FINAL INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR A NEW COMMUNITY PARK AT 26540 VISTA ROAD, HELENDALE CA

Lead Agency/Applicant:
Helendale Community Services District
26540 Vista Road
P.O. Box 359
Helendale, CA 92342
c/o Dr. Kimberly Cox, General Manager
kcox@helendalecsd.org

Prepared by:
Alec Land Planning
19531 Highway 18
Apple Valley, CA 92307

Draft: August 2020
Final: February 2021

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Section 1.0 Introduction

1.1 Purpose of this Initial Study

This Initial Study analyzes the environmental impacts associated with the development of a New Community Park facility in a designated disadvantaged and severely disadvantaged community to include an approximately 35,000+/- square foot community center building with a Gymnasium/Multi-purpose area with raised stage, Senior Center with small Central Kitchen, restroom with interior and exterior access capability, HCSD Park Offices, and exterior uses for potential amenities such as an amphitheater area with raised stage, "Splash Pad", small basic dirt BMX Track, exterior workout area, grass play and picnic areas, small skate park, and/or miniature golf on a portion of the 10.5+/- acre for the community within the boundary of the Helendale Community Services District (HCSD – Exhibit 6.1.1), located at 26540 Vista Road.

The HCSD is an independent entity created under California state law to provide services within unincorporated county areas. The HCSD provides water, parks and recreation, solid waste and recycling, wastewater, street lighting, and graffiti abatement services. The HCSD provides this water service pursuant to the regulatory jurisdiction of the State Water Resources Control Board, Division of Drinking Water (DDW), and is required to obtain well drilling permits and encroachment permits from the County of San Bernardino. HCSD operates its potable water system under the terms and conditions of a Water Supply Permit issued by the DDW.

The HCSD is the designated *Lead Agency* and as such, the HCSD will be responsible for the project's environmental review. Section 21067 of California Environmental Quality Act (CEQA) defines a Lead Agency as the public agency that has the principal responsibility for carrying out or approving a project that may have a significant effect on the environment[1]. As part of the proposed project's environmental review, the HCSD has authorized the preparation of this Initial Study[2]. The primary purpose of CEQA is to ensure that decision-makers and the public understand the environmental implications of a specific action or project. An additional purpose of this Initial Study is to ascertain whether the proposed project will have the potential for significant adverse impacts on the environment once it is implemented. Pursuant to the CEQA Guidelines, additional purposes of this Initial Study include the following:

- To provide the HCSD with information to use as the basis for deciding whether to prepare an environmental impact report (EIR), mitigated negative declaration, or negative declaration for a project;
- To facilitate the project's environmental assessment early in the design and development of the proposed project;
- To eliminate unnecessary EIRs; and,
- To determine the nature and extent of any impacts associated the proposed project.

Although this Initial Study was prepared with consultant support, the analysis, conclusions, and findings made as part of its preparation fully represent the independent judgment and position of the HCSD, in its capacity as the Lead Agency. The HCSD determined, as part of this Initial Study's preparation, that this Mitigated Negative Declaration is the appropriate environmental document for the proposed project's CEQA review. Certain projects or actions may also require oversight approvals or permits from other public agencies. These other agencies are referred to as *Responsible Agencies* and *Trustee Agencies*, pursuant to Sections 15381 and 15386 of the State CEQA Guidelines[3]. This Initial Study and the *Notice of Intent to Adopt a Mitigated Negative Declaration* will be forwarded to responsible agencies, trustee agencies, and the public for review and comment. A 30-day public review period will be provided to allow these entities and other interested parties to comment on the proposed project and the findings of this Initial Study[4].

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1 California, State of. California Public Resources Code. Division 13, Chapter 2.5. Definitions. as Amended 2001. §21067.
2 Ibid. (CEQA Guidelines) §15050.
3 California, State of. Public Resources Code Division 13. The California Environmental Quality Act. Chapter 2.5, Section 21067 and Section 21069. 2000.
4 California, State of. Public Resources Code Division 13. *The California Environmental Quality Act. Chapter 2.6, Section 2109 (b),* 2000.

Questions and/or comments should be submitted to the following contact person:

Ginger E. Coleman, Contract Planner
Helendale Community Services District
c/o Altec Land Planning
19531 Highway 18
Apple Valley, CA 92307
GingerEColeman@gmail.com

1.2 Initial Study's Organization

The following annotated outline summarizes the contents of this Initial Study:

- *Section 1 - Introduction:* provides the procedural context surrounding this Initial Study's preparation and insight into its composition.
- *Section 2 - Project Description:* provides an overview of the existing environment as it relates to the project area and describes the proposed project's physical and operational characteristics.
- *Section 3 - Environmental Analysis:* includes an analysis of potential impacts associated with the construction and the subsequent operation of the proposed project.
- *Section 4 - Conclusions:* summarizes the findings of the analysis. This section also includes the Mitigation Monitoring and Reporting Program (MMRP).
- *Section 5 - References:* identifies the sources used in the preparation of this Initial Study.

1.3 Comments on the Draft Initial Study

The following annotated outline summarizes the contents of this Initial Study:

Letter No.	Comment Letter Received From	Date
1	San Manuel Band of Mission Indians	October 20, 2020

Letter 1 San Manuel Band of Mission Indians, October 20, 2020

Response The San Manuel Band of Mission Indians (SMBMI) requested a site-specific Cultural Resources Assessment which was prepared by BCR Consulting LLC on February 16, 2021. In response to said Cultural Resources Assessment, the SMBMI requested the following changes to the Draft Initial Study:

1. Section 2.6 Tribal Consultation was updated to referencing said Comment and request to consult.

   The Draft Initial Study was provided to the Tribes and/or their representatives provided by the California Native American Heritage Commission. The San Manuel Band of Mission Indians requested the preparation of a Cultural Resources Assessment and provided comments and revisions after review of said Assessment. These have been incorporated into the Final Initial Study and Mitigated Negative Declaration for adoption by the Helendale CSD Board of Directors. At this time consultation has been completed. ~~Tribal consultation has been started. Appropriate mitigation measures will be included, as necessary.~~

2. Section 3.5 Cultural Resources was updated to remove references to cultural studies prepared for sites in proximity to the subject project, and include language and mitigation measures suggested by SMBMI.

   CULTURAL RESOURCES

   The proposed project is to allow for the development of a New Community Park to include a community center building, parking lot, grass play and picnic areas, and other potential amenities such as an amphitheater, splash pad, BMX track, skate park, and/or mini-golf on a portion of the 10.5+/- acre site. The site has significant disturbance from historical agricultural use, and development of the present Helendale CSD office building. Historical Agricultural use has disturbed the ground to an estimated depth of 18+/- inches and disturbing any potential cultural resources near the surface is not anticipated.

   ~~A review of projects submitted to the County of San Bernardino in the surrounding area, identified one (the Route 66 Market and Gas) located approximately 720 feet southeast of the site at 26426 National Trails Highway (APN 0467-101-12). The application included a letter from the South Central Coastal Information Center dated July 11, 2016, and a Cultural/Paleontological Resource Assessment dated December 27, 2017. No cultural or paleontological resources were located within one mile of the project site or on site.~~

   ~~Therefore, it is reasonable that none would be located on this project site. In addition, the New Community Park will not require grading below the 18+/- inches of disturbed ground. Mitigation measures are recommended in the event evidence of cultural resources are discovered.~~

   The Draft Initial Study was provided to the Tribes and/or their representatives provided by the California Native American Heritage Commission. The San Manuel Band of Mission Indians requested the preparation of a Cultural Resources Assessment and provided comments and revisions after review of said Assessment. These have been incorporated into this Final Initial Study and Mitigated Negative Declaration for adoption by the Helendale CSD Board of Directors. At this time consultation has been completed.

   A Cultural Resources Assessment has been prepared for the site by BCR Consulting LLC (see Section 6.2.2), which included a cultural resources records search, intensive-level pedestrian cultural resources survey, shovel test pit excavation, a Sacred Lands File search with the Native

American Heritage Commission, and a Paleontological Overview. During the field survey, two prehistoric isolates and two historic-age sites were located. The two isolates are not considered historical resources under CEQA, and the two historic-age sites are not recommended for listing as historical sites; therefore, no further cultural resource work or monitoring is recommended.

Explanations:

a.-d. **Less Than Significant Impact with Mitigation Incorporated** – It is reasonable that no cultural resources will be identified~~are located~~ on the site during construction, for the reasons noted above. Mitigation measures are recommended in the event evidence of cultural resources are discovered.

~~A Tribal consultation list and sacred lands file search have been requested of the Native American Heritage Commission. Once a list is received the intered area Tribes will be notified of the project per the AB52 process, which may result request(s) for tribal consultation, or amendment of the mitigation measures. Any such amendments will be made prior to the Board taking action on this item.~~ At the request of Ryan Nordness, Cultural Resources Analyst for the San Manuel Band of Mission Indians the following discussion, and modifications to the Mitigation Measures is being incorporated.

Treatment of Cultural Resources.

If a pre-contact cultural resource is discovered during project implementation, ground-disturbing activities shall be suspended 60 feet around the resource(s), and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed.

The lead agency shall develop a research design that shall include a plan to evaluate the resource for significance under CEQA criteria. Representatives from the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI), the applicant, and the Lead Agency shall confer regarding the research design, as well as any testing efforts needed to delineate the resource boundary. Following the completion of evaluation efforts, all parties shall confer regarding the resource's archaeological significance, its potential as a Tribal Cultural Resource (TCR), and avoidance (or other appropriate treatment) of the discovered resource.

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

from any future impacts (vis a vis project plans, conservation/preservation easements, etc.).

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

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

Mitigation Measures:

CUL 1. **In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease, and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or post-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.** ~~**In the event that Tribal cultural resources are discovered during the project earth moving or construction activities, all work in the immediate vicinity of the find shall cease and a qualified archaeologist and appropriate local Tribe or Band shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. The Helendale CSD cedes to the San Manuel Band of Mission Indians (SMBMI) for ultimate determination and all tribal resources to SMBMI. SMBMI is a no-collection tribe and all resources shall be reburied on site at a location that does not impact future well locations and additionally complies with the provision of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs and practices of the Tribe or Band.**~~

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

~~**HCSD or qualified archaeologist shall contact the appropriate Tribe or Band for collaboration on Treatment Plan development.**~~

~~**CUL 3.If requested by a Tribe or Band, the developer or the qualified archaeologist shall, in good faith, consult with Tribal representatives on the discovery and its disposition (e.g. avoidance, preservation, return of artifacts to tribe, etc.).**~~

Inadvertent Discoveries of Human Remains/Funerary Objects

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

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

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

Mitigation Measure:

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

~~**immediate vicinity of the find shall cease and a qualified paleontologist shall be hired to assess the find. Work on the overall project may continue during this assessment period.**~~

~~**CUL 5. All earthmoving work in the immediate vicinity shall cease and County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 if human remains are encountered. If the remains are determined to be Native American, the State Native American Heritage Commission (NAHC) shall be contacted to determine the Most Likely Descendant (MLD). The MLD shall be contacted to make a determination regarding disposition of the remains. Work shall not resume until such time as the site has been cleared by the County Coroner or qualified archaeologist or Tribal representative.**~~

3. Section 3.18 Tribal Cultural Resources was updated to remove references to cultural studies prepared for sites in proximity to the subject project, and include language and mitigation measures suggested by SMBMI.

TRIBAL CULTURAL RESOURCES

As noted in the Cultural Resources Section ~~explanation~~, a Cultural Resource Assessment has been prepared which recommends no additional cultural resources work or monitoring. However, Ryan Nordness, Cultural Resources Analyst for the San Manuel Band of Mission Indians recommended revised mitigation measures to address the potential discovery of cultural resources during well construction.~~the project area has significant disturbance from historical agricultural use, and development of the current Helendale CSD office building. Agricultural use disturbed the ground to an estimated depth of 18+/- inches and disturbing any resources near the surface. It is not anticipated that development of the New Community Park will disturb the ground below that depth.~~

~~A review of projects submitted to the County of San Bernardino in the surrounding area, identified one (the Route 66 Market and Gas which Altec provided consulting services) located approximately 720 feet southeast of this site, at 26426 National Trails Highway. The application included a letter from the South Central Coastal Information Center dated July 11, 2016, and a Cultural/Paleontological Resource Assessment dated December 27, 2017. No cultural or paleontological resources were located within one mile or on site. Therefore, it is reasonable that none would be located on this project site.~~

Explanations:

~~A request for Tribal Consultation List and Sacred Lands File Search has been submitted to the Native American Heritage Commission. Once that information is received, consultation with the applicable tribes will be undertaken, as applicable.~~

a. & ii. **Less Than Significant Impact w/Mitigation Incorporated** – Based on the ~~above~~ information and analysis contained in the Cultural Resources section, the following mitigation measures are included~~, it is not anticipated the project will cause substantial adverse change in significant tribal cultural resources.~~

~~Mitigation measures are included to address the discovery of any resources during construction activities~~.

Mitigation Measures:

TRI 1. **The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact and/or post-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find so as to provide Tribal input with regards to significance and treatment. Should the discovery be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and, all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to represent SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.** ~~**In the event that Tribal cultural resources are discovered during the project earth moving activities, all work in the immediate vicinity of the find shall cease and a qualified archaeologist and appropriate local Tribe or Band shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. The Helendale CSD cedes to the San Manuel Band of Mission Indians (SMBMI) for ultimate determination and all tribal resources to SMBMI. SMBMI is a non-collection tribe and all resources shall be reburied on site at a location that does not impact future well locations and additionally comples with the provisions of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs and practices of the Tribe or Band.**~~

TRI 2. **Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.** ~~**If significant Tribal cultural resources are discovered, for which a Treatment Plan must be prepared, HCSD's qualified archaeologist shall contact the appropriate Tribe or Band for collaboration on Plan development.**~~

~~**TRI 3. If requested by a Tribe or Band, HCSD's qualified archaeologist shall, in good faith, consult with Tribal representatives on the discovery and its disposition (e.g. avoidance, preservation, return of artifacts to tribe, etc.).**~~

~~**TRI 4. In the event that fossils are discovered during the project development/construction, all work in the immediate vicinity of the find shall cease and a qualified paleontologist shall be hired to assess the find. Work on the overall project may continue during this assessment period.**~~

~~**TRI 5. All earthmoving work in the immediate vicinity shall cease and County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 if human remains are encountered. If the remains are determined to be Native American, the State Native American Heritage Commission (NAHC) shall be contacted to determine the Most Likely Descendant (MLD). The MLD shall be contacted to make a determination regarding disposition of the remains. Work shall not resume until such time as the site has been**~~

~~**cleared by the County Coroner or qualified archaeologist or Tribal representative. Tribal representative(s) o the lead Tribal Representative, currently designed as SMBMI and a more detailed criteria and specifically a buffer zone**~~

4. Mitigation Monitoring and Reporting Program – mitigation measures have been updated to match those changes identified in the Cultural Resources and Tribal Cultural Resources sections.

5. Exhibit 6.2.1 has been replaced with a site-specific Cultural Resources Assessment

INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM

Section 2.0 Project Description

2.1 Project Overview

Project title: Proposed New Community Park

Lead agency name and address: Helendale Community Services District, 26540 Vista Road (P.O. Box 359), Helendale, CA 92342

Contact person and phone number: Dr. Kimberly Cox, General Manager, (760) 951-0006.

Project sponsor's name & address: Helendale Community Services District, 26540 Vista Road (P.O. Box 359), Helendale, CA 92342

General plan designation: Community Industrial
Zoning: IC (Community Industrial)
Overlays: Biological Resources Overlay

2.2 Project Location

The project is located at 26540 Vista Rd, Helendale, CA 92342 (APN 467-081-38)

2.3 Environmental Setting

The site is flat, no drainage courses and has been significantly disturbed with historic agricultural use from at least 1952 and the 1974 development of the Helendale Community Services District's office building, parking, and landscaping on a portion of the site and previous grading activities on the remainder of the site. The site and surrounding properties are predominantly disturbed by historic agricultural use and development.

The project area is bordered on the north by developed Community Industrial properties; on the south by both vacant and developed RL (Rural Living), RL-5 and CG (General Commercial) zoned properties; on the east by the Atchison, Topeka and Santa Fe Railroad and vacant but disturbed RL-5 (Rural Living – five acre minimum parcel size) zoned property and on the west by the vacant and developed RL-5 zoned properties.

2.4 Project Description

To allow for the development of a New Community Park facility in a designated disadvantaged and severely disadvantaged community to include an approximately 35,000+/- square foot community center building with a Gymnasium/Multi-purpose area with raised stage, Senior Center with small Central Kitchen, restroom with interior and exterior access capability, HCSD Park Offices, and exterior uses for potential amenities such as an amphitheater area with raised stage, "Splash Pad", small basic dirt BMX Track, exterior workout area, grass play and picnic areas, small skate park, and/or miniature golf on a portion of the 10.5+/- acre. Primary Access to the site will be provided by the adjacent Vista Road.

2.5 Discretionary Actions

Issuance of grading and building permits and completion of structures to current building code is required by the County prior to establishment of any development on-site. In addition, confirmation by the Mojave Water Agency, Lahontan Regional Water Quality Control Board, Caltrans, California Department of Fish and Wildlife,

Mojave Desert Air Quality Management District, Helendale School District, Victor Valley Union High School District, as well as Southern California Edison, Southwest Gas, and Frontier Communications may be required.

2.6 Tribal Consultation

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, has consultation begun is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

The Draft Initial Study was provided to the Tribes and/or their representatives provided by the California Native American Heritage Commission. The San Manuel Band of Mission Indians requested the preparation of a Cultural Resources Assessment and provided comments and revisions after review of said Assessment. These have been incorporated into the Final Initial Study and Mitigated Negative Declaration for adoption by the Helendale CSD Board of Directors. At this time consultation has been completed.

> 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 2108321080.3.2.) 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.

2.7 Potential Joshua Tree Petition and Evaluation process

On October 15, 2019, the Center for Biological Diversity (CBD) petitioned the California Fish and Game Commission (CFGC) to protect the western Joshua trees (*Yucca brevifolia*) under the California Endangered Species Act (CESA) because the trees are potentially threatened by climate change, fires, and habitat destruction from urban sprawl and other development in the western Mojave Desert. On April 13, 2020, the CFGC reviewed the completed Petition Evaluation and the Department has determined the Petition provides sufficient scientific information to indicate that the petitioned action may be warranted for the western Joshua Tree. Therefore, the Department recommends the CFGC accept the Petition for further consideration under CESA. At that time other local agencies were giving their input to this CESA review process. On 09/22/2020 the CFDC approved the Petition and currently the process is being reviewed by CDFW staff for implementation. No definitive information from CDFW is currently available based upon email correspondence in the last 30 days.

Section 3.0 Environmental Analysis

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

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

DETERMINATION: (To be completed by the Lead Agency and/or Consultant)

On the basis of this initial evaluation:

☐	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION shall be prepared.
☒	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of the incorporated mitigation measures and revisions of the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION shall be prepared.
☐	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
☐	I find that the proposed project MAY have a significant effect(s) 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, if the effect is “potentially significant impact” or “potentially significant unless mitigated”. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
☐	I find that the proposed project WILL NOT have a significant effect on the environment, because no new potentially significant effects have been identified beyond those previously analyzed adequately in an earlier EIR, pursuant to applicable standards, and no additional mitigation measures beyond those imposed as part of that previous EIR are necessary to be imposed upon the proposed project to reduce mitigable impacts to an insignificant level. Therefore, no additional environmental documentation is necessary.

Ginger E Coleman

Signature: prepared by Ginger E. Coleman, MPA — February 23, 2021 Date

Signature: prepared by RJ Coleman, AICP, CA, CWB, PE, QSD/P — February 23, 2021 Date

Signature: Dr. Kimberly Cox, General Manager — Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is provided for all answers except "No Impact" answers that are adequately supported by the information sources the lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer is explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) "Potentially Significant Impact" is noted if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact". The lead agency describes the mitigation measures, and briefly explains how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses", may be cross-referenced.)

5) Earlier analyses may be referenced where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on earlier analysis.

   c) Mitigation Measures. For effects that are "Less Than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) The lead agency incorporates into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, includes a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

8) The explanation of each issue should identify:

   a) The significance criteria or threshold, if any, used to evaluate each question; and

   b) The mitigation measure identified, if any, to reduce the impact to less than significance.

3.1 Aesthetics

	Issues	Potentially Significant Impact	Less than Significant w/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? (3; 27)	☐	☐	☐	☒
b)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (3)	☐	☐	☐	☒
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (1; 27)	☐	☐	☒	☐
d)	Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (27)	☐	☐	☒	☐

AESTHETICS

The proposed project is not located within a Scenic Corridor, as designated by the Scenic Corridor Overlay District of the County of San Bernardino General Plan, or the California Scenic Highway Mapping System. The Site is within the Helendale CSD. The proposed project is the expansion of agricultural cultivation area at an existing wastewater treatment facility and is consistent with the visual character of other surrounding developments in the area (See Table of Surrounding Uses below).

Surrounding Uses

AREA	EXISTING LAND USE
Site	Existing Helendale CSD office building, and remaining vacant area highly disturbed by AG use.
North	Community Industrial developed properties
South	Vacant and developed RL, RL-5 and CG
East	Atchison, Topeka & Santa Fe Railroad corridor
West	Vacant and developed RL-5

Joshua trees are another notable aesthetic feature of the greater Victor Valley area. Joshua trees, which can grow up to 12 meters (40 feet) tall, are distributed on gentle slopes and on valley floors of upper bajadas and sandy areas. The Joshua tree (locally protected) is an archetypal plant of the Mojave Desert that can live several hundred years; it provides valuable habitat for a variety of native wildlife species.

NOTE: (1) On 10/15/2019, the Center for Biological Diversity (CBD) petitioned the California Fish and Game Commission (CFGC) to protect the western Joshua trees (Yucca brevifolia) under the California Endangered Species Act (CESA) because the trees are potentially threatened by climate change, fires, and habitat destruction from urban sprawl and other development in the Mojave Desert. [See Exhibit I]

NOTE: (2) On 04/13/2020 the CFGC reviewed the completed Petition Evaluation and the Department has determined the Petition provides sufficient scientific information to indicate that the petitioned action may be warranted for the western Joshua tree. Therefore, the Department recommends the CFGC accept the

Petition for further consideration under CESA. At this time other local agencies are giving their input to this CESA review process and future CFGC meetings are being schedule [See Exhibit I].
Explanations:

a. **No Impact** - The proposed project will have no impact on scenic vistas. Existing use of the site include the office building of the Helendale CSD and fallow AG land and dominated with invasive grass and weed species. The proposed project is a new community park which will serve the area, which existing improvements is predominantly residential, with some commercial, two recreational lakes, a 27-hole golf course, and various other amenities and the remaining boundary of HCSD is mostly native vacant desert lands, scattered fallow AG and the Mojave River riparian corridor and floodplain areas.

b. **No Impact** - The proposed project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. No protected trees, rock outcroppings, or historic buildings are located on or in close proximity to the project site, which has been disturbed since at least the early 1950s by agricultural use. The project is not located or within proximity to a scenic highway. No Joshua Trees or Cactus on the vacant portions of Site.

c. **Less Than Significant Impact** - The proposed project will not substantially degrade the existing visual character of the site and its surroundings. The site includes the existing office building of the Helendale CSD. This project seeks to develop a New Community Park on a portion of the site to provide additional recreational opportunities for the surrounding community. Since this area has been used for agricultural uses since at least the early 1950 til 1970s and fallow since, and proposed project will not substantially degrade the existing visual character of the site and its surroundings.

d. **Less Than Significant Impact** - The proposed project include minimal new lighting in the area in compliance with the San Bernardino County 2007 Development Code, Section 83.07.040, *Glare and Outdoor Lighting – Mountains and Desert Regions*.

3.2 Agricultural and Forestry Resources

	Issues	***Potentially Significant Impact***	***Less than Significant w/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? (19)	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract? (1)	☐	☐	☐	☒
c)	Conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined in Public Resources Code section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (1)	☐	☐	☐	☒
d)	Result in the loss of forest land or conversion of forest land to non-forest use? (1; 4)	☐	☐	☐	☒

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? (1; 4; 19)	☐	☐	☐	☒

AGRICULTURE
The FMMP is a non-regulatory program that produces Important Farmland maps and statistical data. The FMMP groups land into one of five categories (Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land}, with agricultural land being rated according to soil quality and irrigation status (36). The site is not listed as Prime Farmland, Unique Farmland or Farmland or Statewide Importance as 2018.

FORESTY RESOURCES
Plant communities within the Helendale area include creosote bush scrub, Mojave Desert saltbush scrub, rabbitbrush scrub, ruderal (disturbed) communities, Joshua tree woodland, and riparian communities within the Mojave River and its floodplain, which includes transmontane alkali and freshwater marsh, Mojave riparian forest, and southern willow scrub. There is no significant forestland or timberland in the project area.

Explanations:

a.-e. **No Impact** - The site is not listed as Prime Farmland, Unique Farmland or Farmland of Statewide Importance (23). Additionally, the site and all surrounding properties are within an urbanized area (25, Section 21071), and no forest land or farmland is located in the vicinity that may be affected by the development of this project.

3.3 Air Quality

	Issues	***Potentially Significant Impact***	***Less than Significant w/Mitigation Incorporated***	***Less than Significant***	***No Impact***
III.	**AIR QUALITY -** Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a)	Conflict with or obstruct implementation of the applicable air quality plan? (1; 2; 3; 21; 27)	☐	☐	☒	☐
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? (3; 10; 21; 27)	☐	☒	☐	☐
c)	Expose sensitive receptors to substantial pollutant concentrations? (4; 11)	☐	☐	☒	☐
d)	Result in other emissions (such as those leading to odors or dust) adversely affecting a substantial number of people? (4)	☐	☐	☒	☐

AIR QUALITY

The project area is located in southwestern San Bernardino County, in the geographic subregion of the southwestern Mojave Desert known as the Victor Valley and commonly referred to as the "High Desert" due to its approximate elevation of 2,900 feet above sea level. Hot summers, mild winters, infrequent rainfall, moderate afternoon breezes, and generally fair weather characterize the climate of the Victor Valley, an interior sub-climate of Southern California's Mediterranean climate. The clouds and fog that form along the Southern California coastline rarely extend across the mountains to Helendale. The most important local weather pattern is associated with the funneling of the daily onshore sea breeze through Cajon Pass into the upper desert to the northeast of the heavily developed portions of the Los Angeles Basin. This daily airflow brings polluted air into the area late in the afternoon from late spring to early fall. This transport pattern both creates unhealthful air quality and inhibits the scenic vistas of the mountains surrounding the Victor Valley.

In California, air quality is regulated by the California Air Resources Board (CARB). CARB divides the state into Districts and Air Basins that share similar meteorological and topographical features.

Explanations:

a. **Less Than Significant Impact** - The project area (Helendale) is located within the Mojave Desert Air Quality Management District (MDAQMD) which lies in the San Bernardino County portion of the Mojave Desert Air Basin (MDAB) and classified as a dry-hot desert climate, with portions of the MDAB classified as dry-very hot desert, to indicate at least three months have maximum average temperatures over 100.4°F (38). The Air Quality Attainment Plan (AQAP) provides a program for obtaining attainment status for key monitored air pollution standards, based on existing and future air pollution emissions resulting from employment and residential growth projections. The proposed New Community Park will be consistent with this plan, as it will not increase industrial area or increase allowable density in excess of those standards currently allowable by the County's General Plan and Zoning Designation. Therefore, the proposed park should at a minimum ensure that significance thresholds established using the existing rights-of-way, existing zoning, and existing commercial build out projections will not be exceeded as a result of this project.

b. **Less Than Significant Impact w/Mitigation Incorporated** - The project is not projected to violate any air quality standard or result in a considerable net increase to an existing or projected air quality violation. This project will not increase industrial acreage or exceed industrial build out projections outlined in the General Plan land use designation, which was most recently revised in 2007, prior to the most recent version of the AQMD Attainment Plan. Further, since the project is located in an area designated as non-attainment by the United States Environmental Protection Agency (26), an increase in vehicle trips could cumulatively contribute to the level of non-attainment. However, since this project does not increase industrial area outlined in the General Plan (1), it is assumed their cumulative impacts were included in the City's General Plan and AQMD Attainment Plan and will not exceed those growth forecasts. Therefore, since the project meets the requirements of the existing General Plan and industrial zoning designation, approval of this proposal is not anticipated to violate any air quality standard or result in a cumulatively considerable net increase in an existing or projected air quality violation. Although not anticipated to violate any air quality standard or contribute substantially to an existing or projected air quality violation, the following mitigation has been added at the recommendation of the Mojave Desert Air Quality Management District in order to ensure fugitive dust best management practices are followed during grading and construction activities.

Mitigation Measures:

AIR 1. Prepare and submit to the Mojave Desert Air Quality Management District (MDAQMD) a dust control plan that describes all applicable dust control measures that will be implemented at the project, prior to commencing earth-moving activity.

AIR 2. The following signage shall be erected not later than the commencement of construction: A minimum 48 inch high by 96 inch wide sign containing the following shall be located within 50 feet of each project site entrance, meeting the specified minimum text height, black text on white background, on one inch A/C laminated plywood board, with the lower edge between six and seven feet above grade, with the contact name of a responsible official for the site and a local or toll-free number that is accessible 24 hours per day:

"[Site Name] {four-inch text}
[Project Name/Project Number] {four inch text}
IF YOU SEE DUST COMING FROM {four-inch text} THIS PROJECT CALL: {four-inch text}

[Contact Name], PHONE NUMBER XXX-XXXX {six-inch text} If you do not receive a response, Please Call {three-inch text} The MDAQMD at 1-800-635-4617 {three-inch text}

AIR 3. Use a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving}, chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.

AIR 4. All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project specific biological mitigation prohibiting wind fencing.

AIR 5. All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular use or wind erosion. Take actions to prevent project-related track-out onto paved surfaces and clean any project-related track-out within 24 hours. All other earthen surfaces within the project shall be stabilized by natural, irrigated vegetation, chemical, compaction, or other means sufficient to prohibit visible fugitive dust from wind erosion.

c. **Less Than Significant Impact** - The MDAQMD identifies the following land uses as sensitive receptors: residences, schools, daycare centers, playgrounds, and medical facilities. Since the proposed project is a New Community Park rather than an industrial-oriented use as is allowed by the Zoning, the project will not need to incorporate mitigation measures in order to prevent residences in the area from being exposed to any substantial pollutant concentrations or objectionable odors.

d. **No Impact**- See discussion 'c' above.

3.4 Biological Resources

	Issues	***Potentially Significant Impact***	***Less than Significant w/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 (CDFW) or U.S. Fish and Wildlife Service (USFWS)? (3)	☐	☐	☒	☐
b)	Has 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 CDFW or USFWS? (1; 3; 4)	☐	☐	☐	☒
c)	Has 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? (1; 4)	☐	☐	☐	☒
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? (3; 12)	☐	☐	☐	☒

e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (13)	☐	☐	☐	☒
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? (3)	☐	☐	☐	☒

BIOLOGICAL RESOURCES

The proposed project is the development of a New Community Park on a portion of a developed site. The site is highly disturbed from early 1950's historical agricultural use and development, with few scattered invasive grasses and weeds on the vacant portion of the site. No native vegetation remains onsite.

Site surveys for this project site were specifically conducted August 3rd and 4th, 2020, and prior On-Site Only and observation from perimeter fencing surveys during the preparation of a Phase 1 Environmental Assessment, prior to purchase by HCSD in 2011 [See Exhibit H] and May 2020 during boundary and topographic survey of this Site and included Desert tortoise, Burrowing owl, Mohave ground squirrel, American badger, Desert kit fox, and Nesting Birds.

NOTE: If any of these species are encountered on the Site during project activities, those activities will cease and the Project Wildlife Biologist (Randolph J. Coleman, CWB #43090 [760-242-9917]) contacted for guidance.

Desert Tortoise (*Gopherus agassizii*)
Federal Status – threatened; State Status – threatened.
Distribution – Widely distributed in the Mojave Desert from below sea level to 7,220 feet above sea level.
Habitat – Most common in desert scrub, desert wash and Joshua tree habitats, but also found in other desert habitats. Tortoises are herbivores, preferring forbs over grasses and green vegetation over dry. Desert tortoises excavate burrows and nests in friable, sandy, well-drained soil under bushes, rock formations, or open areas to protect from cold in the northern ranges and from the heat in the southern ranges.

No Tortoises or active/potentially active burrows were encountered during the field survey and no other signs (e.g. shells, bones, scutes, limbs, burrows, pallets, scats, egg shell fragments, tracks, courtship rings, drinking sites.) were found, which would indicate habitat or utilization of the Site. Mitigation has been included to ensure that should desert tortoise be encountered on the site during project activities, those activities will cease, and the Project Wildlife Biologist contacted for guidance.

Burrowing Owl (*Athene cunicularia*)
Federal Status – none; State Status – Species of Special Concern
Distribution – yearlong resident in open, dry grassland and desert habitats, and in grass, forb and open shrub stages of pinyon-juniper and ponderosa pine habitats.
Habitat – feed on small insects, small mammals, reptiles, birds, and carrion. Use rodent or other burrows for roosting and nesting. When burrows are scarce, may nest in pipes, culverts, nest boxes, and other protected "burrows".

No Burrowing Owls, other Raptors or active/potentially active burrows or nests were encountered during the field survey, and no other signs (e.g. shells, bones, or burrows, tracks,) were found, which would indicate no habitat or utilization of the site. In addition, no pipes, culverts, nest boxes or other protected "burrows" were located on site, and no rodent or small animal burrows were located. A thorough pedestrian review was completed on the Site and within a 500-foot Buffer area, in addition to transects of the site, and no evidence of present or past use of Burrowing Owls were found. Mitigation has been included to require additional site surveys for burrowing owls and other birds prior to earth-moving activities within specified timeframes.

Mohave Ground Squirrel (*Xerospermophilus mohavensis*)
Federal Status – None; State Status – Threatened.
Distribution – restricted to the Mojave Desert in San Bernardino, Los Angeles, Kern, and Inyo counties.

Habitat – open desert scrub, alkali desert scrub, and Joshua tree. Uses burrows at the base of shrubs for cover. Feeds in annual grasslands. Prefers sandy to gravelly soils.

No Mohave ground squirrels were encountered during the field survey and no burrows were located and no native shrubs remain on the site.

American Badger (*Taxidea taxus*)
Federal Status – None; State Status – Species of Special Concern
Distribution – Uncommon, permanent resident found throughout most of the State, except in the northern North Coast area.
Habitat – Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils.

No American badgers, dens, or other evidence of Badgers were found on site or within the zone of influence. In order to ensure there are no impacts to Badgers, mitigation has been included.

Desert Kit Fox (*Vulpes macrotis*)
Federal Status – None; State Status – Protected
Distribution – open desert, creosote bush flats and sand dunes. Majority of sightings in areas with less than twenty percent (<20%) vegetation cover.
Habitat – feed on rodents, rabbits, birds, reptiles, and insects. Use several dens throughout their home range, each with several entrances. Select birthing den in September and October, pups born in February or March, pups grown and leave to establish their own dens by October.

Title 14 of the California Code of Regulations, Section 460, identifies desert kit fox as a protected fur-bearing mammal. No desert kit fox or their dens were located on or within 100 meters of the project site. In order to ensure there are no impacts to desert kit fox, mitigation has been included.

Nesting Birds
The Migratory Bird Treaty Act of 1918, as amended, protects migratory non-game native bird species. The California Fish and Game Code sections 3503, 3503.5 and 3513 protect all nesting birds, birds-of-prey, migratory non-game birds, their nests, and eggs. Mitigation has been required to ensure that no nesting birds are inhabiting the site.

Explanations:

a. **Less Than Significant Impact w/Mitigation Incorporated** – Site surveys were specifically conducted by Altec Land Planning. On August 3rd and 4th, 2020, which found no evidence of species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulation, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Additionally, the biological assessment found the project site disturbed from historical agricultural use as early as 1952 and development of the Helendale Community Services District's office building in 1974. The site presently contain no native plant species due to this previous disturbance of the site. No sensitive habitats (e.g. wetlands, critical habitats for sensitive species, etc.) have been documented in the area and none were observed during the subject field investigations.

Some species are known to potentially be located within the area (Desert Kit Fox and American Badger), but the project site does support suitable habitat for nesting birds. Therefore, the project site should be surveyed immediately prior to any construction or grading activities on-site to determine the presence or non-presence of any sensitive species as well as implement specific measures for the burrowing owl already identified on-site. Therefore, the following mitigation measures have been included in order to ensure any impacts are less than significant.

Mitigation Measures:

BIO 1. A preconstruction survey shall be conducted by a qualified biologist for the presence of American badger and Desert kit fox dens within 14 days prior to commencement of construction activities. The survey shall be conducted in areas of suitable habitat for American badger and Desert kit fox, which includes desert scrub and Joshua tree habitats. If potential dens are observed and avoidance is feasible, the following buffer distances shall be established prior to construction activities:

- **Desert kit fox or American badger potential den: 50 feet**
- **Desert kit fox or American badger active den: 100 feet**
- **Desert kit fox or American badger natal den: 500 feet**

If avoidance of the potential dens is not feasible, the following measures are recommended to avoid potential adverse effects to the American badger and desert kit fox:

- **If a qualified biologist determines that potential dens are inactive, the biologist shall excavate these dens by hand with a shovel and collapse them to prevent American badgers or desert kit foxes from re-using them during construction.**
- **If the qualified biologist determines that potential dens may be active, an onsite passive relocation program shall be implemented. This program shall consist of excluding American badgers or desert kit foxes from occupied burrows by installation of one-way doors at burrow entrances and monitoring of the burrow for seven days to confirm usage has been discontinued, and excavation and collapse of the burrow to prevent reoccupation. After the qualified biologist determines that American badgers and desert kit foxes have stopped using active dens within the project boundary, the dens shall be hand-excavated with a shovel and collapsed to prevent re-use during construction.**
- **During fencing and grading activities daily monitoring reports shall be prepared by the monitoring biologists. The biologist shall prepare a summary monitoring report documenting the effectiveness and practicality of the protection measures that are in place and making recommendations for modifying the measures to enhance species protection, as needed. The report shall also provide information on the overall activities conducted related to biological resources, including the Environmental Awareness**

Training and Education Program, clearance/pre-activity surveys, monitoring activities, and any observed special -status species, including injuries and fatalities. These monitoring reports shall be submitted to HCSD and relevant resource agencies as applicable on a monthly basis along with copies of all survey reports.

BIO 2. A Certified Wildlife Biologist shall conduct a preconstruction survey of the impact areas to confirm presence/absence of burrowing owl individuals no more than 30 days prior to construction. The survey methodology will be consistent with the methods outlined in the CDFW Staff Report on Burrowing Owl Mitigation (2012). If no active breeding or wintering owls are identified, no further mitigation is required.

If burrowing owls are detected onsite, the following mitigation measures shall be implemented in accordance with the CDFW Staff Report on Burrowing Owl Mitigation (2012):

- **A Certified Wildlife Biologist shall be onsite during initial ground -disturbing activities in potential burrowing owl habitat.**

- **No ground-disturbing activities shall be permitted within a buffer no less than 200 meters (656 feet) from an active burrow, depending on the level of disturbance, unless otherwise authorized by CDFW. Occupied burrows will not be disturbed during the nesting season (February 1 to August 31), unless a qualified biologist verifies through noninvasive methods that either: (1) the birds have not begun egg-laying and incubation; or (2) juveniles from the occupied burrows are foraging independently and are capable of independent survival.**
- **During the nonbreeding (winter) season (September 1 to January 31), ground-disturbing work can proceed near active burrows as long as the work occurs no closer than 50 meters (165 feet) from the burrow, depending on the level of disturbance, and the site is not directly affected by the project activity. A smaller buffer may be established in consultation with CDFW. If active winter burrows are found that would be directly affected by ground-disturbing activities, owls can be excluded from winter burrows according to recommendations made in the Staff Report on Burrowing Owl Mitigation (2012).**
- **Burrowing owls shall not be excluded from burrows unless or until a Burrowing Owl Exclusion Plan is developed based on the recommendations made in the Staff Report on Burrowing Owl Mitigation (2012). The plan shall include, at a minimum:**
- **Confirmation by site surveillance that the burrow(s) is empty of burrowing owls and other species**
- **Type of scope to be used and appropriate timing of scoping**
- **Occupancy factors to look for and what shall guide determination of vacancy and excavation timing**
- **Methods for burrow excavation**
- **Removal of other potential owl burrow surrogates or refugia onsite**
- **Methods for photographic documentation of the excavation and closure of the burrow,**
- **Monitoring of the site to evaluate success and, if needed, to implement remedial measures to prevent subsequent owl use to avoid take**
- **Methods for assuring the impacted site shall continually be made inhospitable to burrowing owls and fossorial mammals**
- **Compensatory mitigation for lost breeding and/or wintering habitat shall be implemented onsite or off-site through implementation of a Mitigation Land Management Plan based on the Staff Report on Burrowing Owl Mitigation (CDFW 2012) guidance. The plan shall include the following components, at a minimum:**
- **Temporarily disturbed habitat on the project site shall be restored, if feasible, to pre-project conditions, including de-compacting soil and revegetation;**
- **Permanent impacts to nesting, occupied and satellite burrows and/or burrowing owl habitat shall be mitigated such that the habitat acreage, number of burrows and burrowing owl impacted are replaced based on a site-specific analysis which includes conservation of similar vegetation communities comparable to or better than that of the impact area, and with sufficiently large acreage, and presence of fossorial mammals;**
- **Mitigation land acreage shall not exceed the size of the project site;**
- **Permanently protect mitigation land through a conservation easement deeded to a nonprofit conservation organization or public agency with a conservation mission. If the project is located within the service area of a CDFW approved burrowing owl conservation bank, the project operator may purchase available burrowing owl conservation bank credits.**
- **Fund the maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment.**
- **Mitigation lands shall be on, adjacent or proximate to the impact site where possible and where habitat is sufficient to support burrowing owls present.**

BIO 3. If project activities must occur during the avian nesting season (February to September), a survey for active nests must be conducted by a qualified biologist, one to two weeks prior to the activities. If active nests are identified and present onsite, clearing and construction within 50-250 feet of the nest, depending on the species involved (50 feet for common urban-adapted native birds and up to 250 feet for raptors), shall be postponed until the nest is vacated and juveniles have fledged, and there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest site shall be established in the field by a qualified biologist with flagging and stakes or construct ion fencing. Construction personnel shall be instructed regarding the ecological sensitivity of the fenced area. If construction must occur within this buffer, it shall be conducted at the discretion of a qualified biological monitor to assure that indirect impacts to nesting birds are avoided.

BIO 4. If sensitive wildlife species such as the Desert Tortoise or the Mohave Ground Squirrel, Desert Kit Fox, or nesting birds are detected on the project site during future surveys or assessments or construction, all work on-site shall stop immediately and mitigation measures shall be required to reduce impact to a level of less than significant. Any proposed mitigation measures shall be determined by a Certified Wildlife Biologist and be approved by HCSD and the California Department of Fish and Wildlife as applicable in accordance with typical best practices.

Additionally, because the biological survey is valid for one year for the above-mentioned species, except for the Burrowing Owls and Nesting Birds, the following mitigation measure has been included.

Mitigation Measure:

BIO 5. Should grading or construction commence after February 1st, 2021, a new biological survey shall be filed with the HCSD as a Biological Clearance Letter to determine the presence or absence of endangered species on the site. Said survey shall be filed with HCSD or designee prior to issuance of a grading permit. The survey shall be valid for a period of one year or as specifically delineated above.

b. **No Impact** - The project site is not located within any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

c. **No Impact** - The project site does not include any state or federally protected wetlands as protected under CEQA, Section 1600 of the California Fish and Game Code, or as defined by Section 404 of the Clean Water Act.

d. **Less Than Significant Impact** - The project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites since the site does not include disturbances to any sensitive areas. Additionally, the only identified wildlife corridors of special concern are located within the area of the Mojave River riparian corridor, which is located approximately 1,300 to 1,700 feet to the west of the project site. Also, Vista Road, scattered residential and AG uses separate the project site from the Mojave River.

e. **No Impact** – There are no native or protected plants located on the site due to the previous site disturbance. Therefore, there is no conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance

f. **No Impact** -The plan will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation

plan since there is no adopted Habitat Conservation Plan or Natural Community Conservation Plan in the project area or local region.

3.5 Cultural Resources

	Issues	Potentially Significant Impact	Less than Significant w/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? (3; 28)	☐	☒	☐	☐
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (3; Exhibits E & F)	☐	☒	☐	☐
c)	Disturb any human remains, including those interred outside of dedicated cemeteries? (3; 4; 28)	☐	☒	☐	☐

CULTURAL RESOURCES

The proposed project is to allow for the development of a New Community Park to include a community center building, parking lot, grass play and picnic areas, and other potential amenities such as an amphitheater, splash pad, BMX track, skate park, and/or mini-golf on a portion of the 10.5+/- acre site. The site has significant disturbance from historical agricultural use, and development of the present Helendale CSD office building. Historical Agricultural use has disturbed the ground to an estimated depth of 18+/- inches and disturbing any potential cultural resources near the surface is not anticipated.

The Draft Initial Study was provided to the Tribes and/or their representatives provided by the California Native American Heritage Commission. The San Manuel Band of Mission Indians requested the preparation of a Cultural Resources Assessment and provided comments and revisions after review of said Assessment. These have been incorporated into this Final Initial Study and Mitigated Negative Declaration for adoption by the Helendale CSD Board of Directors. At this time consultation has been completed.

A Cultural Resources Assessment has been prepared for the site by BCR Consulting LLC (see Section 6.2.2), which included a cultural resources records search, intensive-level pedestrian cultural resources survey, shovel test pit excavation, a Sacred Lands File search with the Native American Heritage Commission, and a Paleontological Overview. During the field survey, no cultural resources were found on the project site. Therefore, no further cultural resource work or monitoring is recommended.

Explanations:

a.-d. **Less Than Significant Impact with Mitigation Incorporated** – It is reasonable that no cultural resources will be identified on the site during construction, for the reasons noted above. Mitigation measures are recommended in the event evidence of cultural resources are discovered.

At the request of Ryan Nordness, Cultural Resources Analyst for the San Manuel Band of Mission Indians the following discussion, and modifications to the Mitigation Measures is being incorporated.

Treatment of Cultural Resources.

If a pre-contact cultural resource is discovered during project implementation, ground-disturbing activities shall be suspended 60 feet around the resource(s), and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed.

The lead agency shall develop a research design that shall include a plan to evaluate the resource for significance under CEQA criteria. Representatives from the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI), the applicant, and the Lead Agency shall confer regarding the research design, as well as any testing efforts needed to delineate the resource boundary. Following the completion of evaluation efforts, all parties shall confer regarding the resource's archaeological significance, its potential as a Tribal Cultural Resource (TCR), and avoidance (or other appropriate treatment) of the discovered resource.

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

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

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

Mitigation Measures:

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

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

Inadvertent Discoveries of Human Remains/Funerary Objects

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

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

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

Mitigation Measure:

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

3.6 Energy

	Issues	Potentially Significant Impact	Less than Significant w/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? (3; 8; 27)	☐	☐	☒	☐
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (3; 8; 27)	☐	☐	☒	☐

ENERGY
The project which is comprised of a New Community Park with a community center building, parking lot, grass play and picnic areas, and other potential amenities will be designed to comply with the latest energy code standards as required by the latest adopted building code.

Explanations:

a.-b. **Less than Significant Impact**. The project is proposed to use higher insulation values, higher efficiency lighting system(s), higher efficiency HVAC system(s), higher efficiency Water Heater(s), several higher Water Efficiency System(s) and may include solar energy generation, battery supply, additional electric vehicle charging stations and other energy saving opportunities depending upon available and future grants. Additionally, construction would be required to comply with the latest adopted California Building and Green Codes. Therefore, impacts to energy resources are considered less than significant.

3.7 Geology and Soils

	Issues	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less than Significant	No Impact
VI.	**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 (7)	☐	☐	☒	☐
	ii. Strong seismic ground shaking? (7)	☐	☐	☒	☐
	iii. Seismic-related ground failure, including liquefaction? (7)	☐	☐	☒	☐
	iv. Landslides? (5)	☐	☐	☐	☒
b)	Result in substantial soil erosion or the loss of topsoil? (5; 7; 22)	☐	☐	☒	☐
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? (5; 7)	☐	☐	☒	☐
d)	Be located on expansive soil, as defined in Table 181-B of the California Building Code (2013) creating substantial direct or indirect risks to life or property? (5; 8)	☐	☐	☐	☒
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? (15)	☐	☐	☐	☒
f)	Directly or Indirectly destroy a unique paleontological resources or site unique geological features (3)	☐	☐	☒	☐

GEOLOGY AND SOILS

The project area is located in seismically active Southern California, a region that has experienced numerous earthquakes in the past. The Alquist-Priolo Special Studies Zones Act specifies that an area termed an Earthquake Fault Zone is to be delineated if surrounding faults that are deemed sufficiently active or well defined after a review of seismic records and geological studies. Neither the community nor the project area is located within any Alquist-Priolo Special Studies Zones.

The topography of Helendale varies from gently sloping to rolling hills and occasionally dissected by intermittent natural drainage courses (improved channels in Silver Lakes) to the Mojave River. The major environmental factors controlling stability of the steeper hillsides include precipitation, topography, geology, soils, vegetation, and man-made modifications to the natural topography. The subject site is gently sloping, decreasing in elevation from 2,460 feet above mean sea level at the southern portion of the site to 2,447 feet above mean sea level at the northeastern corner of the site. The site has been historically heavily disturbed by agricultural use for about 70 years.

Explanations:

a. **No Impact** - The proposal will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death as the project does not propose development anywhere where it is not already permitted.

i. **Less than Significant Impact** - There are no known or suspected fault traces located within the Helendale area. Additionally, it is not subject to the provisions of Alquist- Priolo Fault Zoning Act.

The project site is not within an Earthquake Fault Zone according to the California Alquist-Priolo Earthquake Fault Zone and Seismic Hazard Maps from the California Department of Conservation (See Exhibit 7). However, USGS Fault Maps (Exhibit 8) identify the nearest faults as shown below.

Fault	Location
Helendale-South Lockhart fault zone	2 miles northeast
Blake Ranch Fault	10 miles west
Mirage Valley fault zone	11 miles southwest
Kramer Hills fault zone	13 miles northwest
Lenwood-Lockhart fault zone	22 miles east
North Frontal Thrust System	22 miles southeast
Cleghorn Fault Zone	30 miles south
San Andreas Fault Zone	30 miles southwest

The project is the development of a New Community Park including a recreation center building, parking area, grass play and picnic areas, and other potential amenities. Construction will meet all seismic requirements of the latest adopted version of the California Building Code. Therefore, the impact due to rupture will be less than significant.

ii. **Less Than Significant Impact** - The project is located in an area with a high potential for severe ground-shaking. Regardless, construction of building(s) must comply with the latest adopted version of the California Building Code, which will ensure that the buildings would adequately resist the forces of an earthquake (8).

iii. **Less than Significant Impact** - Liquefaction is the loss of soil strength as a result of an increase in pore water pressure due to dynamic earthquake loading. Conditions for liquefaction to occur generally include relatively high water table (within 40 feet of the ground surface), low relative densities of the saturated soils, and a susceptibility of the soil to liquefy based on grain size. Research indicates that the groundwater varies from more than and less than a depth of 40'. Soils on the site are 169 – Victorville Sandy Loam and 171 – Villa Loamy Sand. Prior to construction a Soils or Geotechnical Report will be prepared; however, the soil sequence is predominantly in a relatively dense state, hence the potential for on-site liquefaction is considered less than significant, regardless the Soils or Geotechnical Report will be the ultimate decision making process.

iv. **No Impact** - The proposed project would not have any risks associated with landslides. Landslides are the downslope movement of geologic materials. The stability of slopes is related to a variety of factors, including the slope's steepness, the strength of geologic materials, and the characteristics of bedding planes, joints, faults, vegetation, surface water, and groundwater conditions. The project area is relatively flat terrain where landslides do not occur; therefore, impacts are considered less than significant with respect to seismic-related (or other) landslide hazards.

b. **Less Than Significant Impact** - The project will not result in substantial soil erosion or the loss of topsoil, because the site has minimal slopes, lower stormwater velocities, and will include grass and other vegetation. The proposed project includes a community center building, parking, grass play and picnic areas, and other park amenities on disturbed property. The project will utilize disturbed land which is currently used for park and recreation purposes which would reduce soil erosion by soils being fixed in place by vegetation.

c. **Less Than Significant Impact** - As previously noted, due to the plan areas insignificant slopes, soil characteristics, and low liquefaction susceptibility, the area is not considered unstable and should not become unstable as a result of this project.

d. **No Impact** - Typically, soils in Helendale have a low or very-low probability of expansive soils as defined in Table 18-1-B of the Uniform Building Code (1994). Additionally, pursuant to Chapter 18 of the 2010 California Building Code, new development occurring as a result of this project will be required to submit a geotechnical investigation report and any provision outlined in that document would be required by the County’s Building Official.

e. **No Impact** - Since the project area is located in an industrially zoned area where Helendale CSD sewer is not currently available, a Percolation Report will be required to ensure that the site is

capable of a proper On-Site Wastewater System in compliance with County and Regional Water Quality Control Board-Lahontan Region requirements.

f. **Less Than Significant Impact w/Mitigation Incorporated** - Helendale is in a potential resource rich area as far as paleontological resources are concerned. However, previous historical agricultural use of the site disturbed the ground to an estimated depth of 18+/- inches, disturbing and paleontological resources near the surface. Grading below 18+/- inches will not be required for this proposed project. In addition, a Letter from the South Central Coastal Information Center dated July 11, 2016, and a Cultural/Paleontological Resource Assessment dated December 27, 2017 for a project 720 feet southeast of this site found no paleontological resources within one mile.

Mitigation is recommended in the event evidence of paleontological resources is found during earth-moving operations.

Mitigation Measure:

GEO 1. **In the event that fossils are discovered during the project development/construction, all work in the immediate vicinity of the find shall cease and a qualified paleontologist shall be hired to assess the find. Work on the overall project may continue during this assessment period.**

3.8 Greenhouse Gas Emissions

	Issues	*Potentially Significant Impact*	*Less than Significant w/Mitigation Incorporated*	*Less than Significant*	*No Impact*
VII	**GREENHOUSE GAS EMISSIONS -** Would the project:				
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (3; 31)	☐	☐	☒	☐
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (3; 31)	☐	☐	☒	☐

GREENHOUSE GAS EMISSIONS

Explanations:

a. **Less Than Significant Impact** – REFERENCES: SB COUNTY 2007 DEVELOPMENT CODE CHAPTER. 84.30 GREENHOUSE GAS REDUCTION PLAN; AND GHG REDUCTION PLAN. With the passage of California Assembly Bill AB32, the Global Warming Solutions Act of 2006, jurisdictions are required to reduce their greenhouse gas (GHG) emissions to 1990 levels by 2020. To comply with this legislation San Bernardino County Transportation Authority (SBCTA was formerly SANBAG - San Bernardino Association of Governments) to conduct a Countywide GHG inventory and GHG Reduction Plan. With that process complete, the County of San Bernardino has adopted a Climate Action Plan (CAP) to demonstrate how the County will reduce its GHG emissions in compliance with AB32. The CAP is not additional regulation created, in as much as the regulation to reduce GHG's already exists under CEQA, including Section 15064.4 Determining the Significance of Impacts from GHG Emissions. The CAP assists in streamlining the CEQA review by allowing developers to demonstrate that their projects are consistent with the CAP by demonstrating compliance through a screening table process that the County has developed along with SBCTA, thus not requiring the developer to conduct a complete GHG analysis on their own for CEQA processing. Absent of their own GHG analysis the developer is subject to the screening table process which allows the developer to choose any of a number of reduction measures

through the Performance Standard PS-1 of reduction measures. For a project to meet the reduction goal through the screening tables, 45-points must be achieved. The applicant has submitted a GHG Emission screening table review form indicated that *80-points* are planned to be achieved. Since the project is consistent with the CAP, all GHG impacts, including cumulative, will be less than significant.

b. **Less Than Significant Impact** - No conflict would occur with any established plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases. Refer to conformance measures specified in the above Section "a."

3.9 Hazards and Hazardous Materials

	Issues	***Potentially Significant Impact***	***Less than Significant w/Mitigation Incorporated***	***Less than Significant***	***No Impact***
VIII.	**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? (1)	☐	☐	☒	☐
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? (1)	☐	☐	☒	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (1)	☐	☐	☒	☐
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? (7)	☐	☐	☐	☒
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? (1; 4)	☐	☐	☐	☒
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (7)	☐	☐	☒	☐
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (1; 4; 7)	☐	☐	☐	☒

HAZARDS AND HAZARDOUS MATERIALS

Explanations:

a-c & f **Less Than Significant Impact w/Mitigation Incorporated** - The proposed project poses a low probability of subjecting the public to health hazards since the project does not involve the use of hazardous substances or emit hazardous emissions, nor does it interfere with existing emergency/evacuation plans.

d, e, g **No Impact** - The project site is not identified on a list of hazardous materials sites and is not located in an airport land use plan or within the vicinity of any public or private airstrip that would be affected. It is also located in an area where the risk of wildland fires is not high due to the low density of vegetation.

3.10 Hydrology and Water Quality

	Issues	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less than Significant	No Impact
IX.	**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? (3; 16)	☐	☐	☐	☒
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede substantial groundwater management of the basin? (1; 3; 17; 22)	☐	☐	☒	☐
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: (16)	☐	☒	☐	☐
	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 off-site;	☐	☐	☒	☐
	iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
	iv) impede or redirect flood flows? (7, Panel 06071C5150J)	☐	☐	☒	☐
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (7)	☐	☐	☒	☐
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

HYDROLOGY AND WATER QUALITY

The Helendale CSD provides domestic water to the project area. Their primary source of fresh water is groundwater extracted by numerous wells. This project proposes to develop a New Community Park which presently will utilize an existing well located on-site.

The project site and surrounding areas are subject to San Bernardino County requirements relating to flood control, and the National Pollution Discharge Elimination System (NPDES) to protect surface water from pollution. There is no off-site stormwater affecting the Site and the proposed new community park will provide stormwater retention by designing specific components to provide stormwater retention capacity such as, grass play and picnic areas, amphitheater area, splash pad, basic BMX track, skate park, and/or mini-golf on a portion of the 10.5+/- acre and specifically the depressed landscaping planter areas.

Overall, project related impacts are anticipated to be less than significant.

Explanations:

a. **No Impact** - The project will not violate any water quality standards, wastewater discharge requirements or degrade surface and/or groundwater quality since the project is required to pay applicable fee's, and utilize on-site retention of storm water via v-swales, storm drain inlets, storm drainpipe, and Retention Basin(s). Additionally, no allowances are included in the proposal that will adversely affect existing standards and requirements.

b. **Less Than Significant Impact** - Presently the area is under the jurisdiction of the Mojave Water Agency (MWA) by the existing four-(4) contracts is entitled to 85,800 acre-feet cumulative per year of supplemental water from the California Water Project (CWP or California Aqueduct), increasing another 4,000 acre-feet in January 2020 for future growth. The original 50,800 acre-feet entitlement of the CWP has been available for 50+ years and the MWA has purchased additional water transfers (first of several from Dudley Ranch) on March 26, 1996, which increased the entitlement by 25,000 acre-feet yearly. Only 7,257 acre-feet per year has been committed to the Morongo Basin, leaving 82,543 acre-feet available to provide "Supplement/Make Up Water" under MWA's jurisdiction in 2020. The water demand for the project is significantly less than a residential development. However, the project does create demand for the Helendale Community Services District (CSD) and as such may have to purchase Make Up Water if the district exceeds the free production allowance as stipulated in the Final Judgment to the Mojave Basin Area Adjudication entered January 10, 1996. However, this project is in accordance with the underlying industrial build out established by the General Plan and the needs of this project were subsequently planned for.

Further, any new construction shall employ all water conservation measures outlined in the State Appliance Efficiency Standards as enforced by the County Building Division as part of obtaining a building permit for the development in addition to the water conservation measures required by the County, which includes drought tolerant landscaping, further reducing the water demand of new commercial development that occurs as a result of this proposal.

c. **Less Than Significant Impact** - The project will not substantially alter the existing drainage pattern of the site or area as there are no existing streams or rivers that traverse the area. No public storm drain system currently exists in the vicinity of the project. The project includes v-swales, storm drain inlets, storm drainpipe and Retention Basin(s) [infiltration basins], which will alleviate any negative impacts due to increased runoff. Lastly, all projects are required to comply with National Pollutant Discharge Elimination System (NPDES) requirements, including permits prior to grading permit issuance.

Mitigation Measure:

HYD 1 Prior to issuance of a grading permit the applicant shall obtain coverage under the statewide general NPDES permit for control of construction and post-construction related storm water in accordance with the requirements of the Small MS4 General Permit. In addition, the applicant shall:

- **Prepare a project specific Storm Water Pollution Prevention Plan (SWPPP) as required in the NPDES permit and shall identify site-specific erosion and sediment control best management practices that will be implemented;**
- **The SWPPP shall be applicable to all areas of the project site including construction areas, access roads to and through the site, and staging and stockpile areas; and**
- **Temporary best management practices for all components of the project must be implemented until such time as permanent post-construction best management practices are in place and functioning.**

i.-iv. **Less Than significant Impact** - See "c" above. The project will not create or contribute runoff water which would exceed the capacity of existing or planned stormwater

drainage systems or provide substantial additional sources of polluted stormwater runoff since all development is required to retain post-development increased stormwater on-site, as well as may require and gain approval of a Hydrology Study and a Preliminary Water Quality Management Plan (37 & 38). Additionally, since the development as proposed is permitted by existing standards in the project area, approval of this New Community Park will not increase runoff water more than what would be currently permitted and would not impede or redirect current flows. Lastly, Title 16 requires permeable surfaces within all landscape area, and requires landscaping, which will replenish existing aquifers and reduce runoff.

d. **Less Than Significant Impact** - The project will not expose people or structures to a significant risk of loss, injury or death involving flooding as no flood hazards traverse the project area nor is the site subject to inundation by seiche, tsunami, or mudflow as there is no evidence suggesting potential for these hazards based upon types of localized soils and depth to the water table.

e. **Less Than Significant Impact** - The project will not conflict or obstruct implementation of a water quality control plan or sustainable groundwater plan. Presently the area is under the jurisdiction of the Mojave Water Agency (MWA) which has numerous approved water resource management plans; Ground Water Management Plan (GWMP), Salt and Nutrient Management Plan (SNMP), Mojave Integrated Regional Water Management Plan (IRWMP), and Mojave Urban Water Management Plan (UWMP).

3.11 Land Use and Planning

	Issues	*Potentially Significant Impact*	*Less than Significant w/Mitigation Incorporated*	*Less than Significant*	*No Impact*
X.	**LAND USE AND PLANNING** - Would the project:				
a)	Physically divide an established community? (4)	☐	☐	☐	☒
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? (1; 2; 27)	☐	☐	☐	☒

LAND USE AND PLANNING

Explanations:

a. **No Impact** - The project will not disrupt or divide an established community since the project area is designated for industrial development, and a portion of the property contains the Helendale CSD office building. Additionally, no development exists on the portion of project site to be developed with a New Community Park, and the proposed development will connect to existing improved roadways with existing curb and gutter.

b. **No Impact** - The project will not conflict with the General Plan's Land Use Plan or the Zoning Ordinance since proposal is in accordance with CI (Community Industrial) development standards and density requirements outlined in those documents, including an approximate density, off-street parking, land use, and other development code requirements, etc.

3.12 Mineral Resources

	Issues	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less than Significant	No Impact
XI.	**MINERAL RESOURCES** - Would the project:				
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (3)	☐	☐	☐	☒
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? (3)	☐	☐	☐	☒

MINERAL RESOURCES

Naturally occurring mineral resources within the County include sand, gravel, or stone deposits that are suitable as sources of concrete aggregate, located primarily along the Mojave River (3).

Explanations:

a. & b. **No Impact** - The project will not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan, because there are no identified locally important mineral resources on the project site. The underlying soils in the area could be recovered, but the project site has already been developed with a mix of uses providing services to the residents of the Silver Lakes and Helendale community. As such, the area has not been identified as a locally important mineral resource, and the project will have no impact.

3.13 Noise

	Issues	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less than Significant	No Impact
XII.	**NOISE** - Would the project:				
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? (1; 14; 23)	☐	☐	☒	☐
b)	Generation of excessive ground borne vibration or ground borne 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? (1; 4)	☐	☐	☒	☐

NOISE

Explanations

a. **Less Than Significant Impact** - The project is not anticipated to substantially increase temporary or periodic ambient levels. The New Community Park facility is in a designated disadvantaged and severely disadvantaged community to include an approximately 35,000+/- square foot community center building with a Gymnasium/Multi-purpose area with raised stage, Senior Center with small Central Kitchen, restroom with interior and exterior access capability, HCSD Park Offices, and exterior uses for potential amenities such as an amphitheater area with raised stage, “Splash Pad”, small basic dirt BMX Track, exterior workout area, grass play and picnic areas, small skate park, and/or miniature

golf on a portion of the 10.5+/- acre. Short-term construction noise and intermittent noise from various uses may increase noise levels above prior uses, residential uses in the surrounding area are minimal and distant and the exposure of persons to noise levels in excess of standards is less than significant.

b. **Less Than Significant Impact** - The project is not anticipated to generate excessive ground borne vibration or noise levels, as described in a. The surrounding properties are a mix of other governmental uses, railroad corridor, Manufacturing and Agricultural areas with scattered low density residential uses. However, due to the size of residential parcels and governmental uses in the surrounding area, the exposure of persons to noise levels in excess of standards is less than significant.

c. **No Impact** - The project site is not located in an airport land use plan or within the vicinity of any public or private airstrip that would be affected.

3.14 Population and Housing

	Issues	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less than Significant	No Impact
XIII.	**POPULATION AND HOUSING** - Would the project:				
a)	Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (4; 6; 11; 26; 27)	☐	☐	☐	☒
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (4; 6)	☐	☐	☐	☒

POPULATION AND HOUSE

Explanations:

a. **No Impact** - The proposed project will not directly increase the population within Helendale as the current jobs-housing balance demonstrates a lack of jobs for the current population, therefore the population of Helendale will not increase.

b. **No Impact** - The proposed project will not displace substantial numbers of existing people or housing as no existing housing or areas currently designated for housing will be removed or reduced.

3.15 Public Services

	Issues	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less than Significant	No Impact
XIV.	**PUBLIC SERVICES**. *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:*				
a)	Fire Protection?	☐	☐	☐	☒
b)	Police Protection?	☐	☐	☐	☒
c)	Schools?	☐	☐	☐	☒
d)	Parks?	☐	☐	☒	☐

e)	Other Public Facilities?	☐	☐	☐	☒

PUBLIC SERVICES

Explanations:

a.-e. **Less Than Significant/No Impact** - The proposed project may result in an increase in HCSD Parks services due to the construction of the New Community Park facilities, which may result in the need for increased budgets. However, the proposed project is not anticipated to have an impact on other public services (Fire, Police, School) and public facilities.

3.16 Recreation

	Issues	*Potentially Significant Impact*	*Less than Significant w/Mitigation Incorporated*	*Less than Significant*	*No Impact*
XV.	**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 would 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?	☐	☐	☒	☐

RECREATION

The project is the development of a New Community Park on a partially developed parcel.

Explanations:

a. **No Impact** - The proposed project will not increase the use of existing neighborhood or regional parks or other recreational facilities.

b. **Less than Significant Impact** - The proposed project is the development of a New Community Park Facility to serve the Helendale area. It is on a portion of a highly disturbed parcel, with the remainder developed with the Helendale CSD office building. The majority of impacts analyzed within the Initial Study are either no or less than significant. A few impacts are reduced to less than significant with the inclusion of mitigation measures.

3.17 Transportation

	Issues	*Potentially Significant Impact*	*Less than Significant w/Mitigation Incorporated*	*Less than Significant*	*No Impact*
XVI.	**TRANSPORTATION -** *Would the project result in*:				
a)	Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian facilities? (11; 18)	☐	☐	☐	☒
b)	Conflict or be inconsistent with CEQA Guidelines Section 15064.3 Subdivision (b)? (11; 20)	☐	☐	☐	☒

c)	Substantially increase hazards due to geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (11; 18)	☐	☐	☐	☒
e)	Result in inadequate emergency access? (4; 24)	☐	☐	☐	☒

TRANSPORTATION

Explanations:

a. - e. **No Impact** – The project is the development of a New Community Park on a partially developed site. The park will serve the Helendale community, and will not generate additional traffic, substantially increase hazards, or reduce emergency access to the community.

3.18 Tribal Cultural Resources

	Issues	*Potentially Significant Impact*	*Less than Significant w/Mitigation Incorporated*	*Less than Significant*	*No Impact*
XVII.	**TRIBAL CULTURAL RESOURCES**				
a)	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resource 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: (Exhibits E & F)	☐	☒	☐	☐
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 Resource 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. (Exhibits E & F)	☐	☐	☒	☐

TRIBAL CULTURAL RESOURCES

As noted in the Cultural Resources Section, a Cultural Resource Assessment has been prepared which recommends no additional cultural resources work or monitoring. However, Ryan Nordness, Cultural Resources Analyst for the San Manuel Band of Mission Indians recommended revised mitigation measures to address the potential discovery of cultural resources during well construction.

Explanations:

a. & ii. **Less Than Significant Impact w/Mitigation Incorporated** – Based on the information and analysis contained in the Cultural Resources section, the following mitigation measures are included

Mitigation Measures:

TRI 1. The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact and/or post-contact cultural resources discovered during project implementation, and be provided information

regarding the nature of the find so as to provide Tribal input with regards to significance and treatment. Should the discovery be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and, all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to represent SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.

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

i. **No Impact** – The site does not meet the criteria to be listed or eligible for listing in the California Register of Historical Resources or in a local register. Therefore, there is no impact.

3.19 Utilities and Service Systems

	Issues	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less than Significant	No Impact
XVIII.	**UTILITIES AND SERVICE SYSTEMS -** Would the project:				
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (3; 15; 25)	☐	☐	☒	☐
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? (1; 3; 17; 22)	☐	☐	☒	☐
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? (3; 9; 25)	☐	☐	☒	☐
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? (3; 25)	☐	☐	☒	☐
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (3)	☐	☐	☒	☐

UTILITIES AND SERVICE SYSTEMS

Explanations:

a. **Less Than Significant Impact** - The proposed project is the development of a New Community Park Facility to serve the Helendale area and will use some water, and this increase would create an additional demand on existing facilities, but a water well already exists on the Site. Wastewater will be processed through an on-site septic system, so no additional demand to the existing public sewer system will be created. Current facilities on the Site already uses other existing utilities, however capacity and distribution improvements may be needed to meet new peak demand scenarios, updated, or current expansion plans expedited if deemed necessary as a result of cumulative projects. However, the proposal itself will not immediately require the construction or expansion of water facilities as the development will pay associated development impact fees that are intended to fund the

ongoing maintenance and expansion/construction of facilities as needed. Additionally, electrical power, natural gas, and telecommunication infrastructure are already available on site in conjunction with existing building uses and associated street improvements, and a project of this limited scope will not typically require new facilities. Therefore, since the project will not directly require the construction or expansion of water, wastewater treatment, electrical, natural gas, or communication facilities, this project will have a less than significant impact.

b. **Less Than Significant Impact** - Presently the area under the jurisdiction of the Mojave Water Agency (MWA) by the existing four-(4) contracts is entitled to 85,800 acre-feet cumulative per year of supplemental water from the California Water Project (CWP or California Aqueduct), increasing another 4,000 acre-feet in January 2020. The original 50,800 acre-feet entitlement of the CWP has been available for 50+ years and the MWA has purchased additional water transfers (first of several from Dudley Ranch) on March 26, 1996, which increased the entitlement by 25,000 acre-feet yearly. Only 7,257 acre-feet per year has been committed to the Morongo Basin, leaving 82,543 acre-feet available to provide "Supplement/Make Up Water" under MWA's jurisdiction in 2020. The water demand for the project is significantly less than a residential development. However, the project does create demand for the Helendale CSD Water services and as such may have to purchase Make Up Water if HCSD exceeds the free production allowance as stipulated in the Final Judgment to the Mojave Basin Area Adjudication entered January 10, 1996. However, this project is in accordance with the underlying industrial build out established by the General Plan and the needs of this project were subsequently planned for. Also, the applicant will need a will serve letter from HCSD as required by the following mitigation measure in order to ensure water can be served to the site as required by mitigation measure #15 as noted in Section X(b) in order to ensure water can be served to the site.

c. **Less Than Significant Impact** - Due to the extended distance to existing sewer services on the west side of the Mojave River and relatively low wastewater production, an On-Site Wastewater System will be designed and provided for the proposed project, therefore no additional demand to the existing public sewer system will be created..

d.-e. **Less Than Significant Impact** - The HCSD deposits trash at the Victorville Landfill, which is operated by the Solid Waste Management Division (SWMD) of the San Bernardino County Public Works Department in accordance with a Waste Disposal Agreement between HCSD and the County. The Victorville Landfill currently operates on 67-acres of a total 491-acre property with a capacity of 1,180 tons per day. With a planned expansion, as summarized in a Joint Technical Document prepared by the SWMD, the overall capacity will raise to 3,000 tons per day by expanding to a 341-acre operation. With this planned expansion and daily acceptance capabilities, as well as the required construction waste management plan enforced during construction, the impacts of this project at total build out will be less than significant.

3.20 Wildfire

	Issues	***Potentially Significant Impact***	***Less than Significant w/Mitigation Incorporated***	***Less than Significant***	***No Impact***
XIX.	**WILDFIRE:** *If located in or near state responsibility areas or lands classified as very-high fire hazard severity zones, would be 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 a wildfire or other uncontrolled spread of a wildfire?	☐	☐	☐	☒
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result I 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?	☐	☐	☐	☒

WILDFIRE

Explanations:

a. – d. The project is not located within or near a state responsibility area according to the Fire and Resource Assessment Program (FRAP) map. Additionally, the Project Site has a low level of mass-loading of native and invasive vegetation for wildland fire potential to occur on the Site.

3.21 Mandatory Findings of Significance

	Issues	***Potentially Significant Impact***	***Less than Significant w/Mitigation Incorporated***	***Less than Significant***	***No Impact***
XIX.	**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? (1; 3; 12)	☐	☒	☐	☐
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)? (20; 25)	☐	☐	☒	☐
c)	Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? (1; 2; 27)	☐	☐	☐	☒

MANDATORY FINDINGS OF SIGNIFICANCE

Explanations:

a. **No Impact** - Since the Site already has building improvements and historically agricultural use since at least 1952, the project does not remove open space, does not include habitat for sensitive fish or wildlife species or threaten a plant or animal community, and because the site is primarily surrounded by a combination of disturbed vacant properties and industrial uses, this project will have no impact.

b. **Less Than Significant Impact** - The proposed project is the development of a New Community Park Facility to serve the Helendale area is not considered regionally significant pursuant to Section 15206 of the CEQA Guidelines. The San Bernardino County General Plan included an environmental impact report (EIR), which incorporates approved projects under construction and their impacts to the Community as a whole. While the subject site was not individually studied, the impacts of all existing

zoned and existing uses were included, and appropriate mitigation and implementation measures are included in the General Plan. Therefore, due to the proposed New Community Park Facility the proposals impacts are individually limited, but cumulatively considerably less than significant.

c. **No Impact** - As previously noted earlier in this document, the project does not create hazardous waste or remove any open space. Additionally, the proposal will be developed in accordance with the existing land use allowances, density, and development standards, which have been adopted in order to ensure development does not create environmental effects with substantial adverse impacts to human beings.

3.22 Earlier Analyses

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case a discussion identifies the following:

a) **Earlier analyses used**. Earlier analyses are identified and stated where they are available for review.

b) **Impacts adequately addressed**. Effects from the above checklist that were identified to be within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards are noted with a statement whether such effects were addressed by mitigation measures based on the earlier analysis.

c) **Mitigation measures**. For effects that are "Less than Significant with Mitigation Incorporated", describe the mitigation measures which are incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project are described.

Authority: Public Resources Code Sections 21083 and 21087.
Reference: Public Resources Code Sections 21080(c), 21080.1, 21083, 21083.3, 21093, 21094, 21151; Sundstrum v. County of Mendocino, 202 CalApp 3d 296 (1988); Leonoff v. Monterey Board of Supervisors, 222 CalApp 3d 1337 (1990.

Section 4.0 Conclusions

4.1 Findings

The Initial Study determined that the proposed project is not expected to have significant adverse environmental impacts. The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this Initial Study:

- The proposed project, with the proposed mitigation measures, will not 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 an endangered, rare or threatened species or eliminate important examples of the major periods of California history or prehistory.

- The proposed project will not have impacts that are individually limited, nor cumulatively considerable.

- The proposed project, with proposed mitigation measures, will not have environmental effects which will cause substantially adverse effects on human beings, either directly or indirectly.

4.2 Mitigation Monitoring

In addition, pursuant to Section 21081(a) of the Public Resources Code, findings must be adopted by the decision-maker coincidental to the approval of a Mitigated Negative Declaration. These findings shall be incorporated as part of the decision-maker's findings of fact, in response to AB-3180 and in compliance with the requirements of the Public Resources Code. In accordance with the requirements of Section 21081(a) and 21081.6 of the Public Resources Code, the City of Adelanto can make the following additional findings: a mitigation monitoring and reporting program will be required and is included below.

A completed and signed checklist for each measure indicates that a measure has been implemented and fulfills the monitoring requirements with respect to Public Resources Code Section 21081.6.

Mitigation Measure	Responsible Party	Timing of Compliance	Signature and Date of Compliance
Air Quality Measures			
1. Dust Control Plan (Ref. Mitigated Negative Declaration Measure AIR 1)	Project Developer	Prior to project grading and construction activities	
2. Signage (Ref. Mitigated Negative Declaration Measure AIR 2)	Project Developer	Prior to project grading and construction activities	
3. Watering (Ref. Mitigated Negative Declaration Measure AIR 3)	Project Construction Superintendent	Prior to and during all grading and construction activities until final construction	
4. Fencing (Ref. Mitigated Negative Declaration Measure AIR 4)	Project Construction Superintendent	Prior to and during all grading and construction activities until final construction	
5. Maintenance and access roads and parking areas (Ref. Mitigated Negative Declaration Measure AIR 5)	Project Construction Superintendent	Prior to and during all grading and construction activities until final construction	
Biological Resource Measures			
6. Preconstruction Survey – desert kit fox and American badger (Ref. Mitigated Negative Declaration Measure BIO 1)	Project Developer & Project Biologist	Prior to project grading and construction activities	
7. Preconstruction Survey – burrowing owl (Ref. Mitigated Negative Declaration Measure BIO 2)	Project Developer & Project Biologist	Prior to project grading and construction activities	

Mitigation Measure	Responsible Party	Timing of Compliance	Signature and Date of Compliance
8. Active Nest Survey (Ref. Mitigated Negative Declaration Measure BIO 3)	Project Developer & Project Biologist	Prior to project grading and construction activities	8. Active Nest Survey (Ref. Mitigated Negative Declaration Measure BIO 3)
8. Active Nest Survey (Ref. Mitigated Negative Declaration Measure BIO 3)	Project Developer & Project Biologist	Prior to project grading and construction activities	
9. Sensitive species found during surveys (Ref. Mitigated Negative Declaration Measure BIO 4)	Project Developer & Project Biologist	Prior to project grading and construction activities	
10. Grading/Construction after February 1, 2021 (Ref. Mitigated Negative Declaration Measure BIO 5)	Project Developer & Project Biologist	Prior to project grading and construction activities	
Cultural Resource Measures			
11. Tribal cultural resources found during project activities (Ref. Mitigated Negative Declaration Measure CUL 1)	Project Developer & Project Archaeologist	Prior to and during project grading and construction activities	
12. Monitoring and Treatment Plan for significant Tribal cultural resources (Ref. Mitigated Negative Declaration Measure CUL 2)	Project Developer & Project Paleontologist	Prior to and during project grading and construction activities	

Mitigation Measure	Responsible Party	Timing of Compliance	Signature and Date of Compliance
Geological & Soils Measures			
13. Fossils found during development (Ref. Mitigated Negative Declaration Measure GEO 1)	Project Developer & Project Paleontologist	Prior to and during project grading and construction activities	
Hydrology & Water Quality Measures			
14. Coverage under statewide general NPDES permit (Ref. Mitigated Negative Declaration Measure HYD 1)	Project Developer & Project Engineer	Prior to project grading and construction activities	
Tribal Cultural Resource Measures			
15. Tribal cultural resources found during construction activities (Ref. Mitigated Negative Declaration Measure TRI 1)	Project Developer & Project Archaeologist	Prior to and during project grading and construction activities	
16. Provide archaeological/cultural documents to SMBMI and consul with SMBMI throughout the life of the project (Ref. Mitigated Negative Declaration Measure TRI 2)	Project Developer & Project Paleontologist	Prior to and during project grading and construction activities	

Section 5.0 References

5.1 Preparers

Randolph J. Coleman, AICP, CA, CWB and Environmental Engineer
Altec Land Planning
19531 Highway 18
Apple Valley, CA 92307

Ginger E. Coleman, Director of Environmental Planning
Altec Land Planning
19531 Highway 18
Apple Valley, CA 92307

5.2 References

1. County of San Bernardino 2007 General Plan Land Use Element.
2. San Bernardino County Land Use Plan/General Plan Land Use Zoning Districts, Map EH22A Helendale.
3. County of San Bernardino 2007 General Plan Conservation Element.
4. Aerial photos of Helendale, Google Earth.
5. United States Soil Conservation Service *Soil Survey of San Bernardino County*, California.
6. County of San Bernardino 2007 General Plan 2013-2021 Housing Element.
7. County of San Bernardino 2007 General Plan Safety Element.
8. Latest adopted version of the California Building Code.
9. Flood Insurance Rate Map, Community Number 06071C5150J, Effective Date September 2, 2016, Federal Emergency Management Agency.
10. Mojave Desert Air Quality Management District CEQA Guidelines, August 2016.
11. County of San Bernardino 2007 General Plan Circulation Element.
12. United States Bureau of Land Management California Desert Conservation Area, 1988.
13. County of San Bernardino 2007 Development Code, Chapter 88.01, *Plant Protection and Management*, Section 88.01.040, *Regulated Trees and Plants and General Permit*.
14. County of San Bernardino 2007 General Plan Noise Element.
15. County of San Bernardino 2007 Development Code, Chapter 83.090.050, *Infrastructure Improvement Standards – Desert Region*.
16. County of San Bernardino Public Works – Transportation Design Standards.
17. County of San Bernardino 2007 Development Code, Chapter 83.10, *Landscape Standards*.
18. County of San Bernardino Public Works – Transportation Design Standards.
19. 2006 San Bernardino County Important Farmland Map, California Department of Conservation.
20. California Environmental Quality Act.

21. Mojave Desert Air Quality Management District Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-attainment area); June 9, 2008.
22. County of San Bernardino 2007 Development Code, Chapter 83.10, *Landscape Standards*.
23. County of San Bernardino 2007 Development Code, Section 83.01.080, *Noise*.
24. San Bernardino County Fire Department Regulations.
25. County of San Bernardino 2007 General Plan Final Environmental Impact Report.
26. Southern California Association of Governments 5th Cycle Regional Housing Needs Assessment Allocation Plan 1/1/2014 - 10/1/2021, October 2012.
27. County of San Bernardino 2007 Development Code.
28. DOC (California Department of Conservation, Division of Land Resource Protection) A Guide to the Farmland Mapping and Monitoring Program, Table A-28
29. MDAQMD (Mojave Desert Air Quality Management District) 2009, California Environment al Quality Act and Federal Conformity Guidelines
30. Mojave Water Agency 2015 Urban Water Management Plan and Environmental Impact Report
31. San Bernardino County Greenhouse Gas Emissions Reduction Plan

Section 6.0 Appendices

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6.1 Exhibits

Exhibit 6.1.1 - Regional Aerial and Freeway Maps

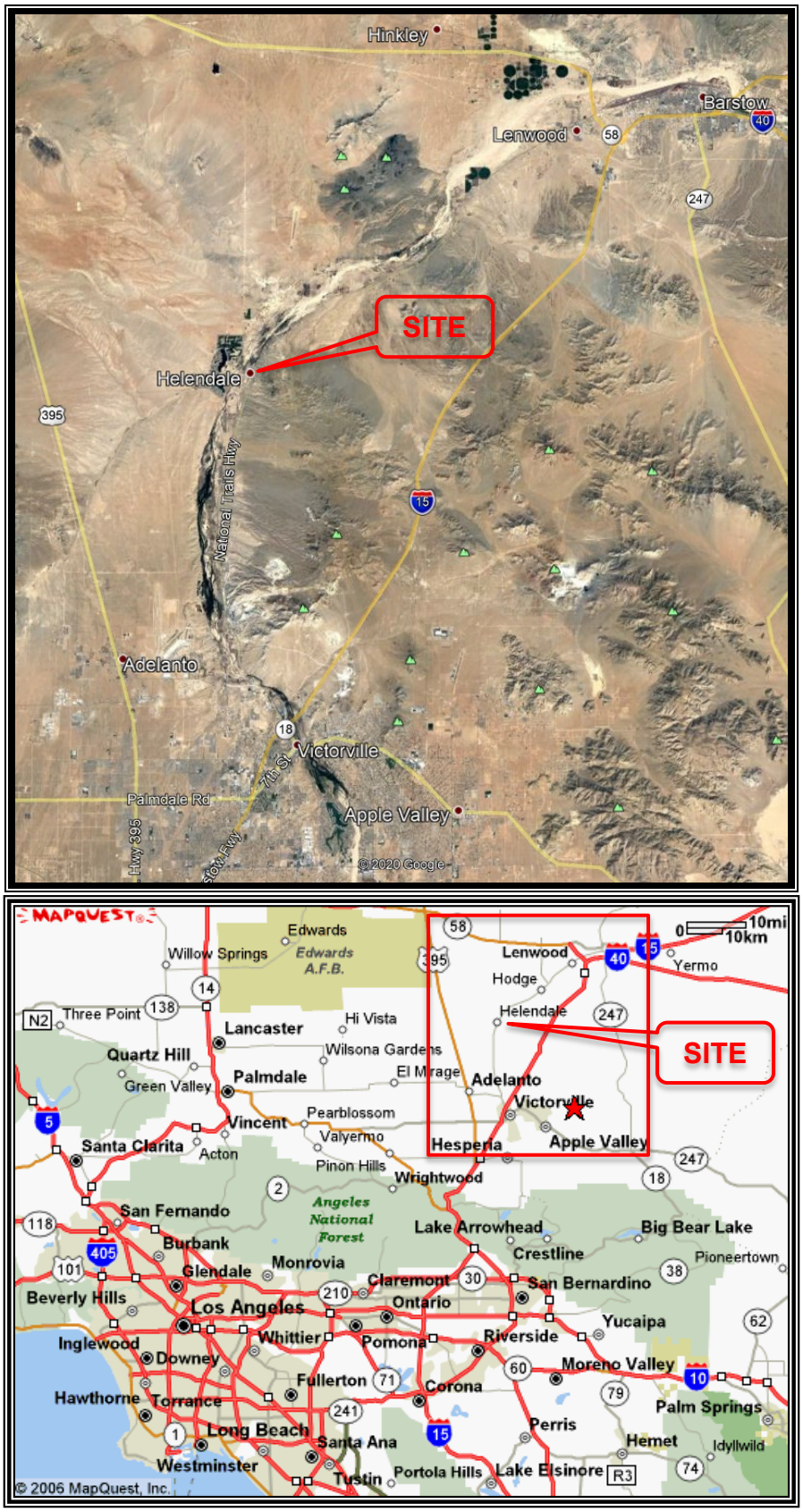

Exhibit 6.1.2 - Site Aerial and APN Map

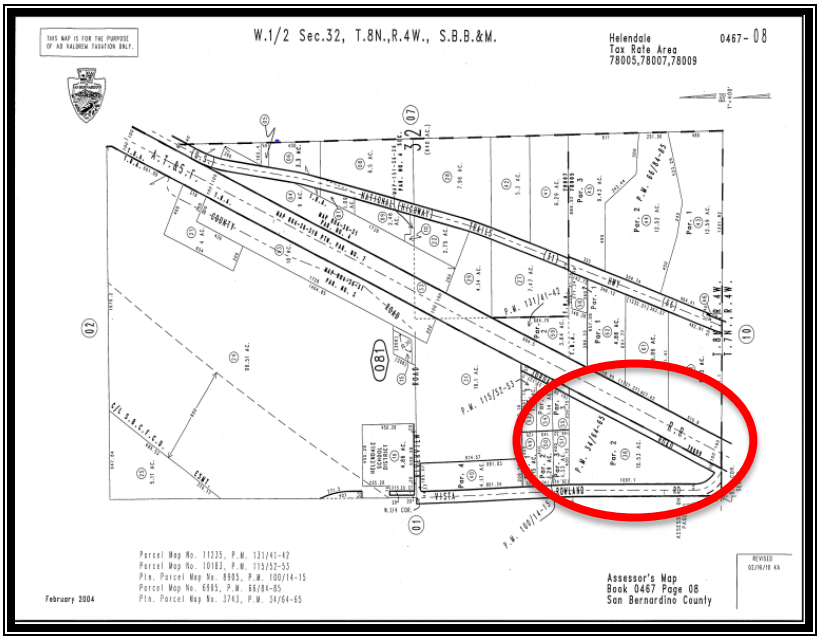

Exhibit 6.1.3 - USGS Quad Sheet - Helendale

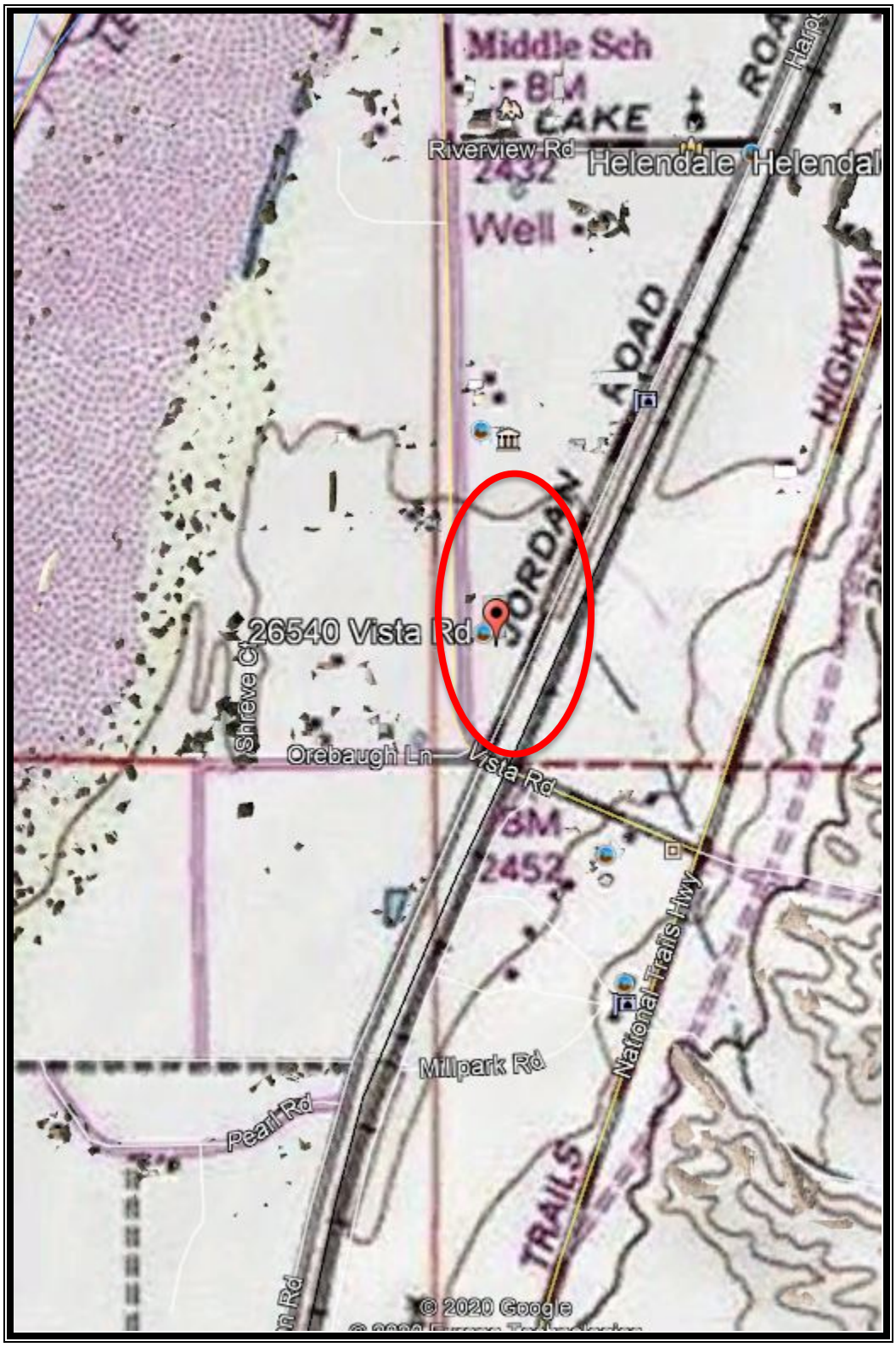

Exhibit 6.1.4 - Earthquake Faults

(Helendale Fault 2 miles Northeast is nearest)
Helendale-South Lockhart fault zone, South Lockhart section

Exhibit 6.1.5 - Soils Map

United States Department of Agriculture Natural Resources Conservation Service

169 – Victorville Sandy Loam (majority of Site)
171 – Villa Loamy Sand

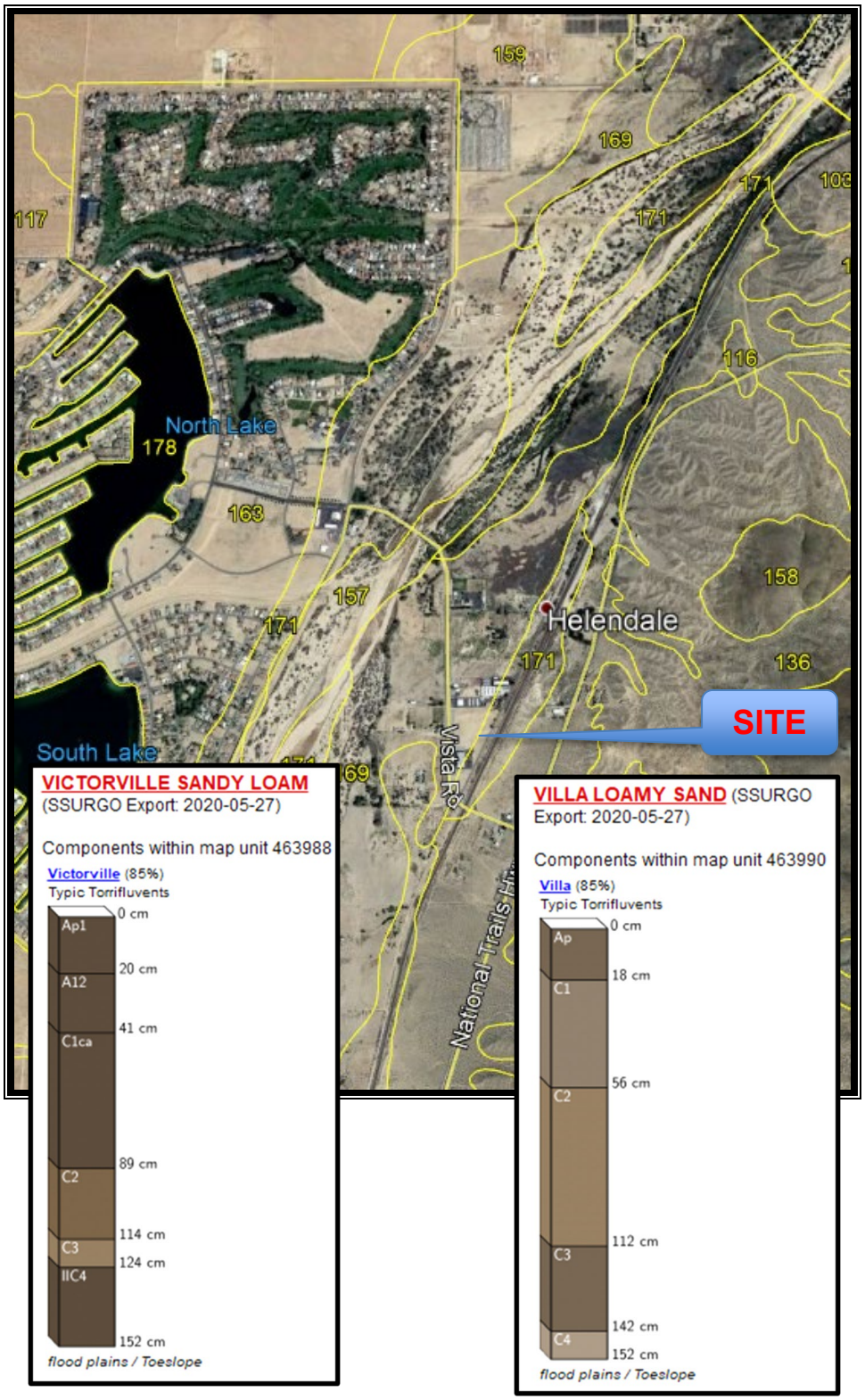

Exhibit 6.1.6 - FEMA Flood Map and Information

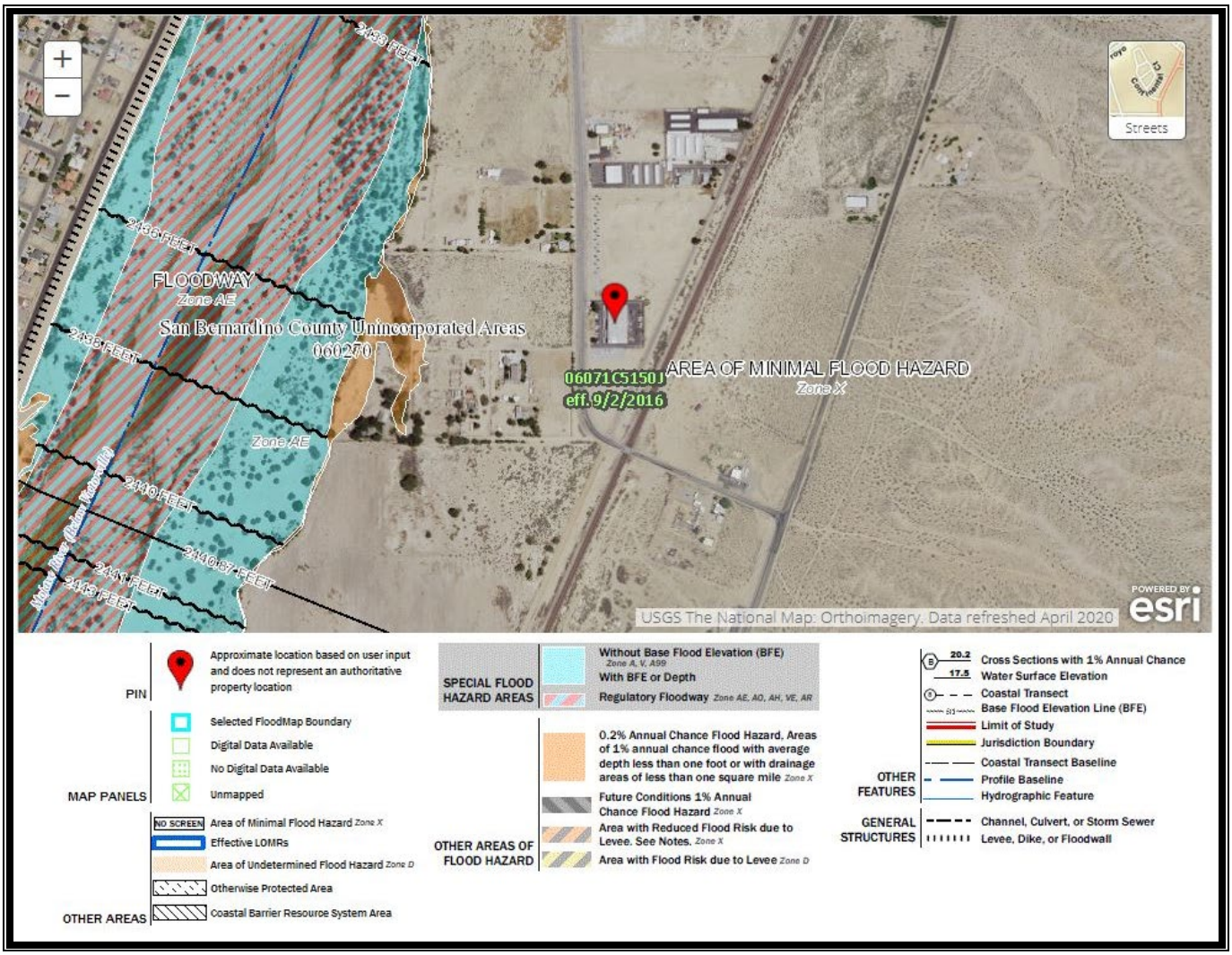

Exhibit 6.1.7 - Western Joshua Tree CESA Peition & DFW's Evaluation of Petition Map

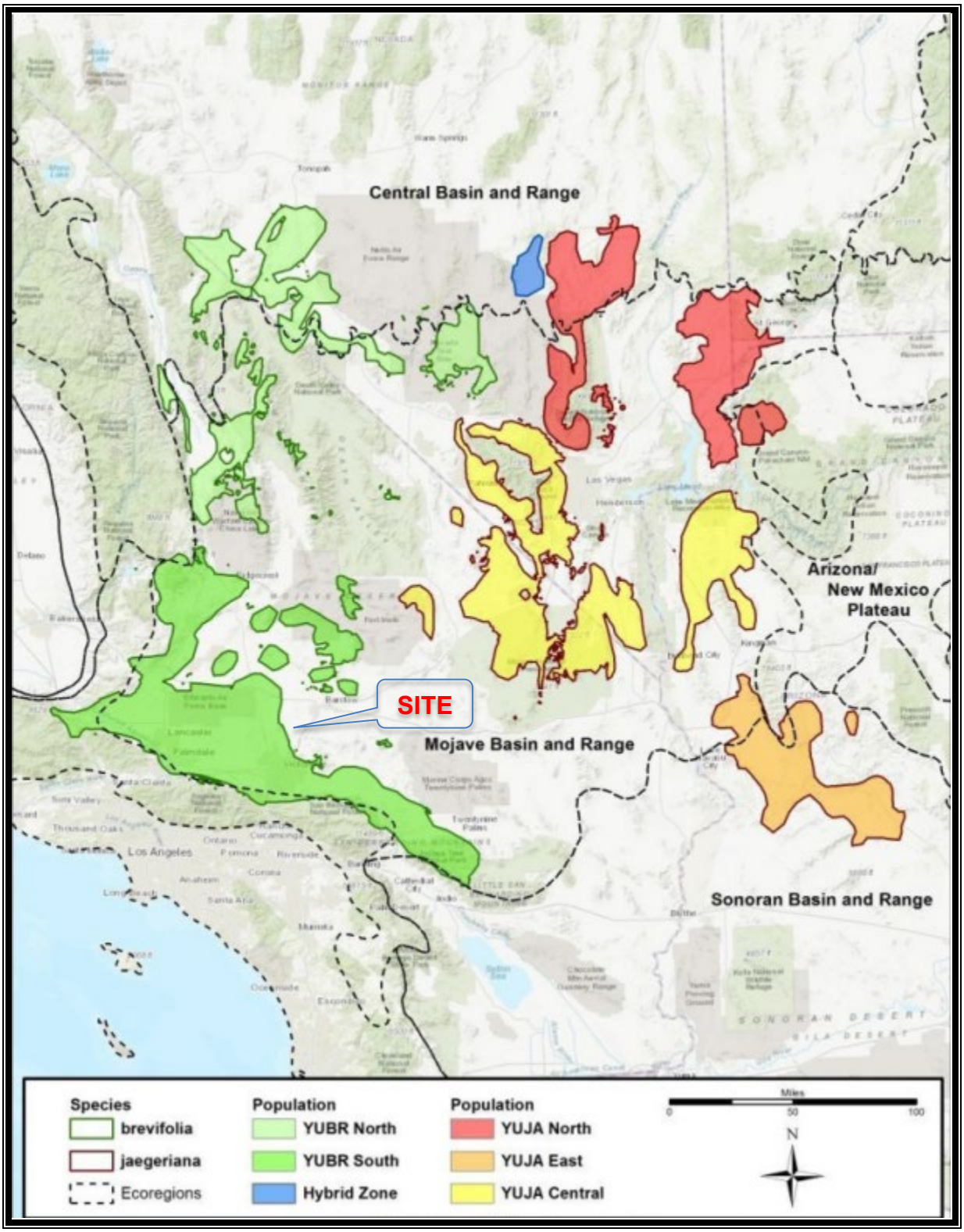

Exhibit 6.1.8 - Potential Exterior Uses and Amenities

"Splash Pad" and "Small Dirt BMX Track"

Small Dirt BMX Track

EXHIBIT L - continued

Potential exterior uses and amenities
"Small Skate Track" and "Basic Miniature Golf"

EXHIBIT H

South Central Coastal Information Center records search dated July 11, 2016.

6.2 Technical Studies

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Exhibit 6.2.1 - Cultural Resources Assessment – Helendale Community Services District Community Park, Unincorporated San Bernardino County, California dated February 12, 2021.

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CULTURAL RESOURCES ASSESSMENT

Helendale Community Services District Park Project

Unincorporated San Bernardino County, California

Prepared for:

Randolph Coleman
Altech Land Planning
19531 Highway 18
Apple Valley, California 92307

Prepared by:

David Brunzell, M.A., RPA
Contributions by Joseph Orozco, M.A., RPA
BCR Consulting LLC
Claremont, California 91711

Project No. COL2001

National Archaeological Data Base Information:

Type of Study: Intensive Survey
Resources Recorded: None
Keywords: Helendale
USGS Quadrangle: 7.5-minute *Helendale, California* (1993)

BCRCONSULTING LLC

February 12, 2021

MANAGEMENT SUMMARY

BCR Consulting LLC (BCR Consulting) is under contract to Altec Land Planning to complete a Cultural Resources Assessment of the Helendale Community Services District Park Project (the project) located in unincorporated Helendale, San Bernardino County, California. A cultural resources records search, intensive pedestrian field survey, shovel test pits, Sacred Lands File search with the Native American Heritage Commission (NAHC), and paleontological overview were conducted for the project in partial fulfillment of the California Environmental Quality Act (CEQA).

The cultural resources records search revealed that nine cultural resource studies have taken place resulting in the recording of one cultural resource (a historic-period railroad feature) within one mile of the project site. None of the previous studies have assessed the project site for cultural resources and no cultural resources have been identified within its boundaries. During the field survey and shovel tests, BCR Consulting archaeologists did not identify any cultural resources (including prehistoric or historic-period archaeological sites or historic-period buildings) within the project site. Based on these results BCR Consulting recommends that no additional cultural resource work or monitoring is necessary for any earthmoving proposed within the project site. However, if previously undocumented cultural resources are identified during earthmoving activities, a qualified archaeologist should be contacted to assess the nature and significance of the find, diverting construction excavation if necessary.

Findings were negative during the Sacred Lands File search with the NAHC. The results of the Sacred Lands File search are provided in Appendix C. Since the County will initiate and carry out the required AB52 Native American Consultation, the results of the consultation are not provided in this report. However, this report may be used during the consultation process, and BCR Consulting staff is available to answer questions and address concerns as necessary.

According to CEQA Guidelines, projects subject to CEQA must determine whether the project would “directly or indirectly destroy a unique paleontological resource”. The appended Paleontological Overview provided in Appendix D has recommended that:

> The geologic units underlying this project are mapped entirely as Mojave River channel sand deposits dating from the Holocene period (Dibblee, 2008). While Holocene alluvial units are considered to be of high preservation value, material found is unlikely to be fossil material due to the relatively modern associated dates of the deposits. However, if development requires any substantial depth of disturbance, the likelihood of reaching Pleistocene alluvial sediments would increase. The Western Science Center does not have localities within the project area or within a 1 mile radius.
>
> While the presence of any fossil material is unlikely, if excavation activity disturbs deeper sediment dating to the earliest parts of the Holocene or Late Pleistocene periods, the material would be scientifically significant. Excavation activity associated with the development of the project area is unlikely to be paleontologically sensitive, but caution during development should be observed.

If human remains are encountered during any proposed project activities, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

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INTRODUCTION

BCR Consulting LLC (BCR Consulting) is under contract to Altec Land Planning to conduct a Cultural Resources Assessment of the proposed Helendale Community Services District Park Project (the project) located in unincorporated Helendale, San Bernardino County, California. The project site is located in Section 32 of Township 8 North, Range 4 West, San Bernardino Baseline and Meridian, in unincorporated San Bernardino County. It is depicted on the United States Geological Survey (USGS) *Helendale, California* (1993) 7.5-minute topographic quadrangle (Figure 1).

Regulatory Setting

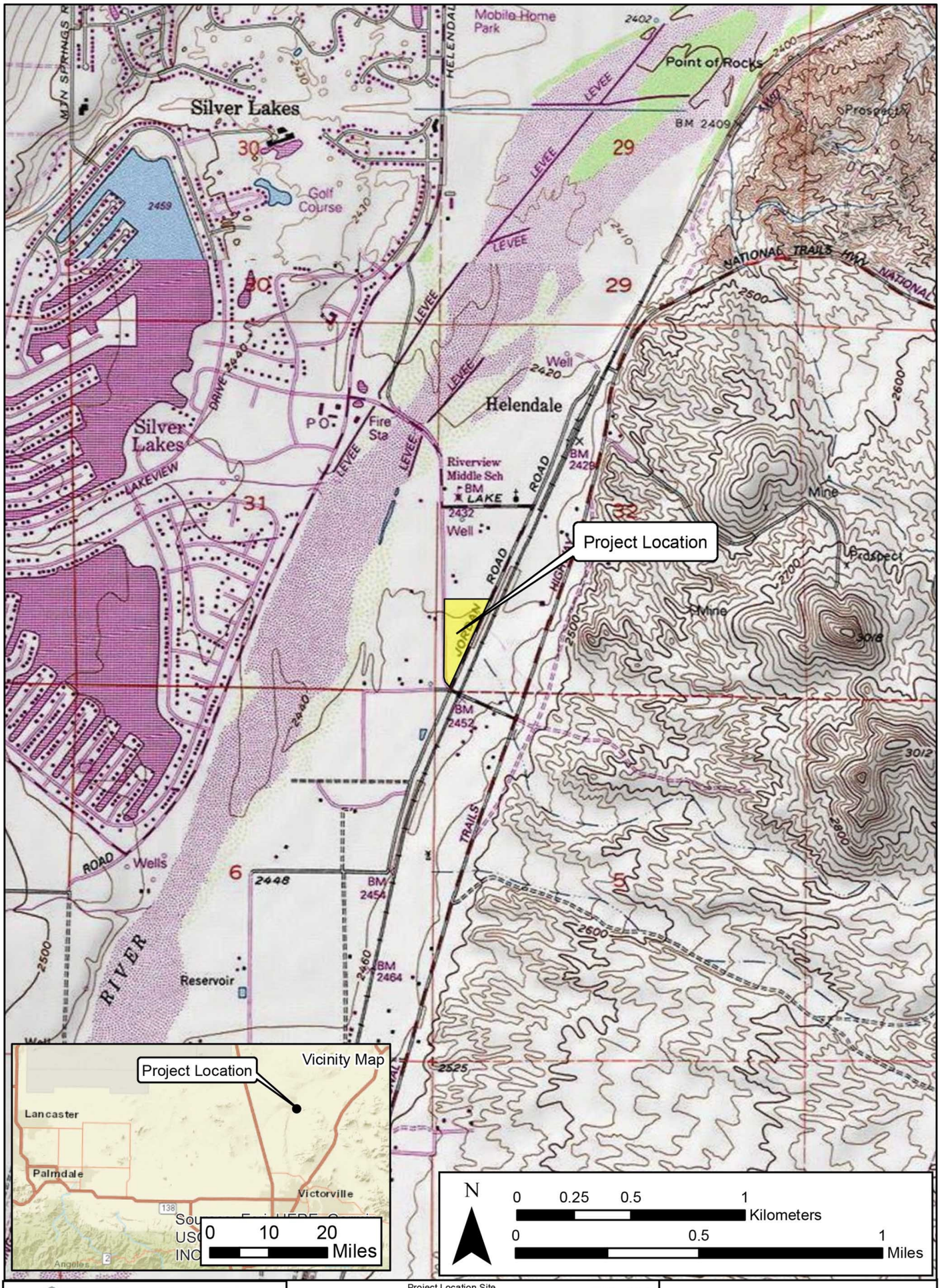
The California Environmental Quality Act. CEQA applies to all discretionary projects undertaken or subject to approval by the state's public agencies (California Code of Regulations 14(3), § 15002(i)). Under CEQA, "A project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment" (Cal. Code Regs. tit. 14(3), § 15064.5(b)). State CEQA Guidelines section 15064.5(a) defines a "historical resource" as a resource that meets one or more of the following criteria:

- Listed in, or eligible for listing in, the California Register of Historical Resources (California Register)
- Listed in a local register of historical resources (as defined at Cal. Public Res. Code § 5020.1(k))
- Identified as significant in a historical resource survey meeting the requirements of § 5024.1(g) of the Cal. Public Res. Code
- Determined to be a historical resource by a project's lead agency (Cal. Code Regs. tit. 14(3), § 15064.5(a))

A historical resource consists of "Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California…Generally, a resource shall be considered by the lead agency to be 'historically significant' if the resource meets the criteria for listing in the California Register of Historical Resources" (Cal. Code Regs. tit. 14(3), § 15064.5(a)(3)).

The significance of a historical resource is impaired when a project demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for the California Register. If an impact on a historical or archaeological resource is significant, CEQA requires feasible measures to minimize the impact (State CEQA Guidelines § 15126.4 (a)(1)). Mitigation of significant impacts must lessen or eliminate the physical impact that the project will have on the resource.

Section 5024.1 of the Cal. Public Res. Code established the California Register. Generally, a resource is considered by the lead agency to be "historically significant" if the resource meets the criteria for listing in the California Register (Cal. Code Regs. tit. 14(3), §



BCR CONSULTING LLC
Claremont Napa Tehachapi
www.bcrconsulting.net
909-625-7078

Project Location Site
Helendale Community Services
District Park Project
Reference: ESRI; USGS Quad: Helendale (1993), California

Figure 1

Altec Land Planning

15064.5(a)(3)). The eligibility criteria for the California Register are similar to those of the National Register of Historic Places (National Register), and a resource that meets one of more of the eligibility criteria of the National Register will be eligible for the California Register.

The California Register program encourages public recognition and protection of resources of architectural, historical, archaeological, and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under CEQA. Criteria for Designation:

1. Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.
2. Associated with the lives of persons important to local, California or national history.
3. Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values.
4. Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation.

In addition to meeting one or more of the above criteria, the California Register requires that sufficient time has passed since a resource's period of significance to "obtain a scholarly perspective on the events or individuals associated with the resources." (CCR 4852 [d][2]). Fifty years is normally considered sufficient time for a potential historical resource, and in order that the evaluation remain valid for a minimum of five years after the date of this report, all resources older than 45 years (i.e. resources from the "historic-period") will be evaluated for California Register listing eligibility, or CEQA significance. The California Register also requires that a resource possess integrity. This is defined as the ability for the resource to convey its significance through seven aspects: location, setting, design, materials, workmanship, feeling, and association.

Assembly Bill 52. California Assembly Bill 52 was approved on September 25, 2014. As stated in Section 11 of AB 52, the act applies only to projects that have a notice of preparation or a notice of negative declaration or mitigated negative declaration filed on or after July 1, 2015.

AB 52 establishes "tribal cultural resources" (TCRs) as a new category of resources under CEQA. As defined under Public Resources Code Section 21074, TCRs are "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe" that are either: (1) included or determined to be eligible for inclusion in the CRHR; included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or (2) determined by the lead agency to be significant pursuant to the criteria for inclusion in the CRHR set forth in Public Resources Code Section 5024.1(c), if supported by substantial evidence and taking into account the significance of the resource to a California Native American tribe. A "historical resource" as defined in Public Resources Code Section 21084.1, a "unique archaeological resource" as defined in

Public Resources Code Section 21083.2(g), or a "nonunique archaeological resource" as defined in Public Resources Code Section 21083.2(h) may also be TCRs.

AB 52 further establishes a new consultation process with California Native American tribes for proposed projects in geographic areas that are traditionally and culturally affiliated with that tribe. Per Public Resources Code Section 21073, "California Native American tribe" includes federally and non-federally recognized tribes on the NAHC contact list. Subject to certain prerequisites, AB 52 requires, among other things, that a lead agency consult with the geographically affiliated tribe before the release of an environmental review document for a proposed project regarding project alternatives, recommended mitigation measures, or potential significant effects, if the tribe so requests in writing. If the tribe and the lead agency agree upon mitigation measures during their consultation, these mitigation measures must be recommended for inclusion in the environmental document (Public Resources Code Sections 21080.3.1, 21080.3.2, 21082.3, 21084.2, and 21084.3).

Paleontological Resources. CEQA provides guidance relative to significant impacts on paleontological resources, indicating that a project would have a significant impact on paleontological resources if it disturbs or destroys a unique paleontological resource or site, or unique geologic feature. Section 5097.5 of the California Public Resources Code specifies that any unauthorized removal of paleontological remains is a misdemeanor. Further, California Penal Code Section 622.5 sets the penalties for damage or removal of paleontological resources. CEQA documentation prepared for projects would be required to analyze paleontological resources as a condition of the CEQA process to disclose potential impacts. Please note that as of January 2018 paleontological resources are considered in the geological rather than cultural category. Therefore, paleontological resources are not summarized in the body of this report. A paleontological overview completed by professional paleontologists from the Western Science Center is provided as Appendix B.

NATURAL SETTING

Geology

The subject property is located in the southwestern portion of the Mojave Desert. Sediments within the subject property boundaries include "unconsolidated stream-laid sand deposited in former flood plain of Mojave River" (Dibblee 1960). Field observations during the current study are basically consistent with these descriptions, although modern excavation and grading have resulted in severe disturbances throughout the project site.

Hydrology

The subject property elevation ranges from approximately 2,449 to 2,459 feet above mean sea level (AMSL). Sheetwashing occurs generally from southeast to northwest across the subject property, and local runoff eventually drains into the Mojave River, adjacent to the project site. To the south, the peaks of the San Bernardino Mountains rise above 10,000 feet and are often capped with snow until late spring or early summer. The area currently exhibits a relatively arid climate, with dry, hot summers and cool winters. Rainfall ranges from five to 15 inches annually (Jaeger and Smith 1971:36-37). Precipitation usually occurs in the form of winter and spring rain or snow at high elevations, with occasional warm monsoonal showers in late summer.

Biology

The mild climate of the late Pleistocene allowed piñon-juniper woodland to thrive throughout most of the Mojave (Van Devender et al. 1987). The vegetation and climate during this epoch attracted significant numbers of Rancho labrean fauna, including dire wolf, saber-toothed cat, short-faced bear, horse, camel, antelope, mammoth, as well as birds which included pelican, goose, duck, cormorant, and eagle (Reynolds 1988). The drier climate of the middle Holocene resulted in the local development of complementary flora and fauna, which remain largely intact to this day. Common native plants include creosote, cacti, rabbit bush, interior golden bush, cheesebush, species of sage, buckwheat at higher elevations and near drainages, Joshua tree, and various grasses. Common native animals include coyotes, cottontail and jackrabbits, rats, mice, desert tortoises, roadrunners, raptors, turkey vultures, and other bird species (see Williams et al. 2008).

CULTURAL SETTING

Prehistory

The prehistoric cultural setting of the Mojave Desert has been organized into many chronological frameworks (see Warren and Crabtree 1986; Bettinger and Taylor 1974; Lanning 1963; Hunt 1960; Wallace 1958, 1962, 1977; Wallace and Taylor 1978; Campbell and Campbell 1935), although there is no definitive sequence for the region. The difficulties in establishing cultural chronologies for the Mojave are a function of its enormous size and the small amount of archaeological excavations conducted there. Moreover, throughout prehistory many groups have occupied the Mojave and their territories often overlap spatially and chronologically resulting in mixed artifact deposits. Due to dry climate and capricious geological processes, these artifacts rarely become integrated in-situ. Lacking a milieu hospitable to the preservation of cultural midden, Mojave chronologies have relied upon temporally diagnostic artifacts, such as projectile points, or upon the presence/absence of other temporal indicators, such as groundstone. Such methods are instructive, but can be limited by prehistoric occupants' concurrent use of different artifact styles, or by artifact re-use or re-sharpening, as well as researchers' mistaken diagnosis, and other factors (see Flenniken 1985; Flenniken and Raymond 1986; Flenniken and Wilke 1989). Recognizing the shortcomings of comparative temporal indicators, this study synthesizes Warren and Crabree (1986), who have drawn upon this method to produce a commonly cited and relatively comprehensive chronology.

Paleoindian (12,000 to 10,000 BP) and Lake Mojave (10,000 to 7,000 BP) Periods. Climatic warming characterizes the transition from the Paleoindian Period to the Lake Mojave Period. This transition also marks the end of Pleistocene Epoch and ushers in the Holocene. The Paleoindian Period has been loosely defined by isolated fluted (such as Clovis) projectile points, dated by their association with similar artifacts discovered in-situ in the Great Plains (Sutton 1996:227-228). Some fluted bifaces have been associated with fossil remains of Rancholabrean mammals approximately dated to ca. 13,300-10,800 BP near China Lake in the northern Mojave Desert. The Lake Mojave Period has been associated with cultural adaptations to moist conditions, and resource allocation pointing to more lacustrine environments than previously (Bedwell 1973; Hester 1973). Artifacts that characterize this period include stemmed points, flake and core scrapers, choppers, hammerstones, and crescentics (Warren and Crabtree 1986:184). Projectile points

associated with the period include the Silver Lake and Lake Mojave styles. Lake Mojave sites commonly occur on shorelines of Pleistocene lakes and streams, where geological surfaces of that epoch have been identified (Basgall and Hall 1994:69).

Pinto Period (7,000 to 4,000 BP). The Pinto Period has been largely characterized by desiccation of the Mojave. As formerly rich lacustrine environments began to disappear, the artifact record reveals more sporadic occupation of the Mojave, indicating occupants' recession to the more hospitable fringes (Warren 1984). Pinto Period sites are rare, and are characterized by surface manifestations that usually lack significant in-situ remains. Artifacts from this era include Pinto projectile points and a flake industry similar to the Lake Mojave tool complex (Warren 1984), though use of Pinto projectile points as an index artifact for the era has been disputed (see Schroth 1994). Milling stones have also occasionally been associated with sites of this period (Warren 1984).

Gypsum Period. (4,000 to 1,500 BP). A temporary return to moister conditions during the Gypsum Period is postulated to have encouraged technological diversification afforded by the relative abundance of resources (Warren 1984:419-420; Warren and Crabtree 1986:189). Lacustrine environments reappear and begin to be exploited during this era (Shutler 1961, 1968). Concurrently a more diverse artifact assemblage reflects intensified reliance on plant resources. The new artifacts include milling stones, mortars, pestles, and a proliferation of Humboldt Concave Base, Gypsum Cave, Elko Eared, and Elko Corner-notched dart points (Warren 1984; Warren and Crabtree 1986). Other artifacts include leaf-shaped projectile points, rectangular-based knives, drills, large scraper planes, choppers, hammer stones, shaft straighteners, incised stone pendants, and drilled slate tubes. The bow and arrow appears around 2,000 BP, evidenced by the presence of a smaller type of projectile point, the Rose Spring point (Rogers 1939; Shutler 1961; Yohe 1992).

Saratoga Springs Period (1,500 to 800 BP). During the Saratoga Springs Period regional cultural diversifications of Gypsum Period developments are evident within the Mojave. Basketmaker III (Anasazi) pottery appears during this period, and has been associated with turquoise mining in the eastern Mojave Desert (Warren and Crabtree 1986:191). Influences from Patayan/Yuman assemblages are apparent in the southern Mojave, and include buff and brown wares often associated with Cottonwood and Desert Side-notched projectile points (Warren 1984:423). Obsidian becomes more commonly used throughout the Mojave and characteristic artifacts of the period include milling stones, mortars, pestles, ceramics, and ornamental and ritual objects. More structured settlement patterns are evidenced by the presence of large villages, and three types of identifiable archaeological sites (major habitation, temporary camps, and processing stations) emerge (McGuire and Hall 1988). Diversity of resource exploitation continues to expand, indicating a much more generalized, somewhat less mobile subsistence strategy.

Shoshonean Period (800 BP to Contact). The Shoshonean period is the first to benefit from contact-era ethnography –as well as be subject to its inherent biases. Interviews of living informants allowed anthropologists to match artifact assemblages and particular traditions with linguistic groups, and plot them geographically (see Kroeber 1925; Gifford 1918; Strong 1929). During the Shoshonean Period continued diversification of site assemblages, and reduced Anasazi influence both coincide with the expansion of Numic

(Uto-Aztecan language family) speakers across the Great Basin, Takic (Uto-Aztecan language family) speakers into southern California, and the Hopi across the Southwest (Sutton 1996). Hunting and gathering continued to diversify, and the diagnostic arrow points include desert side-notch and cottonwood triangular. Ceramics continue to proliferate, though are more common in the southern Mojave during this period (Warren and Crabtree 1986). Trade routes have become well established across the Mojave, particularly the Mojave Trail, which transported goods and news across the desert via the Mojave River, to the west of the subject property. Trade in the western Mojave was more closely related to coastal groups than others.

Ethnography

The Uto-Aztecan "Serrano" people occupied the western Mojave Desert periphery. Kroeber (1925) applied the generic term "Serrano" to four groups, each with distinct territories: the Kitanemuk, Tataviam, Vanyume, and Serrano. Only one group, in the San Bernardino Mountains and West-Central Mojave Desert, ethnically claims the term Serrano. Bean and Smith (1978) indicate that the Vanyume, an obscure Takic population, was found along the Mojave River near Apple Valley at the time of Spanish contact. The Kitanemuk lived to the north and west, while the Tataviam lived to the west. The Serrano lived mainly to the south (Bean and Smith 1978). All may have used the western Mojave area seasonally. Historical records are unclear concerning precise Serrano territory, although archaeologists have recorded evidence of a number of prehistoric sites (including some villages), particularly along the Mojave River. It is doubtful that any group, except the Vanyume, actually lived in the region for several seasons yearly.

History

Historic California is divided into three periods: the Spanish/Mission Period (1769 to 1821), the Mexican/Rancho Period (1821 to 1848), and the American Period (1848 to present).

Spanish Period. The first European to pass through the area is thought to be a Spaniard called Father Francisco Garces. Having become familiar with the area, Garces acted as a guide to Juan Bautista de Anza, who had been commissioned to lead a group across the desert from a Spanish outpost in Arizona to set up quarters at the Mission San Gabriel in 1771 near what today is Pasadena (Beck and Haase 1974). This is the first recorded group crossing of the Mojave Desert and, according to Father Garces' journal, they camped at the headwaters of the Mojave River, one night less than a day's march from the mountains. Today, this is estimated to have been approximately 11 miles southeast of Victorville (Marenczuk 1962). Garces was followed by Alta California Governor Pedro Fages, who briefly explored the western Mojave region in 1772. Searching for San Diego Presidio deserters, Fages had traveled north through Riverside to San Bernardino, crossed the mountains into the Mojave, then west to the San Joaquin Valley (Beck and Haase 1974).

Mexican Period. In 1821, Mexico overthrew Spanish rule and the missions began to decline. By 1833, the Mexican government passed the Secularization Act, and the missions, reorganized as parish churches, lost their vast land holdings, and released their neophytes (Beattie and Beattie 1974).

American Period. The American Period, 1848–Present, began with the Treaty of Guadalupe Hidalgo. In 1850, California was accepted into the Union of the United States primarily due to the population increase created by the Gold Rush of 1849. The cattle industry reached its greatest prosperity during the first years of the American Period. Mexican Period land grants had created large pastoral estates in California, and demand for beef during the Gold Rush led to a cattle boom that lasted from 1849–1855. However, beginning about 1855, the demand for beef began to decline due to imports of sheep from New Mexico and cattle from the Mississippi and Missouri Valleys. When the beef market collapsed, many California ranchers lost their ranchos through foreclosure. A series of disastrous floods in 1861–1862, followed by a significant drought diminished the economic impact of local ranching. This decline combined with ubiquitous agricultural and real estate developments of the late 19th century, set the stage for diversified economic pursuits that have continued to proliferate to this day (Beattie and Beattie 1974; Cleland 1941).

Local Sequence. Prior to the 20th century, greater Victor Valley's main industries included cattle ranching, and mining. In 1893, Ursula M. Poates named the community of Apple Valley in an effort to convince settlers that fruit could be grown in the desert. The charismatic Poates had resided in the Mojave most of her life, and attempted to substantiate the claim by planting three apple trees in her wind-blown, greasewood-covered yard (Bright 1998). By 1910, locals had followed suit and soon 17 apple orchards occupied 1,000 acres within the valley. The success of Apple Valley prompted Arthur E. Hull, founder of Beaumont, California, to invest in the agricultural potential of the area. Hull was instrumental in publicizing Victor Valley's development, and successfully lobbied for the construction of the first paved Cajon Pass road. He also procured water rights to accommodate the area's growing agricultural endeavors (O'Rourke 2004).

Contemporaneous with the agricultural boom, large federal grants were made available and the government encouraged homesteaders to occupy and improve thousands of additional acres. The homestead and agricultural era was locally short-lived, however, and as a result of the United States' 1917 entry into World War I, mining (specifically limestone) and cattle ranching became the region's driving economic force. During the decades after World War I, the few remaining apple orchards became increasingly unprofitable and died out due to fungus, bad weather, and stiff competition from fruit growers in Central California and the American Northwest. The limestone mining industry continued to grow, and was primarily concentrated in the Victorville-Oro Grand district (Wright et al. 1953). By the 1950s more than half the mineral production (by value) in San Bernardino County came from limestone operations, the bulk of which was used by Portland cement plants.

In spite of limited diversification of local industries during the early 20th century, improvements to local infrastructure allowed more varied economic growth. In 1926, U.S. Route 66 was constructed to connect the American Midwest with California. The route commenced in Chicago, winding south through the Midwest and Southwest, through the Mojave Desert and the Cajon Pass to the Los Angeles Basin, before terminating at the Pacific Ocean in Santa Monica. Within Victor Valley, the route promoted some economic growth as an artery used to transport limestone, which fed the growing demand for concrete throughout southern California's growing municipalities. It would also promote businesses along its corridor and eventually provide a commuter route for the burgeoning bedroom

communities that sprang up across the Victor Valley during the latter half of the 20th century (O'Rourke 2004). By 1949, petroleum magnate Newton T. Bass saw potential for significant land speculation in the area based upon the discovery deep aquifers in Apple Valley. During the ensuing decades, Bass and his partner Bernard Westlund acquired approximately 25,000 acres of land in Apple Valley. Through a series of promotional campaigns, the partners proceeded transform the sparsely-populated strip of desert into the thriving residential and commercial community that continues to expand to this day (O'Rourke 2004:41-43).

PERSONNEL

David Brunzell, M.A., RPA acted as the Project Manager and Principal Investigator for the current study. BCR Consulting Archaeological Field Director Joseph Orozco, M.A., RPA and BCR Consulting Staff Archaeologist Nicholas Shepetuk, B.A. completed the field assessment and shovel test pit excavation. Additional research was performed by BCR Consulting Staff Historian Dylan Williams. Mr. Brunzell compiled the technical report with contributions from Mr. Orozco.

METHODS

This work was completed pursuant to the CEQA, Public Resources Code (PRC) Chapter 2.6, Section 21083.2, and California Code of Regulations (CCR) Title 14, Chapter 3, Article 5, Section 15064.5. The pedestrian cultural resources survey is intended to locate and document previously recorded or new cultural resources, including archaeological sites, features, isolates, and historic buildings, that exceed 45 years in age within defined project boundaries. The subject property was examined using 10 to 15 meter transect intervals. Shovel test pits were also excavated to assess the potential for any buried resources or geoarchaeological context immediately below the surface. This testing was not warranted by research or field conditions, but was completed based on informal consultation between Altec Land Planning and local tribal entities. This study is intended to determine whether cultural resources are located within the subject property boundaries, whether any cultural resources are significant pursuant to the above-referenced regulations and standards, and to develop specific mitigation measures that will address potential impacts to existing or potential resources. Tasks pursued to achieve that end include:

- Sacred Lands File Search through the Native American Heritage Commission
- Vertebrate paleontology resources report through the Western Science Center
- Cultural resources records search to review any studies conducted and the resulting cultural resources recorded within a one-mile radius of the subject property
- Additional land-use history research through local archives and repositories
- Systematic pedestrian survey of the entire subject property
- Shovel test pit excavation to assess potential for buried resources or geoarchaeological context
- Development of recommendations for any cultural resources documented within the subject property, following CEQA guidelines

Research

Prior to fieldwork, a cultural resources records search was conducted by the SCCIC. This included a review of all prerecorded historic and prehistoric cultural resources, as well as a review of known cultural resource surveys and excavation reports generated from projects located within one mile of the subject property. In addition, a review was conducted of the National Register of Historic Places (National Register), the California Register, and documents and inventories from the California Office of Historic Preservation (OHP) including the lists of California Historical Landmarks, California Points of Historical Interest, Listing of National Register Properties, and the Inventory of Historic Structures.

Field Survey

An intensive-level cultural resources field survey of the subject property was conducted on December 30, 2020. The survey was conducted by walking parallel transects spaced approximately 10-15 meters apart across 100 percent of the subject property. Digital photographs were taken at various points within the subject property boundaries, including overviews as well as detail photographs of field conditions. Hand-held Global Positioning Systems (GPS) were available for mapping purposes.

Subsurface Test Excavations

After completing the field survey, BCR Consulting completed subsurface test excavations in the subject property to assess the potential for any buried resources or geoarchaeological context. A total of 27 shovel test pits (STPs) were excavated to apprehend data from immediately below the surface. STPs were approximately 35 centimeters in diameter and were excavated at 10-centimeter intervals. During STP excavation, each discrete interval was screened to identify the presence/absence of cultural remains. Sediment was screened through 1/8-inch hardware mesh, and the screens were carefully inspected for evidence of cultural remains.

RESULTS

Research

The records search revealed that nine cultural resources studies have taken place resulting in the recording of one cultural resource within one mile of the subject property. The project site has not been subject to previous cultural resources assessment and no cultural resources have been previously recorded within its boundaries. A summary of the records search is included below.

Table A. Cultural Resources Located Within One Mile of the Project Site

USGS 7.5 Min Quad	Cultural Resources Within One Mile	Reports Within One Mile
Helendale, California (1993)	P-26-6793 Historic Railroad (3/4 Mile South)	SB-106-1327, 3766, 5043, 5433, 5435, 5470, 6504, 7283, 8014

Field Survey

The project site exhibited approximately 90 percent surface visibility. Artificial disturbances were severe and have resulted from recent landscaping, grading, off-road vehicle activity and modern refuse dumping. The project site exhibits a westerly aspect and runoff flows towards the Mojave River which is located immediately to the west. Soils include sandy silt, and vegetation includes creosote scrub and mixed seasonal grasses. No prehistoric or historic-period archaeological resources or architectural historical resources were identified.

Subsurface Test Excavations

Per the scope of work, STPs were considered negative and were terminated after three sterile 10-centimeter intervals are complete. However, four STPs were excavated to a depth of 60 centimeters to determine soil composition. If intact cultural remains had been identified during the field survey or test excavations, an archaeological site would have been considered present in the area of the STP. STP locations were recorded on a hand-held Global Positioning System (GPS) unit and coordinates are provided in Table A. Findings were negative for each STP.

Table B. Shovel Test Pit Locations

STP No.	Zone and Easting	Northing	Elevation
001	11S 469982mE	3843875mN	2448’
002	11S 469949mE	3843878mN	2448’
003	11S 469922mE	3843875mN	2448’
004	11S 469893mE	3843878mN	2448’
005	11S 469856mE	3843883mN	2449’
006	11S 469826mE	3843879mN	2449’
007	11S 469826mE	3843881mN	2449’
008	11S 469852mE	3843850mN	2449’
009	11S 469884mE	3843848mN	2449’
010	11S 469914mE	3843848mN	2449’
011	11S 469949mE	3843848mN	2449’
012	11S 469938mE	3843815mN	2449’
013	11S 469909mE	3843820mN	2449’
014	11S 469878mE	3843822mN	2449’
015	11S 469825mE	3843581mN	2455’
016	11S 469826mE	3843611mN	2455’
017	11S 469849mE	3843610mN	2455’
018	11S 469848mE	3843818mN	2449’
019	11S 469820mE	3843813mN	2449’
020	11S 469822mE	3843783mN	2449’
021	11S 469852mE	3843783mN	2449’
022	11S 469883mE	3843783mN	2449’
023	11S 469913mE	3843784mN	2449’
024	11S 469905mE	3843752mN	2449’
025	11S 469873mE	3843752mN	2449’
026	11S 469900mE	3843723mN	2449’
027	11S 469816mE	3843539mN	2455’

RECOMMENDATIONS

BCR Consulting did not identify any historical resources during the research, field survey, and subsurface test excavation. Therefore, no significant impacts related to archaeological or historical resources is anticipated and no further investigations are recommended for the proposed project unless:

- the proposed project is changed to include areas not subject to this study.
- the proposed project is changed to include the construction of additional facilities.
- cultural materials are encountered during project activities.

Although the current study has not indicated sensitivity for cultural resources within the project boundaries, ground disturbing activities always have the potential to reveal buried deposits not observed on the surface during previous surveys. Prior to the initiation of ground-disturbing activities, field personnel should be alerted to the possibility of buried prehistoric or historic cultural deposits. In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find should cease and a qualified archaeologist should be retained to assess the significance of the find. The qualified archaeologist shall have the authority to stop or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing on the California Register or the National Register, plans for the treatment, evaluation, and mitigation of impacts to the find will need to be developed. Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include:

- historic artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects;
- historic structural or building foundations, walkways, cisterns, pipes, privies, and other structural elements;
- prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates;
- groundstone artifacts, including mortars, pestles, and grinding slabs;
- dark, greasy soil that may be associated with charcoal, ash, bone, shell, flaked stone, groundstone, and fire affected rocks.

If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

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APPENDIX A

NATIVE AMERICAN HERITAGE COMMISSION SACRED LANDS FILE SEARCH

NATIVE AMERICAN HERITAGE COMMISSION

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

December 1, 2020

Joseph Orozco
BCR Consulting LLC

Via Email to: josephorozco513@gmail.com

Re: Helendale Community Services District Park Project, San Bernardino County

Dear Mr. Orozco:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Andrew.Green@nahc.ca.gov.

Sincerely,

Andrew Green

Andrew Green
Cultural Resources Analyst

Attachment

Native American Heritage Commission
Native American Contact List
San Bernardino County
12/1/2020

Kern Valley Indian Community
Julie Turner, Secretary
P.O. Box 1010 — Kawaiisu
Lake Isabella, CA, 93240 — Tubatulabal
Phone: (661) 340 - 0032 — Koso

Kern Valley Indian Community
Brandy Kendricks,
30741 Foxridge Court — Kawaiisu
Tehachapi, CA, 93561 — Tubatulabal
Phone: (661) 821 - 1733 — Koso
krazykendricks@hotmail.com

Kern Valley Indian Community
Robert Robinson, Chairperson
P.O. Box 1010 — Kawaiisu
Lake Isabella, CA, 93283 — Tubatulabal
Phone: (760) 378 - 2915 — Koso
bbutterbredt@gmail.com

Morongo Band of Mission Indians
Denisa Torres, Cultural Resources Manager
12700 Pumarra Road — Cahuilla
Banning, CA, 92220 — Serrano
Phone: (951) 849 - 8807
Fax: (951) 922-8146
dtorres@morongo-nsn.gov

Morongo Band of Mission Indians
Robert Martin, Chairperson
12700 Pumarra Road — Cahuilla
Banning, CA, 92220 — Serrano
Phone: (951) 849 - 8807
Fax: (951) 922-8146
dtorres@morongo-nsn.gov

Quechan Tribe of the Fort Yuma Reservation
Manfred Scott, Acting Chairman
Kw'ts'an Cultural Committee
P.O. Box 1899 — Quechan
Yuma, AZ, 85366
Phone: (928) 750 - 2516
scottmanfred@yahoo.com

Quechan Tribe of the Fort Yuma Reservation
Jill McCormick, Historic Preservation Officer
P.O. Box 1899 — Quechan
Yuma, AZ, 85366
Phone: (760) 572 - 2423
historicpreservation@quechantribe.com

San Fernando Band of Mission Indians
Donna Yocum, Chairperson
P.O. Box 221838 — Kitanemuk
Newhall, CA, 91322 — Vanyume
Phone: (503) 539 - 0933 — Tataviam
Fax: (503) 574-3308
ddyocum@comcast.net

San Manuel Band of Mission Indians
Jessica Mauck, Director of Cultural Resources
26569 Community Center Drive — Serrano
Highland, CA, 92346
Phone: (909) 864 - 8933
jmauck@sanmanuel-nsn.gov

Serrano Nation of Mission Indians
Wayne Walker, Co-Chairperson
P. O. Box 343 — Serrano
Patton, CA, 92369
Phone: (253) 370 - 0167
serranonation1@gmail.com

Serrano Nation of Mission Indians
Mark Cochrane, Co-Chairperson
P. O. Box 343 — Serrano
Patton, CA, 92369
Phone: (909) 528 - 9032
serranonation1@gmail.com

Tubatulabals of Kern Valley
Robert L. Gomez, Chairperson
P.O. Box 226 — Tubatulabal
Lake Isabella, CA, 93240
Phone: (760) 379 - 4590
Fax: (760) 379-4592

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Helendale Community Services District Park Project, San Bernardino County.

Twenty-Nine Palms Band of Mission Indians
Darrell Mike, Chairperson
46-200 Harrison Place Chemehuevi
Coachella, CA, 92236
Phone: (760) 863 - 2444
Fax: (760) 863-2449
29chairman@29palmsbomi-nsn.gov

Twenty-Nine Palms Band of Mission Indians
Anthony Madrigal, Tribal Historic Preservation Officer
46-200 Harrison Place Chemehuevi
Coachella, CA, 92236
Phone: (760) 775 - 3259
amadrigal@29palmsbomi-nsn.gov

APPENDIX B

PALEONTOLOGICAL RESOURCES ASSESSMENT

WESTERN SCIENCE CENTER

BCR Consulting LLC
Joseph Orozco
505 West 8th Street
Claremont, CA 91711

December 1, 2020

Dear Mr. Orozco,

This letter presents the results of a record search conducted for the Helendale Community Services District Park Project in San Bernardino County, California. The project site is located south of Riverview Road, east of Vista Road, and west of Jordan Road in Township 8 North, Range 4 West in Section 32 of the Helendale CA USGS 7.5 minute quadrangle.

The geologic units underlying this project are mapped entirely as Mojave River channel snad deposits dating from the Holocene period (Dibblee, 2008). While Holocene alluvial units are considered to be of high preservation value, material found is unlikely to be fossil material due to the relatively modern associated dates of the deposits. However, if development requires any substantial depth of disturbance, the likelihood of reaching Pleistocene alluvial sediments would increase. The Western Science Center does not have localities within the project area or within a 1 mile radius.

While the presence of any fossil material is unlikely, if excavation activity disturbs deeper sediment dating to the earliest parts of the Holocene or Late Pleistocene periods, the material would be scientifically significant. Excavation activity associated with the development of the project area is unlikely to be paleontologically sensitive, but caution during development should be observed.

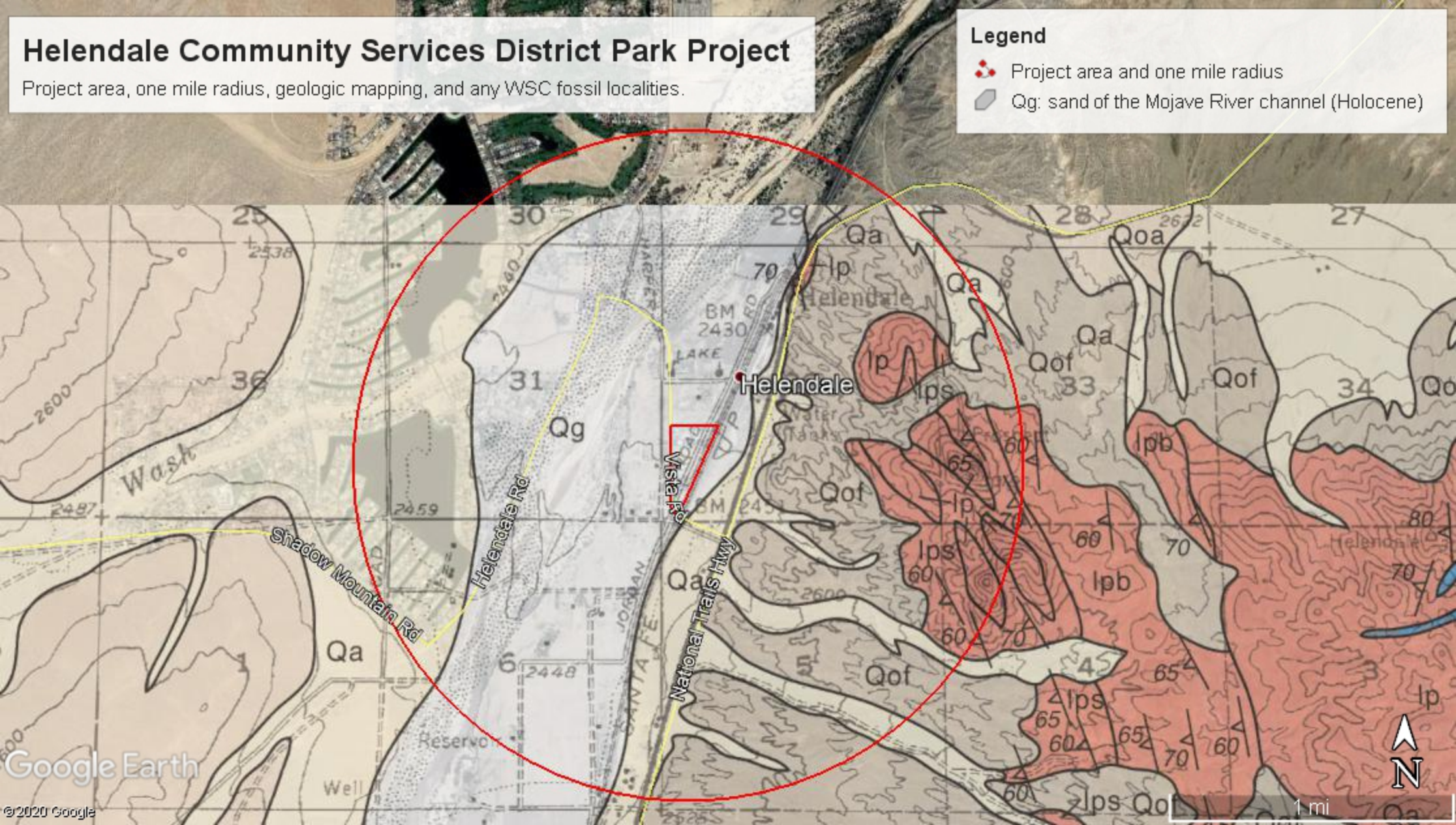
If you have any questions or would like further information, please feel free to contact me at dradford@westerncentermuseum.org

Sincerely,

Darla Radford
Collections Manager

Helendale Community Services District Park Project

Project area, one mile radius, geologic mapping, and any WSC fossil localities.



APPENDIX C

PROJECT PHOTOGRAPHS

Photo 1: Project Overview (View North)

Photo 2: Project Overview (View SE)

Photo 3: Project Overview (View SW)

Photo 4: Project Overview (View NW)

Exhibit 6.2.2 - Biological Clearance Letter

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ALTEC Engineering Inc. **(760) 242-9900**
19531 U.S. Highway 18
Apple Valley, CA 92307 Altec1Eng@gmail.com
Carl P. Coleman, PE- Civil #30322, President
,

Helendale Community Services District
c/o Dr. Kimberly Cox, General Manager
26540 Vista Road
P.O. Box 359
Helendale, CA 92342
Office 760-951-0006
FAX 760-217-2221
kcox@helendalecsd.org

August 5, 2020

RE: Boundary and Topographic Survey

Prior engineering and surveying services for the Helendale Community Services District (HCSD) included a boundary and topographic survey for the preparation of a parking lot expansion for the HCSD offices on July 17, 2019.

At that time, Randolph Coleman, AICP, CA, CWB, PE, PLS reviewed the Site for any new Hazardous Materials issues and various Endangered and Species of Concern on this Site and visual observation of the adjacent properties for the following species:

- Desert tortoise
- Burrowing owls
- Mojave ground squirrel
- American badger
- Desert kit fox
- Nesting Birds
- Protected Native Desert Trees, Cactus and other plants

This is to confirm no observations of Endangered or Species of Concern were observed on the Site in July 17, 2019.

If you have any question, please call. Thank you for your cooperation and we look forward to providing other services and assistance as needed, I and my family have been operating continuously since 1973 operating full-service, Civil & Soils Engineering, Planning, Land Surveying, Construction Management and since 1981 required Biological, Protected Plant, CEQA and other Environmental services for new projects.

Respectfully submitted,

Randolph J. Coleman, AICP CEP, CCIM, CDP, MIRM, Certified Wildlife Biologist #43090, QSD/P #21595
CDFW: Scientific Collecting Permit #11586, Certified Arborist/Tree Risk Assessment Qualified #WE-8024A
CA Licenses: Engineer-Civil #36293 expires June 30, 2022, Land Surveyor #5413 expires Sept. 30, 2022

Exhibit 6.2.3 - Phase 1 Environmental Assessment Update Letter

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ALTEC Land Planning **(760) 242-9917**
19531 U.S. Highway 18
Apple Valley, CA 92307 RandyAICP@gmail.com
Ginger Coleman, MPA, Director of Environmental Planning & Community Relations
Randy Coleman: AICP, CCIM, MIRM, Certified Wildlife Biologist #04390, Certified Arborist #WE-8024A, R.E. Broker #00836955,
Calif. Licenses: Civil Engineer #36293, Land Surveyor #5413, QSD/P #21595,

Helendale Community Services District August 5, 2020
c/o Dr. Kimberly Cox, General Manager
26540 Vista Road
P.O. Box 359
Helendale, CA 92342
Office 760-951-0006
FAX 760-217-2221
kcox@helendalecsd.org

RE: Phase 1 Environmental Assessment completed in 2011 Update Letter

Prior to the purchase of this property by Helendale Community Services District in 2011, Randolph Coleman, AICP, CA, CWB, PE, PLS [Altec Land Planning] completed a thorough Site Survey with 10-meter transects specifically for Hazardous Materials and a review of the Governmental Records Search for Hazardous Materials.

This Site Survey also included a review for various Endangered and Species of Concern on this Site and visual observation of the adjacent properties for the following species:

- Desert tortoise
- Burrowing owls
- Mojave ground squirrel
- American badger
- Desert kit fox
- Nesting Birds
- Protected Native Desert Trees, Cactus and other plants

This is to confirm no hazardous material were observe on the Site and no Endangered or Species of Concern were observed on in 2011 or August 4th and 5th, 2020

If you have any question, please call. Thank you for your cooperation and we look forward to providing other services and assistance as needed, I and my family have been operating continuously since 1973 operating full-service, Civil & Soils Engineering, Planning, Land Surveying, Construction Management and since 1981 required Biological, Protected Plant, CEQA and other Environmental services for new projects.

Respectfully submitted,

Randolph J. Coleman, AICP CEP, CCIM, CDP, MIRM, Certified Wildlife Biologist #43090, QSD/P #21595
CDFW: Scientific Collecting Permit #11586, Certified Arborist/Tree Risk Assessment Qualified #WE-8024A
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