

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

EMERGENCY OPERATIONS CENTER

PHELAN, CALIFORNIA

Department of Homeland Security - Emergency Operations Center Grant Program

The California Governor's Office of Emergency Services (Cal OES) ["Recipient"] and Phelan Pinion Hills Community Services District (PPHCSD) ["Sub Recipient"] have applied to the Federal Emergency Management Agency (FEMA) for federal grant funds from the Emergency Operations Center Grant Program (EOCGP) to construct an Emergency Operations Center (EOC) in Phelan, California. The EOCGP is intended to improve emergency management and preparedness capabilities by supporting flexible, sustainable, secure, strategically located, and fully interoperable EOCs with a focus on addressing identified deficiencies and needs. These projects fund equipping, upgrading, and/or construction of EOCs to provide fully capable facilities to support command, control, and coordination of multi-agency responses to major disasters or emergencies.

The proposed EOC in Phelan would include a control room, emergency standby generator, and state-of-the-art communications systems. The facility would provide the infrastructure needed to handle high volume communications during major disasters or other emergencies. This would be the first and only EOC in the community which can be utilized by multiple agencies, including the County Sheriff's Department, California Department of Forestry and Fire Protection (CALFIRE), the County Fire Department, the Community Emergency Response Team (CERT), local school districts, State and Federal agencies, and the PPHCSD which oversees the community's potable water system that delivers safe drinking water and fire suppression water throughout the service area.

ENVIRONMENTAL IMPACT EVALUATIONS

An Environmental Assessment (EA) was prepared pursuant to the National Environmental Policy Act (NEPA), as implemented by the regulations promulgated by the President's Council on Environmental Quality, 40 Code of Federal Regulations parts 1500-1508, Revisions Phase 2, 89 Fed. Reg. 35442 (May 1, 2024); National Historic Preservation Act of 1966, 16 U.S.C. 470; Endangered Species Act of 1973, 16 U.S.C. 1531-1544; Executive Orders (EO) addressing Floodplain Management (EO 11988), Protection of Wetlands (EO 11990), Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations (EO 12898); Revitalizing Our Nation's Commitment to Environmental Justice for All (EO 14096), Federal Food Risk Management Standard (EO 13690); FEMA Policy: Federal Flood Risk Management Standard (FFRMS) FEMA Policy 206-24-00; and agency guidance for implementing NEPA (FEMA Directive 108-1 and Instruction 108-01-1). The purpose of the EA was to analyze the potential environmental impacts of the proposed Project, and to determine whether to prepare an Environmental Impact Statement or a Finding of No Significant Impact.

As described in the EA, the Proposed Action would not result in any significant adverse impacts on the human environment, including soils and geology, land use planning and zoning, prime farmland, floodplains, traffic circulation and parking access, public health and safety, socio-economic issues and environmental justice, air quality, climate change, noise, public services and utilities, water resources, wetlands, threatened and endangered species, historical and cultural resources, or hazardous materials and waste. During the construction period for the project, short-term less-than-significant impacts are anticipated on traffic circulation, volume and parking access, public health and safety, air quality, climate change, soils and geology, floodplain encroachment, noise, water quality and water resources, and

hazardous materials are anticipated. Short-term impacts require mitigation, including compliance with California Building Code and development of a Stormwater Pollution Prevention Plan to avoid, minimize and mitigate impacts to the proposed Project Area and surrounding area. Additionally, the action must follow the conditions below to mitigate the potential impacts of this Project and must be met as a condition of Project approval. The structure will also be elevated to an additional 3 feet above the BFE or to the 0.2%, as applicable, whichever is higher, to meet Executive Order 13690, which establishes the Federal Flood Risk Management Standard. The Proposed Action is anticipated to have long-term beneficial effects on public health, socioeconomic issues and environmental justice, and safety and public services.

Additionally, FEMA considered the factors outlined in 40 CFR § 1501.3(d) in making a significance determination by examining both the context of the action and intensity of the effect. FEMA determined that there would be no long-term adverse effects of any kind from the action but there would be long-term beneficial effects to the public safety and health and public services of the community by provision of emergency services before, during and after disasters. FEMA determined that the action would not adversely affect unique characteristics of the geographic area such as parks, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. Consultation was conducted between FEMA and the California State Historic Preservation Office which confirmed that there would be no adverse effects to cultural or historic properties or resources, or Tribal sacred sites listed or eligible for listing in the National Register of Historic Places. FEMA also determined that the action would not adversely affect an endangered or threatened species or its habitat, including habitat that has been determined to be critical under the Endangered Species Act of 1973, would not adversely affect communities with environmental justice concerns nor would the action adversely affect rights of Tribal Nations that have been reserved through treaties, statutes, or Executive Orders.

The NEPA process requires that Federal agencies provide opportunities for public involvement and comments. The publication of the draft EA marks the start of a 30-day public comment period, offering an additional informal opportunity for public involvement. The 30-day comment period began with the date of posting on the FEMA website and advertisement in the Mountaineer Progress (Phelan, CA) newspaper. Once finalized, the Draft EA document was made available at the PPHCSD office, 4176 Warbler Road, Phelan, CA 92371. The Draft EA was also posted on the PPHCSD website at (<https://www.pphcsd.org/emergency-operations-center-and-civic-center-project>) and posted online at the FEMA website (<https://www.fema.gov/emergency-managers/practitioners/environmental-historic/nepa/environmental-assessment-emergency-0>). No substantive comments were received, and the Draft EA became final on October 15, 2024, and this initial public notice served as the final Public Notice.

Conditions

The conditions below were developed to mitigate the potential impacts of this Project and must be met as a condition of Project approval. Failure to comply with these conditions and conditions within the EA may jeopardize federal funds.

1. If deviations from the proposed scope of work result in substantial design changes, the need for additional ground disturbance, additional removal of vegetation, or in any other unanticipated changes to the physical environment, the Recipient must contact FEMA, and a reevaluation under NEPA and other applicable laws will be conducted by FEMA.
2. The Sub Recipient is responsible for obtaining and complying with all required local, State and Federal

permits and approvals.

3. The Sub Recipient will prepare and implement a Stormwater Pollution and Prevention Plan to minimize the potential for soil erosion during construction.
4. The EOC shall be constructed in compliance with the latest California Building Code.
5. The structure will be elevated to an additional 3 feet above the base flood elevation or to the 0.2%, as applicable, whichever is higher, to comply with EO 13690.
6. Construction is only permitted to occur between 7:00 a.m. and 7:00 p.m., except on Sundays and Federal holidays.
7. The Sub Recipient shall obtain a General Construction permit to reduce or eliminate non-storm water discharges into stormwater systems.
8. Best Management Practices (BMPs) as part of the project Water Quality Management Plan for the Civic Center project are required to be maintained through regularly scheduled inspection and maintenance. These BMPs shall be implemented during construction and operation of the EOC.
9. Any mitigation required by San Bernardino County for the Civic Center project to address potential impacts would apply to the Proposed Action.
10. In the event unanticipated cultural resources are discovered during Project construction, reasonable efforts will be made to avoid, minimize, or mitigate adverse effects consistent with the procedures at 36 CFR 800.13 (b). Mitigation measures include notifying SHPO and FEMA within 48 hours of the discovery.

Findings

Based on the conditions and information in the EA for the Phelan EOC and in accordance with the National Environmental Policy Act (N EPA), as implemented by the regulations promulgated by the President's Council on Environmental Quality, 40 Code of Federal Regulations parts 1500-1508, Revisions Phase 2, 89 Fed. Reg. 35442 (May 1, 2024); National Historic Preservation Act of 1966, 16 U.S.C. 470; Endangered Species Act of 1973, 16 U.S.C. 1531-1544; Executive Orders (EO) addressing Floodplain Management (EO 11988), Protection of Wetlands (EO 11990), Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations (EO 12898); Revitalizing Our Nation's Commitment to Environmental Justice for All (EO 14096), Federal Food Risk Management Standard (EO 13690); FEMA Policy: Federal Flood Risk Management Standard (FFRMS) FEMA Policy 206-24-00; and agency guidance for implementing NEPA (FEMA Directive 108-1 and Instruction 108-01-1)., FEMA has determined that the Proposed Action would not have any significant adverse impact on the quality of the natural and human environment. As a result of this FONSI, an Environmental Impact Statement will not be prepared.

Approval

FREDERICK M
HOLYCROSS

Digitally signed by FREDERICK M
HOLYCROSS
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DHS/FEMA/OEHP

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Emergency Operations and Backup Dispatch Center

Final Environmental Assessment | Phelan, CA
October 2024



FEMA

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ACRONYMS

ADA	Americans with Disabilities Act
APE	Area of Potential Effects
BMP	Best Management Practice
CDFW	California Department of Fish and Wildlife
CFR	Code of Federal Regulations
CWA	Clean Water Act
EA	Environmental Assessment
EO	Executive Order
EOC	Emergency Operations Center
EOCGP	Emergency Operations Center Grant Program
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
HUD	U.S. Department of Housing and Urban Development
MBA	Mojave Basin Area
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MWA	Mojave Water Agency
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NRCS	Natural Resources Conservation Service
NWI	National Wetlands Inventory
OHSA	Operational Health and Safety Administration
PPHCSD	Phelan Pinion Hills Community Services District
RCRA	Resource Conservation and Recovery Act
SCAQMD	South Coast Air Quality Management District
SHPO	State Historic Preservation Office
THPO	Tribal Historic Preservation Officer
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service

USGS

U.S. Geological Survey

1.0 INTRODUCTION

1.1 Overview

The Phelan Piñon Hills Community Services District (PPHCSD) is in the process of building a new Civic Center, which will include a 3,592-square-foot (SF) Community Emergency Response Center (EOC). The California Governor's Office of Emergency Services (Cal OES) and PPHCSD have applied to the Federal Emergency Management Agency (FEMA) for federal grant funds from the Emergency Operations Center Grant Program (EOCGP) to construct the EOC in Phelan, California.

FEMA has prepared this Environmental Assessment (EA) to analyze the potential environmental consequences associated with the Proposed Action, while providing a framework for the evaluation of Federal and State laws and regulations. The Proposed Action Alternative and No Action Alternative are being analyzed in accordance with the National Environmental Policy Act (NEPA) Implementing Regulations Phase 2 published on May 1, 2024, the Council on Environmental Quality (CEQ) implementing regulations,¹ the Department of Homeland and Security (DHS) NEPA Directive and Instruction and, FEMA's Environmental Planning and Historic Preservation Directive and Instruction² addressing environmental and historic preservation (EHP) requirements. This EA is designed to meet FEMA's responsibilities under NEPA and to determine whether to prepare a Finding of No Significant Impact (FONSI) or a Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the proposed project.

1.2 Purpose and Need

The EOCGP is a preparedness grant managed by the Federal Emergency Management Agency's (FEMA) Grant Programs Directorate (GPD) and funded by the United States Congress. The EOCGP is intended to improve emergency management and preparedness capabilities by supporting flexible, sustainable, secure, strategically located, and fully interoperable EOCs with a focus on addressing identified deficiencies and needs. These projects fund equipping, upgrading, and/or construction of EOCs to provide fully capable facilities to support command, control, and coordination of multi-agency responses to major disasters or emergencies. The EOCGP is authorized by section 614 of the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* as amended by section 202 of the *Implementing Recommendations of the 9/11 Commission Act of 2007*.

Cal OES was awarded an EOC grant from the Fiscal Year 2023 grant program as outlined in the Consolidated Appropriations Act, 2023 (P.L. 117-328). This grant proposal met the eligibility and allowable costs of the program because a new EOC would provide more efficient and reliable emergency response capabilities for the community. The proposed EOC would include a control room, emergency standby generator, and state-of-the-art communications systems. The facility would provide the infrastructure needed to handle high volume communications during major disasters or other emergencies. This would be the first and only EOC in the community which can be utilized by multiple agencies, including the County Sheriff's Department, California Department of Forestry and Fire Protection (CALFIRE), the County Fire Department, the Community Emergency Response Team (CERT), local school districts, State and Federal agencies, and the PPHCSD which oversees the community's potable water system that delivers safe drinking water and fire suppression water throughout the service area.

The Phelan Piñon Hills community is in a high-risk wildfire zone and is frequently without power due to Southern California Edison's Public Safety Power Shutdown program. Dry and hot fast-moving Santa Ana winds that frequent the area can range from 40 to 65 mph and can fan and fuel devastating and fast-moving wildfires through the

¹ Section 102 of NEPA, as amended by Pub. L. 118-5 (June 3, 2023); 40 CFR parts 1500-1508

² Department of Homeland Security Instruction Manual 023-01-001-01, Rev. 01 (Nov. 2, 2018) and DHS Directive 023-01 (Nov. 2, 2018); FEMA EHP Instruction, 108-1-1 (Nov. 2, 2018) and FEMA EHP Directive, 108-1 (Nov. 2, 2018).

community, as was experienced with the York Fire which burned over 77,000 acres in the Mojave Desert area during the summer of 2023.

Portions of the community are in FEMA flood hazard zones. Catastrophic flooding was recently experienced with torrential rains from Hurricane/Tropical Storm Hilary which peaked as a Category 4 hurricane off the Pacific Coast of Mexico in August 2023, dropping nearly 2 inches rainfall in one day across the area, as a tropical storm. The storm caused severe flooding and mud/debris flows, quickly rendering major roads impassable during the storm. The flooding under-cut roads and caused numerous water main breaks throughout the community, disrupting potable water deliveries and fire protection to the community.

The community is situated in a very highly seismically active area, along the San Andreas Fault which is approximately 5 miles to the southwest of the site in Cajon Pass. Major earthquakes are inevitable in the regions along the fault zone, and a dedicated EOC situated in a modern structure designed to current seismic building codes is essential for the Phelan Piñon Hills community.

1.3 Project Location

The EOC would be part of the newly constructed Civic Center in the unincorporated Phelan Piñon Hills community in San Bernardino County. The Civic Center will be located at the intersection of Warbler Road and Sheep Creek Road (Figure 1). The “Project Area” for the purposes of this analysis includes the parcel of land to be developed as the Civic Center (see Figure 2) described as Assessor’s Parcel Number (APN) 3066-261-10 Parcel 1 and is 4.65 acres. All proposed areas of disturbance for the Proposed Action will be confined to the boundaries shown in Figure 3. The Project Proponent plans to develop the eastern adjacent 14 acres as a community park in the future. The Project Area is currently surrounded by vacant land and commercial development (restaurant, auto parts store, community center, community park). The Project Area and surrounding properties are all zoned General Commercial (CG).

Figure 1 – Project location

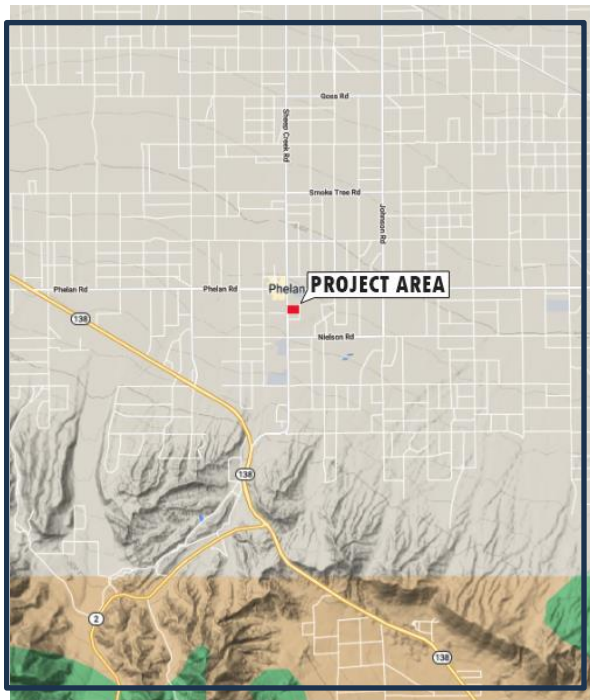
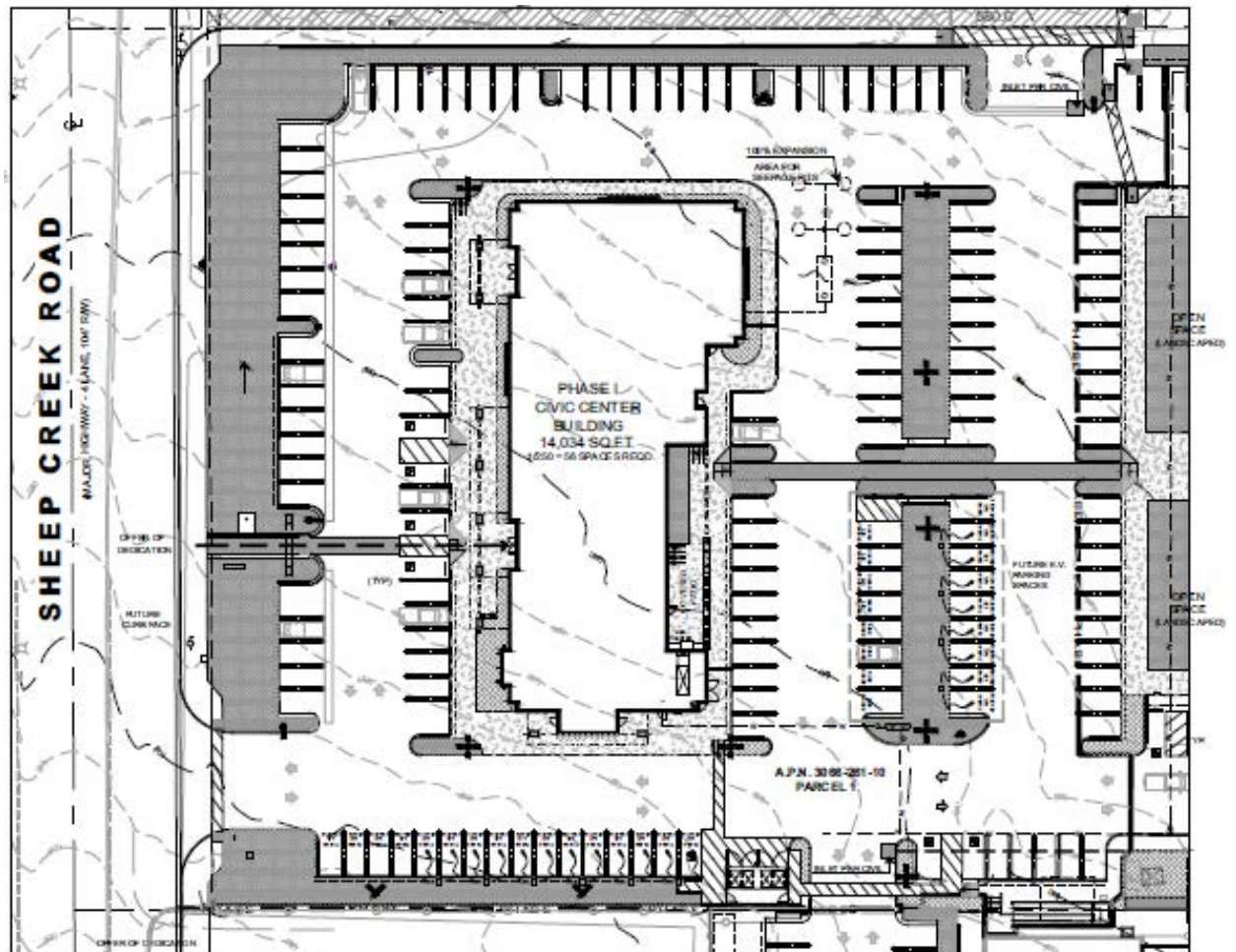


Figure 2 – Aerial of project location.



Figure 3 – Site Plan



2.0 ALTERNATIVES CONSIDERED

In accordance with NEPA (40 CFR 1502.14), an EA must consider reasonable alternatives that present the environmental effects of the Proposed Action and the alternatives in comparative form based on the information and analysis presented in the sections on the affected environment (§ 1502.15) and the environmental consequences (§ 1502.16). This EA addresses two alternatives, the No Action Alternative, and the Proposed Action Alternative.

2.1.1 Alternative Two - No Action

Under the No Action Alternative, the Civic Center would not include a 3,592-SF EOC. There would be no consolidation of emergency services for the community and no centralized location in case of large-scale disasters, such as earthquakes, fires, pandemics, and impacts of climate change.

The No Action Alternative would not resolve the need for an EOC that would ensure improved emergency management and preparedness capabilities by supporting a flexible, sustainable, secure, strategically located, and interoperable facility.

2.1.2 Alternative One - Proposed Action

The Civic Center would be developed on the Project Area and include two buildings, the Civic Center building and Community Center/Gymnasium building. The 3,592-SF EOC would be a part of the approved 14,034-SF Civic Center building. Project access would be via a proposed 36-foot-driveway along Sheep Creek Road and a proposed 36-foot-driveway along the northern boundary. The Civic Center building would include 56 parking spaces, 14 of which would be allocated to the EOC.

The new EOC facility will be the first and only EOC in the community which can be utilized by multiple agencies, including the County Sheriff's Department, CALFIRE, County Fire Department, CERT, local school districts, State and Federal agencies, and the PPHCSD which oversees the community's potable water system that delivers safe drinking water and fire suppression water throughout the service area. This facility will include features including control room, emergency standby generator, and state-of-the-art communications systems.

The PPHCSD decided that the location selected for the EOC was ideal because of its central location in downtown Phelan, access to public transportation, and proximity to two fire stations and a sheriff station. The property is also adjacent to three local schools. Additionally, this location is within walking distance to the town's main road and only minutes from CA-Hwy 138. The PPHCSD also owns the neighboring parcel which has a community center and park with a large outdoor space, both of which are currently used for community gatherings and town halls. These factors contribute to a location that is more accessible to emergency responders and the community than other considered locations.

The intent of an EOC is for coordination and management of information and resources for specialized emergencies. The EOC control room has a maximum occupancy of two (2) people, the Board Room a maximum occupancy of 76 (50 in the loose seating/audience area), 14 at the podium/ desk area and 12 on the raised dais. A maximum of 16 people comprising County Fire, CALFIRE, Sheriff, CERT, and local representatives would occupy the EOC.

The EOC facility would be designed in accordance with the California Building Code (e.g. providing a weather-resistant exterior wall and foundation).

The facility would be constructed to address fire protection and indoor air quality. The proposed development would require preparation and implementation of a Storm Water Pollution and Prevention plan, which prescribes temporary Best Management Practices (BMPs) to control wind and water erosion during and shortly after the construction. All building Pad Elevations should be elevated one (1) foot above the highest adjacent proposed drainage grade and at a minimum elevation of 4121.0 being one (1) foot above the water surface elevation of the proposed basin.

2.1.3 Alternatives Considered and Dismissed

2.1.3.1 Alternative Site

The PPHCSD has planned sites for a Civic Center, expanded Neighborhood Park, and Community Park since the early 2000's, that could be located together and in a central location of the community. Other sites were reviewed for the Civic Center (which subsequently was proposed to include the EOC) but were dismissed from further analysis because they were not easily accessible to the community. The PPHCSD took into consideration two other properties when determining the location of the Civic/Emergency Operations Center; one located at Sheep Creek Road and Manzano Road and one located at Johnson Road and Duncan Road. Both of these properties are District owned and of sufficient size to be suitable for the project. However, it was determined that both properties, each being located approximately 4 miles from downtown Phelan, were not centrally located and neither were accessible by public transportation. In addition, the property at Johnson Road and Duncan Road poses severe environmental challenges as it is home to thousands of native Joshua Trees, a State-candidate endangered species. The remoteness of the properties and environmental concerns ultimately eliminated these as options for selection. Given the rural nature of the area, the PPHCSD felt it was important that all such community-oriented services be as accessible as possible. The selected site

has a nearby bus stop, it is within walking distance of downtown and three different schools, and it is centrally located for First Responders (both the police substation and fire station are nearby).

2.1.3.2 Alternative Design

The original proposal for the Civic Center in 2007 included a Service Center and a Multi-Purpose Building.

This design of the Civic Center was approved (2013), but later amended when the PPHCSD determined that one of the objectives of the project was for the building to be multi-functional to the CSD and the community.

The 2023 Proposed Project is a revision to the 2013 approved Phelan Civic Center (Administration Building, Service Building and Multi-Purpose Building). That 2013 plan was to construct two buildings at the site. When the Recipient was notified they were receiving EOC grant funding for a new EOC to be established, the city decided to put the EOC in one of the buildings. The PPHCSD plans to develop the eastern adjacent 14 acres as a community park in the future; development of the community park is not included as part of the Proposed Project. Revisions to the originally approved CUP include expansion of the previously approved administration building to 14,034 square-feet (SF) and development of a 17,284 SF recreational building. The revision would allow the issuance of a building permit for the proposed administration building, and this building will be used for the EOC upon approval of funding and design.

3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

3.1 Geology and Soils

The Project Area is in southern California, in which several active faults are situated. The ecoregion for the Project Area is Western Mojave Basins. The Mojave Basin and Range Ecoregion (Omernik, 1987; U.S. Environmental Protection Agency, 1997) covers approximately 130,922 km² (50,549 mi²) in the southwestern United States. The ecoregion, which encompasses parts of four states, includes the Mojave Desert and much of the other desert areas in southeastern California, as well as a large part of the southern Nevada desert. The ecoregion is bounded on the north by the Central Basin and Range Ecoregion, on the east by the Colorado Plateaus and the Arizona/New Mexico Plateau Ecoregions, on the south by the Sonoran Basin and Range Ecoregion, and on the west by the Southern California Mountains and the Sierra Nevada Ecoregions.³

A Geotechnical Investigation, dated October 30, 2013, and revised April 25, 2022, was completed for APN 3066-261-10, which includes the Project Area. The investigation indicated that the soils encountered on the property are suitable for development, provided the recommendations contained in the report are followed (**Appendix B**).

3.1.1 Affected Environment

The surface topography of the Project Area is relatively flat with a slight grade of approximately 1% draining towards the Northeast. The near surface soils consist predominantly of silty sands and well graded sands with silts (SW-SM). One soil series occurs within the Project Area. The Tujunga Sand Series (167) is recorded in the entire area of the Project Area.⁴ The Tujunga Sand series consists of deep, somewhat excessively drained soils on alluvial fans and flood plains. These soils formed in mixed alluvium derived mainly from granite sources. The site soils are classified as having very low (expansion index <20) expansion potential (**Appendix C**). The Project Area is not located within any

³ USGS. Ecoregions of California Open-File report 2016-1021. Accessed June 24, 2024.

⁴ Natural Resources Conservation Service. Web Soil Survey. Accessed September 7, 2021.

known or published active fault zone. The anticipated settlement of near surface soils due to earthquake is less than one inch. The site is not subject to liquefaction.

3.1.2 Environmental Consequences

Alternative 1 – No Action

Under the No Action Alternative, the approved Civic Center would not include the 3,592-SF EOC. There would be no potential EOC impacts to geologic conditions including soils. The No Action Alternative would not result in EOC impacts related to geologic or soil conditions.

Alternative 2 – Proposed Action

The Project Area does not occur within an Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zone.⁵ As is the case for most areas of Southern California, ground shaking resulting from earthquakes associated with nearby and more distant faults may occur at the Project Area. The Project Area is not located in an area susceptible to liquefaction or landslides.⁶ The Geotechnical Investigation report demonstrates the Project Area has very low expansion potential. Under the Proposed Action 3,592 SF of the Civic Center building would be allocated to the EOC. Construction activities would include site preparation, grading, building construction, and paving. The entire Project Site would be disturbed and developed with impervious surfaces and landscaping. The approved Civic Center, including the proposed EOC, would be constructed in accordance with the California Building Code. The potential for soil erosion during construction would be minimized through the preparation and implementation of a Storm Water Pollution and Prevention Plan (SWPPP). Construction practices and BMPs would significantly reduce or eliminate short-term impacts to soils. Compliance with the California Building Code and implementation of operational BMPs would reduce long-term impacts with regards to geology and soil. Potential impacts with regards to geology and soils would be the same as that of the No Action Alternative.

3.2 Land Use Planning and Zoning

3.2.1 Affected Environment

The proposed Project Area is part of the unincorporated Phelan Piñon Hills community in San Bernardino County and within a parcel zoned as General Commercial. Title 8 of the San Bernardino County Code, known as the San Bernardino Development Code, implements the San Bernardino General Plan by classifying and regulating the uses of land and structures within unincorporated San Bernardino County; by preserving and protecting the County's important agricultural, cultural, natural, open space and scenic resources; and by protecting and promoting the public health, safety, comfort, convenience, prosperity, and general welfare of residents and businesses in the County. The General Commercial land use zoning district provides sites for retail trade and personal services, lodging services, office and professional services, recreation and entertainment services, wholesaling and warehousing, contract/construction services, transportation services, open lot services, and similar and compatible uses.

The Project Area is currently surrounded by vacant land and commercial development (restaurant, auto parts store, community center, community park). The Project Area and surrounding properties are all zoned General Commercial. No areas with special designation such as conservation areas, wildlife refuges, parklands, and/or other ecologically critical or sensitive areas were identified within the Project Area.

⁵ San Bernardino Countywide Plan Draft EIR. Geology and Soils. Figure 5.6-1 "Alquist-Priolo Fault Zones and County Fault Hazard Zones."

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

3.2.2 Environmental Consequences

Alternative 1 – No Action

Under the No Action Alternative, there would be no development of the EOC as part of the Civic Center building. There would be no potential EOC impacts to land use and planning. No EOC impacts would occur due to the No Action Alternative.

Alternative 2 – Proposed Action

The proposed EOC would include a control room, emergency standby generator, and state-of-the-art communications systems. The facility would provide the infrastructure needed to handle high volume communications during major disasters or other emergencies. The EOC would be part of the Civic Center building, which is allowed in the General Commercial zoning district. It would not be necessary to change the zoning designation for the Proposed Action. The County has approved the construction and operation of a Civic Center on the Project Area. Subject to a Conditional Use Permit, the Civic Center is an allowed use under the existing zoning designation and would be consistent with the Countywide Policy Plan and applicable land use plans. The Proposed Action would not result in short-term or long-term changes to the current zoning designation.

3.3 Prime Farmland

3.3.1 Affected Environment

The Farmland Protection Policy Act (FPPA) (P.L. 97-98, Sec. 1539-1549; 7 U.S. Code [USC]. 4201, et seq.) was enacted in 1981 (P.L. 98-98) to minimize unnecessary conversion of prime and important farmland to non-agricultural uses because of Federal actions. The FPPA stipulates Federal programs be compatible with State, local units of government, and private programs and policies to protect farmland. Prime and important farmland includes all land defined as prime, unique, or farmlands of statewide or local importance. Prime farmland is land with the best combination of physical and chemical characteristics to produce food, feed, forage, fiber, and oilseed crops and is also available for these uses. Prime farmland does not include urban, built-up land, or water.

The Project Site is in the High Desert Region of San Bernardino County where very little farming or grazing activities presently occur. The community is considered rural with primarily low-density residential development and commercial development. The San Bernardino Countywide Policy Plan Land Use Map shows no lands designated as agricultural within the Phelan Piñon Hills Community. No prime farmland exists within the Project Area.⁷

3.3.2 Environmental Consequences

Alternative 1 – No Action

Under the No Action Alternative, the Civic Center building would not include an EOC. As no prime farmland exists within the Project Area, there would be no impact to prime farmland.

Alternative 2 – Proposed Action

Construction of the EOC would result in 3,592 SF of the Civic Center building allocated to the EOC. The Project Area is not located within areas identified as prime farmland; therefore, the Proposed Action is not subject to the FPPA and no coordination with the U.S. Department of Agriculture (USDA) or the draft completion of a USDA Form 100-6 is required. The Proposed Action would not impact prime farmland.

⁷ United States Department of Agriculture. Web Soil Survey. Accessed February 7, 2024.

3.4 Floodplain Encroachment

3.4.1 Affected Environment

Executive order (EO) 11988 (Floodplain Management), as amended,⁸ requires Federal agencies to avoid, minimize, or mitigate adverse impacts associated with the occupancy and modification of floodplains. Specifically, Federal agencies must take action to reduce the risk and impacts from floods on human safety, health, and welfare, and to restore and preserve the natural and beneficial values served by floodplains. FEMA regulations at 44 CFR Part 9 implement EO 11988 and EO 11990 (Protection of Wetlands).

EO 13690 establishes the Federal Flood Risk Management Standard (FFRMS). It requires federal agencies to act, informed by the best-available and actionable science, to improve the Nation's preparedness and resilience against flooding. EO 13690 is a flexible, resilience standard and requires federal agencies to select one—or a combination—of three approaches to establish the floodplain. All Grant Programs Directorate (GPD) actions, including grant-funded actions, must comply with National Flood Insurance Program criteria or any more restrictive federal, state, or local floodplain management standards or building code. All GPD-funded non-critical actions in 1% annual chance floodplains (also known as 100-year floodplains) or 0.2% annual chance floodplain (also known as the 500-year floodplain) that involve new construction or substantial improvement of structures must be elevated, at a minimum, to the higher of:

- Two feet above the 1% annual chance flood elevation (also known as the base flood elevation), in accordance with the Federal Flood Risk Management Standard (FFRMS) "Freeboard Value Approach" (FVA); or
- The 0.2% annual chance flood elevation. Where 0.2% annual chance flood elevations are not available, such actions must be elevated to at least two feet above the 1% annual chance flood elevation.⁹

The EOC is a critical action as defined in 44 CFR § 9.4. Additionally, construction of the civic center and EOC is categorized as new construction, subject to the requirements summarized above.

San Bernadino County code, Title 8, requires additional standards for properties within the 1% annual chance floodplain. The first floor (including basement) shall be one foot or more above the base flood elevation. A project proposed in this area shall be subject to a Floodplain Development Standards Review to ensure that the proposed project complies with the Development Code regarding flood protection measures. In areas where no regulatory floodway has been designated by FEMA, new construction, substantial improvement or other development (including fill) shall not be permitted within any areas designated by FEMA as A, A1-30, AO, AH, or AE on the FIRMS, unless it is demonstrated that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the community.

The Project Area is within Flood Zone AO.¹⁰ Areas defined as Flood Zone AO are River or stream flood hazard areas, and areas with a 1% or greater chance of shallow flooding each year, usually in the form of sheet flow, with an average depth ranging from 1 to 3 feet. The Project Area is not in a floodway or coastal high hazard area.

⁸ EO 13690, Establishing the Federal Flood Risk Management Standard and a Process for Furthering Soliciting and Considering Stakeholder Input, was reinstated on May 25, 2021 (per EO 14030) and amends EO 11988.

⁹ [Department of Homeland Security \(DHS\) Notice of Funding Opportunity \(NOFO\) Fiscal Year 2024 Emergency Operations Center Grant Program | FEMA.gov](#)

¹⁰ Federal Emergency Management Agency. National Flood Hazard Layer viewer. February 8, 2024.

3.4.2 Environmental Consequences

Alternative 1 – No Action

Under the No Action Alternative, the Civic Center building would not include an EOC. No short- or long-term impacts would occur under the No Action Alternative, and floodplains would not be affected.

Alternative 2 – Proposed Action

Mitigation efforts have been incorporated in the Civic Center facility design (see Appendix A). FEMA has determined that the structure will be elevated to an additional 3 feet above the BFE or to the 0.2%, as applicable, whichever is higher, which meets FFRMS standards.

A Civil Grading Plan was developed for the Project to demonstrate how the Project design would minimize impacts to FEMA floodplains and provides a hydraulic analysis for the Project design. This documentation was provided to FEMA in April 2023 for review. FEMA completed the EO 11988 eight-step process, and as part of this process, a Public Notice was posted on May 9, 2023 (Appendix H). The public comment period ended May 24, 2023. No comments were received.

The tributary watershed produces only 1,219 cubic feet per second (cfs) which can be fully contained within the existing off-site channel system without any tributary flows on to the currently designed Project Area. The proposed project will also mitigate the on-site 68.04 cfs 100-year 24-hour storm event to below the 90% pre-developed storm event flows of 34.27 cfs tributary to the downstream neighbors. In addition, 0.402 ac-ft of storm water will be retained for infiltration to meet the Mojave River WQMP requirements. The drawdown time was determined to be 19.74 hrs which is less than the required 48-hrs. If major flooding were to occur during the construction period, construction activities would temporarily stop until it can be determined that it is safe to resume. Additionally, all potential environmental consequences associated with construction and operation of the Civic Center were evaluated and determined less than significant by the County of San Bernardino.

3.5 Traffic Circulation, Volume, and Parking Access

3.5.1 Affected Environment

The Project Area is located between Sheep Creek Road and Sahara Road, north of Warbler Road. The Proposed Action is the development of an EOC as part of a new Civic Center building. A VMT Screening Assessment, dated June 29, 2021, has been prepared for development of the Civic Center campus and adjacent proposed Phelan Community Park, by Ganddini Group, Inc. (see Appendix D). The purpose of this assessment is to document the number of trips forecast to be generated.

3.5.2 Environmental Consequences

Alternative 1 – No Action

Under the No Action Alternative, the Civic Center building would not include an EOC. Under the No Action Alternative, there would be no consolidation of emergency services and no centralized location functioning as an emergency center. There would be no impacts to the volume or flow of traffic anticipated with development of the Civic Center.

Alternative 2 – Proposed Action

Under the Proposed Action, the proposed footprint of the Civic Center building with the EOC would remain as 14,034 SF. The intent of an EOC is for coordination and management of information and resources for specialized emergencies. The EOC control room has a max occupancy of two (2) people, the Board Room a max occupancy of 76 (50 in the loose seating/ audience area), 14 at the podium/ desk area and 12 on the raised Dais. A maximum of 16 people comprising County Fire, Cal Fire, Sheriff, Community Emergency Response Team, and local representatives would occupy the EOC.

The Civic Center building is forecast to result in 158 new daily trips, with 25 trips generated in the AM peak hour and 24 trips produced in the PM peak hour. The Civic Center will provide an expansion to the existing City offices to service the local community. Project trips would be generated primarily by the Community Services District employees. Access to the Project Area would be via a proposed 36-foot-driveway along Sheep Creek Road and a proposed 36-foot-driveway along the northern boundary. A 32-foot-driveway is proposed along the southern boundary to provide access to and from the adjacent uses to the south. During construction, minor short-term impacts may temporarily close a portion of Sheep Creek Road and Sahara Road. All potential environmental consequences associated with construction and operation of the Civic Center (without the EOC) were evaluated and determined less than significant by the County of San Bernardino. Under the Proposed Action, there would be minor short term increases to traffic. Some of the trips generated during operation of the EOC would come from members of multiple agencies, including the County Sheriff's Department, CalFire, County Fire Department, CERT, local school districts, and State and Federal entities. The EOC would not generate trips, but rather, redistribute the existing trips coming from these agencies. Fourteen of the 56 Civic Center parking spaces would be allocated to the EOC. The proposed on-site circulation would be the same as those under the No Action Alternative. Therefore, there would be no impacts with implementation of the Proposed Action.

3.6 Public Health and Safety

3.6.1 Affected Environment

The proposed Project Area is within the service area of the San Bernardino County Sheriff's Department (SBCSD) - Victor Valley. The nearest Sheriff's station to the Project Area is the County Sheriff-Phelan substation located at 4050 Phelan Road, approximately 0.2 miles northwest of the Project Area. San Bernardino County Fire Station 10, at 9625 Beekley Road, is located approximately 0.9-mile west of the Project Area. There is currently no EOC in the community.

3.6.2 Environmental Consequences

Alternative 1 – No Action

Under the No Action Alternative, the EOC would not be developed within the Civic Center. There would be no change to the existing conditions with regards to the level of public health and safety.

Alternative 2 – Proposed Action

The Proposed Action is the use of a portion of the Civic Center as an EOC. Short-term impacts to public health and safety would be minor and temporary as any closures to public roads during connection of utilities and other construction activities would not prevent access for emergency services to surrounding community services buildings or residential areas. Active construction areas would be fenced or marked, as appropriate to prevent public access.

Long-term impacts to public health and safety would be positive as the Proposed Action would provide a strategically located, and fully interoperable EOC to address deficiencies in the existing emergency response and management system in the community. The proposed EOC would include a control room, emergency standby generator, and state-of-the-art communications systems. A new EOC would provide more efficient and reliable emergency response capabilities. There would be a quicker response time to the nearby schools in case of emergencies. The facility would provide the infrastructure needed to handle high volume communications during major disasters or other emergencies. This will be the first and only EOC in the community which can be utilized by multiple agencies, including the County Sheriff's Department, CalFire, County Fire Department, CERT, local school districts, State and Federal entities, and the PPHCSD which oversees the community's potable water system that delivers safe drinking water and fire suppression water throughout the service area. All potential environmental consequences associated with construction and operation of the Civic Center (without the EOC) were evaluated and determined less than significant by the County of San Bernardino, resulting in minor short-term impacts with long term beneficial effects.

3.7 Socioeconomic Issues and Environmental Justice

3.7.1 Affected Environment

Environmental Justice (EJ) recognizes that low-income and minority communities across the nation suffer from disparities in access to resources. Executive Order 14096, *Revitalizing Our Nation's Commitment to Environmental Justice for All*, defines EJ as the just treatment and meaningful involvement of all people, regardless of income, race, color, national origin, tribal affiliation, or disability, in agency decision-making and other federal activities that affect human health and the environment. EO 14096 builds upon EO 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, which requires agencies to identify and address any disproportionately high and adverse human health or environmental effects its activities may have on minority or low-income populations. EJ includes health and safety, aesthetics, social, and economic concerns. In addition, FEMA is directed by EO 14096 to participate in the whole-of-government approach to environmental justice in support of EO 12898.

CEQ (1997) defines the term "minority" as persons from any of the following groups: Black, Asian or Pacific Islander, American Indian or Alaskan Native, and Hispanic. Residents of areas with a high percentage of people living below the federal poverty level may be considered low-income populations. The EJ Indices combine environmental indicators with socioeconomic indicators to identify areas where there may be a disproportionate exposure to environmental pollution.

In 2022, FEMA prioritized the development of guidance to assist applicants with addressing Environmental Justice in their project implementation. Within this guidance is the use of the Environmental Protection Agency (EPA) Environmental Justice Screening Tool (EJScreen). The EJScreen assists users in identifying environmental and demographic information for the Project Area plus a one-mile radius and compares the information to the rest of the state and the United States. The EJScreen also assists in identifying areas with environmental and demographic indicators that are greater than usual.

In accordance with EPA EJ guidelines, minority populations should be identified when either: 1) the minority population of the affected area exceeds 50 percent; or 2) the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate units of geographic analysis.

In 2020, the Community of Phelan had an estimated population of 13,859 people. The Project Area is within census tract 06071009109. The most recent census estimates indicate the population within census tract 06071009109 is 47.1 percent white, 44.4 percent Hispanic or Latino, 19.8 percent from two or more races, 0.8 percent African American, and 2.2 percent Asian. Minority populations do not exceed 50 percent. The median household income in 2022 for the area is \$74,583 and approximately 16.7 percent of people are below the poverty line.¹¹

An EJScreen Report¹² was generated for this EA using a one-mile radius (3.14 square mile) (see Appendix E). EJScreen generates twelve EJ indexes that are calculated for the area and compared to the State and the US which combines two demographic factors, percent low income and percent people of color. Table 1 presents five EJ indices that are above the 50th percentile in the United States. EJScreen generates seven socioeconomic indicators. Table 2 presents three socioeconomic indicators that are above the 50th percentile in the US.

¹¹ United States Census Bureau. Quickfacts – Phelan, CDP. Accessed June 26, 2024.

¹² Environmental Protection Agency. EJScreen: Environmental Justice Screening and Mapping Tool.

Table 1: Highest Percentile of EPA's EJScreen Index Results

Environmental Justice Index	State Percentile	U.S. Percentile
Particulate Matter 2.5	33	51
Ozone	86	92
Toxic Releases to Air	53	53
Superfund Proximity	37	64
Hazardous Waste Proximity	13	67

Table 2: EPA's EJScreen Socioeconomic Indicators Above the 50th Percentile

Socioeconomic Indicators	Value (%)	State Average (%)	State Percentile	U.S. Average (%)	U.S. Percentile
People of Color	45	61	31	39	62
Low Income	60	28	91	31	88
Limited English-Speaking Households	4	9	44	5	71

Based on the information provided from the EJScreen, the Project is in an area that is in the 51st percentile in the US for particulate matter 2.5, 92nd percentile for ozone, 53rd percentile for toxic releases to air, 64th percentile for superfund proximity, and 67th percentile for hazardous waste proximity (Appendix E).

3.7.2 Environmental Consequences

Alternative 1 – No Action

Under the No Action Alternative, the Civic Center building would not include an EOC; no increase to emergency services would occur. The nearest Environmental Justice area is located approximately 6 miles north of the Project Area. However, without the EOC, residents in the area, including minority and low-income populations, may be negatively impacted if emergencies or disasters such as earthquakes, fires, pandemics, or impacts of climate change occur that overwhelm the existing systems.

Alternative 2 – Proposed Action

Under the Proposed Action there would be no long-term, adverse direct or indirect environmental effects on low-income or minority populations. There would be minor short-term impacts during construction, including the temporary closure of a portion of Sheep Creek Road and Sahara Road and minimal increases in criteria pollutants in the local vicinity. However, construction would be short-term and temporary and impacts to low-income or minority populations would only occur the immediate vicinity the Project Area. The impacts would not disproportionately affect any EJ population and would ultimately provide long-term beneficial effects. Due to the size of the EOC, impacts

in the immediate vicinity of construction would be minor. The EOC would be centrally located in the community and therefore provide long-term beneficial effects associated with additional community-wide emergency response infrastructure and capacity required for effective communication and management during larger emergency activations.

The Proposed Action would provide services for all populations present and within the service area. It would also relieve the use of these resources in other areas of the County, regardless of socioeconomic status.

The Project Area is zoned General Commercial and is currently utilized as a construction laydown yard. The Proposed Action would not displace any residents, including low income or minority populations. Therefore, residents in the area, including minority and low-income populations, would benefit if emergencies or disasters such as earthquakes, fires, pandemics, or impacts of climate change occur that overwhelm the existing systems. Long-term impacts would be beneficial.

There would be no adverse socioeconomic or EJ impacts with implementation of the Proposed Action.

3.8 Air Quality

3.8.1 Affected Environment

The Clean Air Act federally regulates air emissions from area, stationary and mobile sources and authorizes the EPA to establish National Ambient Air Quality Standards (NAAQS) to protect public health and the environment. NAAQS include primary and secondary standards. Primary standards provide protection to public health particularly to sensitive populations including asthmatics, children, and elderly. Secondary standards provide protection to public welfare including decreased visibility, damage to animals, crops, vegetation, and buildings. Criteria pollutants for NAAQS include Carbon Monoxide, Lead, Nitrogen Dioxide, Ozone, Particle Pollution, and Sulfur Dioxide.

Established under the CAA section 176(c)(4)), the General Conformity regulations at 40 CFR part 93 subpart B, play an important role in helping States and Tribes to protect air quality within those areas that do not meet the NAAQS (nonattainment areas) and areas of vulnerable air quality (maintenance areas). Under the General Conformity regulations, federal agencies must work with state, Tribal and local agencies and governments with authority and jurisdiction over nonattainment or maintenance areas to ensure that emissions caused by Federal actions conform to the air quality plans established within the applicable implementation plan. EPA initially promulgated the General Conformity regulations in 1993.

The Project Area is under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD) and located within the Mojave Desert Air Basin, which is in non-attainment status for ozone and suspended particulates. The MDAQMD is the local district of the State of California Air Resources Board with jurisdiction over air quality issues and regulations within the MDAB. To assist local agencies in determining if a project's emissions could pose a significant threat to air quality, the MDAQMD has adopted the California Environmental Quality Act (CEQA) and Federal Conformity Guideline (February 2020) which is a policy document intended to assist preparers of environmental analysis or review documents for projects within the jurisdiction of the MDAQMD by providing background information and guidance on the preferred analysis approach.

3.8.2 Environmental Consequences

Alternative 1 – No Action

Under the No Action Alternative, the EOC would not be developed within the Civic Center. The No Action Alternative would not result in impacts related to the air quality environment.

Alternative 2 – Proposed Action

The air and dust emissions from the construction and operational use of the Proposed Action were evaluated and compared to the MDAQMD air quality thresholds to determine significance. Construction emissions are considered short-term, temporary emissions. The Project Proponent would be required to comply with all applicable MDAQMD rules

and regulations. The Civic Center project, approved by San Bernardino County, included development of the Civic Center building and Community Service/Gymnasium Building. Construction and operational emissions were screened using the current South Coast Air Quality Management District (SCAQMD) Air Emission Model, CalEEMod version 2020.4.0 (**Appendix D**).

Table 3
Civic Center Summer Construction Emissions Summary
(Pounds per Day)

Source/Phase	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Site Preparation	3.3	33.1	20.5	0.0	21.5	11.6
Grading	3.8	43.2	31.1	0.1	11.7	5.4
Building Construction	3.5	22.4	34.5	0.1	6.1	2.3
Paving	1.5	10.2	15.2	0.0	0.7	0.5
Architectural Coating	64.4	1.5	4.7	0.0	1.0	0.3
Highest Value (lbs./day)	64.4	43.2	34.5	0.1	21.5	11.6
MDAQMD Thresholds	137	137	548	137	82	65
Significant	No	No	No	No	No	No

Source: CalEEMod.2020.4.0 Summer Emissions

Phases do not overlap and represent the highest concentration.

Table 4
Civic Center Winter Construction Emissions Summary
(Pounds per Day)

Source/Phase	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Site Preparation	3.3	33.1	20.4	0.0	21.5	11.7
Grading	3.8	43.4	31.0	0.1	11.7	5.4
Building Construction	3.5	22.7	31.7	0.1	6.1	2.3
Paving	1.5	10.2	15.1	0.0	0.5	0.5
Architectural Coating	64.4	1.5	4.2	0.0	1.0	0.3
Highest Value (lbs./day)	64.4	43.4	31.7	0.1	21.5	11.7
MDAQMD Thresholds	137	137	548	137	82	65
Significant	No	No	No	No	No	No

Source: CalEEMod.2020.4.0 Winter Emissions.

Phases do not overlap and represent the highest concentration.

As shown in Table 3 and Table 4, the anticipated construction emissions for the Civic Center project are below MDAQMD thresholds and would therefore not be considered significant. The Applicant is required to comply with applicable MDAQMD Rules 402 for nuisance and 403 for fugitive dust control. Construction impacts would not be significant.

Ganddini Group, Inc. determined that the entire Civic Center campus would generate approximately 657 two-way daily trips (Civic Center = 158 daily trips plus Multi-Purpose Community Service Building = 499 daily trips). Operational emissions are listed in Table 5 and Table 6, which represent summer and winter operational emissions, respectively.

Table 5
Civic Center Summer Operational Emissions Summary
(Pounds per Day)

Source	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Area	1.3	0.0	0.1	0.0	0.0	0.0
Energy	0.0	0.2	0.1	0.0	0.0	0.0
Mobile	1.7	1.7	12.5	0.0	2.5	0.7
Totals (lbs./day)	3.1	1.9	12.7	0.0	2.5	0.7
MDAQMD Threshold	137	137	548	137	82	65
Significance	No	No	No	No	No	No

Source: CalEEMod.2020.4.0 Summer Emissions.

Table 6
Civic Center Winter Operational Emissions Summary
(Pounds per Day)

Source	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Area	1.3	0.0	0.1	0.0	0.0	0.0
Energy	0.0	0.2	0.1	0.0	0.0	0.0
Mobile	1.5	1.8	11.6	0.0	2.5	0.7
Totals (lbs./day)	2.8	2.0	11.8	0.0	2.5	0.7
MDAQMD Threshold	137	137	548	137	82	65
Significance	No	No	No	No	No	No

Source: CalEEMod.2020.4.0 Winter Emissions.

As shown, both summer and winter season operational emissions are below MDAQMD thresholds and therefore in conformance with applicable regulations. Under the Proposed Action, 3,592 SF of the Civic Center building would be developed as an EOC. The Civic Center building footprint would still be 14,034 SF. As stated previously, the EOC would not generate trips, but rather, redistribute existing trips coming from the County Sheriff's Department, CALFIRE, County Fire Department, CERT, local school districts, State and Federal entities, and the PPHCSD. Emissions generated

by the EOC, would also be temporary, occurring only during emergency situations. Therefore, there would be no additional emissions generated with inclusion of the EOC in the Civic Center.

3.9 Climate Change

3.9.1 Affected Environment

CEQ guidance for NEPA analysis directs Federal agencies to consider the extent to which a proposed action and its reasonable alternatives would contribute to climate change, through greenhouse gas (GHG) emissions, and consider the ways in which a changing climate may impact the proposed action and any alternative actions, change the action's environmental effects over the lifetime of those effects, and alter the overall environmental implications of such actions. Executive Order 13990 - *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis* (January 20, 2021) cites GHGs among the environmental health threats that Federal agencies must immediately take action to address to improve the environment.

GHGs are emitted by both natural processes and human activities, and their accumulation in the atmosphere regulates temperature. GHGs include water vapor, carbon dioxide, methane, nitrous oxides, and other compounds. GHG emissions pose a broad threat to humanity by intensifying multiple hazards to which humanity is vulnerable by triggering changes in many climate hazards that can impact humanity including warming, heatwaves, precipitation, drought, floods, fires, storms, sea-level rise and changes in natural land cover and ocean chemistry. These climate hazards are thought to adversely affect human health, water, food, economy, infrastructure and security.¹³ One current study cites extreme heat and wildfire smoke events that are increasingly co-occurring in the context of climate change, especially in California. These GHG related hazards are thought to cause "synergistic effects"¹⁴ between extreme heat and wildfire smoke that are linked to daily cardiorespiratory hospitalizations at the state level, highlighting the need to incorporate compound hazards and environmental justice considerations into evidence-based policy development to protect populations.¹⁵

¹³ State of California. Summary of Projected Climate Change Impacts on California. <https://climateresileince.ca.gov/overview/impacts.html>.

¹⁴ In biology, synergistic effects are the effects when chemical substances or biological structures interact resulting in an overall effect that is greater than the sum of individual effects of any of them.

¹⁵ Science Advances. [Exploring spatial heterogeneity in synergistic effects of compound climate hazards: Extreme heat and wildfire smoke on cardiorespiratory hospitalizations in California](#). Vol. 10. No.5, February 2, 2024

California's GHG emissions have followed a declining trend since 2007. In 2016, emissions from routine GHG emitting activities statewide were 429 MMTCO₂e, 12 MMTCO₂e lower than 2015 levels or 12 MMTCO₂e lower than 2015 levels. This represents an overall decrease of 13 percent since peak levels in 2004 and 2 MMTCO₂e below the 1990 level and the state's 2020 GHG target. California's GHG emissions dropped below the 2020 GHG Limit in 2014 (428.2 MMTCO₂e) and have remained below this level since that time. The 2022 emissions are estimated to be 370 MMTCO₂e).¹⁶

3.9.2 Environmental Consequences

Alternative 1 – No Action

Under the No Action Alternative, the Civic Center building would not include EOC. Exclusion of the EOC would not result in impacts related to climate change.

Alternative 2 – Proposed Action

Development of the Civic Center project would result in a temporary increase in GHG emissions during construction activities due to construction equipment and worker vehicles. Increases in GHG due to Civic Center operations (mobile, area, energy, water, waste, refrigeration) were determined to be below the San Bernardino County threshold of 3,000 MT CO₂e per year (Appendix D).

The inclusion of the EOC as part of the Civic Center project would not increase GHG emissions relative to the No Action Alternative. The building footprint would be the same as that of the No Project alternative. As stated previously, the proposed EOC would not generate new trips, but rather, redistribute existing trips. The Proposed Action would increase the capacity to respond and recover from disasters, which will improve the resiliency of the community from the effects of climate change. This would be a beneficial impact for residents and visitors in the region and overall, as the proposed action would result in beneficial impacts by improving the resiliency of the community from the effects of climate change. Therefore, no adverse impacts to Climate Change would occur.

3.10 Noise

3.10.1 Affected Environment

The Noise Control Act of 1972 serves to regulate noise pollution which poses a danger to public health and welfare, however, the primary responsibility of noise control rests with state and local governments. Major sources of noise include vehicles, equipment and machinery, appliances, and other products in commerce, climate, or recreation.¹⁷

Noise is measured in decibels which can have varying impacts to human health depending on the level, time of exposure, and the environment. According to the EPA, exposure to 70 decibels for 24-hours is considered a level that will not have measurable impact to human health.¹⁸ The Occupational Safety and Health Administration requires employers to implement a hearing conservation program when noise exposure is at or above 85 decibels averaged over eight working hours.¹⁹ According to the Centers for Disease Control and Prevention, average noise levels for fire

¹⁶ The State of California's Priority Climate Action Plan. Submitted to the U.S. Environmental Protection Agency March 1, 2024

¹⁷ EPA. 2022. Summary of the Noise Control Act. Available: <https://www.epa.gov/laws-regulations/summary-noise-control-act>. Accessed: February 21, 2023.

¹⁸ Environmental Protection Agency (EPA). 1974. EPA Identifies Noise Levels Affecting Health and Welfare.

¹⁹ Occupational Safety and Health Administration. 2023. Occupational Noise Exposure.

stations including the testing alarms, tools, and fire engines are between 88-101 decibels with maximum noise levels of 92 to 116.²⁰

The Project Area is currently surrounded by vacant land and commercial development (restaurants, auto parts store, community center, community park). The nearest residential use is 600 feet to the west.

3.10.2 Environmental Consequences

Alternative 1 – No Action

Under the No Action Alternative, the EOC would not be developed within the Civic Center. The No Action Alternative would not result in impacts related to the noise environment.

Alternative 2 – Proposed Action

Under the Proposed Action, project construction activities and operational activities would increase noise above ambient levels. However, construction noise would be temporary and is only permitted to occur between 7:00 a.m. to 7:00 p.m., except on Sundays and Federal holidays, consistent with Section 83.01.080 (g)(3) of the County Development Code. Due to the commercial nature of the proposed use and surrounding development, residentially designated land uses would not be significantly affected by operational noise generated by the Civic Center project, which are anticipated to be minor.

During the operation of the EOC, noise impacts would occur temporarily and intermittently from sirens and alarms from emergency response vehicles such as fire trucks or during emergency activations. This noise is anticipated to be short term and would not have a significant impact on the surrounding area.

3.11 Public Services and Utilities

3.11.1 Affected Environment

The Project Area is located within the service area of the Phelan Piñon Hills Community Services District, Southern California Edison, and Southwest Gas Corporation. A septic system is the method of wastewater treatment in the area.

3.11.2 Environmental Consequences

Alternative 1 – No Action

Under the No Action Alternative, the Civic Center building would not include an EOC. There would be no impacts to public services and utilities anticipated with development of the Civic Center.

Alternative 2 – Proposed Action

The EOC would be part of the Civic Center building to which public services and utilities are provided. During construction, public and utility services would continue to serve the surrounding properties. The EOC would not increase demands, and therefore, the construction and extension of utilities under the Proposed Action would be the same as that of the No Project Alternative. No long-term impacts are anticipated as part of the Proposed Action.

²⁰ Centers for Disease Control and Prevention. 2013. Workplace Solutions: Promoting Hearing Health Among Fire Fighters. Department of Health and Human Services.

3.12 Water Quality – Water Resources

3.12.1 Affected Environment

The Clean Water Act (CWA) of 1977 regulates discharges of pollutants into waters of the United States. Section 404 of the CWA is administered by the U.S. Army Corps of Engineers (USACE) and establishes a program to regulate the discharge of dredged or fill material into waters of the United States including wetlands. A permit is required before dredged or fill material may be discharged into waters of the United States unless the activity is exempt from Section 404 regulation.

The EPA's National Pollutant Discharge Elimination System permit program controls discharges. Under EPA regulation 40 CFR subpart 122.26(b)(14) discharge permits are required for certain activities that discharge stormwater to water of the United States. The State of California is authorized to administer various aspects of the National Pollutant Discharge Elimination System (NPDES). Construction activities covered under the State's General Construction permit include the removal of vegetation, grading, excavating, or any other activity that causes the disturbance of one acre or more. The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into stormwater systems, and to develop and implement a Storm Water Pollution and Prevention Plan (SWPPP). The SWPPP is based on the principles of Best Management Practices (BMPs) to control and abate pollutants. The SWPPP must include BMPs to prevent project-related pollutants from impacting surface waters.

Water supply for the Project Area would be provided by the PPHCSD. The PPHCSD's primary source of supply is groundwater pumped from the Mojave Basin Area (MBA). The MBA is adjudicated and managed by Mojave Water Agency (MWA). MWA imports State Water project water from Northern California for groundwater basin recharge.²¹ The water distribution system of the PPHCSD consists of 12 groundwater wells within the MBA and one groundwater well within the Antelope Valley Adjudication Area (AVAA). Groundwater supply makes up 100 percent of the PPHCSD's existing and planned future source of water supply.

3.12.2 Environmental Consequences

Alternative 1 – No Action

Under the No Action Alternative, the Civic Center building would not include an EOC. No short- or long-term EOC impacts would occur under the No Action Alternative, and water quality would not be affected.

Alternative 2 – Proposed Action

The Regional Water Quality Control Board (RWQCB) has issued an area wide NPDES Storm Water Permit for the San Bernardino County, the San Bernardino County Flood Control District, and the unincorporated areas of San Bernardino County. The implementation of NPDES permits ensures that the State and Federal mandatory standards for the maintenance of clean water are met. The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State's General Construction permit include the removal of vegetation, grading, excavating, or any other activity that causes the disturbance of one acre or more. The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into stormwater systems, and to develop and implement a SWPPP. The SWPPP is based on the principles of Best Management Practices (BMPs) to control and abate pollutants. The SWPPP must include BMPs to prevent project-related pollutants from impacting surface waters.

²¹ Infrastructure Engineering Corporation. 2020 Urban Water Management Plan for Phelan Pinon Hills Community Service District. June 2021.

A preliminary Water Quality Management Plan (WQMP) was prepared for the development of the Civic Center. The WQMP is intended to comply with the requirements of the San Bernardino County and the NPDES Area wide Stormwater Program requiring the preparation of a WQMP. All BMPs included as part of the project WQMP are required to be maintained through regularly scheduled inspection and maintenance. Review and approval of the WQMP would ensure that all potential pollutants of concern are minimized or otherwise appropriately treated prior to being discharged from the Project Area.

The Project Area is within a predominantly urban landscape. There are no drainages or channels occurring on the property, and therefore, it does not meet federal or state jurisdictional requirements because no navigable water, interstate waters, nor waters, including wetlands, which could affect interstate commerce, are present on the site.

The proposed Project would utilize septic tanks. Subsurface wastewater disposal would be subject to approval of the County's Environmental Health Services Division. No impacts to water quality are anticipated.

3.13 Wetlands

3.13.1 Affected Environment

EO 11990, Protection of Wetlands, recognizes that wetlands have unique and significant public values and directs federal agencies to minimize loss and degradation of wetlands, and preserve the beneficial values served by wetlands. Wetlands are those areas which are inundated or saturated by surface or ground water with a frequency sufficient to support, or that under normal hydrologic conditions does or would support, a prevalence of vegetation or aquatic life typically adapted for life in saturated or seasonally saturated soil conditions. Examples of wetlands include, but are not limited to, swamps, fresh and saltwater marshes, estuaries, bogs, beaches, wet meadows, sloughs, potholes, mud flats, river overflows and other similar areas. This definition includes those wetlands areas separated from their natural supply of water because of activities such as the construction of structural flood protection methods or solid fill roadbeds and activities such as mineral extraction and navigation improvements.²²

A General Biological Resources Assessment (BRA), dated July 13, 2021, was prepared for the Project Area and adjacent eastern 14 acres by RCA Associates, Inc. (RCA) (Appendix F). The Project Area and adjacent 14-acre future park property will be collectively known as "survey area." There are no drainages or channels occurring on the property, and therefore does not meet federal or state jurisdictional requirements because no navigable water, interstate waters, nor waters, including wetlands, are present on the site.

3.13.2 Environmental Consequences

Alternative 1 – No Action

Under the No Action Alternative, the EOC would not be developed within the Civic Center. The No Action Alternative would not result in impacts to wetlands.

Alternative 2 – Proposed Action

3,592 SF of the Civic Center building would be developed as an EOC under the Proposed Action. The United States Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into waters of the United States, and the State of California regulates waters of the State and stream beds under the preview of regional water quality boards and California Department of Fish and Wildlife (CDFW) jurisdiction. These waters include wetlands and non-wetland bodies of water that meet specific criteria. After performing the field surveys, RCA determined that there are no drainages or channels occurring within the Civic Center survey area. The closest wetland is over 600 feet south of the Project Area and would be protected from impacts of the Civic Center development, given distance, terrain,

²² 44 CFR 9.4 – Definitions

limited disturbance, and stormwater controls. Section 404 permitting would not be required, and compliance with EO 11990 would be met.

No impacts to wetlands would occur as part of the Proposed Action.

3.14 Threatened and Endangered Species and Critical Habitat

3.14.1 Affected Environment

The US Fish and Wildlife Service (USFWS) has jurisdiction over federally listed threatened and endangered plant and animal species. The federal Endangered Species Act (ESA) and its implementing regulations prohibit the take of any fish or wildlife species that is federally listed as threatened or endangered without prior approval pursuant to either Section 7 or Section 10 of the ESA. Section 10(a) of the ESA establishes a process for obtaining an incidental take permit that authorizes non-federal entities to incidentally take federally listed wildlife or fish. Section 7 of the ESA requires all federal agencies to ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of any species listed under the ESA, or result in the destruction or adverse modification of its habitat. Section 7 requires consideration of the indirect effects of a project, effects on federally listed plants, and effects on critical habitat (ESA requires that the USFWS identify critical habitat to the maximum extent that it is prudent and determinable when a species is listed as threatened or endangered).

CDFW has jurisdiction over species listed as threatened or endangered under Section 2080 of the California Fish and Wildlife Code. Section 2080 prohibits the take of a species listed by CDFW as threatened or endangered. The state definition of take is similar to the federal definition, except that Section 2080 does not prohibit indirect harm to listed species by way of habitat modification. To qualify as take under the state ESA, an action must have direct, demonstrable detrimental effect on individuals of the species. Impacts on habitat that may ultimately result in effects on individuals are not considered take under the state ESA but can be considered take under the federal ESA.

The following table provides data on each special status species which has been documented within the Phelan quadrangle²³:

Table 7: Special Status Species in Phelan Quadrangle

NAME	STATUS	PRESENCE/ ABSENCE ON PROPERTY
Coast horned lizard	Federal: None State: None	Some suitable habitat, none observed on site and not expected to occur on site.
Le Conte's thrasher	Federal: None State: None	No suitable habitat and none were observed on site.
Crotch bumble bee	Federal: None State: Candidate Endangered	Site does not support suitable habitat for the species. None observed on site.

²³ CNDDDB, 2021

Juniper metallic wood-boring beetle	Federal: None State: None	There are no California junipers on the property; therefore, the species is not expected to occur on site.
Short-joint beavertail	Federal: None State: None	The site does not contain suitable habitat, none were observed on the site and are not expected to occur on the site given the lack of suitable habitat.
White pygmy-poppy	Federal: None State: None	The site does not contain suitable habitat, none were observed on the site and are not expected to occur on the site given the lack of suitable habitat.

No sensitive habitats, including critical habitats, have been documented in the immediate area and none were observed during the field investigations.

In addition, migratory birds are federally protected under the Migratory Bird Treaty Act (MBTA). The federal MBTA prohibits the taking, hunting, killing, selling, purchasing, etc. of migratory birds, parts of migratory birds, or their eggs and nests. As used in the MBTA, the term "take" is defined as "to pursue, hunt, shoot, capture, collect, kill, or attempt to pursue, hunt, shoot, capture, collect, or kill, unless the context otherwise requires." Most bird species native to North America are covered by this act. The USFWS issues and maintains permits for "the taking, possession, transportation, sale, purchase, barter, importation, exportation, and banding or marking of migratory birds.

Bald and golden eagles receive additional protection under the Bald and Golden Eagle Protection Act. The Act provides criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part (including feathers), nest, or egg thereof."²⁴ In addition to immediate impacts, this definition also covers effects that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagle's return, such alterations agitate or bother an eagle to a degree that interferes with or interrupts normal breeding, feeding, or sheltering habits, and causes injury, death or nest abandonment. The USFWS provides guidance on living and working near eagles, updates on the status of the populations of bald and golden eagles, and permits for the take, possession, or transportation of eagles and their parts, nests, and eggs.

3.14.2 Environmental Consequences

Alternative 1 – No Action

Under the No Action Alternative, the EOC would not be developed within the Civic Center. Mitigation measures addressing the potential impacts to threatened and endangered species have been incorporated as County conditions of approval for the Civic Center development.

²⁴ [https://www.fws.gov/law/bald-and-golden-eagle-protection-act#:~:text=The%20Bald%20and%20Golden%20Eagle,\)%2C%20nests%2C%20or%20eggs.](https://www.fws.gov/law/bald-and-golden-eagle-protection-act#:~:text=The%20Bald%20and%20Golden%20Eagle,)%2C%20nests%2C%20or%20eggs.)

Alternative 2 – Proposed Action

The Proposed Action would result in 3,592 SF of the Civic Center building allocated to the EOC. The Project Area is currently disturbed and utilized as a construction laydown yard. It is currently surrounded by existing development, such as single-family residences to the east, a school to the north, and a community park and proposed civic center to the west. Therefore, development of the Civic Center building would not interfere substantially with movement of wildlife species relative to existing conditions. Moreover, the Project Area is in an area with scattered, vacant land. As such, wildlife moving through the area would be able to pass through the currently vacant parcels surrounding the property.

Desert tortoise is a state and federally listed threatened species. Based on RCA's review, it was determined that populations of the desert tortoise have been documented in several locations within approximately 15 miles of the Project Area.²⁵ A habitat assessment was conducted for the desert tortoises on June 28, 2021, and a survey was also performed for the presence of any potential desert tortoise burrows. The survey area is not expected to support populations of the desert tortoise based on the absence of any tortoise sign (e.g., burrows, scats, tracks, etc.). Although suitable habitat is present within the survey area, the probability of the species inhabiting the survey area is very low, given the lack of suitable burrows and disturbance of the site. A Focused-Protocol Survey was conducted for Desert Tortoise on April 18, 2024. No tortoises or any tortoise sign were observed during the protocol survey. The population levels in the general area surrounding the site have seen a decline over the last two decades. Desert tortoises are not expected to inhabit the Project Site in the future.

Most bird species native to North America are protected under the MBTA. Some birds were observed during field investigations. RCA determined that the survey area supports suitable foraging habitat for the burrowing owl. A habitat assessment (Phase 1) was conducted for the burrowing owl in conjunction with the general biological surveys to determine if the survey area supports suitable habitat for the species. It was determined from the habitat assessment that the survey area supports suitable foraging habitat for the burrowing owl. It was determined that there are no suitable burrows for burrowing owls and no burrowing was observed.

Bald and golden eagles were not observed by RCA during the field survey and are not likely to occur in the area. Therefore, no permits under the Bald and Golden Eagle Protection Act are required.

Per Chapter 88.01 of the San Bernardino County Development Code, a Protected Plant Preservation Plan, dated July 13, 2021, was prepared by RCA (Appendix F) for County-protected desert plants located within the survey area. A Joshua Tree Protected Plant Survey was performed on June 24, 2021 and June 28, 2021 as there were no other County protected desert plants located within the survey area. On June 27, 2023, the California State legislature passed AB 122/SB 122 Western Joshua Tree Conservation Act (WJTCA) which seeks to provide protection for the western Joshua Tree outside of California Endangered Species Act. An April 2024 Western Joshua Tree Census Report was prepared to document the trees on-site in accordance with the WJTCA and the California Fish & Game Code 1927.

There is one Joshua Tree within the Project Area boundary and one within the proposed area of disturbance. An application for a Western Joshua Tree Conservation Act Incidental Take Permit (ITP) has been submitted to the CDFW. The ITP Application provides the Western Joshua Tree Census Report information for CDFW to consider appropriate mitigation and permit conditions.

There are two plant species that are species of special concern²⁶ in the Phelan quadrangle: the short-joint beavertail and white pygmy-poppy. Both species occur on Joshua tree woodland, and desert scrub habitat with sandy surface

²⁵ CNDDDB, 2024

²⁶ See <https://wildlife.ca.gov/Conservation/SSC> for definition of species of special concern.

substrate. These species are not anticipated to occur on the survey area due to lack of suitable habitat. In addition, none were observed during the June 28, 2021 survey conducted by RCA. There are four special status wildlife and insect species documented in the region : the Le Conte's thrasher, coast horned lizard, Juniper metallic wood-boring beetle, and Crotch bumble bee. There is no suitable habitat for the Le Conte's thrasher in the survey area. There are some suitable habitats for the coast horned lizard. Both species were not observed during the June 28, 2021, survey. There are no Juniper metallic wood-boring beetles on the property; therefore, the species is not expected to occur on site. The survey area lacks suitable habitat for the Crotch's bumble bee to occur on-site in the foreseeable future.

No federal or State-listed species or signs of species were observed on the site during the field investigations. The potential impacts to threatened and endangered species would be the same as that of the No Project Alternative. Any mitigation required for the Civic Center project to address potential impacts would apply to the Proposed Action.

3.15 Historic and Cultural Resources

3.15.1 Affected Environment

The National Historic Preservation Act (NHPA) directs federal agencies to consider the effect of any undertaking (a federally funded or assisted project) on historic properties. The NHPA was passed in 1966 to preserve historic and archaeological sites in the United States of America. This Act created The National Register of Historic Places (NRHP), the list of National Historic Landmarks, and the State (SHPO) and Tribal (THPO) Historic Preservation Offices. The NRHP is the Nation's official list of cultural resources worthy of preservation and is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect our historic and archaeological resources. An "historic property" is any district, building, structure, site, or object that is eligible for listing in the NRHP because the property is significant at the national, state, or local level in American history, architecture, archeology, engineering, or culture. Typically, a historic property must be at least 50 years old and retain integrity.

Historic Properties

Consideration of effects to historic properties is mandated under Section 106 of the NHPA, as amended, and implemented by 36 CFR Part 800. Requirements include identification of significant properties that may be affected by the Proposed Action. Historic properties are defined as archaeological sites, standing structures, or other historic resources listed in or eligible for listing in the NRHP (36CFR 60.4). As defined in 36 CFR Part 800.16(d), the Area of Potential Effects (APE), "is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if such properties exist."

Archeological Resources

In addition to identifying historic properties that may exist in the proposed project's APE, FEMA must also determine, in consultation with the appropriate SHPO or THPO what effect, if any, the action would have on historic properties. If the project has an adverse effect on these properties, FEMA must consult with the SHPO or THPO and other appropriate parties on ways to avoid, minimize, or mitigate the adverse effect. During construction, when appropriate, ground disturbing activities should be monitored. In the event unanticipated cultural resources are discovered during Project construction, reasonable efforts will be made to avoid, minimize, or mitigate adverse effects consistent with the procedures at 36 CFR 800.13 (b). Mitigation measures include notifying SHPO and FEMA within 48 hours of the discovery.

Area of Potential Effect

FEMA has determined the direct APE comprises the Project Area which measures 4.66 acres (202,925 square feet) of APN 3066-261-10 and is located north of Warbler Road, between Sheep Creek and Sahara roads. The APE was determined based on where proposed site disturbances associated with the Undertaking may occur. The indirect APE for implementation of the Undertaking has been determined to be the same as the direct APE.

Identification of Historic Properties

A Phase I cultural resources study was conducted in 2021 by Tierra Environmental Services (Tierra) for the Phelan Civic Center and Community Park (Appendix G). The study observed that intact cultural resources or historic properties would be very unlikely, and due to the disturbances observed at that time, any resources would lack integrity to be considered significant. Due to the absence of cultural resources within the APE, and the anticipation that potential subsurface components would not hold sufficient integrity, an archeological monitor was not recommended.

A database records search of the APE and surrounding area was also conducted as part of Phase I cultural resources study, utilizing the California Historical Resources Information System (CHRIS) from the South-Central Coastal Information Center at the University of California, Fullerton. The CHRIS search also included a review of the NRHP listings, the California Inventory of Historic Resources listings, the California Historical Landmarks listings, and a pedestrian survey.

The CHRIS review did not identify any previously recorded historic resources within the APE. The CHRIS report did identify two previously recorded resources, both roadways, within one mile of the APE. The roadways are both located approximately 0.25 mile from the APE and will not be directly or indirectly impacted by the project. The CHRIS search also identified six investigations previously conducted within a one-mile radius of the Project APE. None of the previous studies involve the APE. In addition to the investigations identified by the CHRIS records search, one additional study conducted by Duke Cultural Resources Management, LLC (DUKE CRM) in April 2021 was also identified. The DUKE CRM study did include the APE and did not identify any historic properties within it. In addition, historic maps, and aerial photographs from 1952 through 2018 were reviewed, which did not show any historic development.

Tribal Consultation

Tribal scoping and consultation were first conducted by Tierra Environmental Services on behalf of the County and then by the San Bernardino County under their Assembly Bill 52 (AB-52) consultation required under the California Environmental Quality Act (CEQA) for the Civic Center project. Tierra submitted a letter to the Native American Heritage Commission (NAHC) in May 2021 to request a review of their Sacred Lands File (SLF), as well as a list of Native American representatives to be contacted for information regarding resources and to update interested parties on changes made to the APE. The response received from the NAHC on August 27, 2021, indicated that no sensitive resources or traditional cultural places were identified within the project boundaries. Tierra contacted each of the 10 Native American representatives provided by the NAHC with a request for additional input and to inform them of the Project. One response was received by the San Manuel Band of Mission Indians (SMBMI). This response acknowledges the Project and offers appreciation for the San Manuel Band of Mission Indians' inclusion in the Project, and states that "The proposed project is not located near any known Serrano village sites, SLFs, or archaeological sites. The area is of great concern to SMBMI" and they requested to consult on the development under the AB-52 process.

San Bernardino County mailed notification pursuant to AB-52 to the following tribes: the Fort Mojave Indian Tribe, the Morongo Band of Mission Indians, and the San Manuel Band of Mission Indians. Requests for consultations were due to the County by May 20, 2022. Only the SMBMI responded within the allotted timeframe providing comments regarding inadvertent finds which have been incorporated as conditions of approval for the Civic Center development. The pedestrian survey of the APE was conducted on July 15, 2021. The 4.66-acre APE was found to be completely graded and utilized as a construction laydown yard. As with the DUKE CRM (2021) study, no historic resources were located and based on the extent of past disturbances to the APE, it is highly unlikely that any buried resources exist.

As a part of FEMA's NRHP Section 106 consultation process, on June 6, 2024, consultation letters were sent to the following tribes: the Fort Mojave Indian Tribe, the Morongo Band of Mission Indians, and the San Manuel Band of Mission Indians. Requests for comments were due to FEMA by July 6, 2024. No responses or comments were received (Appendix J).

SHPO Consultation

On June 5, 2024, a letter and supporting documentation were submitted to the SHPO initiating the Section 106 process and requesting their review and concurrence on the finding of effects for the proposed federal undertaking. On June 28, 2024, FEMA received SHPO concurrence with FEMA's determination of "No Historic Properties Affected." (Appendix I).

3.15.2 Environmental Consequences

Alternative 1 – No Action

Under the No Action Alternative, there would be no development of the EOC as part of the Civic Center building. There would be no potential impacts to historic and cultural resources. No impacts would occur due to the No Action Alternative.

Alternative 2 – Proposed Action

Under the proposed Action Alternative, a new 3,592-square-foot EOC would be located within a newly constructed 14,034-square-foot PPHCSD Civic Center campus building. Disturbances would occur throughout the 202,925-square-foot APE, with the depth of most excavations ranging between two and 10 feet. However, the deepest excavations are planned at 28.5 feet for two septic disposal wells. Any auditory, vibrational, or atmospheric changes resulting from the Undertaking will be temporary and minor during the construction only.

No historic properties were identified within the APE and no indirect effects to historic properties are anticipated. Therefore, the construction of the EOC would not have the potential to affect historic properties. Any mitigation required by the County for the Civic Center project to address potential impacts would apply to the Proposed Action.

3.16 Hazardous Materials and Waste

3.16.1 Affected Environment

Hazardous and toxic materials are regulated under the Comprehensive Environmental Response Compensation and Liability Act of 1980 (CERCLA) and the Resource Conservation and Recovery Act of 1976 (RCRA). The major objective of CERCLA, commonly known as Superfund, is to identify uncontrolled or abandoned hazardous-waste sites, determine liability, and oversee the cleanup.²⁷ The RCRA gives EPA the authority to control hazardous waste from cradle to grave. This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The Federal Hazardous and Solid Waste Amendments are the 1984 amendments to RCRA that focused on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases.²⁸ The Project Area was not found on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system.²⁹ EnviroStor tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known or suspected

²⁷ Environmental Protection Agency. Summary of the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund) - <https://www.epa.gov/laws-regulations/summary-comprehensive-environmental-response-compensation-and-liability-act>

²⁸ Environmental Protection Agency. Summary of the Resource Conservation and Recovery Act.

²⁹ California Department of Toxic Substances Control. EnviroStor. Accessed June 21, 2021

contamination issues. In addition, the Project Area is not located at or near a Superfund site³⁰ or RCRA Corrective Action Baseline facility.³¹

3.16.2 Environmental Consequences

Alternative 1 – No Action

Under the No Action Alternative, the Civic Center building would not include an EOC. Furthermore, the Project Area is not a hazardous materials site. No short- or long-term EOC impacts from hazardous materials are anticipated under the No Action Alternative.

Alternative 2 – Proposed Action

The new 3,592-square-foot EOC will be located within the new 14,034-square-foot Civic Center building. Construction of the building would require the routine transport, use, storage, and disposal of limited quantities of common hazardous materials such as gasoline, diesel fuel, oils, solvents, paint, fertilizers, pesticides, and other similar materials. All materials required during construction would be kept in compliance with State and local regulations (such as the NPDES and Title 8 of California Code of Regulations) and Best Management Practices (BMPs). Should spills of hazardous materials above the threshold levels occur during construction, it would be reported to the County Fire Department. The Civic Center project would disturb more than one-acre and would therefore be subject to the NPDES permit. The State of California is authorized to administer various aspects of the NPDES, which controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Construction activities covered under the State's General Construction permit include the removal of vegetation, grading, excavating, or any other activity that causes the disturbance of one acre or more. The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into stormwater systems, and to develop and implement a SWPPP. The SWPPP is based on the principles of BMPs to control and abate pollutants. The SWPPP must include BMPs to prevent project-related pollutants from impacting surface waters. Title 7 of the California Code of Regulations includes regulation of construction related activities to ensure worker and public health and safety. Regulations include exposure limits, equipment, protective clothing, and procedures required to prevent exposures to hazardous materials (including hazardous waste and contamination).

The proposed EOC would include a control room, emergency standby generator, and state-of-the-art communications systems. The facility would provide the infrastructure needed to handle high volume communications during major disasters or other emergencies. Operations would include standard maintenance (i.e., landscape upkeep, exterior painting and similar activities) involving the use of commercially available products (e.g., pesticides, herbicides, gas, oil, paint, etc.), the use of which would not create a significant hazard to the public. As such, the Proposed Action operations would not be subject to regulations pertaining to the handling of hazardous materials.

No hazardous materials sites were found within or in the immediate vicinity of the Project Area in the database searches through EnviroStor. The Project Area is not located at or near a Superfund site³² or RCRA Corrective Action

³⁰ Environmental Protection Agency. National Priorities List and Superfund Alternative Approach Sites. Accessed July 31, 2024.

³¹ Environmental Protection Agency. 2020 Corrective Action Baseline: 3,779 facilities sorted by Location - <https://www.epa.gov/sites/default/files/2016-04/documents/2020sc.pdf>

³² Environmental Protection Agency. National Priorities List and Superfund Alternative Approach Sites. Accessed July 31, 2024.

Baseline facility. The BMPs implemented for the Civic Center development would also apply to the construction and operation of the EOC.

No short- or long-term impacts from hazardous materials are anticipated under the Proposed Action.

3.17 Summary of Environmental Impacts

Table 8 summarizes mitigation measures and permits required for the Project.

Table 8. Summary of Environmental Impacts, Mitigation Measures, and Permits

Affected Environment	No Action Impacts	Proposed Action Impacts	Mitigation Measures and Permits
Soils and Geology	No impact.	Short-term impacts during construction would be limited to soil erosion.	Preparation of SWPPP
		Negligible to minimal long-term impacts during operations.	Compliance with the California Building Code
Land Use and Planning	No impact.	No changes in current zoning would occur and the proposed use is consistent with San Bernardino County planned land use for the Project Area.	No mitigation measures required.
Prime Farmland	No impact.	No prime farmland is present.	No mitigation measures required.
Floodplain Encroachment	No impact.	Moderate long-term impact would occur as the Project Area is within the AO flood zone designated by FEMA.	The structure will be elevated to an additional 3 feet above the BFE or to the 0.2%, as applicable, whichever is higher, to comply with EO 13690.
Traffic Circulation, Volume and Parking Access	No impact.	Short-term impacts during construction may occur due to temporary closures to portions of Sheep Creek Road and Sahara Road	No mitigation measures required.

Table 8. Summary of Environmental Impacts, Mitigation Measures, and Permits

Affected Environment	No Action Impacts	Proposed Action Impacts	Mitigation Measures and Permits
Traffic Circulation, Volume and Parking Access Continued		Short-term temporary and intermittent impacts during operations due to increased on-site traffic during emergency activities.	No mitigation measures required.
Public Health and Safety	No impact.	Short-term impacts during construction would be minor and temporary as temporary as closures to public roads would not affect access of the area for emergency services.	No mitigation measures required.
		Long-term impacts would be positive due to the presence of a strategically located, fully interoperable EOC.	No mitigation measures required.
Socioeconomic Issues and Environmental Justice	No Impact.	No adverse effects on minority or low-income populations are anticipated during construction.	No mitigation measures required.
		Long-term impacts would be positive due to the presence of a strategically located, fully interoperable EOC, regardless of socioeconomic status.	No mitigation measures required.

Table 8. Summary of Environmental Impacts, Mitigation Measures, and Permits

Affected Environment	No Action Impacts	Proposed Action Impacts	Mitigation Measures and Permits
Air Quality	No Impact	Minor emissions generated by the EOC would be temporary, occurring only during emergency situations.	No mitigation measures required.
Climate Change	No Impact	Temporary and minor increase in GHG emissions during construction activities due to construction equipment and worker vehicles	No mitigation measures required.
		Increases in GHG due to Civic Center operations would be minor	No mitigation measures required.
Noise	No impact.	Short-term, temporary, and intermittent impacts may occur due to increased noise during construction.	Construction only permitted to occur between 7:00 a.m. to 7:00 p.m., except on Sundays and Federal holidays
		During the operation of the EOC, noise impacts would occur temporarily and intermittently from sirens and alarms from emergency response vehicles.	No mitigation measures required.

Public Services and Utilities	No impact.	EOC would be part of the Civic Center building so there would be no increase in demand or extension of utilities	No mitigations measures required.
Water Quality and Water Resources	No impact.	Short-term impacts to water resources from stormwater runoff may occur during construction.	General Construction permit requires recipients to reduce or eliminate non-storm water discharges into stormwater systems
		Impacts to water quality may occur during EOC operations.	BMPs included as part of the project WQMP are required to be maintained through regularly scheduled inspection and maintenance
Wetlands	No impact.	There are no drainages or channels occurring in the Project Area. The closest wetland is over 600 feet south of the Project Area and would be protected from impacts of the Civic Center development	No mitigations measures required.
Threatened and Endangered Species	No Impact.	A Joshua Tree was observed on the Project Area. No other federal or State-listed species or signs of species were observed on the site during the field investigations	Any mitigation required for the Civic Center project to address potential impacts would apply to the Proposed Action

<p>Areas with Special Designation</p>	<p>No Impact.</p>	<p>No areas with special designation such as conservation areas, wildlife refuges, parklands, and/or other ecologically critical or sensitive areas were identified.</p>	<p>No mitigations measures required.</p>
<p>Historic and Cultural Resources</p>	<p>No Impact.</p>	<p>No historic properties were identified within the APE and no indirect effects to historic properties are anticipated.</p>	<p>In the event unanticipated cultural resources are discovered during Project construction, reasonable efforts will be made to avoid, minimize, or mitigate adverse effects consistent with the procedures at 36 CFR 800.13 (b). Mitigation measures include notifying SHPO and FEMA within 48 hours of the discovery</p>
<p>Hazardous Materials</p>	<p>No impact.</p>	<p>The Civic Center project would disturb more than one-acre.</p>	<p>The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into stormwater systems, and to develop and implement a SWPPP.</p>
		<p>Operations would include standard maintenance (i.e., landscape upkeep, exterior painting and similar activities) involving the use of commercially available products.</p>	<p>The BMPs implemented for the Civic Center development would also apply to the operation of the EOC.</p>

4.0 CUMULATIVE IMPACTS

Cumulative impacts are those impacts on the environment which results from the incremental impact of the action when added to other past, present, or reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes those other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over time.

No reasonably foreseeable future projects in the surrounding area would contribute to cumulative air quality impacts. A commercial project is planned for the property immediately north of the Project Area (APN 3066-251-05). Given the small size of the project (approximately 0.7 acres) and consistency with the zoning, it would not contribute to cumulative air quality impacts. Furthermore, the Project Proponent plans to develop the eastern adjacent 14 acres as a community park in the future. Construction would occur at a later phase. As the planned park is anticipated to generate less criteria pollutant emissions than uses allowed under the current zoning of commercial, impacts would not be cumulative. There are no other foreseeable projects in the surrounding area. Development of the Proposed Action will be conditioned to comply with current MDAQMD rules and regulations to minimize impacts to air quality as discussed. Approval of the project does not require a zone change nor a general plan amendment and is consistent with the Countywide Policy Plan. Therefore, cumulative air quality impacts are anticipated to be less than significant.

The release of GHGs into the atmosphere from the Proposed Action would be minor and would help address and reduce risk/harm from climate change by providing emergency services during disasters.

The Proposed Action would be compatible with the existing surrounding land use. Once complete, the Proposed Action would provide additional emergency services to support the surrounding area.

Several of the potential impacts identified in this EA potentially have cumulatively considerable incremental effects, which could degrade the quality of the environment if they were not avoided or sufficiently mitigated. Conditions were imposed on the Civic Center development project that would provide safeguards to prevent potentially significant cumulative impacts. These conditions would also be imposed on the development of the EOC. In consideration of the overall impact of the Proposed Action in relation to impacts from past, present, and reasonably foreseeable future activities, the Proposed Action is not expected to have significant adverse cumulative impacts on any resource.

5.0 AGENCY COORDINATION AND PUBLIC INVOLVEMENT

Table 9 summarizes the federal, state, and local agencies that were consulted or were contacted to request resource information during the preparation of this EA:

Table 9. Agency Correspondence

Agency	Contact	Address	Phone Number	Date of Correspondence	Discussion in EA
State Historic Preservation Office	Julianne Polanco	1725 23 rd St. Suite 100 Sacramento, CA 95816	(916)445-7000	June 5, 2024	3.15 – Historic and Cultural Resources

Public Involvement

The NEPA process requires that Federal agencies provide opportunities for public involvement and comments. The Draft EA was posted on the FEMA website (<https://www.fema.gov/emergency-managers/practitioners/environmental-historic/nepa/environmental-assessment-emergency>) for a 30- day public comment period from September 13, 2024, to October 14, 2024, requesting comments on the Proposed Action.

The Phelan Piñon Hills Community Services District advertised in the local newspaper, on September 12, 2024, that the Draft EA document would be made available at 4176 Warbler Road, Phelan, CA. FEMA received no comments during the 30-day public comment period and prepared this Final EA Report. This initial public notice will also serve as the final Public Notice.

6.0 LIST OF PREPARERS

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7.0 REFERENCES

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United States Census Bureau. Quickfacts – Phelan, CDP. Accessed June 26, 2024.

United States Department of Agriculture. Web Soil Survey. Accessed February 7, 2024.

Appendices are available for review upon request
to elizabeth.mcwaters-bjorkman@fema.dhs.gov.