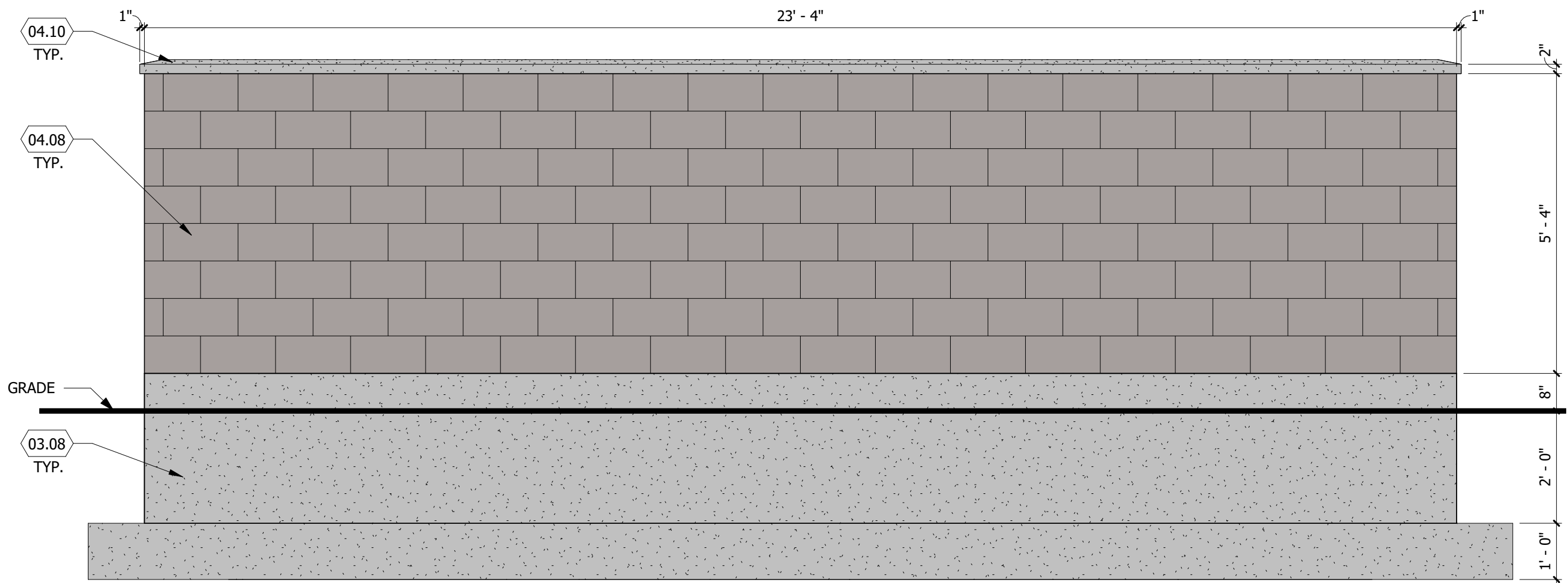
EXTERIOR MATERIALS BOARD

KEYED NOTES

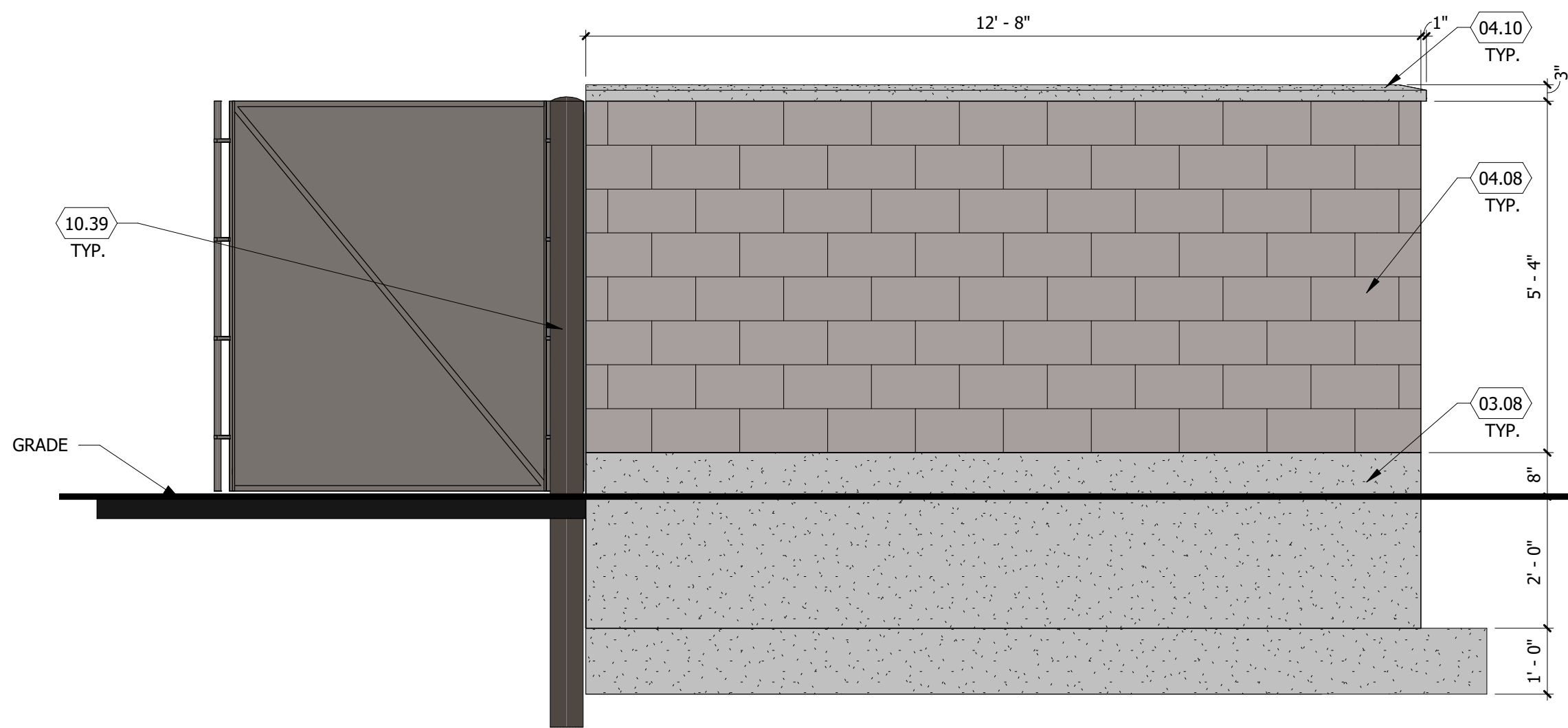
- 03.08 CONCRETE FOOTINGS AND FOUNDATIONS, SEE STRUCTURAL DRAWINGS
- 04.08 SPLIT-FACE CMU BLOCK, COLOR: CANVAS, 6'-0" HIGH WITH CONCRETE CAP
- 04.10 SPLIT FACE CAP
- 10.38 WELD BRACES TO GATE AS REQUIRED
- 10.39 6" METAL POST, CONCRETE FILLED AND CAPPED, PAINTED P-9
- 10.40 CHAIN LINK GATE WITH SLATS TO MATCH P-9, W/ (4) HINGES, PAINTED P-9
- 10.41 5/8" DROP ROD TO CONCRETE, PAINTED P-9
- 10.42 3/4" DRILLED HOLE FOR DROP ROD, 3" MIN. DEPTH



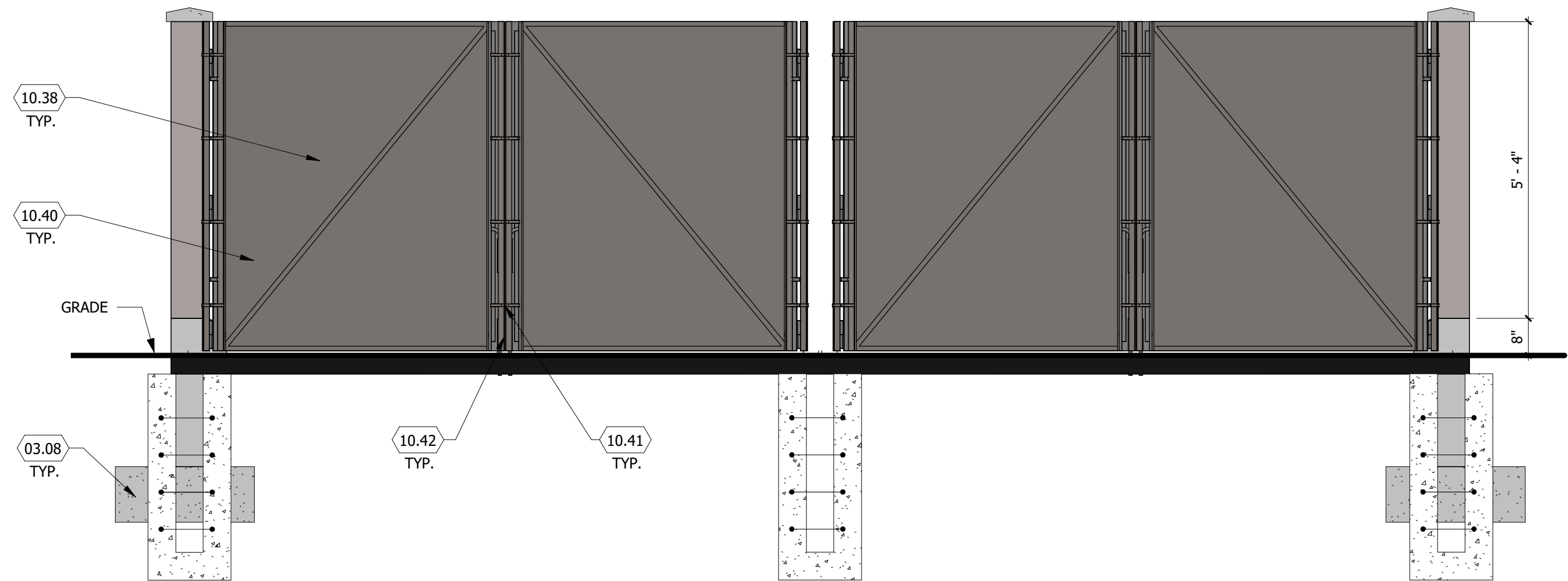
4 TRASH ENCLOSURE - LEFT ELEVATION
SCALE: 1/2" = 1'-0"



3 TRASH ENCLOSURE - BACK ELEVATION
SCALE: 1/2" = 1'-0"



2 TRASH ENCLOSURE - RIGHT ELEVATION
SCALE: 1/2" = 1'-0"



1 TRASH ENCLOSURE - FRONT ELEVATION
SCALE: 1/2" = 1'-0"

PROPOSED MAVERIK C-STORE

Prototype Version: 50_L_RR_2202
Building Square Footage: 5,637 SF
Construction Type/Occupancy Classification: V-B / M
A-8 | TRASH ENCLOSURE ELEVATIONS



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EXHIBIT E

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Initial Study PROJ-2024-00030
Oasis Road Maverick Gas Station & Convenience Store
APN: 3067-051-29
April 15, 2025

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

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

PROJECT LABEL:

APNs:	3067-051-29	USGS Quad:	Mescal Creek, CA 7.5
Applicant:	Maverick	T, R, Section:	T04N R07W Sec. 18
Location:	Southwest corner of Oasis Road and Highway 138.	Thomas Bros:	N/A
Project No:	PROJ-2024-00030	Community Plan:	Phelan/ Pinon Hills Community Plan
Rep:	Core States	LUC: Zone:	Commercial (C) General Commercial (CG)
Proposal:	A Minor Use Permit (MUP) to establish a new convenience store to include 5,637 sq. ft. of retail space with 10 fuel dispensing islands and four (4) fuel dispensing islands for commercial vehicles on 8.78 acres.	Overlays:	Fire Safety Overlay

PROJECT CONTACT INFORMATION:

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

Contact person: Delanie Garlick, Planner
Phone No: 916-517-0476 **Fax No:** (760) 995-8167
E-mail: Delanie.garlick@weareharris.com

Environmental Consultant: CASC Engineering and Consulting
1470 E. Cooley Drive
Colton, CA 92324
(855) 381-0101

PROJECT DESCRIPTION:

Summary

The Project site is comprised of one (1) 8.78-acre parcel, Accessor Parcel Number (APN) 3067-051-29, and is located at the southwest corner of Oasis Road and Highway 138 within the unincorporated community of Pinon Hills in San Bernardino County ("County") (see *Figure 1, Regional Vicinity, Figure 2, Aerial Imagery and Figure 3, Assessor's Parcel Numbers*) The Countywide Policy Plan designates the Project site within the Commercial Land Use Category (see *Figure 4, General Plan Land Use Map*). The Project site has a zoning designation of General Commercial (CG) (see *Figure 5, Zoning Map*). The CG zoning designation allows service stations and convenience stores with the approval of a Minor Use Permit.

The Applicant/Owner of the property requests the approval of a Minor Use Permit (MUP) for a new gas station and 5,637 square feet (SF) convenience store with 14 fuel dispenser islands, 10 for passenger vehicles and 4 for commercial vehicles ("Project") (See *Figure 6, Proposed Site Plan*). The proposed convenience store will be twenty-nine feet (29') tall at its highest point, with the majority of the structure standing at nineteen feet (19'). The fueling canopy will have a height of nineteen feet and three inches (19'-3"), offering a sixteen-foot (16') clearance. The Project will include 3 underground storage tanks (USTs) for gasoline and diesel storage located along the eastern portion of the site. The proposed facility will be staffed with 13-25 working employees and will be operational twenty-four (24) hours a day, seven days a week.

Lighting/Signage/Landscaping/Fencing

The Project includes approximately 220,919 SF of drought tolerant landscaping (57.7% of site area). Landscaping is proposed around the convenience store, throughout the parking lot and along the Project frontage of Oasis Road and Buckthorne Road. New sources of lighting will be introduced to the site and will include security lighting around the convenience store building, parking areas and gas pumps and will be constructed in accordance with County requirements. Signage will be provided by a pole sign, gas pump signage and wall signs on the building, all of which will comply with sign standards located in the County Development Code. A ten-foot (10') tall T-fence is proposed along the northern perimeter of the site consistent with Chapter 83.06, § 83.06.030 Table 83-6 of the County Code.

Construction

Construction will occur in one (1) phase and is anticipated to commence in late 2025 and be operational in early 2026. Construction activities include site preparation, grading, building construction, paving and architectural coating.

Utilities

The Phelan/Pinon Hills Community Services District (CSD) will provide water services to the site. The Project will connect to existing water utilities in Oasis Road. Sewer will be provided onsite via a proposed septic system and associated seepage pits located in the southern portion of the Project site. Electricity is provided by Southern California Edison (SCE) and the Project will connect to existing SCE utilities along Oasis Road.

Access/Parking

Access to the Project site would be provided via a proposed fifty-foot (50') wide driveway off of Oasis Road, and a forty-foot (40') wide driveway off of Buckthorne Road. The Project includes improvements to Oasis Road and encroach approximately 60-feet into Caltrans right-of-way of Highway 138 and thus requires an encroachment permit from Caltrans Improvements to Oasis

Road include road widening, sidewalk extension to the existing curb ramp at the intersection of Oasis Road and Highway 138, dashed and solid striping between north-south lanes, a 10-foot-wide (10') shoulder, a right-turn lane into the Project site, a proposed dedicated turning lane to the existing post office to the east, and the addition of a fire hydrant. All driveways will be constructed to County roadway standards to ensure proper alignment and connection with existing streets. Driveways will be paved per County standards. Additional improvements including curb, gutter, and sidewalks that will comply with the County requirements located on table 83-11 of the County Code for the desert region. The Project will include 42 parking spaces, including 2 ADA compliant spaces, and 2 large truck parking spaces limited to less than 30 minutes of parking.

Western Joshua Tree

The site is dominated by Western Joshua Tree. The Project proposes a 2.08-acre preservation area in the northern portion of the site to conserve existing vegetation. The remaining 6.7 acres of the site will be impacted by the proposed Project and require an Incidental Take Permit (ITP) from the California Department of Fish and Wildlife (CDFW) for the removal and relocation of Western Joshua Tree.

Surrounding Land Uses and Setting

The Project site is located within the boundaries of the unincorporated Community of Pinion Hills, County of San Bernardino. As shown on the County of San Bernardino Land Use Map, the Project site is within a Commercial Land Use Category. Surrounding land uses include commercial and residential uses to the north, Pinon Hills Park and San Bernardino County Fire Station 13 to the West, a post office and residential uses to the south and residential uses to the east. The following table lists the existing adjacent land uses and zoning.

Existing Land Use and Land Use Category			
Location	Existing Land Use	Land Use Category	Zoning
Project Site	Vacant	Commercial (C)	Phelan-Pinon Hills/General Commercial (PH/CG)
North	Commercial (Retail Store)/ Highway 138.	Commercial (C)	Phelan-Pinon Hills/General Commercial (PH/CG)
South	Single Family Residential/	Very Low Residential (VLDR)	Phelan-Pinon Hills/Single Residential- 1-acre minimum lot size (PH/RS-1)
	Post Office	Commercial (C)	Phelan-Pinon Hills/General Commercial (PH/CG)
East	Undeveloped and Vacant	commercial (C)	Phelan-Pinon Hills/General Commercial (PH/CG)

West	Undeveloped and Vacant; Single Family Residential; Public Facilities (Fire Station and Park)	Commercial (C)	Phelan-Pinon Hills/Neighbor hood Commercial (PH/CN)
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Project Site Location, Existing Site Land Uses and Conditions

The Project site is located at the southwest corner of Oasis Road and Highway 138 in the unincorporated Community of Pinon Hills in the County of San Bernardino. The Project site is bound by Highway 138 to the north, Buckthorne Road to the South and Oasis Road to the east and Smoke Tree Road, a dirt road, to the north. The 8.78-acre site is currently undeveloped, vacant land and the terrain is moderately sloped with a moderate growth of native plants, trees, and shrubs. The Western Joshua Tree is present and abundant on the Project site.

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Federal: None.

State of California: 1) A Caltrans encroachment permit is required for improvements in the right-of way of Highway 138. 2)A California Department of Fish and Wildlife Incidental Take Permit is required for impacts to Western Joshua Tree. 3) A General Permit is required from MDAQMD prior to construction and operation of the Project as well as approval to dispense gasoline at the proposed gas station.

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

Regional: Mojave Desert Air Quality Management District

Local: None



CASC
 Engineering and Consulting
 www.cascinc.com



0 5 10 20
 Miles

Figure 1 - Regional Vicinity Map
 Maverick Gas Station, Pinion Hills

San Bernardino County



CASC
Engineering and Consulting
www.cascac.com



0 175 350 700
US Feet

Figure 2 - Aerial Imagery
Maverick Gas Station, Pinion Hills

San Bernardino County

APN: 3067-051-29



CASC
 Engineering and Consulting
 www.cascinc.com



0 80 160 320
 US Feet

Figure 3 - Assessor's Parcel Number
 Maverick Gas Station, Pinion Hills

San Bernardino County

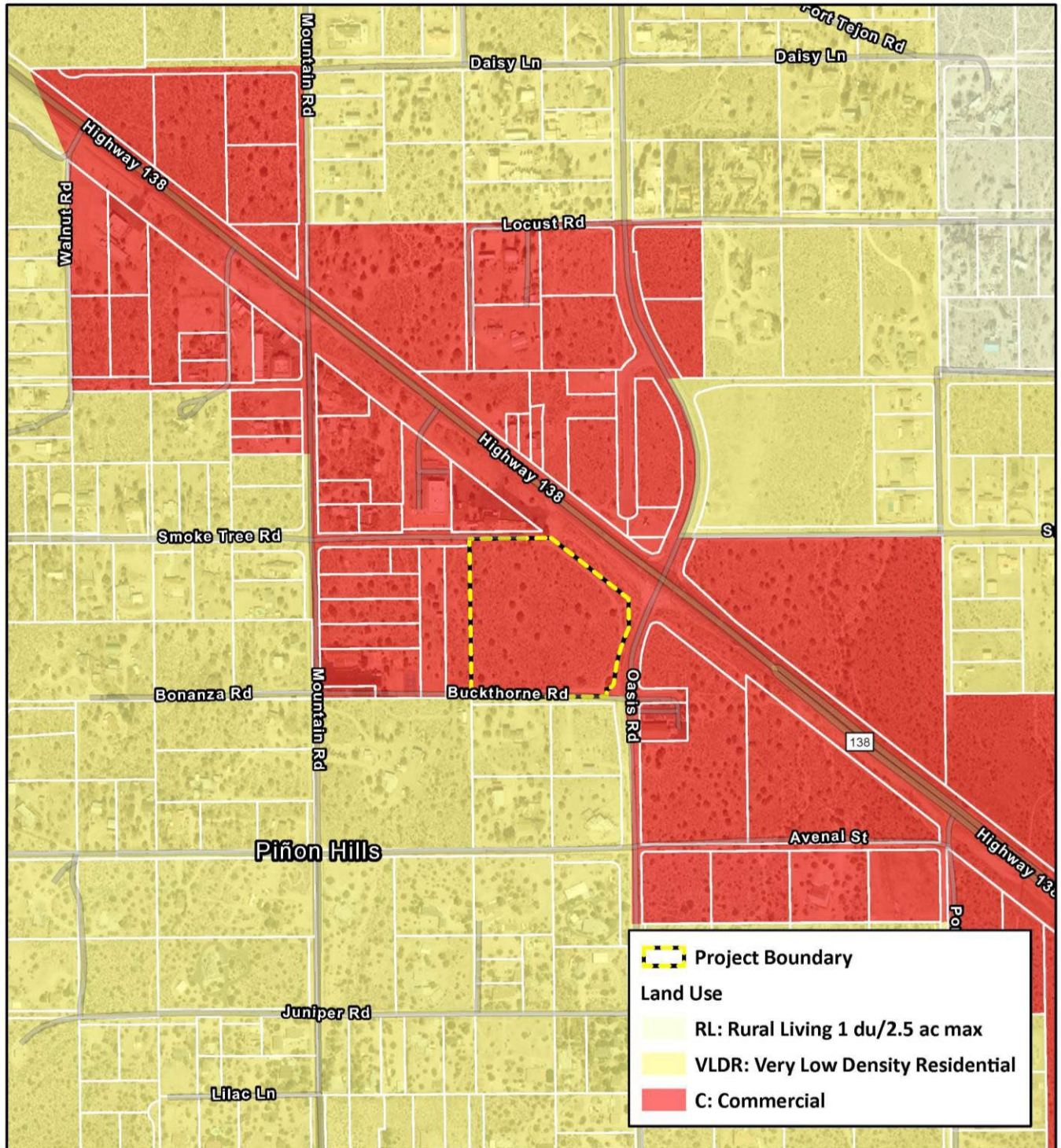


Figure 4 - General Plan Land Use
 Maverick Gas Station, Pinion Hills



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 Engineering and Consulting
 www.cascinc.com

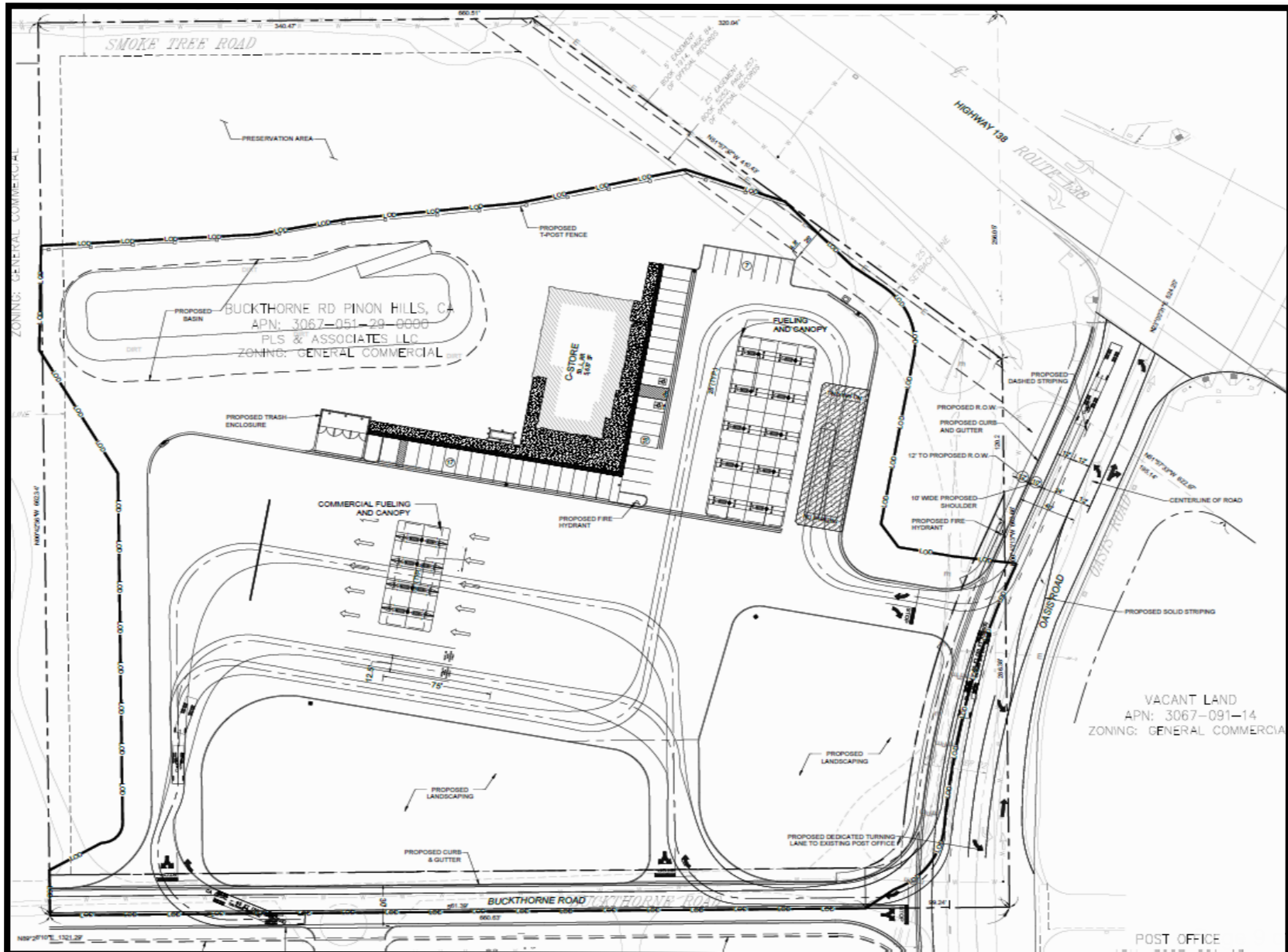


0 270 540 1,080
 US Feet

Figure 5 - Zoning
 Maverick Gas Station, Pinion Hills

San Bernardino County

Figure 6: Proposed Site Plan



CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

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

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

The County, Lead Agency, will commence the AB 52 process by transmitting letters of notification to the California Native American tribes traditionally and culturally affiliated with the Project area and any mitigation will be incorporated into this document.

EVALUATION FORMAT

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

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant	No Impact
--------------------------------	--	-----------------------	-----------

Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

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

Signature: (Delanie Garlick, Planner)

Date

Signature: (Supervising Planner)

Date

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

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

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

Findings of Fact:

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

The proposed Project is located in the community of Pinon Hills along Oasis Road and Highway 138 in the County of San Bernardino. The County does not designate any Scenic Vistas within the Project area in their General Plan or Community Plans. The designated land uses surrounding the Project include Commercial, and Very Low Density Residential. The current surroundings consist of primarily undeveloped scrub-like desert landscape with scattered commercial and residential developments. The property to the north of the proposed Project contains a retail store. The Project would add a new gas station and convenience store on the vacant land; therefore, the proposed Project would be consistent with the existing developments and would not

greatly alter the character of the area. The Project is consistent with the Countywide Plan, zoning designation, and development standards and would be required to follow the County's policies regarding scenic resource preservation. Therefore, the Project would have a less than significant impact on a scenic vista.

Less Than Significant Impact

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

The Project site is not located within or adjacent to a state scenic highway corridor. The nearest Eligible State Scenic Highway is a portion of Highway 138 located approximately 17 miles northeast of the site. The Project site is currently vacant and does not contain unique or unusual features within or adjacent to the site. The Project site does not contain any scenic resources, including but not limited to trees, rock outcroppings or historic buildings within a state scenic highway. Therefore, the Project would result in a less than significant impact.

Less Than Significant Impact

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

The Project is located in a non-urbanized area according to the census. The Applicant is requesting a Minor Use Permit (MUP) for the construction of a new gas station and convenience store, which is consistent with the commercial uses existing to the north of the Project site. The proposed Project is compliant with the existing land use and zoning designations. The Project site is currently vacant and does not provide public views from an accessible vantage point. The development of a single story convenience store and gas pumps with associated parking and landscaping will not conflict with the existing uses or degrade the existing visual character or quality of public viewpoints. Implementation of the proposed Project would not have a substantial adverse effect on the existing visual character or quality of public views, a less than significant impact would occur.

Less Than Significant Impact

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

Excessive or inappropriately directed lighting can adversely impact night-time views by reducing the ability to see the night sky and stars. Glare can be caused by unshielded or misdirected lighting sources, as well as reflective surfaces. The County's Development Code Section 83.07.040 includes design standards for outdoor lighting that apply to all development in the Mountain and Desert regions.¹ The Development Code lighting standards govern the placement and design of outdoor lighting fixtures to ensure adequate lighting for public safety while also minimizing light pollution and glare and precluding public nuisances. Although the proposed Project would be required to adhere to the applicable requirements of the County's Development Code, the Project would introduce new sources of light at the developed Project site, including lighting at the fueling area, parking area, convenience store building for security and safety purposes. The standards listed in Chapter 83.07- Light Trespass of the Development Code, require light shielding, light pollution standards, automated controls and dark sky curfew will ensure that outdoor lighting and glare will not impact the surrounding area. The additional on-site light sources due to the Project are not anticipated to be substantial enough to adversely affect day or nighttime views in the area. Therefore, a less than significant impact would occur.

Less Than Significant Impact

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

¹ San Bernardino County. Development Code. Section 83.07.040

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

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

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

No Impact

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

The Project site has a land use designation of Commercial and is zoned General Commercial (CG). The proposed Project is consistent with the current Countywide Plan and zoning designation. Furthermore, no properties are zoned for agricultural land uses in the Project's vicinity, nor is the site under a Williamson Act Contract. Therefore, implementation of the Project has no potential to conflict with existing zoning for agricultural use. As such, no impact would occur.

No Impact

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

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

No Impact

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

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

No Impact

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

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

No Impact

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

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management district or air pollution control district might be relied upon to make the following determinations. Would the project:					
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☒	☐
SUBSTANTIATION: <i>(Discuss conformity with the Mojave Desert Air Quality Management Plan, if applicable):</i>					
Countywide Plan; San Bernardino Countywide Plan Draft EIR; Submitted Project Materials; Air Quality Impact Analysis, prepared June 25, 2024 (Appendix A)					

Regulatory Setting: The Project site is located in the Mojave Desert Air Basin (MDAB) within the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The MDAQMD encompasses approximately 20,000 square miles including San Bernardino County's High Desert and Riverside County's Palo Verde Valley. The MDAQMD is responsible for bringing air quality in areas under its jurisdiction into conformity with federal and state air quality standards through the implementation of many Air Quality Management Programs (AQMP).

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

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

Construction Emissions:

Urban Crossroads prepared an Air Quality Impact Analysis for the proposed Project (Appendix A). Construction activities associated with the Project will result in limited emissions of Volatile Organic Compounds (VOCs), Nitrogen Oxide (NO_x), Carbon Monoxide (CO), Sulfur Oxides (SO_x), and Particulate Matter (PM₁₀ and PM_{2.5}). Construction related emissions are expected from the following construction activities: site preparation, grading (including soil import), building construction, painting (architectural coatings), paving (curb, gutter, flatwork, and parking lot), and construction workers commuting (*Appendix A*). Exhaust emissions from construction activities envisioned on the site would vary daily as construction activity levels change. As shown below in *Table 3-1 Emissions Summary of Construction*, the Project construction on a regional and local scale would not exceed any MDAQMD Threshold.

Table 3-1 Emissions Summary of Construction

Year	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
2025	1.23	11.36	14.32	0.03	0.50	0.44
Winter						
2025	4.13	37.56	33.41	0.08	7.82	4.52
2026	9.25	19.05	26.42	0.04	1.00	0.76
Maximum Daily Emissions	9.25	37.56	33.41	0.08	7.82	4.52
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	NO	NO	NO	NO	NO	NO

Source: CalEEMod Appendix A

Operational Emissions:

Operational activities associated with the proposed Project will result in limited emissions of Volatile Organic Compounds (VOCs), Nitrogen Oxide (NO_x), Carbon Monoxide (CO), Sulfur Oxides (SO_x), and Particulate Matter (PM₁₀ and PM_{2.5}). Operational emissions would be expected from the following primary sources—area source emissions, energy source emissions and mobile source emissions and gasoline dispensing emissions. Area source emissions include paints, varnishes, primer and other surface coatings, cleaning and landscaping products and equipment. Energy source emissions include electricity and natural gas use. Mobile source emissions are generated from cars and truck trips from employees, delivery drivers and customers. Under the assumed scenarios established in the report, emissions resulting from the Project operations would not exceed the numerical thresholds established by the MDAQMD for any criteria pollutant (*Appendix A*). Therefore, a less than significant impact would occur, see *Table 3-2: Peak Operational Emissions Summary*.

Table 3-2 Peak Operational Emissions Summary

Source	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
Mobile Source	32.52	12.40	97.74	0.14	11.23	2.94
Area Source	0.24	0.00	0.26	0.00	0.00	0.00
Energy Source	0.00	0.03	0.02	0.00	0.00	0.00
Fueling Station	4.75	0.00	0.00	0.00	0.00	0.00
Total Maximum Daily Emissions	37.51	12.43	98.03	0.14	11.24	2.94
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	NO	NO	NO	NO	NO	NO
Winter						
Mobile Source	27.88	13.27	91.36	0.13	11.23	2.94
Area Source	0.19	0.00	0.00	0.00	0.00	0.00
Energy Source	0.00	0.03	0.02	0.00	0.00	0.00
Fueling Station	4.75	0.00	0.00	0.00	0.00	0.00
Total Maximum Daily Emissions	32.83	13.30	91.38	0.13	11.24	2.94
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	NO	NO	NO	NO	NO	NO

Source: CalEEMod, Appendix A

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

The MDAQMD Air Quality Management Plan (AQMP) establishes thresholds for criteria pollutants; projects that exceed any of the indicated daily thresholds should be considered as having an individually and cumulatively significant air quality impact and are not in compliance with the AQMP. The primary purpose of the air quality plans is to bring an area

that does not attain federal and state air quality standards into compliance with those standards pursuant to the requirements of the Clean Air Act and California Clean Air Act. A proposed project should be considered to be consistent with the AQMP if it furthers one or more policies and does not obstruct other policies. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

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

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

Additionally, the project would be required to comply with all applicable MDAQMD rules and regulations including Rule 401 which prohibits discharge of air contaminants that would cause smoke or haze. This rule encourages use of low emissions equipment and avoidance of activities that create excessive smoke or dust. Rule 402 prevents odors, fumes, smoke or pollutants that could harm human health. This requires avoiding burning debris or generating strong odors. and 403 requires measures to control dust from construction or other activities that generate airborne particles. This includes dust control plans and the use of water to reduce dust among other best practices. Per table 3-1 and 3-2 above, the project would not exceed the applicable regional thresholds during construction or operation and therefore would not have the potential to increase the frequency or severity of a violation in the federal or state ambient air quality and would therefore be considered to have a less than significant impact.

Less Than Significant Impact

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

MDAQMD relies on South Coast Air Quality Management District (SCAQMD) guidance for determining cumulative impacts. Individual projects that do not generate operational or construction emissions that exceed the MDAQMD's recommended daily thresholds for

project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact. Conversely, individual project-related construction and operational emissions that exceed MDAQMD thresholds for project-specific impacts would be considered cumulatively considerable. As previously noted, the Project will not exceed the applicable MDAQMD regional threshold for construction and operational-source emissions. As such, the Project will not result in a cumulatively significant impact for construction or operational activity.

Less Than Significant Impact

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

Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. Sensitive receptors can include long-term healthcare facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, childcare centers, and athletic facilities. The CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. The sensitive receptors near the proposed Project site are the nearest occupied residential building, located approximately 145 feet west of the Project site.

Per the Air Quality Impact Analysis prepared by Urban Crossroads, emissions resulting from the gasoline service station have the potential to result in toxic air contaminants (TACs) which have the potential to contribute to health risk in the Project vicinity (Appendix A). MDAQMD does not have standards to assess these health risks and defers to SCAQMDs methodology. Methodology presented in CARB and CAPCOA *Gasoline Service Station Industry Wide Assessment Technical Guidance* was used to determine the risk of exposure for workers and nearby residences. The project site is located 11.45 miles east of Source Receptor Area (SRA) 39 (Phelan-Beekley Road) and is approximately 0.01 miles east of a residential site. Based on the screening procedure for gasoline dispensing, it is anticipated that no residential sensitive receptors in the Project vicinity will be exposed to a cancer risk of greater than 6.33 in one million, and no worker will be exposed to a cancer risk of greater than 2.03 in one million, which is less than the applicable threshold of 10 in one million (Appendix A). Therefore, residential users and employees in the area will not be exposed to a cancer risk greater than the accepted threshold of 10 in one million. Additionally, standard regulatory controls, including dust and construction activity controls, stationery and mobile source regulations related to architectural coatings and CARB regulations would apply to the Project in addition to any permits required to ensure appropriate operational controls. Furthermore, the proposed project would not result in a "CO hotspot". Per the Air Quality Analysis completed by Urban Crossroads (Appendix A), a "CO hotspot" would occur only if an exceedance of the state one-hour standard of 20 parts per million (ppm) or the eight-hour standard of 9 ppm were to occur. According to the SCAQMD's 2003 Air Quality Management Plan (AQMP) and the 1992 Federal Plan for Carbon Monoxide (CO), the highest levels of CO in the area were caused by unusual weather and land shapes, not by traffic at a specific intersection. For example, at the Long Beach Boulevard and Imperial Highway intersection (where the highest CO levels were measured), only a small amount of the CO (0.7 parts per million, or ppm) was from the traffic. The rest of the CO (7.7 ppm) came from the air in the area when the 2003 plan was made for this project,

peak hour traffic volumes were measured at 4 intersections in the Project area to see if those traffic volumes would exceed any of the CO producing hotspots in the study area. Project related traffic during ongoing operations would not result in traffic volumes that are greater than the traffic volumes identified in the 2003 AQMP, therefore the project would not result in a CO hotspot. nor would the project result in a significant adverse health impact, as discussed above. Thus, a less than significant impact to sensitive receptors is expected.

Less Than Significant Impact

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

The Project will not involve land uses that are typically associated with odor complaints, as are agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Potential odor sources associated with the proposed Project may result from construction equipment exhaust and the application of asphalt during construction activities and the temporary storage of typical solid waste (refuse) is associated with the Project's (long-term operational) uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and are thus considered less than significant. During operation, the Project would be required to comply with MDAQMD Rule 402 to prevent occurrences of public nuisances, which prohibits emissions (including odors) that cause discomfort or complaints from the public. The CARB Enhanced Vapor Recovery (EVR) standards require gas stations to install vapor recovery systems to control fumes. This is completed in two phases- phase 1 captures vapors during fuel delivery from tankers to underground storage tanks. Phase II captures vapors while dispensing fuel to vehicles. Therefore, odors associated with the Project construction and operation would be less than significant and no mitigation is required.

Less Than Significant Impact

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

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
IV. BIOLOGICAL RESOURCES - Would the project:				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	☐	☐	☐	☒
SUBSTANTIATION: (Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database ☒):				
Countywide Plan; San Bernardino Countywide Plan Draft EIR; Phelan/Pinon Hills Community Action Guide; California Department of Fish and Wildlife; USGS National Map				

Viewer; Oasis Road and Highway 138 Gas Station, Biological Resources Assessment Report, CASC Engineering and Consulting Inc, May 2024 (Appendix B).

- a) *Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

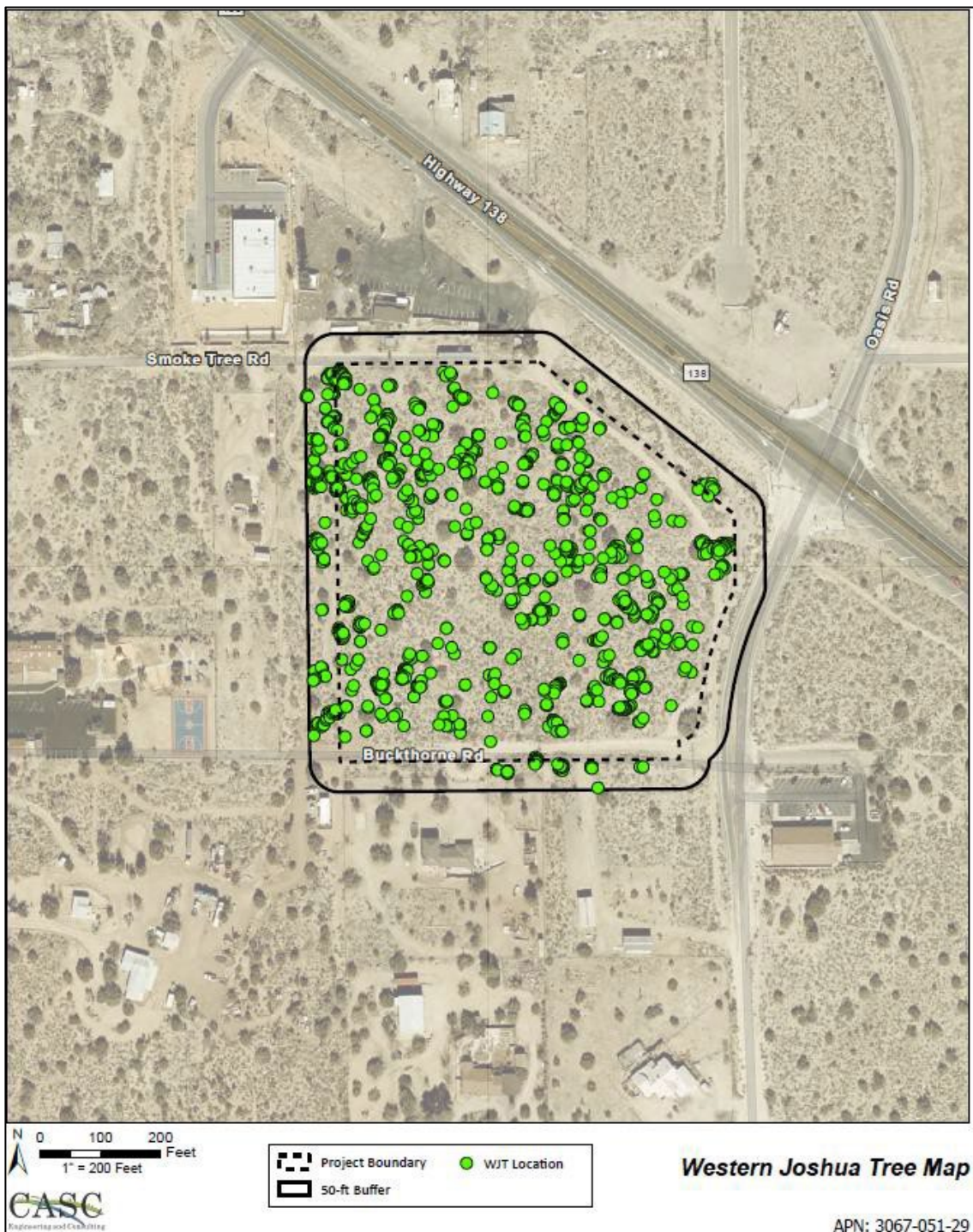
A Biological Resources Assessment (BRA) was prepared for the proposed Project by Casc Engineering and Consulting (Casc) to address potential Project-related impacts on designated critical habitats and/or any special status species protected under the federal Endangered Species Act (ESA), California Endangered Species Act (CESA), California Department of Fish and Wildlife (CDFW) and/or California Native Plant Society (CNPS) (Appendix B).

Special Status Vegetation

The Project Site is within the Mescal Creek quadrangle of the United States Geological Survey's (USGS) 7.5-minute topographic map series. The Project site is currently vacant and undeveloped and is moderately sloped with moderate growth of native plants, trees, and shrub species.

A literature review and records search were conducted as part of the BRA to identify potential species commonly found within the area (Appendix B). The BRA identified the vegetation community as California Juniper woodland, which is not classified as a special status vegetation community. Based on the literature review, three special-status species were determined to have the potential to occur onsite: White pigmy poppy, Short-joint beavertail, and Western Joshua tree (WJT). During the field survey performed by Casc biologists, the White pigmy poppy and the Short-joint beavertail were found not to occur onsite. However, biologists identified approximately 1,355 Western Joshua Trees located onsite and within the 50-ft survey buffer of the site, as shown in *Figure 7, Western Joshua Tree Map*.

Figure 7: Western Joshua Tree Map



The proposed Project would result in impacts to WJT therefore, Mitigation Measures **BIO- 1** and **BIO-2** will be incorporated into the Project to reduce potential impacts to the WJT to less than significant. Mitigation Measures **BIO-1** will require the Project applicant to obtain an Incidental Take Permit (ITP) with the California Fish and Wildlife Department (CDFW) and **BIO-2** will require a relocation plan for any Western Joshua Tree that is removed if relocation is recommended by CDFW.

Special Status Wildlife Species

The following six (6) special-status wildlife species were identified in the literature review as having the potential to occur within the Project site: Juniper metallic wood-boring beetle (locally significant in San Bernardino County), Desert tortoise (locally significant in San Bernardino County), Le Conte's thrasher (locally significant in San Bernardino County), Western burrowing owl (locally significant species), Mohave ground squirrel (locally significant San Bernardino County) and Pallid San Diego Pocket mouse (locally significant San Bernardino County). All species were found to not likely occur on the site except for the Le Conte's thrasher which was found to have a moderate likelihood of occurrence and the Western burrowing owl which was found to have a low likelihood of occurrence on the site. Neither species were observed during the site assessment, however the Project site has the potential to support nesting and foraging for these species and is located within the normal range and such has likelihood to occur on the site. Therefore, the Project has the potential to impact the above-mentioned special status species and would implement Mitigation Measure **BIO-3** that would require pre-construction survey for nesting birds. With the incorporation of the **BIO-3**, impacts would be reduced to less than significant with mitigation incorporated.

Less than Significant with Mitigation

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

The Project site does not contain a riparian habitat or other sensitive natural community identified in local or regional plans, policies and regulations or by the California Department of Fish and Wildlife for US Fish and Wildlife Service, therefore no impact will occur and no mitigation is required.

No Impact

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

The Project site does not contain any wetlands as defined by Section 404 of the Clean Water Act. The Project site does not contain state or federally protected wetlands such as marshes, vernal pools, streams, or rivers. Therefore, the Project would not cause a substantial adverse effect on state or federally protected wetlands. Thus, no impact would occur.

No Impact

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

The Migratory Bird Treaty Act (MBTA) prohibits the taking of migratory birds or their nests or eggs. The Project site provides suitable habitat for nesting birds, specifically the Le Conte's Thrasher and other common bird species in the region. Development of the site may impact the habitat for nesting migratory birds. To comply with MBTA, the Project will incorporate mitigation measure **BIO-3** which requires pre-construction nesting bird surveys. If active bird nests are located, construction will not be allowed within a biologist determined buffer until the nest are no longer active. Wildlife movement and the fragmentation of wildlife habitat are recognized as critical issues that must be considered in assessing impacts on wildlife. Habitat fragmentation is the division or breaking up of larger habitat areas into smaller areas that may or may not be capable of independently sustaining wildlife and plant populations. Habitat linkages provide connections between larger habitat areas that are separated by development. Wildlife corridors are similar to linkages but provide specific opportunities for animals to disperse or migrate between areas. The Project site is surrounded by partially developed residential, commercial, and institutional uses and Highway 138. The BRA analysis (Appendix B) did not identify this area as a wildlife corridor, therefore the Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. A less than significant impact would occur.

Less Than Significant Impact

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

County of San Bernardino Development Code Section 88.01.060 provides regulations for the removal or harvesting of specified desert native plants in order to preserve and protect the plants and to provide for the conservation and wise use of desert resources. Section 88.01.060 outlines desert native plants that shall not be removed or altered, except for fruit, without obtaining a Tree or Plant Removal Permit. The provisions apply to the removal or relocation of regulated trees or plants and to any encroachment within the protected zone of a regulated tree or plant on all private land within the unincorporated areas of the County and on public lands owned by the County, unless otherwise specified. Projects must also comply with applicable State and federal laws and regulations.

The Western Joshua Tree is a unique desert plant species found primarily in California, known for its distinctive spiky appearance and importance to local ecosystems. The Western Joshua Tree Conservation Act was passed to protect the species by allowing it to be listed as a threatened species under state law, aiming to safeguard its habitat from threats like climate change and development. The California Department of Fish and Wildlife (CDFW) plays a key role in implementing conservation measures for the Western Joshua Tree, including monitoring its populations and ensuring that any development projects in its habitat follow regulations to minimize harm. Based on the results of the field

investigation and Western Joshua Tree inventory conducted on March 7, to April 11, 2024, western Joshua trees are present on the Project site. The inventory recorded a total of 1,355 Western Joshua trees. Of those trees, 737 were less than one meter in height, 611 were between 1 and 5 meters and 7 were above 5 meters in height. Project development is designed to try and preserve as many Western Joshua trees as possible, however the site plan shows a total of 38 trees that will need to be relocated. In order to reduce the project's impacts to the Western Joshua Tree, the Project applicant would be required to comply with MM **BIO-1**, and MM **BIO-2** which requires an incidental take permit from CDFW and a relocation plan. Compliance with the requirements would ensure compliance with associated County policies. Impacts would be less than significant with mitigation.

Less than Significant with Mitigation

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

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

No Impact

Mitigation Measures

BIO-1: Incidental Take Permit for Western Joshua tree (CDFW)

The Applicant shall submit to the California Department of Fish and Wildlife (CDFW) an Incidental Take Permit (ITP) application and supporting documentation for the removal of Western Joshua trees on the Project site, pursuant to the Western Joshua Tree Conservation Act. The Applicant will be required to consult with CDFW to determine the measures required to offset the removal of WJT such as the purchase of credits from an approved conservation or mitigation bank, land acquisition, or entry into a conservation easement.

BIO-2: California Desert Native Plants Act Protection and Relocation Plan

If mitigation measures of the ITP (**BIO-1**) include preservation in place through avoidance or relocation, then a Desert Native Plant Protection and Relocation Plan (Plan) for those trees proposed for relocation or preservation shall be composed which will provide detailed specifications for the proposed treatment, avoidance, or relocation of all Western Joshua trees and those desert species included under the CDNPA. Other native desert species included for protection under CDNPA include smoke trees (*Cotinus* sp.), species in the Agavaceae family, mesquite (*Prosopis* sp.), and large creosote bushes (*Larrea* sp.).

BIO-3: Nesting Bird Preconstruction Surveys

If it is not feasible to avoid the nesting bird season (typically January through July for raptors and February through August for other avian species), a qualified biologist shall conduct a pre- construction nesting bird survey for avian species to determine the presence/absence, location, and status of any active nests on or directly adjacent to the Project Site. If active nests are located, the extent of the survey buffer area surrounding the nest should be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid the destruction of active nests and to protect the reproductive success of birds protected by the MBTA and the CFGC, the nesting bird survey shall occur no earlier than 3 days prior to the commencement of construction.

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

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

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
V. CULTURAL RESOURCES - Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those outside of formal cemeteries?	☐	☒	☐	☐
SUBSTANTIATION: (Check if the project is located in the Cultural ☐ or Palaeontologic ☐ Resources overlays or cite results of cultural resource review): Countywide Plan; San Bernardino Countywide Plan Draft EIR; Phelan/Pinon Hills Community Action Guide; Cultural and Paleontological Resources Assessment for the Proposed APN 3067-051-29 Project, Pinon Hills, Duke CRM, prepared April 26, 2024 (Appendix C); Submitted Project Materials				

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

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

A Cultural and Paleontological Resources Assessment was prepared by DUKE CRM, dated April 26, 2024, to determine whether the Project would cause substantial adverse changes to any "historical resources," as defined by CEQA, that may exist in or around the Project site (Appendix C). In order to identify such resources, Duke CRM conducted a historical/archaeological resources records search, pursued historical background research, contacted Native American representatives, and carried out a systematic field survey.

The Cultural and Paleontological Resources Assessment (Appendix C) identified three linear cultural resources within one-half mile of the Project, all identified as early roads. Two (2) of these roads border the Project; Boneyard Canyon Road directly to the northwest, and Tejon Road South along the northeast Project boundary. The third identified resource is located ¾ mile to the northeast of the Project site and is referred to as Tejon Road. These resources are not located within the Project boundary and will not be impacted by the Project. Additionally, the Project has a low potential to impact prehistoric cultural resources as there is no known habitation, prehistoric sites, or permanent water sources within a half mile of the Project site (Appendix C). Though there are no known cultural resources located on the Project site, there is the potential

for resources to be inadvertently discovered during ground disturbing activities. Therefore, Mitigation Measures **CUL-1** will be implemented to reduce impacts to cultural resources to less than significant. Therefore, impacts are less than significant with mitigation incorporated.

Less than Significant with Mitigation

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

The Project site contains no known disturbance or cemeteries; therefore, no human remains, or cemeteries are anticipated to be disturbed by the proposed Project. The likelihood of encountering human remains during Project development is minimal; however, this does not preclude the existence of unknown human remains located below the ground surface, which may be encountered during construction excavations associated with the proposed Project. As a result, Mitigation Measure **CUL-1** has been identified to reduce potentially significant impacts to human remains that may be unexpectedly discovered during Project implementation. Based on compliance with existing State and County regulations and the provided mitigation measures, the Project's potential to disturb human remains is considered less than significant with mitigation incorporated.

Less than Significant with Mitigation

Mitigation Measures:

CUL-1 Inadvertent Finds

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

Therefore, no significant adverse impacts are identified or anticipated when mitigation measure CUL-1, is incorporated.

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

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

SUBSTANTIATION:

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

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

The proposed Project would impact energy resources during construction and operation. The construction activities for the Project include site preparation, grading, building construction, paving, and architectural coating. The Project would consume energy resources during construction in three (3) general forms:

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

Construction-Related:

Energy:

The Project would consume electricity to construct the new building and infrastructure. Electricity would be supplied to the Project by Southern California Edison (SCE) which

serves 15 million customers. SCE derives electricity from varied energy resources including fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. The use of electricity from existing power lines rather than temporary diesel or gasoline powered generators would minimize impacts on energy use. Electricity consumed during Project construction would vary throughout the construction period based on the construction activities being performed. Various construction activities include electricity associated with the conveyance of water that would be used during Project construction for dust control (supply and conveyance) and electricity to power any necessary lighting during construction, electronic equipment, or other construction activities necessitating electrical power. Such electricity demand would be temporary, nominal, and would cease upon the completion of construction. Construction activities associated with the Project would not be expected to have an adverse impact on available electricity supplies and infrastructure. The use of electricity during Project construction would not be wasteful, inefficient, or unnecessary.

The Project site is vacant and undisturbed and is located within a developed area. The new service installations and connections would be scheduled and implemented in a manner that would not result in electrical service interruptions to other properties. Compliance with County guidelines and requirements would ensure that the Project fulfills its responsibilities relative to infrastructure installation, coordinates any electrical infrastructure removals or relocations, and limits any impacts associated with grading, construction, and development. Construction or modifications of the Project's electrical infrastructure is not expected to adversely affect the electrical infrastructure serving the surrounding uses or utility system capacity. Therefore, potential impacts associated with the electricity and infrastructure would be less than significant.

Natural Gas:

Natural gas would be provided to the Project site by Southern California Gas (SoCalGas). Use of natural gas during construction will be minimal and would not significantly impact the supply or demand. Therefore, potential impacts associated with the natural gas supply and infrastructure would be less than significant.

Petroleum Fuel:

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

which would increase construction equipment fuel efficiency.² Construction activities for the Project would not result in wasteful, inefficient, and unnecessary consumption of energy resources. Impacts regarding transportation energy would be less than significant. Development of the Project would not result in the need to manufacture construction materials or create new building material facilities specifically for the Project. It is difficult to measure the energy used in the production of construction materials such as asphalt, steel, lumber, and concrete; however, it is reasonable to assume that the production of building materials such as concrete, steel, etc. would employ all reasonable energy conservation practices in the interest of minimizing the cost of doing business.

Operation-Related:

Energy:

The on-going operations of the Project would require the use of energy resources for multiple purposes including, but not limited to, gas pumps, heating/ventilating/air conditioning (HVAC), refrigeration, lighting, appliances, and electronics. Energy would also be consumed during operations related to water usage, solid waste disposal, landscape equipment and vehicle trips. Operations would result in consumption of electricity at the Project site. The Project would comply with all Federal, State, and County requirements related to the consumption of electricity, which includes California Code of Regulations (CCR) Title 24, Part 6 Building Energy Efficiency Standards and CCR Title 24, Part 11: California Green Building Standards as standard conditions of approval. The CCR Title 24, Part 6 and Part 11 standards require numerous energy efficiency measures to be incorporated into the proposed buildings, including enhanced insulation, use of energy efficient lighting and appliances as well as requiring a variety of other energy efficiency measures to be incorporated into all of the proposed structures³. It is anticipated that the Project would be designed and built to minimize electricity use and that existing and planned electricity capacity and electricity supplies would be sufficient to support the Project's electricity demand; therefore, impacts with regard to electrical supply and infrastructure capacity would be less than significant.

Natural Gas:

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

² California Air Resources Board. Guide to Off-Road Vehicle & Equipment Regulations. Accessed June 24, 2024

³ California Air Resources Board. Guide to Off-Road Vehicle & Equipment Regulations. Accessed June 24, 2024

Petroleum Fuel:

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

Less Than Significant Impact

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

The Proposed Project would be designed to comply with the County of San Bernardino Greenhouse Gas Emissions Reduction Plan, and the State Building Energy Efficiency Standards (Title 24). The Proposed Project would not conflict with any applicable plan, policy or regulation of an agency adopted to reduce GHG emissions. The Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are recommended.

Less Than Significant Impact

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

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
VII. GEOLOGY AND SOILS - Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☒	☐	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

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

Countywide Plan; San Bernardino Countywide Plan Draft EIR; United States Department of Agriculture Natural Resources Conservation; Preliminary Geotechnical Interpretive Report, Maverik Commercial Fueling Station, Earth Strata Geotechnical Services, April 27, 2023(Appendix D); Submitted Project Materials

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

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

The Project site does not occur within an Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zone. As shown in the California Department of Conservation's "Earthquake Hazards Zone" web application, the nearest fault is approximately 5 miles from the Project site. Although the potential for rupture on-site cannot be dismissed, it is considered low to very remote due to the absence of known faults within the immediate vicinity. Nonetheless, the proposed Project would be required to comply with the California Building Code requirements and the Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Compliance with these codes and standards would address potential impacts resulting from an earthquake event. Furthermore, the proposed Project is subject to review by the County of San Bernardino and shall comply with all conditions of approval required by the County. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required. Thus, a less than significant impact would occur.

Less Than Significant Impact

ii) Strong seismic ground shaking?

No active faults pass through, or within the vicinity of the Project site⁴. However, according to the Preliminary Geotechnical Interpretive Report (Appendix D) ground shaking resulting from earthquakes associated with nearby and more distant faults may occur at the Project site, as is the case for most areas within Southern California. Roughly 5 miles from the nearest fault, the Project site has a medium-high ranking for earthquake shaking potential and will experience a stronger earth shaking with higher frequency. ⁵The design of any structures on-site would incorporate measures to accommodate projected seismic ground shaking in accordance with the California Building Code (CBC) and San Bernardino County Building Code. The CBC is designed to preclude significant adverse effects associated with strong seismic ground shaking. Compliance with the CBC and San Bernardino Building Code would ensure that the proposed Project would not expose

⁴ San Bernardino Countywide Plan Draft EIR. Geology and Soils. Figure 5.6-1 "Alquist-Priolo Fault Zones and County Fault Hazard Zones."

⁵ San Bernardino Countywide Plan Draft EIR. Geology and Soils. Figure 5.6-2 "Earthquake Shaking Potential."

people or structures to substantial adverse effects, including loss, injury, or death, involving seismic ground shaking. Therefore, a less than significant impact would occur.

Less Than Significant Impact

iii) Seismic-related ground failure, including liquefaction?

Liquefaction refers to loose, saturated sand or silt deposits that behave as liquid and lose their load-supporting capability when strongly shaken. Per the Preliminary Geotechnical Interpretive Report (Appendix D), the potential for earthquake induced liquefaction and lateral spreading beneath the proposed structures is very low to remote due to the recommended compacted fill, relatively low groundwater level, and the dense nature of the deeper onsite earth material. According to Policy Plan Map HZ-Liquefaction and Landslides, the Project site is not situated in an area that is susceptible to liquefaction and would not expose people or structures to substantial adverse effects, including loss, injury, or death, involving seismic-related ground failure⁶. Therefore, a less than significant impact would occur.

Less Than Significant Impact

iv) Landslides?

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

No Impact

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

Implementation of the proposed Project would disturb more than one (1) acre of soil. Therefore, the Project would be required to adhere to standard regulatory requirements, including, but not limited to, requirements of the County's National Pollutant Discharge Elimination System (NPDES) Construction General Permit, which requires adoption of an appropriate Storm Water Pollution Prevention Plan (SWPPP) and implementation of Best Management Practices (BMPs) to reduce erosion from storm water runoff. Construction activities associated with the Project would involve earth movement and the exposure of soil, which would temporarily increase soil erosion susceptibility. In the long term, development of the Project site would increase impervious surface cover and

⁶ San Bernardino Countywide Plan Draft EIR. Geology and Soils. Figure 5.6-3 "Liquefaction and Landslide Susceptibility."

permanent landscaping, thereby reducing the potential for erosion and loss of topsoil that currently occurs. The proposed Project would not significantly alter the existing topography of the site. Based on the preceding, potential impacts associated with erosion or changes in topography, including loss of topsoil are considered less than significant.

Less Than Significant Impact

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

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

Seismically induced lateral spreading involves lateral movement of earth materials over a deeper layer which has liquified due to ground shaking. It differs from a slope failure in that ground failure involving a large movement does not occur due to the flatter slope of the initial ground surface. Lateral spreading is characterized by near vertical cracks with predominantly horizontal movement of the soil mass involved over the liquified soils. Due to the low risk of liquefaction under the current groundwater conditions, lateral spreading is not considered a risk. Further, the Project would be required to comply with the California Building Code (CBC) that would act to minimize any unstable soils, and unstable geologic units that may be encountered. On this basis, the potential for the Project to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse is less than significant.

Less Than Significant Impact

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

Expansive soils contain significant amounts of clay particles that swell considerably when wetted and shrink when dried. Foundations constructed on these soils are subject to uplifting forces caused by the swelling. According to the Geotechnical Interpretation prepared for the Project, the Project site is underlain by earth materials that exhibit an expansion potential of VERY LOW as classified in accordance with 2022 CBC Section 1803.5.3 and ASTM D 4829. Though the potential for expansive soil to underly the site is considered “very low”, the Project shall adhere to the recommendations outlined in the Preliminary Geotechnical Interpretation Report (Appendix D), conclusion and recommendations section related to earthwork and tentative foundation design recommendations. Furthermore, according to the United States Department of Agriculture’s Web Soil Survey website, the Project site is comprised mostly Soboba gravelly sand and minor Tujunga sand. Therefore, the subsurface soils at the Project site are considered non-expansive and a less than significant impact would occur.

Less than Significant impact

- e) *Are 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?*

The Proposed Project will utilize a septic tank and associated seepage pits located at the southeastern portion of the site for its wastewater treatment. Such a system would be required to meet all requirements of the County's Environmental Health Services (EHS) Division prior to its installation, including the completion of a percolation test. Therefore, preparation of required documentation and subsequent evaluation and approval by the County would ensure impacts are less than significant and no mitigation measures are required.

Less Than Significant Impact

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

According to the Cultural and Paleontological Resources Assessment (Appendix C) No paleontological resources have been discovered or are known to exist on the site. Implementation of the Project will require some grading and installation of underground service facilities As noted in the Cultural and Paleontological Resources Assessment (Appendix C) paleontological resources are unlikely to be found in the first 5 feet of ground, however the project proposes to excavate to 10 feet, therefore Mitigation Measures **GEO-1** is identified to evaluate and salvage discoveries, if any, that occur.. By adhering to Mitigation Measures **GEO-1**, the potential to destroy a unique paleontological resource or site or unique geologic feature will be minimized. Therefore, with mitigation incorporated, the Project would result in a less than significant impact.

Less than Significant with Mitigation

Mitigation Measures VII.

(f) GEO-1: Paleontological Monitoring

A paleontological monitor shall be present at the kickoff meeting to provide a summary of the paleontological sensitivity of the Project area at depths greater than five (5) feet below the surface. The monitor shall work under the direct supervision of a qualified paleontologist (minimum of a B.A. in geology, or related discipline with an emphasis in paleontology and demonstrated experience and competence in paleontological research, fieldwork, reporting, and curation). The monitor shall be a trained paleontological monitor with experience and knowledge of sediments, geologic formations, the identification and treatment of fossil resources.

1. The qualified paleontologist shall be on-site at the pre-construction meeting to discuss monitoring protocols.
2. Paleontological monitoring shall be present full-time during excavations in excess of five (5) feet below the surface. If no paleontological resources are discovered after half of the ground disturbance has occurred, monitoring can be reduced to part-time

or spot-checking.

3. The monitor shall be empowered to temporarily halt or redirect grading efforts if paleontological resources are discovered.
4. In the event of a paleontological discovery the monitor shall flag the area and notify the construction crew immediately. No further disturbance in the flagged area shall occur until the qualified paleontologist has cleared the area.
5. In consultation with the qualified paleontologist the monitor shall quickly assess the nature and significance of the find. If the specimen is not significant it shall be quickly removed, and the area cleared.
6. If the discovery is significant the qualified paleontologist shall notify the developer and County of San Bernardino immediately. DUKE Cultural Resources Management
7. In consultation with the applicant and the County, the qualified paleontologist shall develop a plan of mitigation which will likely include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation of the find in a local qualified repository, and preparation of a report summarizing the find.

Therefore, no significant adverse impacts are identified or anticipated when mitigation measure GEO-1 are incorporated.

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

SUBSTANTIATION:

Countywide Plan; San Bernardino Countywide Plan Draft EIR; Submitted Project Materials; Greenhouse Gasses Analysis, Urban Crossroads, prepared June 25, 2024 (Appendix E)

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

Urban Crossroads prepared a Greenhouse Gas Analysis for the proposed Project dated June 25, 2024 (Appendix E). As shown in *Table 8-1 Project-Related Greenhouse Gas Emissions*, the Project would generate 2,358.57 MTCO₂e per year. According to the threshold of significance from the County's Greenhouse Gas Emissions Reduction Plan, a cumulative global climate change impact would occur if the GHG emissions created from the on-going operations of the proposed Project would exceed the screening threshold of 3,000 MTCO₂e per year. Construction generates CO₂ and CH₄ emissions which contributes to the overall impact to GHG emissions. Even though construction emissions are temporary, they can have long term impacts and thus need to be considered to understand the total impact of the project. Therefore, construction emissions are amortized from a short period of time (during construction) to over the life of the Project (MDAQMD recommends 30 years) to better represent the long-term impact of the construction of the project on climate change. According to the Greenhouse Gas Emissions Analysis (Appendix E), the total annual emissions would be 2,358.57 MT/yr; therefore, since the Project will not exceed the threshold of significance, the Project does not have the potential to result in a cumulatively considerable impact with respect to GHG emissions and a less than significant impact would occur.

Table 8-1 Project-related Greenhouse Gas Emissions Summary (Annual)

Emission Source	Emissions (MT/yr)				
	CO ₂	CH ₄	N ₂ O	Refrigerants	Total CO ₂ e
Amortized Construction Emissions	15.61	5.26E-04	5.42E-04	3.00E-03	15.78
Mobile Source	2231.06	0.25	0.18	3.20	2293.94
Area Source	0.09	0.00	0.00	0.00	0.09
Energy Source	37.22	0.00	0.00	0.00	37.42
Water Usage	0.62	0.01	0.00	0.00	0.88
Waste	0.88	0.09	0.00	0.00	3.07
Refrigerants	0.00	0.00	0.00	7.40	7.40
Total CO₂e (All Sources)	2,358.57				

Source: CalEEMod output, See Appendix E for detailed model outputs.

Less Than Significant Impact

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

The Project would not impede the State's progress towards carbon neutrality by 2045 under the 2022 Scoping Plan. The Project would be required to comply with applicable current and future regulatory requirements promulgated through the 2022 Scoping Plan. Some of the current transportation sector policies the Project will comply with (through vehicle manufacturer compliance) include:

- Advanced Clean Cars II,
- Advanced Clean Trucks,
- Advanced Clean Fleets,
- Zero Emission Forklifts,
- the Off-Road Zero-Emission Targeted Manufacturer rule,
- Clean Off-Road Fleet Recognition Program,
- Amendments to the In-use Off-Road Diesel-Fueled Fleets Regulation,
- carbon pricing through the Cap-and-Trade Program,
- and the Low Carbon Fuel Standard.

As such, the project would be consistent with the CARB 2022 Scoping Plan. Lastly, the Project would be required to comply with applicable elements outlined in the County's GHG Development Review Process. As such, The Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. Given this consistency, the Project's incremental contribution to greenhouse gas emissions and their effects on climate change would be less than significant.

*Initial Study PROJ-2024-00030
Oasis Road Maverick Gas Station & Convenience Store
APN: 3067-051-29
April 15, 2025*

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐
SUBSTANTIATION:				
Countywide Plan; San Bernardino Countywide Plan Draft EIR; Submitted Project Materials; Phase I Environmental Assessment by Earth Strata Geotechnical Services, April 24,2023 (Appendix F)				

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

Construction-Related:

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

Operation-Related:

Project operations would involve the operation of the convenience store and fuel service pumps, along with associated landscape and maintenance. Hazardous or potentially hazardous materials would be routinely handled, stored, and dispensed on the Project site, such as gasoline. The Project involves the construction and operation of a service station, which would include the installation and maintenance of underground storage tanks (UST) for the on-site storage of gasoline. Service stations are subject to routine inspection by federal, state, and local regulatory agencies with jurisdiction over fuel dispensing facilities. The service station's storage and delivery of the hazardous materials would comply with all applicable federal, state, and local regulation in order to functionally operate, including but not limited to Section 2540.7 – Motor Fuel Dispensing Facilities and Service Stations, of the California Occupational Safety and Health Regulations (CalOSHA); Chapter 38 – Liquefied Petroleum Gases, and the California Fire Code (CFC); the Resource Conservation and Recovery Act (RCRA); and the San Bernardino County Fire standards. These regulatory requirements minimize health risk to the public associated with fuel service stations' hazardous materials. Without routine inspection, regulation, required compliance with applicable federal, state, and local laws surrounding service station operation, delivery, storage, and fuel dispensing, the Project would result in a significant impact; however, due to routine inspection, heavy regulation, required compliance with federal, state, and local laws, a less than significant impact would occur.

Less Than Significant Impact

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

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

Less Than Significant Impact

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

The closest school to the Project site is Pinon Hills Elementary School, located approximately 0.6 miles to the North of the Project site. Construction and operation of the Project is anticipated to handle and use diesel fuel and gasoline. As previously mentioned, handling activities associated with hazardous or potentially hazardous materials would comply with all applicable federal, state, and local agencies and regulations. Given that there are no schools within one-quarter mile of the proposed Project, no impact would occur.

No Impact

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

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

No Impact

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

The Project site is not located within an airport safety review area or Airport Runaway Protection Zone.⁷ The Project site is not located within the vicinity of a private or public airstrip. The nearest airport to the Project site is Gray Butte Airport, approximately 9 miles Northwest of the site. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area. Thus, no impact would occur.

No Impact

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

The Project site and immediate surroundings do not contain emergency shelters or facilities. Highway 138 is located north of the Project site and is listed as a state highway evacuation route within the Desert Region of San Bernardino County.⁸ Additionally, the Project site is located within a High Fire Hazard Severity Zone.⁹ The proposed Project will not result in substantial changes to road design or capacity that could affect evacuation routes. Therefore, the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Thus, no impact would occur.

No Impact

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

The Project site is located within a High Fire Hazard Severity Zone⁹ However, the Project site is relatively flat and does not contain considerable slopes that would exacerbate wildfire risk; furthermore, the surrounding wildland conditions consist of sparse desert vegetation. The Project will adhere to the requirements of the California Fire Code (CFC) and California Building Code during construction. These codes require fire resistant temporary structures, fire prevention plans and inspections, removal of vegetation and combustible material and fire equipment like fire extinguishers and water supply to on site at all times. This will act to prevent fire risk during construction. All new construction will comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. This will include things like fire resistant construction, defensible space and landscaping, emergency access and sprinkler systems. Therefore, the proposed Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Thus, a less than significant impact would occur.

⁷ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-2 "Airport Safety Zones."

⁸ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Table 5.8-10 "Evacuation Routes in San Bernardino County."

⁹ County of San Bernardino. HZ-5 Fire Hazard Severity Zone web map. Accessed September 23, 2021.

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Oasis Road Maverick Gas Station & Convenience Store
APN: 3067-051-29
April 15, 2025*

Less Than Significant Impact

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

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

SUBSTANTIATION:

Countywide Plan; San Bernardino Countywide Plan Draft EIR; FEMA Map; 2020 Mojave Water Agency UWMP; Adequate Service Certification Public Water (Form W1) (Appendix I); Submitted Project Materials

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

Construction-Related:

The proposed Project would involve grading, paving, underground storage tank installation, building construction, and landscaping installation, which could result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints and other pollutants with the potential to affect water quality. All new development projects equal to one acre or more are subject to San Bernardino County National Pollutant Discharge Elimination System (NPDES). The proposed Project would disturb approximately 6.7 acres of land and therefore will be subject to NPDES permit requirements during construction activities. Additionally, pursuant to Development Code Section 85.11.030, the Project shall prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) for the Project site prior to commencement of Project construction activities. The SWPPP provides temporary measures to control discharges of sediment and other pollutants and includes methods to minimize water quality impacts and stabilize disturbed surfaces throughout the Project site during construction. The Project shall implement BMPs to prevent such deterioration and shall identify the manner of implementation pursuant to Development Code Section 85.11.030. Therefore, construction related impacts would be less than significant.

Operation-Related:

Urban runoff is typically associated with impervious surfaces, such as rooftops, streets, and other paved areas, where various types of pollutants may build up and eventually be washed into the offsite waters. While the project is not located in an area that would require a Water Quality Management Plan, The Project would be developed and operated in compliance with all applicable County and Regional Water Quality Control Board (RWQCB) regulations and water quality standards. After Construction, a Municipal Separate Storm Sewer System permit (MS4) would be required, requiring stormwater BMPs such as the proposed stormwater basin located in the northwest portion of the property. The project would also be required to comply with California UST regulations (CCR Title 23, Chapter 16) which require secondary containment, leak detection, and monitoring to prevent fuel contamination and the onsite wastewater treatment systems policy, which requires the onsite septic system to meet RWQCB design and monitoring requirements. The proposed Project is subject to review by the County of San Bernardino and shall comply with all conditions of approval required by the County. Therefore, urban pollutants entering and potentially polluting the local water system would not be expected to occur as a result of the proposed Project and a less than significant impact would occur.

Less Than Significant Impact

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

The Project proposes utilizing an existing water line and the Phelan Pinon Hills CSD has provided a will serve letter (Appendix I). The Project will not substantially decrease groundwater supplies or interfere with groundwater recharge to the extent that the Project impedes sustainable groundwater management of the basin. The proposed Project does not include a land use that requires a substantial amount of water such as agricultural use.

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

Less Than Significant Impact

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

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

Less Than Significant Impact

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

The proposed Project would increase the percentage of impervious surfaces on site which would increase the potential for surface runoff. However, the Project site is located within Federal Emergency Management Agency (FEMA) Flood Zone X, which designates areas that are outside of the 100-year flood zone or are protected from the 100-year flood zone by levees.¹⁰ The Project site is relatively flat and vacant. Additionally, The County Public Works Department will review the final drainage plan prior to construction of the Project. Therefore, the Project is not anticipated to substantially increase the amount of runoff or rate of surface runoff located on-site. A less than significant impact would occur.

Less Than Significant Impact

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

As stated above in Section X (c(ii)), the Project site is currently vacant and undeveloped. Although the proposed Project will increase the percentage of impervious surfaces on site, as a condition of approval, the County Public Works Department will review the final drainage plan prior to construction of the Project. Stormwater improvements include a proposed detention basin in the northwestern portion of the site and proposed curb and gutter along Buckthorne Road and Oasis Road. Therefore, the Project will follow the County's regulations regarding stormwater runoff and treatment for gasoline service stations and a less than significant impact would occur.

Less Than Significant Impact

iv) Impede or redirect flood flows?

According to Countywide Plan, the Project site is not located in an identified flood hazard area.¹¹ Furthermore, according to the FEMA Flood Insurance Rate Map, the Project Site is an area of minimal flood hazard. The Project would not alter the course of a stream or river and therefore would not redirect flood flows. As the Project is not within a floodplain, the Project will not impede flood flows, and no impact would occur.

Less Than Significant Impact

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

¹⁰ Federal Emergency Management Agency. FEMA Flood Map No. 06071C5150J. USGS The National Map October 2020. Accessed October 23, 2021.

¹¹ County of San Bernardino. HZ-4 Flood Hazards web map. Accessed October 23, 2021.

The Project site is not located in a flood hazard, tsunami, or seiche zone. The Pacific Ocean is located over 83 miles southwest of the Project site; consequently, there is no potential for tsunamis to impact the Project. In addition, no steep hillsides subject to mudflow are located on or near the Project site. According to the Countywide Plan, the Project site is not located in an identified dam inundation area, and there is no levee located within the vicinity of the Project site. There is no potential for inundation. Accordingly, the Project site has no potential to be impacted by seiches, mudflows, and/or tsunamis. Therefore, no impact would occur.

No Impact

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

The Project requires MUP approval, which includes review by multiple County Departments including the Land Development Division and County Flood Control, and a public hearing for approval. Therefore, the project will be designed to meet County regulations regarding construction and operation for the gasoline service station and related activities. During construction the project will be required to obtain a NPDES permit to control sediment, debris, and pollution from construction runoff. The Project will comply with County water quality control plans and sustainable groundwater management plans. Thus, impacts are anticipated to be less than significant.

Less Than Significant Impact

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

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XI. LAND USE AND PLANNING - Would the project:					
a)	Physically divide an established community?	☐	☐	☐	☒
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
SUBSTANTIATION:					
Countywide Plan; Submitted Project Materials					

a) *Physically divide an established community?*

According to the Countywide Plan LU-1 Map, the Project site has a land use classification of Commercial. The surrounding area includes Commercial to the north and east, and Very Low-Density Residential land uses to the south. The Project is consistent with the General Commercial zone and commercial land use category. No established communities exist within the Project site, nor does the Project propose or require elements or operations that would divide an off-site community. Based on the preceding, the Project would not physically divide an established community and no impact would occur.

No Impact

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

The proposed Project conforms with the Countywide Plan land use classification of commercial, therefore there is no conflict with a land use plan. The project has been designed and reviewed with the Countywide Policy plan and is consistent with the goals and policies of the Countywide Plan. The Project also aligns with the intent of the Phelan/ Pinon Hills Community Action Guide and the current zoning designation. Therefore, the implementation of the proposed Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation, and a less than significant impact would occur.

Less Than Significant Impact

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

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XII.	MINERAL RESOURCES - Would the project:				
a)	Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	☐	☐	☒	☐
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☒	☐
SUBSTANTIATION: (Check ☒ if project is located within the Mineral Resource Zone Overlay):					
Countywide Plan; San Bernardino Countywide Plan Draft EIR; Mineral Land Classification					

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

The Project site is located within the North Desert region of San Bernardino County. According to Policy NR-6.1 of the Countywide Plan, development of land that would substantially preclude the future development of mining facilities in areas classified as Mineral Resource Zones (MRZ) 2a, 2b, or 3a is discouraged or prohibited. Per the Countywide Plan Map NR-4 Mineral Resource Zones, the Project site is part of the 1992 Open File Report (OFR) 92-06 and is located in an MRZ Classification of MRZ-3a for potential or possible aggregate resources. The Project site has a Land Use Designation of Commercial and a zoning designation of General Commercial, which indicates that the County's long-term goal for the site is to be used as commercial. The proposal of a service station and convenience store is consistent with these designations. Furthermore, the project site is surrounded by existing developments including retail stores, a post office, community park, fire station and scattered residential developments. Therefore, the project site and current surrounding uses are not compatible with mineral extraction thus the Project would have a less than significant impact.

Less Than Significant Impact

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

As stated above in Section XII. (a), the Project site is located within an area known to have the potential or possibility to be underlain by regionally or locally important mineral resources. However, the proposed Project complies with the zoning designation and Countywide Plan. Therefore, Project implementation would have a less than significant impact and no further analysis of this subject is required.

Less Than Significant Impact

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

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XIII. NOISE - Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
SUBSTANTIATION: (Check if the project is located in the Noise Hazard Overlay District ☐ or is subject to severe noise levels according to the General Plan Noise Element ☐):				
Countywide Plan; San Bernardino Countywide Plan Draft EIR; Oasis Road and Highway 138 Gas Station, Noise and Vibration Impact Analysis, Urban Crossroads, September 11, 2024 (Appendix G). Submitted Project Materials				

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

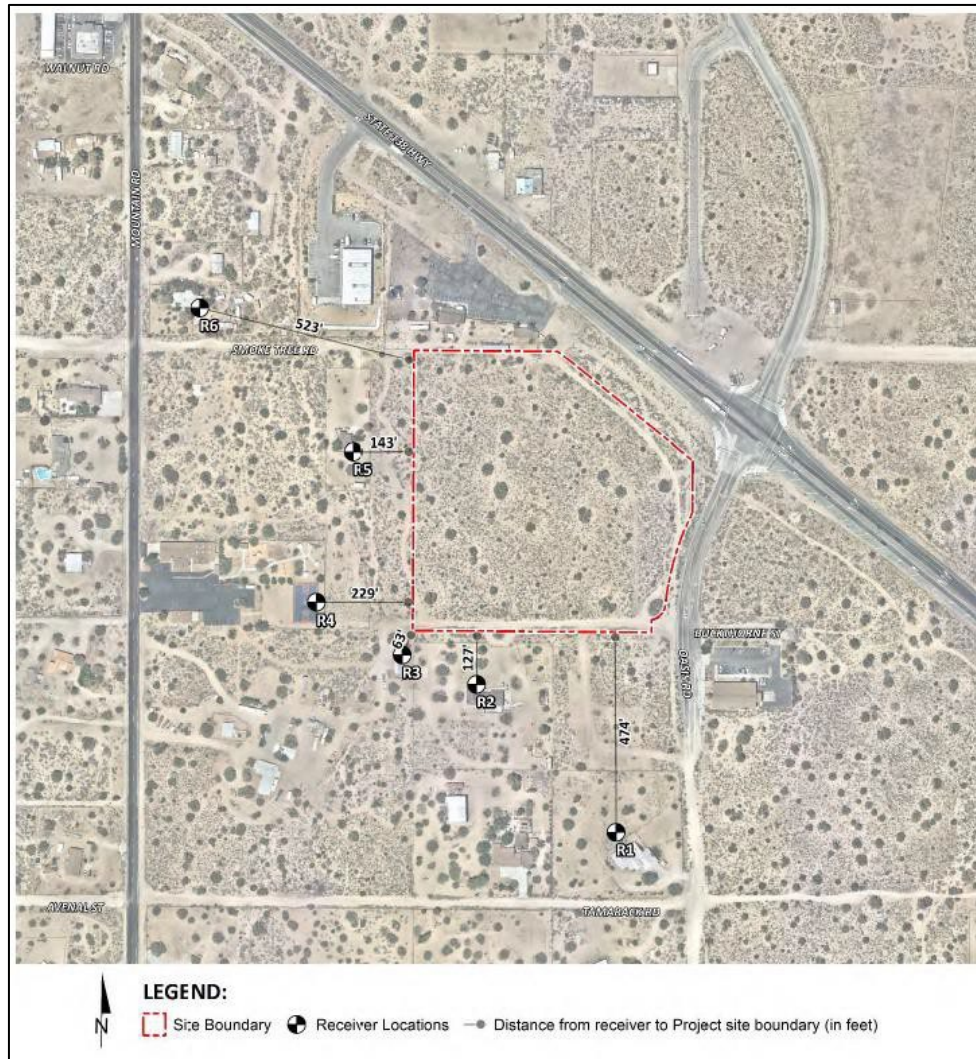
The Project site is surrounded by commercial and residential uses to the north, Pinion Hills Park and San Bernardino County Fire Station 13 to the west, a post office and residential uses to the south, and residential uses to the east. The Project is located within the Commercial land use category and is zoned General Commercial (CG). The project is anticipated to be developed in one phase with an opening year of 2026. Urban Crossroads completed a Noise and Vibration Impact Analysis for the Project, dated September 11, 2024 (Appendix G). Since the site is located near residential land uses, the noise study used residential noise level standards as a threshold for potential operational noise impacts. The noise standards for residential properties is: exterior noise levels shall not exceed 55 dBA Leq during the daytime hours (7:00 a.m. to 10:00 p.m.) and 45 dBA Leq during the nighttime hours (10:00 p.m. to 7:00 a.m.) for both the whole hour and for not that more than 30 minutes per hour, as well as the standard plus 5 dBA cannot be exceeded for a cumulative period of more than 15 minutes in any hour.

For construction related noise impacts, the study references Section 83.01.080 (g) (3) of the County Development Code which exempts construction activity from the noise level standards between the hours of 7:00 a.m. to 7:00 p.m., except on Sundays and federal holidays. However, neither the County of San Bernardino General Plan or Municipal Code establish numeric maximum acceptable construction source noise levels at potentially affected receivers, which would allow for a quantified determination of what CEQA constitutes a *substantial temporary or periodic noise increase*. Therefore, a numerical construction threshold based on Federal Transit Administration (FTA) *Transit Noise and Vibration Impact Assessment Manual* is used for analysis of daytime construction impacts. The FTA considers a daytime exterior construction noise level of 80 dBA Leq as a threshold for noise sensitive residential land use, a noise level of 85 dBA Leq for commercial locations, and 90 dBA Leq for industrial locations. Sensitive receptors are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. These typically include schools, hospitals, single-family dwellings, mobile home parks, churches, libraries, and recreation areas. To describe the potential off-site Project noise levels, six receiver locations in the vicinity of the Project site were identified in the Noise Study (Appendix G). The selection of receiver locations is based on Federal Highway Administration (FHWA) guidelines and is consistent with additional guidance provided by Caltrans and the FTA.

Construction-Related:

The County of San Bernardino's Development Code Section 83.01.080 exempts construction activities from 7AM to 7PM, except on Sunday and federal holidays, from the County's noise standards. Noise generated by the Project construction equipment will include a combination of trucks, power tools, concrete mixers, and other equipment that when combined can reach high noise levels. The Noise Analysis completed by Urban Crossroads assesses the worst-case scenario for construction noise levels by relying on the highest noise level impacts when equipment with the highest reference noise level is operating at the closest point from the edge of primary construction activity (Project site boundary) to each receiver location (R1 through R6 as identified in *Figure 8, Sensitive Receiver Locations*).

Figure 8: Sensitive Receiver Locations



As shown in the Noise Analysis, the construction noise levels are expected to range from 48.8 to 63.5 dBA Leq, and the highest construction levels are expected to range from 56.0 to 63.5 dBA Leq at the nearest receiver. To evaluate whether the Project will generate potentially significant short-term noise levels at the nearest receiver locations (R1 through R6), a construction-related daytime noise level threshold of 80 dBA Leq is used as a reasonable threshold to assess the daytime construction noise level impacts at residential locations. As shown in table 13-1 below, construction noise will be below the 80 dBA Leq threshold and there will be less than significant impacts due to project construction noise at all receiver locations.

Table 13-1: Construction Noise Level Compliance

Receiver Location	Construction Noise Levels (dBA LMax)		
	Highest Construction Noise Levels	Threshold	Threshold Exceeded
R1	57.1	80	No
R2	63.2	80	No
R3	63.5	80	No
R4	60.3	80	No
R5	63.1	80	No
R6	56.0	80	No

Operational -Related:

This section analyzes the potential stationary-source operational noise impacts at the nearest receiver locations resulting from the operation of the proposed Project. On site noise sources include roof-top air conditioning units, parking lot vehicle movements, trash enclosure activity, truck fueling, car fueling and trash enclosure activity. Using the reference noise levels to represent the Project operations, Urban Crossroads calculated the operational source noise levels that are expected to be generated at the Project site and the Project-related noise level increases that would be experienced at each of the sensitive receiver locations as shown in Figure 8. Table 13-2 shows the Project operational noise levels during the daytime hours of 7:00 a.m. to 10:00 p.m. The daytime hourly noise levels at the off-site receiver locations are expected to range from 35.8 to 43.3 dBA Leq. Table 9-3 shows the Project operational noise levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. The nighttime hourly noise levels at the off-site receiver locations are expected to range from 34.5 to 42.3 dBA Leq. The differences between the daytime and nighttime noise levels are largely related to the duration of noise activity with minimal nighttime operations (Table 13-3). To demonstrate compliance with local noise regulations, the Project-only operational noise levels are evaluated against exterior noise level thresholds based on the County of San Bernardino exterior noise level standards at the nearest noise-sensitive receiver locations. 55 dBA Leq for the daytime and 45 dBA Leq for the nighttime. Tables 13-2 and 13-3 show that the operational noise levels associated with the project will not exceed the thresholds set by the County at all nearby receiver locations, and therefore impacts will be less than significant.

Table 13-2: Daytime Project Operational Noise Levels

Noise Source	Daytime Noise Level (dBA Leq)					
	R1	R2	R3	R4	R5	R6
Roof-top Air Conditioning Units	31.0	34.5	34.6	33.9	36.9	31.9
Parking Lot Vehicle Movement	31.2	36.3	35.0	32.6	34.4	28.3
Trash Enclosure Activity	24.6	29.6	29.8	29.0	32.3	25.2
Truck Fueling	37.5	40.5	39.5	37.7	36.6	29.6
Car Fueling Activity	27.7	33.1	32.3	30.4	31.7	25.7
Total (All Noise Sources)	39.6	43.3	42.5	40.8	41.9	35.8
Exceed 55 dBA Leq?	No	No	No	No	No	No

Table 13-3: Nighttime Project Operational Noise Levels

Noise Source	Nighttime Noise Level (dBA Leq)					
	R1	R2	R3	R4	R5	R6
Roof-top Air Conditioning Units	28.2	31.8	31.9	31.2	34.1	29.2
Parking Lot Vehicle Movement	31.2	36.3	35.0	32.6	34.4	28.3
Trash Enclosure Activity	23.7	28.6	28.8	28.0	31.4	24.2
Truck Fueling	36.6	39.5	38.5	36.7	35.7	28.6
Car Fueling Activity	26.7	32.1	31.3	29.4	30.7	24.37
Total (All Noise Sources)	38.6	42.3	41.4	39.7	40.6	34.5
Exceed 45 dBA Leq?	No	No	No	No	No	No

Less Than Significant Impact

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

Project construction can generate varying degrees of ground-borne vibration, depending on the construction procedure and the construction equipment employed. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. As vibration waves propagate from a source, the energy is spread over an ever-increasing area such that the energy level striking a given point is reduced with the distance from the energy source.¹² Ground-borne vibration decreases rapidly with distance. The proposed Project would generate ground-borne vibration during site grading and construction activities; however, the ground-borne vibration and ground-borne noise levels would not be considered excessive. As described in Section XII(a) above, construction activities are exempt from the County's Development Code, provided they occur between the hours of 7AM and 7PM Monday through Saturday, except on federal holidays. Thus, the potential impacts associated with construction vibration would be less than significant and the operations of the Project would not create any ground-borne vibration or ground-borne noise. Impacts are anticipated to be less than significant.

Less Than Significant Impact

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

The Project site is not within an airport safety review area or Airport Runaway Protection Zone.¹³ The Project site is not located within the vicinity of a private or public airstrip. The

¹² San Bernardino Countywide Plan Draft EIR. Noise, Pg. 5.12-4.

¹³ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-2 "Airport Safety Zones."

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nearest airport to the Project site is Gray Butte Airport, approximately 9 miles Northwest of the site

Therefore, no impacts are identified or anticipated

No Impact

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

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

SUBSTANTIATION:

Countywide Plan; San Bernardino Countywide Plan Draft EIR

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

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

Less Than Significant Impact

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

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

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No Impact

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

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

SUBSTANTIATION:

Countywide Plan; Phelan/Pinon Hills Community Action Guide

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

i. Fire Protection?

Fire protection services to the Project site are provided by the San Bernardino County Fire Department. The Project site is served by the San Bernardino County Fire Station 10, located at 9625 Beekley Rd, approximately 3.2 miles southeast of the Project site. As discussed in Section XIV(a), *Population and Housing*, of this Initial Study, significant population growth is not anticipated to occur as a direct or indirect result of Project implementation. Thus, the Project would be adequately served by fire protection services, and no new or expanded unplanned facilities would be required. Based on the foregoing, the proposed Project would receive adequate fire protection services and would not result in the need for new or physically altered fire protection facilities. Impacts to fire protection facilities would be less than significant.

Less Than Significant Impact

ii. Police Protection?

The San Bernardino County Sheriff's Department provides police protection and law enforcement services to the unincorporated community of Pinon Hills and the surrounding area. The Project site is served by the Victor Valley Sheriff's Service Agency. The Phelan Substation is located at 4050 Phelan Road, Phelan, CA, approximately 4 miles southeast of the Project site. While police stations are located in various areas of the County, the officers routinely patrol the areas, and officers would be dispatched to the site based on officers who are closest to the Project Site at the time. SBCSD reviews staffing needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection. Based on the foregoing, the proposed Project would receive adequate police protection services and would not result in the need for new or physically altered police protection facilities. Impacts on police protection facilities would therefore be less than significant.

Less Than Significant Impact

iii. Schools?

The Project site falls within the Snowline Joint Unified School District. Nearby schools include Pinon Hills Elementary, located approximately .6 miles north of the Project site, Pinon Mesa Middle School, Chaparral High and Serrano High are located approximately 5 five miles southeast of the project site. The proposed Project would not create a direct demand for public school services, as the Project would contain non-residential uses that would not generate school-aged children requiring public education. The proposed Project is not expected to draw new residents to the region and would not directly or indirectly generate school-aged students. Therefore, the Project would not cause or contribute to a need to construct new or physically altered public school facilities. There would be no impact on public schools, and no further analysis of this subject is required.

No Impact

iv. Parks?

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

No Impact

v. Other Public Facilities?

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

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No Impact

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

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVI. RECREATION					
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	☐	☐	☒	☐
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

SUBSTANTIATION:

Countywide Plan; California Government Code § 66477

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

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

Less Than Significant Impact

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

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

No Impact

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

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

SUBSTANTIATION:

Countywide Plan; San Bernardino Countywide Plan Draft EIR; Submitted Project Materials; Traffic Impact Analysis, TJW Engineering Inc., prepared August 14, 2024 (Appendix H.1); VMT Screening, TJW Engineering Inc, August 19, 2024 (Appendix H.2)

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

TJW Engineering, Inc. prepared a Traffic Impact Analysis (TIA), dated August 14, 2024 (Appendix H.1) to address potential traffic impacts and circulation needs associated with the proposed Project. The study was performed in conformity with County of San Bernardino Traffic Impact Study Guidelines dated July 9, 2019. The study addresses County of San Bernardino site specific requests provided in the Traffic Impact Study Scoping Agreement dated March 13, 2024. Additionally, a Vehicle Miles Travelled (VMT) Screening, dated August 19, 2024, was prepared by TJW to satisfy the requirements set forth per the California Environmental Quality Act (CEQA) (Appendix H.2).

The TIA presents an analysis of the operating conditions for Project driveways and nearby intersections during the morning and evening peak hours for the following time frames: Existing traffic conditions, Project opening year, and Opening Year Plus Project Conditions. The TIA concluded that the daily vehicle trips associated with the intersections and driveways of the proposed Project will continue to allow satisfactory levels of service with the exception of one intersection (Mountain Road and Route 138) after the Opening Year and will therefore be required to improve the intersection to satisfy compliance with the Countywide Plan. Roadways adjacent to the proposed project site and site access points will be constructed in compliance with recommended roadway

classifications and respective cross-sections in the County of San Bernardino General Plan or as directed by the County Engineer

The Project site is currently vacant and is zoned as CG for General Commercial per the Public San Bernardino County Zoning Map. The site is located at the southwest corner of Oasis Road and Highway 138 which is a State Highway and is designated as a Transit Route.¹⁴ The proposed Project is anticipated to be built and generate trips in 2026. Site access is planned via one right in/out driveway off Oasis Road and two full access driveways off Buckthorne Road. The proposed Project would add additional traffic along Oasis Road and Highway 138 during the construction phase; however, this traffic will be minimal and temporary in nature. The Project site is not within the vicinity of any bike routes and contains nominal pedestrian facilities. Therefore, the proposed Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Thus, a less than significant impact would occur.

Less Than Significant Impact

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

CEQA Guidelines Section 15064.3 subdivision (b) pertains to Vehicle Miles Traveled (VMT) and whether the land use project will generate vehicle miles traveled in excess of an applicable threshold of significance. The State of California Governor's Office of Planning and Research (OPR) Technical Advisory provides project screening criteria and guidance for analysis of VMT assessments under SB 743. With the adopted guidelines, transportation impacts are to be evaluated based on a project's effect on vehicle miles traveled. TJW Engineering, Inc. provided a VMT Screening Analysis dated August 19, 2024 (Appendix H.2). The SBCTA Guidelines provide direction on CEQA analysis, including screening criteria and requirements for VMT assessment of land use projects. The screening criteria categories consist of transit priority area screening, low VMT area, and project-type screening. Based on the VMT Screening report, the Project is presumed to have a less than significant impact as it is a local-serving gas station and satisfies the project type screening criteria. As such, a less than significant impact would occur.

Less Than Significant Impact

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

The proposed Project does not include any sharp curves or dangerous intersections, nor does the Project introduce any incompatible uses. The proposed Project does not include major street modifications regarding geometric design or traffic patterns. The Driveways will be constructed to County standard to ensure proper alignment. Driveways will be paved or made from materials that will be able to withstand the weight

¹⁴ San Bernardino Countywide Plan Draft EIR, Figure 5.16-2 *Existing Transit Routes – Desert Region*. Accessed October 13, 2021.

of emergency vehicles. Sideways and roadway improvements will be installed in compliance with table 83-11- Infrastructure Improvement Standards- Desert Region of the County Developmet Code. Finally, pavement markings will be installed to ensure safe ingress and egress. All roadway designs would be designed to County Standards and required to be reviewed by County Staff. Project implementation would cause a less than significant impact.

Less Than Significant Impact

d) *Result in inadequate emergency access?*

The proposed Project would be compatible with the design and operation of the street network and would not result in any major modifications to the existing access or circulation features. The Project will provide vehicular access via two (2) driveways located along Buckthorne Road and one (1) driveway along Oasis Road. The Project will conform with local, state, and federal regulations regarding circulation and traffic pattern design, and will provide adequate emergency access. Thus, a less than significant impact would occur.

Less Than Significant Impact

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

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

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

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

SUBSTANTIATION:

Countywide Plan; San Bernardino Countywide Plan Draft EIR; Phelan/Pinon Hills Community Action Guide; Cultural and Paleontological Resources Assessment for the 3067-051-29 Project, Duke, CRM., prepared April 26, 2024 (Appendix C); Submitted Project Materials

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

As discussed in Section V, *Cultural Resources*, of this Initial Study, no cultural resources were recorded within the Project site. The records search performed for the Cultural Resources Report (Appendix C) identified three (3) cultural resources that have been recorded within one mile of the Project, including one (1) one early road directly adjacent to the northwest (Boneyard Canyon Road) one (1) early road adjacent to the northeast of the project site (Tejon Road South) and one (1) road approximately $\frac{3}{4}$ mile to the northeast (Tejon Road). The on-site survey conducted by Duke CRM did not result in any additional cultural resources. The report concludes that the likelihood of finding cultural resources at the site is low (Appendix C).

According to the Cultural Resources Inventory Report, previously recorded and newly identified historic-period resources are unlikely to occur. However, Mitigation measure **CUL-1** would reduce potentially significant impacts to cultural resources discovered during Project implementation.

Less than Significant with Mitigation

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

The Cultural Report prepared by Duke CRM contacted the Native American Heritage Commission (NAHC) to ascertain the presence of known sacred sites and Native American cultural resources within the boundaries of the proposed Project. On February 13, 2024, the NAHC indicated that there have been no Native American cultural resources identified within the Sacred Lands File for the project location (Appendix C). AB52 consultation is still pending with the Lead Agency. The County will initiate consultation with California Native American tribes traditionally and culturally affiliated with the Project area in the results of that consultation will be incorporated into this section of the Mitigated Negative Declaration.

Less than Significant with Mitigation

Mitigation Measures

Mitigation:

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

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

SUBSTANTIATION:

Countywide Plan; Submitted Project Materials; Phelan Pinon Hills Community Service District Will Serve Letter dated February 9, 2024 (Appendix I).

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

The Project would construct a gas station and a 5,637 sq. ft. convenience store and fourteen (14) fuel dispenser islands (10 passenger and 4 commercial).

Water and Wastewater Treatment Effects:

Per the will serve letter from the Phelan Pinon Hills Community Service District, there is currently existing water distribution lines to the Project site to satisfy domestic water services and fire protection requirements. The proposed Project will utilize the existing water lines and implement a new septic system and associated seepage pits located at the southern portion of the site. The project includes a detention basin for stormwater located at the northwestern portion of the property. Therefore, the Project would not result in the relocation or construction of new or expanded water or wastewater treatment, or stormwater drainage and no impact would occur.

Electric Power:

Southern California Edison (SCE) provides electricity to the Project site. Anticipated electric power uses for the Project include indoor and outdoor lighting, refrigeration appliances, perimeter lighting, electricity for the pumps, and security systems. All electrical uses associated with the Project would connect to the existing electric power system. Further, all utility connections to the proposed Project would be required to comply with applicable federal, state, and local regulations related to electric power supply. Therefore, relocation and expansion of existing facilities and construction of new facilities would not be required. Impacts would be less than significant.

Natural Gas:

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

Telecommunication Facilities:

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

Less Than Significant Impact

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

The Project will be served by the Phelan Pinon Hills Community Service District (CSD). The CSD gets the majority of it's water from groundwater pumped from the Oeste and Alto aquifers. Per the CSD's 2020 Urban Water Management Plan, the groundwater supply in the region is reliable under normal year, single dry year, and five consecutive dry years. The proposed Project would utilize the existing water lines. Per the will serve

letter, the Phelan Pinon Hills CSD has existing adequate source, storage, and distribution line capacities to provide water to the site in sufficient quantities to satisfy domestic water service and fire protection. (Appendix I). Therefore, the water supply to the Project would be sufficient and no impact would occur.

No Impact

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

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

No Impact

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

Phelan Pinon Hills CSD provides trash service to the Project site through CR&R Incorporated, a private trash hauling company. Significant impacts could occur if the Project were to exceed the existing permitted landfill capacity or were to violate State or local standards and regulations. The nearest landfill transfer site is the Phelan transfer station. The nearest landfill is the Victorville landfill. According to CalRecycle, the Victorville Landfill has a permitted max capacity of 93,400, 000 cubic yards. The remaining capacity is 79,400,000 cubic yards. The County abides by AB 939, AB 341, and AB 1826, which aim to reduce solid waste and divert waste from landfills through recycling, source reduction, composting, and land disposal of waste. Based on the preceding, the potential for the Project to generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals is less than significant.

Less Than Significant Impact

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

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

Less Than Significant Impact

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

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

SUBSTANTIATION:

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

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

The Project site is undeveloped and does not contain any emergency facilities. The proposed project would be accessible from Oasis Road and Buckthorn Road. Oasis and Buckthorn Roads are not evacuation routes within the county. Adequate on-site access for emergency vehicles will be verified during the County plan review process. Highway 138 is the closest emergency evacuation route, however there are no proposed changes to Highway 138, and thus no impact to emergency response is expected. The Proposed Project is subject to review and approval from the San Bernardino County Fire Marshal. All new construction shall comply Section 82.13.050 of the Development Code and with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project is located within a High Fire Severity Zone (VHFSZ). The Project site is relatively flat and does not contain considerable slopes that would exacerbate wildfire risk. Additionally, the final grade for the Project will remain flat. The surrounding wildland conditions consist of sparse desert vegetation, and prevailing winds are a concern throughout the desert region. However, the proposed Project does not cause any greater wildfire risks than other developments throughout the community of Pinon Hills. The Fire department will review the plans before approval of the Project and the Project will be subject to San Bernardino County's emergency preparedness system, along with established policies and regulations that would reduce wildfire hazards. Therefore, a less than significant impact would occur.

Less Than Significant Impact

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

The Applicant proposes to develop a new gas station and convenience store which includes the installation of an underground fuel storage tank. The proposed Project is surrounded by development and is currently serviced by existing infrastructure including roadways (power lines, natural gas lines, water, sewer and telephone). The proposed Project does not include the installation or maintenance of infrastructure and therefore the risk of fire from these activities is not anticipated. The proposed Project is consistent with the current Commercial land use designation and General Commercial (CG) zoning designation, and the Project will be required to obtain and operate under a MUP. The Project will comply with regulations and procedures that ensure the Project will not exacerbate fire risk or substantially impact the environment. The proposed Project will comply with federal, state, and local regulations. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

As stated above, the topography of the Project site is relatively flat, and the soils on the Project site is not susceptible to landslides. The proposed gas station and convenience store would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability. Additionally, drainage patterns and stormwater runoff would be further reviewed by the County to ensure best management practices are followed. Therefore, a less than significant impact would occur, and no mitigation measures are necessary.

Less Than Significant Impact

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

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

- | | | | | | |
|----|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) | Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | ☐ | ☒ | ☐ | ☐ |
| b) | Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | ☐ | ☒ | ☐ | ☐ |
| c) | Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly? | ☐ | ☐ | ☒ | ☐ |
- a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

The proposed Project would not substantially impact any scenic vistas, scenic resources, or the visual character of the area, and would not result in excessive light or glare. The Project site is located within a developed area that contains commercial and residential uses. Additionally, the Project site is developed with two existing buildings. The proposed Project would not significantly impact any sensitive plants, plant communities, fish, wildlife, or habitat for any sensitive species with Mitigation Measures **BIO-1**, **BIO-2** all impacts to the Western Joshua Tree will be reduced to less than significant and with the incorporation of **BIO-3** for preconstruction surveys, the project will not significantly impact nesting birds.

As described in Section IV, adverse impacts to historical resources would be less than significant. Mitigation Measure **CUL-1** ensures identification and evaluation of potential cultural resources. Construction-phase procedures would be implemented in the event any important cultural, archaeological, or paleontological resources are discovered during grading, consistent with Mitigation Measures **CUL-1**.

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

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

Less than Significant with Mitigation

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

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

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

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

than significant.

Less than Significant with Mitigation

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

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

Less Than Significant Impact

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

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CASC Engineering and Consulting, Inc., May 2024, Biological Resources Assessment Report for the Oasis Road and Highway 138 Gas Station. (Appendix B.1)

Core States Group, June 6, 2024, Joshua Tree Removal Exhibit Biological Resources Assessment Report for the Oasis Road and Highway 138 Gas Station. (Appendix B.2)

Duke CRM. April 26, 2024, Cultural and Paleontological Assessment for the Proposed APN 3067- 051-29 Project. (Appendix C)

Earth Strata Geotechnical Services, Inc. April 27,2023. Preliminary Geotechnical Interpretive Report, Proposed Maverik Commercial Fueling Station. (Appendix D)

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EXHIBIT F