SAN BERNARDINO COUNTY
INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

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

PROJECT LABEL:

APN:	0491-171-10
Applicant:	James Darr / Granite Construction Co.
Community:	Kramer Junction
Location:	North side of Salton Road, approximately ½ mile west of US Highway 395, approximately ½ mile north of State Highway 58
Project No:	P201100051
Staff:	Tracy Creason, Senior Planner
Rep:	Kit Kjelstrom Kit Kjelstrom & Associates, Inc. PO Box 2833 Running Springs, CA 92383 Tele: (909) 867-9444, FAX: (909) 867-9435 e-mail: kit@kjelstronassociates.com
Proposal:	A Minor Use Permit to create a fill site for up to 90,000 cubic yards of soil on 8.73 acres

USGS Quad:	Saddleback Mountain
T, R, Section:	T11N R6W Sec 31 SE ¼
Thomas Bros.:	P 348 / GRID: J-7
Community Plan:	Desert Region
LUZD:	RL-5 – Rural Living, 5-acre minimum parcel size
Overlays:	Biotic Resources Paleontological Resources

PROJECT CONTACT INFORMATION:

Lead agency: County of San Bernardino
Land Use Services Department
15900 Smoke Tree Street
Hesperia, CA 92345

Contact person: Tracy Creason, Senior Planner
Phone No: (760) 995-8143 Fax No: (760) 995-8167
E-mail: tcreason@lusd.sbcounty.gov

Project Sponsor: James Darr
40716 US Highway 395
Boron, CA 93516

Granite Construction Co.
PO Box 50085
Watsonville, CA 95077

PROJECT DESCRIPTION:

The proposed project would be a 90,000-cubic yard stockpile of soil on 8.73 acres in the Mojave Desert within San Bernardino County about 2056 feet west of US Highway 395, approximately 2000 feet north of State Highway 58 on the north side of Salton Road (**Figure 1, Regional Location**). The property has been previously disturbed for uses such as onsite storage of large personal belongings and placement of soils. The project site has relatively flat terrain, is adjacent to the northernmost boundary of Edwards Air Force Base, and situated approximately 0.20 miles south of the southern boundary of the existing Solar Electric Generating System (SEGS) Solar Partners Limited III solar farm.

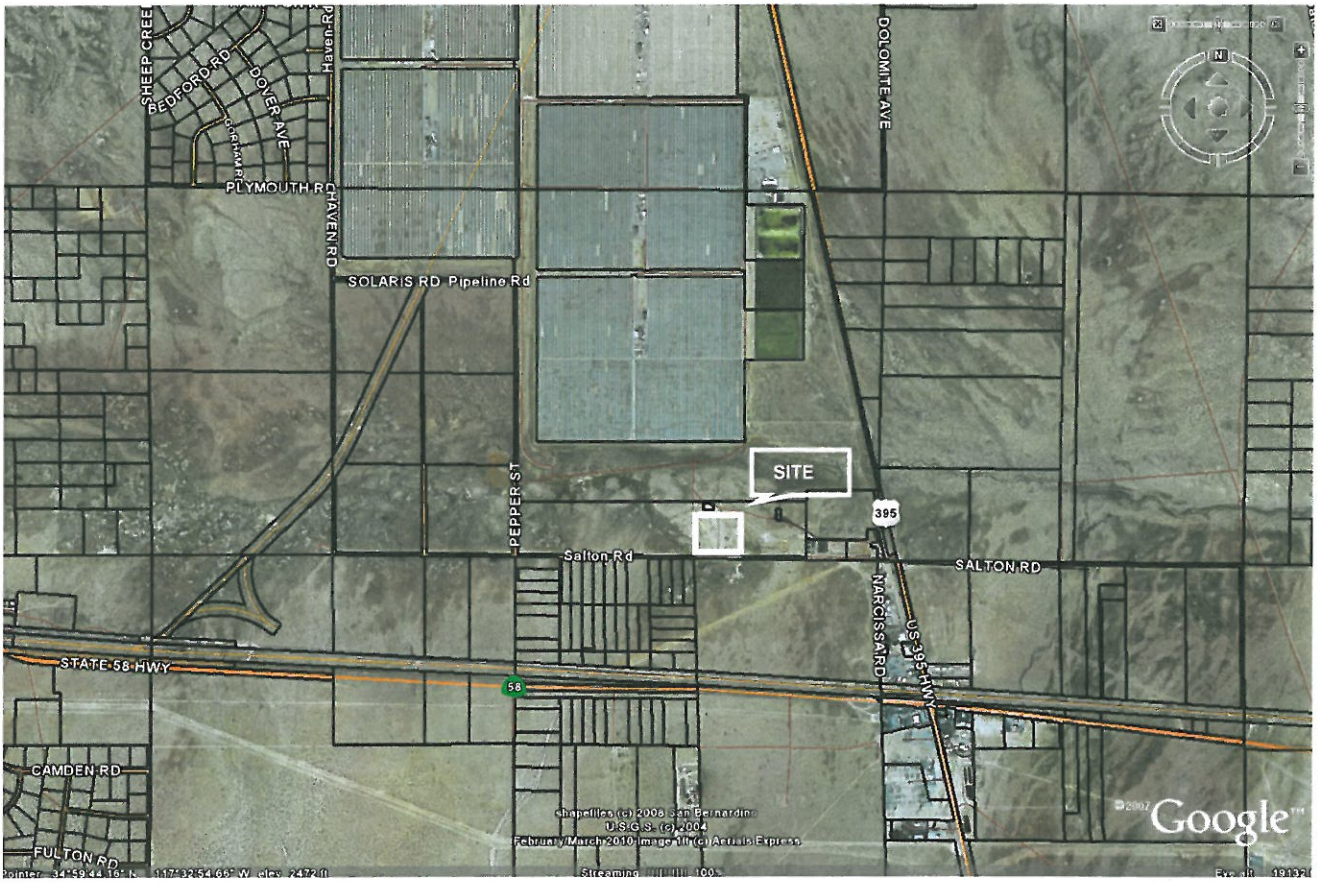


Figure 1 – Regional Location

PROJECT SETTING

The site is vacant and is zoned Rural Living, 5-acre minimum parcel size (RL-5), a rural residential zoning designation, allowing land to be subdivided into parcels at least five acres in size. The Development Code allows natural resource development in the RL zone subject to a Use Permit.

According to the General Biological Resources Assessment, the relatively flat site with a slight slope to the south contains a very sparse desert scrub community dominated by a few saltbush shrubs throughout the site and creosote shrubs in the northwest corner. Surrounding properties are vacant and support a saltbush community. Others nearby are developed. Still others, while not developed, show evidence of human presence through trash piles, scattered debris, and vehicle trails.

Easements and/or rights-of-way that cross the property and are nearby include the following:

- Salton Road right-of-way to the South
- Abundant Water Company easement adjacent at the northeast corner
- Burlington Northern and Santa Fe Railway approximately 0.41 miles south
- State Route 58 right-of-way to Caltrans approximately 0.45 miles south

Although not a dedicated right-of-way, direct access to the site presently exists via Salton Road, a dirt road that intersects State Route 395 to the east. Legal access to the site exists circuitously by traveling west and north from the site to Farmington Road, which intersects with State Route 395 approximately two miles north of the site.

The northern boundary of Edwards Air Force Base is adjacent to the south. To the southeast about 0.45 miles away is a mixed-use commercial parcel, which includes a restaurant, an antique store, a pottery store, and vehicle repair. The unincorporated community of Kramer Junction is generally located at the intersection of State Route 58 and US 395.

Table 1 lists existing land uses and Land Use Zoning Districts on and adjacent to the project site.

Table 1: Existing Land Use and Land Use Zoning Districts

Location	Existing Land Use	Land Use Zoning District / Overlays
Site	Vacant	Rural Living, 5-acre minimum (RL-5)
North	Vacant, Abundant Water Co. water tank, SEGS Solar facility	RL-5
East	Vacant; farther east 0.45 mile is a mixed commercial use, US Hwy 395	RL-5 & Rural Commercial (CR)
South	Edwards AFB, railroad tracks, State Hwy 58	RL & Resource Conservation (RC)
West	Vacant	RL-5

Sources: County of San Bernardino 2007 Development Code, Title 8, Division 2, Chapter 82.01, Section 20; Kramer Junction Land Use Zoning District, maps EH04 A & DH28 A

PROJECT CHARACTERISTICS

The proposed project consists of a stockpile for up to 90,000 cubic yards of dirt from the California Department of Transportation (Caltrans) Project known as "State Highway 58 Road Widening from Kern County Line to 5.7 Miles East of Kramer Junction".

Other public agencies whose approval is required, e.g., permits, financing approval, or participation agreement

- California Regional Water Quality Control Board, Lahontan Region
- Caltrans District 8
- California Department of Fish and Game
- US Fish and Wildlife Service

EVALUATION FORMAT

This initial study is prepared in compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of an Initial Study is guided by Section 15063 of the State CEQA Guidelines. This format of the study is presented as follows. The project is evaluated based upon its effect on 18 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor.

The Initial Study Checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The potential effect of the project is categorized into one of the following four categories of possible determinations:

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

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

1. **No Impact**: Therefore, no impacts are identified or anticipated and no mitigation measures are required.

2. **Less than Significant Impact**: Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

3. **Less than Significant Impact with Mitigation Incorporated**: Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List mitigation measures)

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

At the end of the analysis the required mitigation measures are restated and categorized either as being self-monitoring or as requiring a Mitigation Monitoring and Reporting Program.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION: (To be completed by the Lead Agency)

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

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

Signature (prepared by Tracy Creason, Senior Planner) — Date: 28 JUL 2011

Signature: Matthew Slowik, MURP, MPA, Supervising Planner — Date: July 29, 2011

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
I. AESTHETICS - Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

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

a,c) **Less than Significant Impact.** The County General Plan Open Space Element, Policy OS 5.1 states that a feature or vista can be considered scenic if it:

- Provides a vista of undisturbed natural areas;
- Includes a unique or unusual feature that comprises an important or dominant portion of the viewshed; or,
- Offers a distant vista that provides relief from less attractive views of nearby features (such as views of mountain backdrops from urban areas).

The Saddleback Mountains are located approximately five miles north of the project site. The BNSF Railway line and State Route 58, closely parallel one another directly south of the site.

Multiple lines of above ground telephone and high-voltage electric lines run mainly east to west through the area. At the intersection of State Route 58 and US 395, Kramer Junction provides fast food outlets, a trucking travel center, gas stations, a restaurant, motels, and a gift shop.

Views to the east include high-voltage electrical lines and towers and the Southern California Edison (SCE) Substation. The SCE Substation in Kramer Junction covers almost 40 acres: its looming towers make it a landmark in the area. Another landmark in the area is the Kramer Junction Solar Electric Generating System (SEGS), which is a series of solar thermal electric power plants with steam turbines and other large equipment. The SEGS site is approximately ¼ miles from the project site to the north. It covers approximately 1,000 acres and from a distance, it appears blue in color due to the mirrors.

To the southeast about 0.45 miles away is a mixed-use commercial parcel, which includes a restaurant, an antique store, a pottery store, and vehicle repair. To the south is the Edwards AFB Precision Impact Range Area (PIRA). The PIRA makes up 60,800 acres and

1,800 acres are cleared for target use[1].

The project site is currently vacant and relatively flat. The site and surrounding areas have typical Mojave Desert habitats. A dirt road that meets US 395 and borders the site on the south presently provides physical access to the site.

Viewers of the stockpile area would consist mainly of motorists on State Route 58. The proposed project would create an elevated parcel surrounded by lower-lying land, but would not introduce an unexpected sight in the area. Considering the surrounding uses and lack of sensitive viewers in the area, the proposed project would not have a substantial adverse effect on a scenic vista or adversely change the visual character of the area; impacts would be less than significant.

b) **Less than Significant Impact.** State Route 58 is not an officially designated scenic highway; however, the portion of State Route 58 from State Route 14 (near Mojave) to Interstate 15 (near Barstow) is eligible for designation[2]. This includes the portion of State Route 58 that traverses through the project site. The project site, however, is currently vacant and does not contain any historic buildings or rock outcroppings. The project site is not located within close proximity to any roadways designated by the County as a scenic route[3]. Thus, the development of the proposed project would not substantially damage scenic resources within a state scenic highway. Impacts would be less than significant.

d) **Less than Significant Impact.** County Ordinance No. 3900 regulates glare, outdoor lighting, and night sky protection. Any lighting for the project would be subject to County approval and compliance with County requirements. The proposed project would not include any uses that would produce substantial glare. As the project would be required to adhere to County Ordinance 3900, impacts associated with glare and lighting would be less than significant.

[1] Department of Defense, Mission Sustainment Quarterly Newsletter, News You Can Use from the DoD Range Sustainment Initiative, Summer 2009.
[2] Caltrans Scenic Highways Program, http://www.dot.ca.gov/hq/LandArch/scenic/cahisys2.htm, accessed August 3, 2009.
[3] County of San Bernardino 2007 General Plan, Conservation Element, Adopted March 13, 2007; pages VI-13 through VI-17.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
II. AGRICULTURE RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	☐	☐	☐	☒

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

a) **No Impact**. The California Department of Conservation does not designate the project site as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance[4]. As the proposed project would not convert Farmland (as designated by the California Department of Conservation), no impact would occur.

b) **No Impact.** The project site is currently vacant and zoned RL-5 (Rural Living, 5-acre minimum parcel size). The project site is not zoned for agricultural use, and is not designated as Williamson Act land[4]. No impact to existing agricultural resources or Williamson Act lands would occur.

c) **No Impact.** The project site is not designated as Farmland or for agriculture uses. The site is vacant and is not used for agricultural crops, nor are there any plans to utilize the site for agricultural uses. Thus, the proposed project would not result in any changes to the environment that could result in the conversion of agricultural uses to non-agricultural uses. No impact would occur.

[4] County of San Bernardino, Conservation Background Report; February 1, 2006; Figure 6-9C: Prime Farmland, Desert Region.

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
III.	**AIR QUALITY** - Where available, the significance criteria established by the applicable air quality management or air pollution control district might be relied upon to make the following determinations. Would the project:				
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☒	☐	☐
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e)	Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

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

a) **Less than Significant Impact**. The project site is located within the Mojave Desert Air Basin (MDAB) and is within the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The Air Quality Management Plan (AQMP) provides a program for obtaining attainment status for key monitored air pollution standards, based on existing and future air pollution emissions resulting from employment and residential growth projections. The AQMP is developed using input from various agencies' General Plans and other projections for population and employment growth. While the proposed project is not identified specifically in the County General Plan, it would not generate new homes or employment opportunities that would change the County's projections. Given that the proposed project would not alter the population or employment projections considered during the development of the AQMP impacts associated with AQMP consistency would be less than significant.

b) **Less than Significant Impact with Mitigation Incorporated.** During the grading phase of the project, heavy-duty haul vehicles and water trucks would generate emissions. In addition, fugitive dust would be generated during grading activities. The following significance thresholds for criteria pollutants have been established by the MDAQMD:

- 137 pounds per day or 25 tons per year of Reactive Organic Gases (ROG);
- 137 pounds per day or 25 tons per year of nitrogen oxides (NOX);
- 548 pounds per day or 100 tons per year of carbon monoxide (CO);
- 137 pounds per day or 25 tons per year of sulfur oxides (SOX);
- 82 pounds per day or 15 tons per year of particulate matter 10 microns or less in diameter (PM10); and
- 82 pounds per day or 15 tons per year of particulate matter 2.5 microns or less in diameter (PM2.5).

Emissions of PM10 could exceed the daily threshold during grading. Implementation of mitigation measure **AIR-1** and compliance with MDAQMD's Rules 403 and 403.2 for fugitive dust control would reduce impacts to a less than significant level by reducing PM10 emissions below the daily threshold of 82 pounds.

Mitigation Measures:

AIR-1: The project applicant shall ensure that the following dust suppression measures are implemented as part of the project's mitigation:

1. Disturbed areas of the site shall be watered a minimum of three times daily.
2. All excavating and grading operations shall be suspended when wind speeds (as instantaneous gusts) exceed 25 mph.
3. All on-site roads and other areas that have no vegetation shall be paved, watered, or chemically stabilized.
4. Fugitive dust best management practices (including but not limited to applicable provisions of Mojave Desert Air Quality Management District Rule 403.2) shall be implemented for this site.

c) **Less than Significant Impact.** The project would contribute criteria pollutants in the area during the grading period. However, since the proposed project's emissions would be below MDAQMD thresholds, as discussed in response III b) above, impacts would be less than significant.

d) **No Impact.** Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. Sensitive receptors include long-term health care facilities, convalescent centers, hospitals, residences, playgrounds, rehabilitation centers, retirement homes, schools, child care centers, and athletic facilities. There are no nearby sensitive receptors; therefore, the proposed project would not expose any sensitive receptors to substantial pollutant concentrations. There would be no impacts.

e) **Less than Significant Impact.** Grading and stockpiling do not generate chemical emissions that would negatively contribute to air quality or produce objectionable odors. Potential odor generation associated with the proposed project would be limited to grading and construction sources such as diesel exhaust and dust. No significant odor impacts related to project implementation are anticipated due to the nature and short-term extent of potential sources, as well as the intervening distance to sensitive receptors. Therefore, the

project would have a less than significant impact associated with the creation of objectionable odors affecting a substantial number of people.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
IV. BIOLOGICAL RESOURCES - Would the project:				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☒	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc...) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	☐	☐	☒	☐

SUBSTANTIATION: *(Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database ☒):*

The following discussion of biological impacts is based on the following technical studies prepared for the proposed project and correspondence received:

- General Biological Resources Assessment, APN 0491-171-10, RCA Associates LLC, Revised February 28, 2011
- Focused Sensitive Wildlife Surveys, APN 0491-171-10, RCA Associates LLC and Ryan Young, February 28, 2011
- California Department of Fish and Game letter dated January 19, 2011
- U.S. Department of the Interior, Fish and Wildlife Service letter dated January 20, 2011

a) **Less than Significant Impact with Mitigation Incorporated.** A number of sensitive species are known to inhabit the area in which the project site is located. The table below identifies species that have potential to occur on the project site.

Local Sensitive Species		
Species	**Sensitive Species Status**	**Presence/Probability of Occurrence on the Site**
Plants		
White pygmy poppy (*Canbya candida*)	California Native Plant Society List 4.2 This species has no formal governmental listing.	**"Determined" Absent.** February Biological surveys concluded this plant is absent based on survey results and level of disturbance. According to the CNDDB, white pygmy-poppy was last detected 0.5 miles southeast of the site
Barstow woolly sunflower (*Eriophyllum mohavense*)	California Native Plant Society List 1B.2 This species has no formal governmental listing.	**"Determined" Absent.** February Biological surveys concluded this plant is absent based on survey results and level of disturbance. According to the CNDDB, this species was most recently detected 0.5 miles northwest of the Property.
Reptiles		
Desert Tortoise (*Gopherus agassizii*)	Federally listed as Threatened, State listed as Threatened	**"Determined" Absent.** Focused Desert Tortoise surveys were conducted on the Property during December 2010. No tortoise or tortoise sign were observed on the Property. According to the CNDDB, species has been seen two miles to the east.
Birds		
Prairie falcon (*Falco mexicanus*)	State Species of Special Concern	**"Determined" Absent.** February Biological surveys concluded there was no suitable nesting or foraging habitat available on site or in adjacent areas. No recent sightings in area but know to occur in region.
Burrowing Owl (*Athene cunicularia*)	State Species of Special Concern (Burrow sites and some wintering sites)	**Unlikely.** No owls, owl sign, or any occupiable burrows were observed during the Phase I or Phase II surveys. The nearest population is approximately 30 miles south of the site.
Mammals		
Mohave ground squirrel (*Spermophilus mojavensis*)	State listed as Threatened	**"Determined" Absent.** The habitat assessment determined that the site does not support suitable habitat for this species. According to the CNDDB, the nearest known occurrence is approximately 0.5 miles northwest of the Property.

Sources: *General Biological Resources Assessment for APN 0491-171-10*, RCA Associates LLC, February 28, 2011 and *Focused Sensitive Wildlife Surveys for APN 0491-171-10*, RCA Associates LLC & Ryan Young, February 28, 2011.

Although the reports prepared for the site determined that this site is unlikely to provide viable MGS or desert tortoise habitat, or burrows for burrowing owl use, both the California Department of Fish and Game and the U.S. Fish and Wildlife Service recommended avoidance measures be taken to further reduce potential impacts. Implementation of these mitigation measures would reduce impacts to these species to a less than significant level.

Mitigation Measures

BIO-1: Prior to the issuance of the project grading permit or any land disturbance, the site shall be completely fenced with desert tortoise fencing, allowing for access. Access points should have gates or some other barrier. The desert tortoise fencing may be temporary or permanent, but it should be maintained for the entire duration that Granite Construction is placing dirt and watering it.

BIO-2: After the fence is installed, a qualified biologist shall survey the vacant lot once more to ensure desert tortoises are not present. If a desert tortoise is present, please contact the CDFG and USFWS to determine whether the take of animals can be avoided. If take cannot be avoided, the Department and the Service may recommend that Granite Construction apply for an incidental take permit.

BIO-3: Prior to the issuance of the project grading permit or land disturbance, the project applicant shall have a qualified biologist present a worker education program to all workers associated with the deposition of dirt on the vacant lot. The program shall include information on the protected status of the desert tortoise, the Mohave ground squirrel, and the burrowing owl and actions that are prohibited by law, the protective measures being implemented to avoid the take of these species, and the appropriate actions to take if any species is found in the work area.

BIO-4: Prior to the issuance of the project grading permit or land disturbance, the project applicant shall advise drivers associated with the project to be vigilant when traveling on the unpaved road to and from the vacant lot to avoid striking any animal species. The qualified biologist shall make project managers and drivers aware of when desert tortoises and other species are most likely to be present and of how to avoid them if they are encountered on the road. The speed of drivers should be kept below or at 25 mph so that drivers have the potential to avoid any animal species using the existing dirt access roads.

BIO-5: Trash shall be kept in a predator-proof container and should be removed from the site daily. All workers shall be informed that they are not to feed common ravens (*Corvus corax*) or leave any trash or food where common ravens or other predators may gain access to it. Common ravens and other predators attracted to the site may also kill desert tortoises in the area; consequently, the goal of this measure is to reduce the attractiveness of the area to these species by not supplying food.

BIO-6: All construction and/or grading equipment and associated materials should stay outside of any drainage that is adjacent to the area and park in already disturbed locations or within the proposed site.

BIO-7: A pre-land disturbance/pre-construction survey for burrowing owl shall be completed no more than 30 days prior to such disturbance. Adherence with any conditions is required.

b) **Less than Significant Impact.** The project site contains a very sparse desert scrub community dominated by a few saltbush shrubs throughout the site and creosote shrubs in the northwest corner. There is no riparian habitat on site. Incorporation of applicable Best Management Practices (BMPS) would ensure that any possible impacts would be less than significant.

c) **Less than Significant Impact.** No potential hydrologic features were detected during biological surveys. Incorporation of applicable Best Management Practices (BMPS) would ensure that any possible impacts would be less than significant.

d) **Less than Significant Impact**. Due to the project site's location in the Mojave Desert, which is an area that is often considered inhospitable to numerous people, natural connective desert scrub and desert wash habitats remain intact throughout much of the surrounding area. Aside from existing developed areas, highly traveled highways, and military lands, wildlife can move unimpeded throughout most of the project site and surrounding areas. The project site is located within a large habitat complex, interrupted with small pockets of developed areas, such as Boron, Kramer Junction, and the Kramer Junction SEGS. While the proposed project would incrementally add to habitat loss in the Mojave Desert, it would not result in obstruction of a wildlife corridor or a wildlife movement pathway. Impacts would be less than significant.

e) **Less than Significant Impact.** The site contains no Joshua trees. A specimen Joshua tree, which are regulated under provisions of the County Developmental Code Chapter 88.01.060, Desert Native Plant Protection, exists on an adjacent parcel. The County Plant Protection and Management section of the County Development Code (88.01.050) requires that Joshua trees proposed for removal be transplanted or stockpiled for future transplanting where possible. Although not anticipated as part of this project, transplanting activities shall comply with the provisions of the Desert Native Plants Act (Food and Agricultural Code Section 80001 *et seq.*), as required by Subsection 88.01.060(d), *Compliance with Desert Native Plants Act*. The County Code contains requirements for specimen size trees, which are defined as meeting one or more of the following criteria:

   a. *A circumference measurement equal to or greater than 50 inches at four feet from grade.*
   b. *Total tree height of 15 feet or greater.*
   c. *Trees possessing a bark-like trunk.*
   d. *A cluster of ten or more individual trees, of any size, growing in close proximity to each other.*

   Additionally, the County Plant Protection and Management Section of the County Development Code (88.01.060) requires that listed desert native plants or any part of the plants be left in place, except under a Tree or Plant Removal Permit in compliance with Section 88.01.050.

   During the vegetative surveys conducted at the project site in August 2009, no smoketrees, mesquites, significant creosote rings, ironwood, palos verdes, or other members of the family *Agavaceae* were detected on the site[5].

[5] *Focused Sensitive Wildlife Surveys, Assessor's Parcel No. 0491-171-10, Appendix A – Flora and Fauna Compendium Tables – Table 1*, RCA Associates LLC, February 28, 2011.

f) **Less than Significant Impact.** The project site is located within the Western Mojave Recovery Unit of the Draft Revised Recovery Plan for the Mojave Population of the Desert Tortoise (*Gopherus agassizii*)[6]. The Western Mojave Recovery Unit includes the Fremont-Kramer, Superior-Cronese, and Ord-Rodman critical habitat units. The Western Mojave Recovery Unit also includes the western half of Death Valley National Park, Marine Corps Air Ground Combat Center, Fort Irwin National Training Center, China Lake Laval Weapons Center, and Edwards AFB. The project site is located outside the closest designated critical habitat unit: the Fremont-Kramer critical habitat unit. Additionally, the project site is not located within a Desert Wildlife Management Area, or any designated Areas of Critical Environmental Concern as identified within the Recovery Plan. The U.S. Fish and Wildlife Service (USFWS) is in the process of developing a revised recovery plan.

[6] *Draft revised recovery plan for the Mojave population of the Desert Tortoise (Gopherus agassizii).* U.S. Fish and Wildlife Service, California and Nevada Region, Sacramento, California, 2008.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
V. CULTURAL RESOURCES - Would the project				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

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

a, b) **Less than Significant Impact with Mitigation Incorporated.** The Archaeological Information Center at the San Bernardino County Museum conducted a records search. The records search indicated that the property contained no known previously inventoried historical resources. Furthermore, the search found that one historic archaeological resource, SBR-7545H (Highway 395), and one historic resource eligible for the National Register, SBR-10316H (the Tower Line power line). Additionally, the project area is within the boundaries of the historic Kramer/Hiawatha Mining District.

The potential for prehistoric archaeological resources and historic archaeological resources associated with Highway 395, the Tower Line construction, and mining is high. In order to lessen this potential impact, prior to land disturbance the County Museum requires an archaeological survey by a qualified archaeologist to inventory all resources, to evaluate their significance and integrity, and if necessary, to propose appropriate mitigation measures. Implementation of mitigation measure **CUL-1** would ensure that no significant impacts to prehistoric archaeological resources or historic archaeological resources would occur.

Mitigation Measures:

CUL-1: As a condition of approval prior to any land disturbance, the project applicant shall hire a qualified archaeologist to conduct an archaeological survey to inventory all resources, evaluate their significance and integrity, and if necessary, propose appropriate mitigation measures. Submission to the County Museum of a historical resources management report by the professional, which documents the survey, documents any subsurface testing, evaluates project impacts, and proposes suitable measures to mitigate potential adverse impacts in accordance with the appropriate laws is required.

c) **Less than Significant Impact.** According to geologic maps of the project area[7], the project site is located on young Quaternary alluvium and alluvial fan deposits of probably Holocene age that spread outward from topographic higher areas to the south that are made up of granitic rocks. These granitic source rocks do not have any potential to yield paleontological resources. The soil stockpiling project on the site has a low potential to have an impact on significant nonrenewable fossil sources.

d) **Less than Significant Impact.** The project site has not been used for any known religious or sacred uses, and no evidence is in place to suggest that the project site has been used for human burials. The California Health and Safety Code (Section 7050.5) states that if human remains are discovered on the site, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commissions (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. As adherence to State regulations is required for all development, no mitigation is required in the unlikely event human remains are discovered on site. Impacts associated with this issue would be less than significant.

[7] California Geological Survey – 2010 State Geologic Map of California, www.consrc.ca.gov/cgs Copyright © 2007 State of California, website accessed 3/22/2011

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
VI. GEOLOGY AND SOILS - Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001) creating substantial risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

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

a) **i) No Impact.** The Kramer Hills Fault is located approximately one mile south of the project site[8,9]. There are no faults identified on the project site by the County and the United States Geologic Survey (USGS); therefore, no impact associated with the rupture of a known fault would occur.

[8] United States Geologic Survey website, California-Nevada Active Fault Maps, http://quake.usgs.gov/info/faultmaps/index.html, website accessed March 22, 2011.

[9] County of San Bernardino, Safety Background Report; June 15, 2005; Figure 7-1C: Regional Fault and Epicenter Map- Desert Region.

ii) Less than Significant Impact. Like most of Southern California, the project site is located within close proximity to earthquake faults, including the Kramer Fault to the south of the site and the Lockhart Fault to the northeast of the site, and there is potential for strong seismic ground shaking. However, given that the proposed project would not result in any immediate development or long-term occupation of the site, exposure of people to adverse effects from strong seismic shaking would be less than significant. The project would also not result in the placement of permanent buildings at the site. Impacts associated with ground shaking would be less than significant.

iii) **Less than Significant Impact.** The soil types of the project site have not been mapped by the USGS; therefore, detailed soil properties information is not available. Regardless, as the project site would be unoccupied following completion of grading, even if soils on the site were susceptible to liquefaction, the project would not result in the exposure of people or structures to the risk of loss, injury, or death as a result of liquefaction. Impacts would be less than significant.

iv**) No Impact.** The project site is a relatively flat site with a slight slope to the south located at an elevation of about 2450 MSL[10]. The project site and surrounding area is relatively flat, and there are no areas that would be subject to landslides. No impact would occur.

b) **Less than Significant Impact.** The proposed project would require grading and movement of soils on the site. Construction projects resulting in disturbance of one acre or more are required to obtain a National Pollutant Discharge Elimination System (NPDES) permit issued by the Regional Water Quality Control Board (RWQCB). The project's construction contractor would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) that identifies Best Management Practices (BMPs) to limit the soil erosion during project grading. Adherence during construction to provisions of the NPDES permit and applicable BMPs contained in the SWPPP would ensure potential impacts remain less than significant.

c) **Less than Significant Impact.** Due to site topography, the potential for seismic slope instability/lateral spreading affecting the proposed project is considered low. Impacts would be less than significant.

d) **Less than Significant Impact.** Expansive soils generally have a significant amount of clay particles, which can give up water (shrink) or take on water (swell). The change in volume exerts stress on buildings and other loads placed on these types of soils. The extent of shrink/swell is influenced by the amount and kind of clay in the soil. As discussed in response VI (a)(iii) above, the soils on the project site have not been mapped. However, given that the project does not include any construction of buildings, impacts would be less than significant.

e) **No Impact.** The proposed project does not include any septic tanks or other alternative wastewater disposal systems. Thus, there would be no impact associated with soil capability for supporting septic tanks.

---

[10] *General Biological Resources Assessment, APN 0491-171-10*, RCA Associates LLC, February 28, 2011; page 2.

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

SUBSTANTIATION:

a,b) **Less than Significant Impact.** In September 2006, Governor Swarzenegger signed the Global Warming Solutions Act (Assembly Bill 32), which was created to address the Global Warming situation in California. The Act requires that the greenhouse gas (GHG) emissions in California be reduced to 1990 levels by 2020. This is part of a larger plan in which California hopes to reduce its emissions to 80 percent below 1990 levels by 2050. This reduction will be accomplished through an enforceable statewide cap on GHG emissions that will be phased in starting in 2012 and regulated by the California Air Resources Board (CARB). With this Act in place, CARB is in charge of setting specific standards for different source emissions, as well as monitoring whether they are being met.

As discussed in Section III of this document, the proposed project's primary contribution to air emissions is attributable to grading/construction activities. Project construction will result in greenhouse gas (GHG) emissions from the following grading/construction related sources: (1) grading/construction equipment emissions and (2) emissions from grading/construction workers personal vehicles traveling to and from the site. Construction-related GHG emissions vary depending on the level of activity, length of the construction period, specific construction operations, types of equipment, and number of personnel.

The primary emissions that would result from the proposed project occur as carbon dioxide (CO_2) from gasoline and diesel combustion, with more limited vehicle tailpipe emissions of nitrous oxide (N_2O) and methane (CH_4), as well as other GHG emissions related to vehicle cooling systems. Although construction emissions are a one-time event, GHG emissions such as CO_2 can persist in the atmosphere for decades.

Currently, neither the MDAQMD nor the County has established a quantitative threshold or standard for determining whether a project's GHG emissions are significant. In December 2008, SCAQMD adopted interim CEQA GHG significance thresholds of 10,000 metric tons of CO2e ($MTCO_2e$) per year for stationary/industrial projects that include a tiered approach for assessing the significance of GHG emissions from a project (SCAQMD 2008). For the purposes of determining whether GHG emissions from a project are significant, SCAQMD recommends summing emissions from amortized construction emissions over the life of the

proposed project, generally defined as 30 years, and operational emissions, and comparing the result with the established interim GHG significance threshold. While the individual project emissions would be less than 10,000 $MTCO_2e/yr$, it is recognized that small increases in GHG emissions associated with grading/construction of the proposed project would contribute to regional increases in GHG emissions. For these reasons, it is unlikely that this project would impede the state's ability to meet the reduction targets of AB32.

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
VIII	**HAZARDS AND HAZARDOUS MATERIALS** - Would the project:				
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

SUBSTANTIATION:

a-d) **No Impact.** To avoid hazards with grading/construction equipment, the Construction Contractor is required to make sure the equipment is maintained. Additionally, the stockpiling project may require the storage of small amounts of hazardous materials, such as fuel and lubricants. This material would be stored consistent with State and Federal regulatory requirements.

All activity involving hazardous substances would be handled in accordance with applicable

local, State, and Federal safety standards. Potential impacts associated with the use, transport, storage, and disposal of hazardous materials and reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be less than significant.

The closest school to the project site is the Boron Junior/Senior High School, located in Kern County a little over five miles away. Project activities would not affect this school, and there would be no impacts.

The project site is not listed on any of the following:

- CAL/EPA Hazardous Waste and Substances Sites;
- California Department of Toxic Substances Control, Resource Conservation and Recovery Act (RCRA) Facilities;
- Hazardous Waste and Substances Site List (Cortese List); and
- California State Water Resources Control Board Leaking Underground Storage Tank Information System (LUSTIS).

A lack of data from these sites indicates that no past uses on the project site have involved hazardous materials. The property has been previously disturbed for uses such as onsite storage of large personal belongings and placement of soils. There would be no impact from the proposed project associated with listing on a hazardous materials site.

e, f) **Less than Significant Impact.** The project is not located within an airport land use plan or within two miles of a public airport or public use airport. Adjacent to the southern boundary of the site is a one-half-mile dirt landing strip, essentially an extension of Salton Road. Signs have been placed sporadically in the vicinity to advise individuals to be careful of low-flying airplanes. Small aircraft landing and taking off from this dirt strip would create a less than significant impact with respect to safety hazards for people residing or working in the project area.

g) **No Impact.** State Route 58 and US 395 have been designated evacuation routes for evacuation of residents in the event of wildland fires and other natural disasters[11]; therefore, it is important to keep these routes free flowing. No roadways would be closed to through traffic during project construction. Emergency vehicles, residents, and employees in the area would be able to pass through the area without obstruction. Emergency access impacts would be less than significant.

h) **Less than Significant Impact.** Essentially providing a fuel break, most vegetation would be removed during grading; therefore, no fire fuel would be available for a significant risk of loss, injury, or death involving wildland fires (also known as brush or forest fires). With no fuel for wildfires, impacts would be less than significant.

[11] County of San Bernardino General Plan, VIII Safety Element, E. Desert Region Goals and Policies of the Safety Element, page VIII-33.

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
IX.	**HYDROLOGY AND WATER QUALITY** - Would the project:				
a)	Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
e)	Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f)	Otherwise substantially degrade water quality?	☐	☐	☒	☐
g)	Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h)	Place within a 100-year flood hazard area structure which would impede or redirect flood flows?	☐	☐	☐	☒
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j)	Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

SUBSTANTIATION:

a,c,d e,f) **Less than Significant Impact.** According to the Hydrology Memorandum for the proposed project[12], there are no known pre-existing water quality standards that have been violated in the area. The proposed project would have no wastewater generation or discharges. There are no streams or rivers located in the immediate area of the project site[13]. There are no storm water drainage facilities in the immediate area. The site is situated on a relative ridge and generally slopes from north to south. Due to the ridge, natural drainage paths tend to flow away from the site. Storm water on the site flows into two watersheds. The westerly half drains to the southwest corner and the easterly half drains to the southeast corner.

The grading/stockpiling phase of the project site would require temporary disturbance of surface soils and removal of vegetative cover. This could result in exposure of soil to storm runoff, potentially causing erosion and entrainment of sediment in runoff and, if not managed properly, the runoff could cause erosion and increased sedimentation in the storm flow and in local washes. The proposed project would not substantially alter the existing drainage pattern. The stockpile would be graded to create a virtual ridge dividing the site in approximately the same manner as found currently. Impervious surfaces are not proposed as part of the project.

With the stockpile in place, offsite runoff will be concentrated along the north property line from approximately the midpoint to the northern boundary toward the eastern boundary. A proposed "V-shaped" earthen channel will convey runoff from offsite tributary drainage to a dispersion point to the east. At the terminus of this, a depression will slow and disperse the flow.

By volume, sediment is the principal component in most storm runoff. Sediments also transport substances such as nutrients, hydrocarbons, and trace metals, which are conveyed to receiving waters. The potential for chemical releases is present at most construction sites in the form of fuels, solvents, and other building construction materials. Once released, these substances could be transported to nearby washes and/or to groundwater in stormwater runoff, wash water, and dust control water, potentially reducing the quality of the receiving waters. A condition of the project is that an independent quality control engineer certify that the quality of the fill dirt placed on the site meets the requirements for "clean soil". This requirement complies with the County Development Code Chapter 83.04 – Conditional Grading Compliance.

Grading/stockpiling of dirt on the project site is in excess of one acre; therefore, the project would be required to obtain coverage pursuant to an NPDES permit. Additionally, the project applicant would be required to submit a SWPPP for grading/construction discharges. The SWPPP includes a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the grading and stockpiling period. In addition, the SWPPP emphasizes structural and non-structural BMPs to control sediment and non-visible discharges from the site. During the grading/stockpiling period of the

[12] *Hydrology Memorandum for Kramer Junction Stockpile Site*, prepared by Kjelstrom and Associates, Shaun Kjelstrom, PE, June 6, 2011.
[13] Ibid

project, these BMPs would be used to reduce erosion and sedimentation and may include the use of sand bags, check dams, and soil binders. The Construction Contractor would be required to uphold these controls and to maintain an inspection log.

In addition, projects submitted for approval are required to submit a project specific WQMP prior to the first discretionary project approval or permit[14]. The WQMP is required to identify BMPs. With implementation of the erosion/sedimentation/pollution control measures required in the NPDES construction permit and SWPPP and the required WQMP and BMPs, water quality impacts would be less than significant. Moreover, because the proposed project, as designed, would replicate the existing flow, there would be less than significant impacts with respect to altered drainage patterns.

b) **Less than Significant Impact**. The proposed project would not deplete groundwater supplies, as water would be used minimally for dust suppression and dirt stabilization, using water that is trucked in. Groundwater recharge would continue at the same pace. There would be no paved areas for parking (no public parking is proposed) or for roads (they would remain unimproved dirt roads); therefore, the soils would remain permeable, except for pan soils, to facilitate groundwater recharge. The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge; thus, impacts would be less than significant.

g,h) **No Impact.** Most of the annual rainfall in the region occurs in the winter; during this time, flooding could result from intense storms that cause rapid runoff. The proposed project does not propose any construction. As such, it has no potential to place housing or other structures at risk of flooding or of impeding the flow of stormwater. There would be no impact.

i) **Less than Significant Impact.** The project area floods when significant rain events occur. People could be exposed to some risk of injury during a flood event; however, it would probably not be a significant risk of loss, injury, or death. Exposure of people to flooding impacts would be less than significant.

j) **No Impact.** Seiches are oscillations in enclosed bodies of water that are caused by a number of factors, most often wind, or seismic activity. Because the project site is not located immediately adjacent to a lake, no seiche-related flooding resulting from a lake is anticipated to occur on-site. Inundation of the site by a tsunami is highly unlikely. A tsunami is a series of waves generated in the body of water by a pulsating or abrupt disturbance that vertically displaces water. Because of the site's distance from the ocean, there are no potential risks associated with tsunami (tidal wave) inundation. A mudslide (also known as a mudflow) occurs when there is fast-moving water and a great volume of sediment and debris that surges down a slope, stream, canyon, arroyo, or gulch with tremendous force. Because the site is relatively flat, with no high points or narrow formations surrounding it, a mudslide is not expected to occur. There would be no inundation impacts.

[14] San Bernardino County Storm Water Program, *Model Water Quality Management Plan Guidance*, June 2005.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
X. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☒	☐	☐

SUBSTANTIATION:

a) **No Impact.** Kramer Junction is essentially the intersection of State Route 58 and US 395, approximately one mile southeast of the project site. There are fast food outlets, a trucking travel center, gas stations, a restaurant, motels, and a gift shop. The SCE Kramer Substation is also located there. This area could be characterized as an established community. There are no other established communities near the site. The proposed project would not physically divide this community; consequently, there would be no community division impacts.

b) **Less than Significant Impact**. According to the Kramer Junction Land Use Zoning Districts (maps EH04A & DH28A), the project site presently is designated RL-5 (Rural Living, 5-acre minimum parcel size), which provides sites for single-family homes on large parcels, and similar and compatible uses. The surrounding area is designated RC (Resource Conservation) and RL (Rural Living) to the south; and RL-5 to the north, west, and east, which provides sites for rural residential uses, incidental agricultural uses, and similar and compatible uses[15]. To the south is the Edwards Air Force Base. The proposed stockpiling project would require approval of a Use Permit to allow natural resource development.

Minor and Conditional Use Permits

Use Permits provide the County an opportunity to review the design, location, and manner of development of the proposed project before its implementation[16]. The following table lists the required general findings for a Conditional Use Permit and provides potential specific findings related to the stockpiling project.

[15] *County of San Bernardino 2007 Development Code*, County of San Bernardino, Land Use Services Division; adopted March 13, 2007, effective April 12, 2007, amended January 15, 2009; Purpose and Intent of Development Code; Title 8, Division 2, Chapter 82.01, Section 20.

[16] *County of San Bernardino 2007 Development Code*, County of San Bernardino, Land Use Services Division; adopted March 13, 2007, effective April 12, 2007, amended January 15, 2009; Conditional Use Permits, Title 8, Division 5, Chapter 85.06.

Conditional Use Permit Findings

General Findings Required	Proposed Project Findings
The Project site is adequate in terms of shape and size to accommodate the proposed use and other required features.	The stockpiling project would allow 60,000 to 90,000 cubic yards of dirt from a Caltrans road-widening project to be placed on the 8.73-acre site. The site was specifically chosen because of its proximity to SR-58.
The Project site has adequate access.	Salton Road, on the southern border, provides physical access to the Project site. Legal access to the site exists from US395 via Farmington, Haven, Pipeline, and Pepper through a circuitous route north and west from the site. This is adequate for the limited, short-term traffic that would use the Project site.
The proposed use would not generate excessive noise, traffic, vibration, or other disturbance. In addition, the use would not substantially interfere with the present or future ability to use solar energy systems.	Sections in this Initial Study analyze noise, traffic, and vibration, and demonstrate that there would not be excessive disturbance created by the proposed Project. The stockpiling would not interfere with solar energy systems, but may create a larger shadow than without the stockpile.
The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the General Plan.	See analysis in sections of this Initial Study.
There is supporting infrastructure to accommodate the proposed development without significantly lowering service levels.	The proposed Project would not affect service levels. There would be no employees on the site after grading.
The lawful conditions stated in the approval are deemed reasonable and necessary to protect the public health, safety, and general welfare.	The conditions of approval that usually accompany any approval would obviously be lawful; reasonable; and necessary to protect the public health, safety, and general welfare.
The design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities.	The proposed Project contains no development. The creation of an elevated pad allows future development to use renewable energy systems and/or passive heating and cooling.

Additional findings for Minor Use Permits

There are no circumstances that would result in standards or conditions not being able to adequately mitigate environmental impacts.	The conditions and mitigation measures placed on this project would reduce potential impacts to levels below significant.
The project is planned for immediate development and does not include a phased development.	The stockpiling project will run concurrently with the Caltrans road-widening project. It is not phased.
The project is not likely to result in controversy.	The project is in a very rural area, without nearby neighbors. There have been no comments received in response to the project notice.

Source: *County of San Bernardino 2007 Development Code*, County of San Bernardino, Land Use Services Division; adopted March 13, 2007, effective April 12, 2007, amended January 15, 2009; Conditional Use Permit, Title 8, Division 5, Chapter 85.06.

The proposed project would most likely not have conflicts with any applicable land use plan or policy adopted for the purpose of avoiding or mitigating an environmental effect. Impacts would be less than significant.

c) **Less than Significant Impact with Mitigation Incorporated.** The project site is located within the Western Mojave Recovery Unit of the Draft Revised Recovery Plan for the Mojave Population of the Desert Tortoise (*Gopherus agassizii*)[17]. The project site is located outside the closest designated critical habitat unit, the Fremont-Kramer critical habitat unit and is not located within a Desert Wildlife Management Area, or any designated Areas of Critical Environmental Concern as identified within the Recovery Plan. USFWS is in the process of developing a revised recovery plan. While the project would result in the loss of habitat within the Plan, the implementation of mitigation measures **BIO-1** through **BIO-6** would reduce impacts to a less than significant level.

[17] *Draft revised recovery plan for the Mojave population of the Desert Tortoise (Gopherus agassizii).* U.S. Fish and Wildlife Service, California and Nevada Region, Sacramento, California, 2008.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XI. MINERAL RESOURCES - Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

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

a,b) **No Impact.** The State of California has established Mineral Resource Zones (MRZs) to designate lands that contain mineral deposits. The State Geologist has not mapped nor classified the project site. As such, the best classification for the site is MRZ-4. The MRZ-4 designation is for areas where there is not enough information available to determine the presence or absence of mineral deposits. There are no existing mines located within close proximity to the project site[18]. Because there is not enough information available to determine the presence or absence of mineral deposits, it is assumed that there are no known mineral resources at the site that would be of value to the region and residents of the state. No impact to known mineral resources would occur.

[18] County of San Bernardino, *Conservation Background Report*; February 1, 2006; Figure 6-11C: Mines, Desert Region.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XII. NOISE - Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐

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

a,d) Noise-sensitive receptors include convalescent homes, hospitals, day-care centers, residential areas, fire stations, schools, hotels, libraries, and campgrounds. Potential major noise generators include roadways, airports, industrial plants, railroads, racetracks, off-highway vehicle areas, and public shooting ranges. There are no noise-sensitive receptors near the project site. Major existing noise generators near the project site include the Burlington Northern Santa Fe Railway, State Route 58, and US 395.

Less than Significant Impact. Temporary grading/construction activities may contribute some increase in noise levels above the levels shown in below.

Noise Standards for Stationary Noise Sources

Affected Land Uses (Receiving Noise)	7 am-10 pm Leq	10 pm-7 am Leq
Residential	55 dBA	45 dBA
Professional Services	55 dBA	55 dBA
Other Commercial	60 dBA	60 dBA
Industrial	70 dBA	70 dBA
Source: *County of San Bernardino 2007 Development Code*, County of San Bernardino, Land Use Services Division;		

adopted March 13, 2007, effective April 12, 2007, amended January 15, 2009; General Performance Standards, Noise, Title 8, Division 3, Chapter 83.01, Section 80.

Notes: [1] Leq = (Equivalent Energy Level). The sound level corresponding to a steady-state sound level containing the same total energy as a time-varying signal over a given sample period, typically 1, 8 or 24 hours.

[2] dB(A) = (A-weighted Sound Pressure Level). The sound pressure level, in decibels, as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound, placing greater emphasis on those frequencies within the sensitivity range of the human ear.

[3] Ldn = (Day-Night Noise Level). The average equivalent A-weighted sound level during a 24-hour day obtained by adding 10 decibels to the hourly noise levels measured during the night (from 10 pm to 7 am). In this way, Ldn takes into account the lower tolerance of people for noise during nighttime periods.

For a single-point source[19], sound levels decrease approximately six dBA for each doubling of distance from the source. If noise is produced by a line source[20], the sound decreases three dBA for each doubling of distance in a hard-site environment, but in a relatively flat environment with absorptive vegetation, it decreases 4.5 dBA for each doubling of distance.

The nearest land use (mixed-use commercial) is approximately 0.45 mile, or about 2,400 feet, to the southeast of the project site. If a single-point source piece of grading/construction equipment were to produce 130 dBA[21] and be located directly on the eastern border, the sound would be attenuated by the time it reached the facilities to approximately 40 dBA, which is below the commercial standard of 60 dBA. There would be no exposure of persons to or generation of noise levels in excess of standards. These levels would not be construed as a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. Impacts would be less than significant.

b) **No Impact.** Ground borne vibrations could occur during grading/construction activities only. According to *County 2007 Development Code,* "temporary construction, maintenance, repair, or demolition activities between 7:00 a.m. and 7:00 p.m., except Sundays and Federal holidays," are exempt from regulations of General Performance Standards[22], including ground borne vibrations; thus, there would be no impact.

c) **Less than Significant Impact.** After the completion of grading/construction activities, there would be no substantial permanent increase in ambient noise levels in the project vicinity. The impacts would be less than significant.

e,f) **Less than Significant Impact.** The project is not located within an airport land use plan or within two miles of a public airport or public use airport. Adjacent at the southern boundary of the site is a one-half-mile dirt landing strip, essentially an extension of Salton Road. Signs have been placed sporadically in the vicinity to advise individuals to be careful of low-flying airplanes. The grading/construction workers would not be exposed to excessive noise levels as a result of small airplanes landing and taking off. Impacts would be less than significant.

---

[19] A single-point source of noise is a source that radiates sound as if from a single point (e.g., stationary equipment).
[20] A line source of noise is many single sources that are close together (e.g., multiple vehicles on a roadway or a train on a railroad).
[21] This level is usually associated with a jack hammer; however, a jack hammer would not be required during construction.
[22] *County of San Bernardino 2007 Development Code*, County of San Bernardino, Land Use Services Division; adopted March 13, 2007, effective April 12, 2007, amended January 15, 2009; General Performance Standards, Vibration, Title 8, Division 3, Chapter 83.01, Section 90.

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

SUBSTANTIATION:

a) **No Impact.** The proposed project would not result in the introduction of new homes or new businesses to the area. The proposed project is intended to stockpile dirt from a nearby Caltrans road-widening project. The proposed project would not result in the creation of a substantial number of new long-term jobs, as once grading/construction is complete, there would be no on-site presence. The implementation of the proposed project would not induce substantial population growth in the area, either directly or indirectly. No impact would occur.

b) **No Impact.** There are no existing residential uses on site or on adjacent sites. The proposed project would not result in the displacement of any housing and thus, would not require the construction of any replacement housing. No impact would occur.

c) **No Impact.** As discussed previously, no residential uses are present on site, and there are no other types of structures present on the site. The proposed project would not result in the displacement of any people; consequently, no impact would occur.

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

SUBSTANTIATION:

a) **Fire Protection – Less than Significant Impact.** The County Fire Department, North Desert Division, would provide fire protection services to the site. Although the Boron Fire Station is approximately 5.5 miles west of the site, the County station nearest the site is the Hinkley Station, which is approximately 21 miles southeast and provides services to a large area, including the vast unincorporated areas west of Hinkley, to the County line near Boron[23]. The fire protection needs of the proposed project are not expected to result in any increased demand on the County Fire Department; therefore, impacts associated with fire protection would be less than significant.

Police Protection – Less than Significant Impact. The County Sheriff's Department would provide police protection services for the project area. During grading/construction, theft or vandalism at the site could require a response from police; however, the project site would be fenced to discourage theft or vandalism. Because the project would not result in the construction of residential or business structures, the likelihood of incidents would be low, and the project would not require the need for new or altered police protection facilities or additional staff. Police protection impacts would be less than significant.

Schools – No Impact. The project would not include any components, such as the

[23] San Bernardino County Fire Department website, http://www.sbcfire.org/fire_rescue/northd/stn125.htm, site accessed March 23, 2011.

construction of businesses or residences that would result in a population increase. With no increase in population, no increase in school-aged children would occur because of the project. As there would be no increased demand for school services, no impact to school services would occur.

Parks – No Impact. As the proposed project would not result in any population increase, no increased usage of parks would occur. Thus, no impacts to parks would occur because of the proposed project.

Other Public Facilities – No Impact. The project would not include the construction of any buildings. Additionally, with no population increase associated with the project (no construction of residential or employment generating uses), there would be no need for increases in any other governmental services, such as libraries, hospitals, or public housing. No impact associated with other public facilities would occur.

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

SUBSTANTIATION:

a,b) **No Impact.** The proposed project would not result in the construction of any housing and would not include any substantial long-term job-generating uses. Because the proposed project would not result in new housing or new permanent jobs in the area and would not result in any increase in population of surrounding areas, the proposed project would not increase the use of any existing neighborhood or regional parks or any other facilities. No impact would occur.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XVI. TRANSPORTATION/TRAFFIC - Would the project:				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☒	☐
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e) Result in inadequate emergency access?	☐	☐	☒	☐
f) Result in inadequate parking capacity?	☐	☐	☒	☐
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

SUBSTANTIATION:

a) **Less than Significant Impact.** According to the Traffic Study[24], during peak operating conditions, the project would utilize up to 360 trucks per workday or 35 trucks during any given hour. The Study concludes that under project conditions, the intersection of Highway 395 and Salton Road will continue to operate at acceptable levels of service with the existing roadway geometrics. The Study recommends that the applicant temporarily implement traffic control improvements near the intersection of Salton Road and Highway 395 and stripe the portion of Highway 395 near Salton Road to restrict passing (see Figure 3 from Traffic Study). Caltrans concurs with the recommended traffic control shown in Figure 3. They also recommend portable changeable message signs either indicating "prepare to stop slow truck traffic ahead" or conveying a similar message, be installed along Highway 395 on both the northbound and southbound approaches[25]. Trips associated with the project would be temporary, limited to approximately 60 to 90 days. Impacts associated with increased vehicle trips would be less than significant.

[24] *Traffic Study-Granite Construction, SR 58 Shoulder Improvement Project Spoil Site Kramer Junction, California,* Hall & Foreman, Inc., July 1, 2011

[25] Email correspondence from Nivine K. Georges with California Department of Transportation, dated 7/25/11

b) **Less-Than-Significant Impact.** Mostly a four-lane highway throughout its length, near the project site State Route 58 is a two-lane highway, creating congestion at the intersection of State Route 58 and US 395. State Route 58, from the Los Angeles County Line to Interstate 15, has approximately 9,000 to 13,000 average daily traffic volume. The level of service (LOS) for morning and afternoon peak hours is LOS D[26]. Peak hours usually occur in the morning and evening commute periods, and at LOS D, intersections still function; however, short queues develop, and motorists may have to wait through one cycle of signal lights. During project grading/construction, merging of existing traffic and the anticipated increase in truck trips could result in temporary impacts although the Traffic Study concludes that the project will not cause any negative traffic impacts to the area roadways. Because of its temporary nature, installation of traffic control devices and striping to restrict passing will accommodate the anticipated traffic. Once grading/construction activities are complete, the project would not have any impact on LOS.

c) **Less than Significant Impact.** Adjacent on the southern boundary is a 0.5-mile dirt landing strip, essentially an extension of Salton Road. Signs have been placed sporadically in the vicinity to advise individuals to be careful of low-flying airplanes. The project would not include any tall buildings that would change air traffic patterns, including a change in location that could result in substantial safety risks. The truck trips to the site are temporary in nature, lasting approximately 60 to 90 days. Air traffic pattern impacts would be less than significant.

d) **Less than Significant Impact**. The proposed project would not include hazardous design features, such as sharp curves or dangerous intersections. Merging construction traffic could cause safety hazards for motorists in the area; however, when temporarily obstructing traffic on a roadway, standard procedures involving the use of flag persons or signs would control the flow of traffic. Incompatible use impacts would be less than significant.

e) **Less than Significant Impact.** State Route 58 and US 395 have been designated evacuation routes for evacuation of residents in the event of wildland fires and other natural disasters[27]; therefore, it is important to keep these routes free flowing. No roadways would be closed to through traffic during project construction. Emergency vehicles, residents, and employees in the area would be able to pass through the area without obstruction. Emergency access impacts would be less than significant.

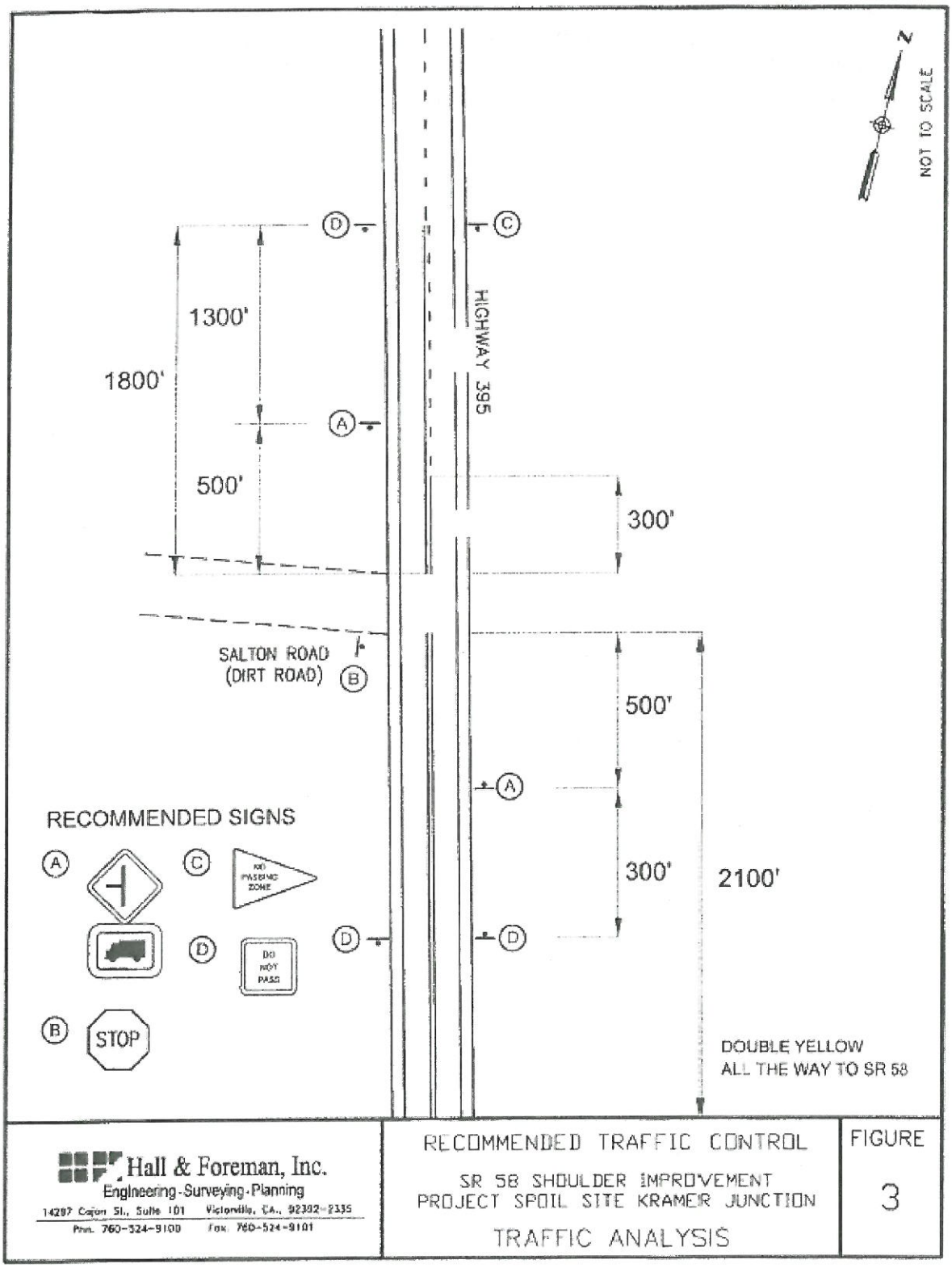
f) **Less than Significant Impact.** During construction activities, temporary areas on the project site would be set aside to accommodate parking required for construction workers. The project does not include the construction of any structures requiring permanent parking after project completion; consequently, parking capacity impacts would be less than significant.

---

[26] *Final Environmental Impact Report for the County of San Bernardino General Plan*, Table IV-O-2. Existing Lane Configuration, Average Daily Traffic Volumes and Peak Hour Level of Service for State Highways Located in San Bernardino County.

[27] County of San Bernardino General Plan, VIII Safety Element, E. Desert Region Goals and Policies of the Safety Element, page VIII-33.

g) **No Impact.** The project would not conflict with adopted policies, plans, or programs supporting alternative transportation, as no bus stops, bike paths, or other means of alternative transportation are available at the project site. The Barstow Area Transit System offers bus transportation to the community of Hinkley, approximately 20 miles southeast of the site. There would be no impact on adopted policies, plans, or programs.


N
NOT TO SCALE
HIGHWAY 395
1300'
1800'
500'
300'
SALTON ROAD
(DIRT ROAD)
500'
300'
2100'
RECOMMENDED SIGNS
STOP
DOUBLE YELLOW
ALL THE WAY TO SR 58
Hall & Foreman, Inc.
Engineering · Surveying · Planning
14297 Cajon St., Suite 101 Victorville, CA., 92392-2335
Phn. 760-524-9100 Fax. 760-524-9101
RECOMMENDED TRAFFIC CONTROL
SR 58 SHOULDER IMPROVEMENT
PROJECT SPOIL SITE KRAMER JUNCTION
TRAFFIC ANALYSIS
FIGURE
3

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS - Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded, entitlements needed?	☐	☐	☒	☐
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project, that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

SUBSTANTIATION:

a) **Less than Significant Impact.** Pursuant to Section 402 of the Clean Water Act, the Regional Water Quality Control Board (RWQCB) issues NPDES permits to regulate discharges to "waters of the nation," which include rivers, lakes, and their tributary waters. Waste discharges include discharges of stormwater and construction project discharges. A construction project resulting in the disturbance of more than one acre requires a NPDES permit. The project applicant is also required to prepare a SWPPP. Because the project would comply with the waste discharge prohibitions and water quality objectives established by the RWQCB, impacts related to this issue would be less than significant.

b) **No Impact.** The proposed project would not include the construction of any habitable structures (such as residences or businesses); therefore, it would not create any substantial new water demand or generate new wastewater flows. As the project does not include any uses that would generate wastewater flows, no new or expanded wastewater facilities would be needed to accommodate the project. The only water use proposed at the site would be

for dust suppression during grading. Water would be delivered to the site by truck. No impacts to water and wastewater facilities would occur.

c) **No Impact**. The proposed project does not include any wastewater generating uses. There would be no wastewater infrastructure at the project site, and there would be no proposed construction of wastewater infrastructure. No impact would occur.

d) **Less than Significant Impact.** As discussed in response XVI(b) above, the proposed project would not create any substantial new water demand. While water would have to be transported to the site for dust suppression, the proposed project would not use any substantial amounts of water, and no expanded entitlements would be needed. Impacts would be less than significant.

e) **No Impact.** As discussed in response XVI(b) above, the proposed project does not include any uses that would generate wastewater flows. No wastewater infrastructure is currently present at the site and none would be added because of the proposed project. No impact would occur.

f) **Less than Significant Impact**. The proposed project does not include any long-term solid-waste generating uses or any long-term increases in waste sent to nearby landfills attributable to the proposed project. Thus, impacts would be less than significant.

g) **No Impact.** While the proposed project is not expected to generate solid waste, it would be required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991) and other applicable local, State, and Federal solid waste disposal standards. No impact would occur.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

SUBSTANTIATION:

a) **Less than Significant Impact with Mitigation Incorporated.** The proposed project would have less than significant impacts, after mitigation is applied, with respect to the potential for substantially degrading the quality of the environment; substantially reducing the habitat of a fish or wildlife species; causing a fish or wildlife population to drop below self-sustaining levels; threatening to eliminate a plant or animal community; reducing the number or restricting the range of an endangered, rare or threatened species; or eliminating important examples of the major periods of California history or prehistory.

Potential to Degrade Quality of Environment. The proposed project would not have the potential to degrade the quality of the environment. As indicated in the foregoing analysis, because of the proposed project either no impact or no significant impact would occur with respect to all of the environmental issues analyzed with the exception of air quality, biological resources, and cultural resources, which would be less than significant in impact upon incorporation of the proposed mitigation measures.

Substantial Impacts on Air Quality. Although the proposed project has the potential to generate fugitive dust, it would not exceed PM10 thresholds by complying with mitigation measure **AIR-1** and MDAQMD's Rules 403 and 403.2 to fugitive dust control.

Substantial Impacts on Biological Resources. The proposed project would not:

- Substantially reduce the habitat of a fish or wildlife species;
- Cause a fish or wildlife population to drop below self-sustaining levels;

- Threaten to eliminate a plant or animal community; or
- Reduce the number or restrict the range of an endangered, rare, or threatened species.

Although the biological reports prepared for the proposed project site determined that the site is unlikely to provide viable MGS or desert tortoise habitat, or burrows for burrowing owl use, both the California Department of Fish and Game and the U.S. Fish and Wildlife Service recommended avoidance measures be taken to further reduce potential impacts. The implementation of mitigation measures **BIO-1** through **BIO-7** would reduce these impacts to a less than significant level.

Substantial Impacts on Historical Resources. The proposed project would not eliminate important examples of the major periods of California history or prehistory; however, it could affect potential cultural resources. Mitigation measure **CUL-1** would ensure that no significant impacts to prehistoric archaeological resources or historic archaeological resources would occur.

b) **Less than Significant Impact.** Cumulative impacts are defined as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period. The *CEQA Guidelines*, Section 15130 (a) and (b), states:

> *(a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.*
>
> *(b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.*

It is presumed that developments near the project site were constructed after completing an environmental review and that all environmental impacts were mitigated to levels that were less than significant.

With regard to visual impacts, the project would be located in an area with a readily visible solar generation facility (SEGS), major electrical transmission lines, local above-ground utility lines, two highways and a SCE substation, along with the restaurants and travelers facilities in the immediate area. Thus, visual impacts from this project are not considered cumulatively considerable.

c) **Less than Significant Impact.** The incorporation of design measures, County policies, standards, and guidelines would ensure that there would be no substantial adverse effects on human beings, either directly or indirectly. Impacts of the proposed project would be less than significant.

MITIGATION MEASURES

Any mitigation measures, which are not "self-monitoring," shall have a Mitigation Monitoring and Reporting Program prepared and adopted at time of project approval.

CONDITION COMPLIANCE RELEASE FORM (CCRF) MITIGATION MEASURES: (Verification of condition compliance will be by existing procedure)

AIR QUALITY

AIR-1: The project applicant shall ensure that the following dust suppression measures are implemented as part of the project's mitigation:

1. Disturbed areas of the site shall be watered a minimum of three times daily.

2. All excavating and grading operations shall be suspended when wind speeds (as instantaneous gusts) exceed 25 mph.

3. All on-site roads and other areas that have no vegetation shall be paved, watered, or chemically stabilized.

4. Fugitive dust best management practices (including but not limited to applicable provisions of Mojave Desert Air Quality Management District Rule 403.2) shall be implemented for this site.

BIOLOGICAL RESOURCES

BIO-1: Prior to the issuance of the project grading permit or any land disturbance, the site shall be completely fenced with desert tortoise fencing, allowing for access. Access points should have gates or some other battier. The desert tortoise fencing may be temporary or permanent, but it shall be maintained for the entire duration that Granite Construction is placing dirt and watering it.

BIO-2: After the fence is installed, a qualified biologist shall survey the vacant lot once more to ensure desert tortoises are not present. If a desert tortoise is present, please contact the CDFG and USFWS to determine whether the take of animals can be avoided. If take cannot be avoided, the Department and the Service may recommend that Granite Construction apply for an incidental take permit.

BIO-3: Prior to the issuance of the project grading permit or land disturbance, the project applicant shall have a qualified biologist present a worker education program to all workers associated with the deposition of dirt on the vacant lot. The program shall include information on the protected status of the desert tortoise, the Mohave ground squirrel, and the burrowing owl and actions that are prohibited by law, the protective measures being implemented to avoid the take of these species, and the appropriate actions to take if any species is found in the work area.

BIO-4: Prior to the issuance of the project grading permit or land disturbance, the project applicant shall advise drivers associated with the project to be vigilant when traveling on the unpaved road to and from the vacant lot to avoid striking any animal species. The qualified biologist shall make project managers and drivers aware of when desert tortoises and other species are most likely to be present and of how to avoid them if they are encountered on the road. The speed of drivers should be kept below or at 25 mph so that drivers have the potential to avoid any animal species using the existing dirt access roads.

BIO-5: Trash shall be kept in a predator-proof container and should be removed from the site daily. All workers shall be informed that they are not to feed common ravens (*Corvus corax*) or leave any trash or food where common ravens or other predators may gain access to it. Common ravens and other predators attracted to the site may also kill desert tortoises in the area; consequently, the goal of this measure is to reduce the attractiveness of the area to these species by not supplying food.

BIO-6: All construction and/or grading equipment and associated materials should stay outside of any drainage that is adjacent to the area and park in already disturbed locations or within the proposed site.

BIO-7: A pre-land disturbance/pre-construction survey for burrowing owl shall be completed no more than 30 days prior to such disturbance. Adherence with any conditions is required.

CULTURAL RESOURCES

CUL-1: As a condition of approval prior to any land disturbance, the project applicant shall hire a qualified archaeologist to conduct an archaeological survey to inventory all resources, evaluate their significance and integrity, and if necessary, propose appropriate mitigation measures. Submission to the County Museum of a historical resources management report by the professional, which documents the survey, documents any subsurface testing, evaluates project impacts, and proposes suitable measures to mitigate potential adverse impacts in accordance with the appropriate laws is required.