



PLANNING DIVISION

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CHRISTINE KELLY
Director

**COUNTY OF SAN BERNARDINO
NOTICE OF AVAILABILITY AND NOTICE OF INTENT (NOI) TO ADOPT AN INITIAL STUDY /
MITIGATED NEGATIVE DECLARATION FOR THE ESSEX PIT MINE AND RECLAMATION PLAN**

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, County Staff prepared a Draft Initial Study / Mitigated Negative Declaration (IS/MND) that identify and evaluate the environmental impacts of the below-named project.

Project Title: Essex Pit Mine and Reclamation Plan.

Project No.: AP20110033.

Project Location: 5 ½ miles east of Essex on the northside of National Trails Highway (SR 66), Assessor's Parcel Number: 0655-181-18.

Project Description: Establishment of a 32.1 acre aggregate mine including portable equipment; a rock crushing and screening plant; and an asphalt plant.

Environmental Review and Public Comment: The circulation of the Draft Mitigated Negative Declaration and Initial Study is to encourage written public comments. Interested persons can review the Draft IS/MND at www.sbcounty.gov and at the following physical locations:

San Bernardino County Government Center
Land Use Services Department, First Floor
385 N. Arrowhead Avenue
San Bernardino, CA 92415

High Desert Government Center
15900 Smoke Tree St. Suite 131
Hesperia, CA 92345

If unavailable on the web site, the document may be obtained in electronic format by telephoning the Land Use Services Department at (909) 387-4131 or, or by emailing the project Planner at ernestperea@ymail.com to request a PDF version of the document.

The public comment period will end on May 29, 2012 at 5:00 PM. Please submit comments to

ernestperea@ymail.com or to:

Ernie Perea, Contract Project Planner
County of San Bernardino
Land Use Services Department, Planning Division
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0184

Public Hearing: A public hearing will be scheduled to consider adoption of the Final IS/MND at a future date. In advance of the hearing date, Staff will distribute a separate notice regarding that hearing.

**SAN BERNARDINO COUNTY
INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM**

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

PROJECT LABEL:

APN: 0655-181-18
Applicant: Sully-Miller Contracting Company
Community: Essex
Location: 5 ½ miles east of Essex on the northside of National Trails Highway
Project No: AP20110033
Staff: Ernie Perea
Rep: Paul Kielhold
Proposal: Mine Reclamation Plan for sand and gravel on a 32.1 acre site

USGS Quad: Fenner California
T, R, Section: T8N R17E Sec. NW¼ of S13 and
Thomas Bros.: Page 351 Grid F-10
Planning Area: Essex
OLUD: Resource Conservation (RC)
Overlays: Open Space Wilderness

PROJECT CONTACT INFORMATION:

Lead agency: County of San Bernardino
Land Use Services Department
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0184

Contact person: Ernie Perea, Contract Planning Consultant
Phone No: 951- 214-2739 Fax No: (909) 387-3223

E-mail: ernestperea@ymail.com

Project Sponsor: Sully-Miller Contracting Company
135 South State College Blvd., Suite 400
Brea, CA

PROJECT DESCRIPTION:

Sully-Miller Contracting Company (Sully-Miller) proposes this mine reclamation plan for a 32.1-acre portion of a parcel east of Essex, California, in the County of San Bernardino (Figure 1). The site is owned by Sully-Miller and most of the adjacent parcels are owned by the United States and are administered by the Bureau of Land Management (BLM). The site had San Bernardino County Mine Reclamation Plan approvals in the past (formerly CA Mine ID #91-33-0063) and has been completely disturbed and reclamation begun. The improvements are proposed to consist of portable equipment: a rock crushing and screening plant and an asphalt plant.

The site is 5½ miles east of Essex on the north side of National Trail Highway (Route 66). The site is the location of facilities previously approved by the County (CA Mine ID #91-33-0063) and operated intermittently by various entities primarily for highway repairs. The site can provide service to I-15, I-40, US 95, National Trail Highway and other highways in the region.

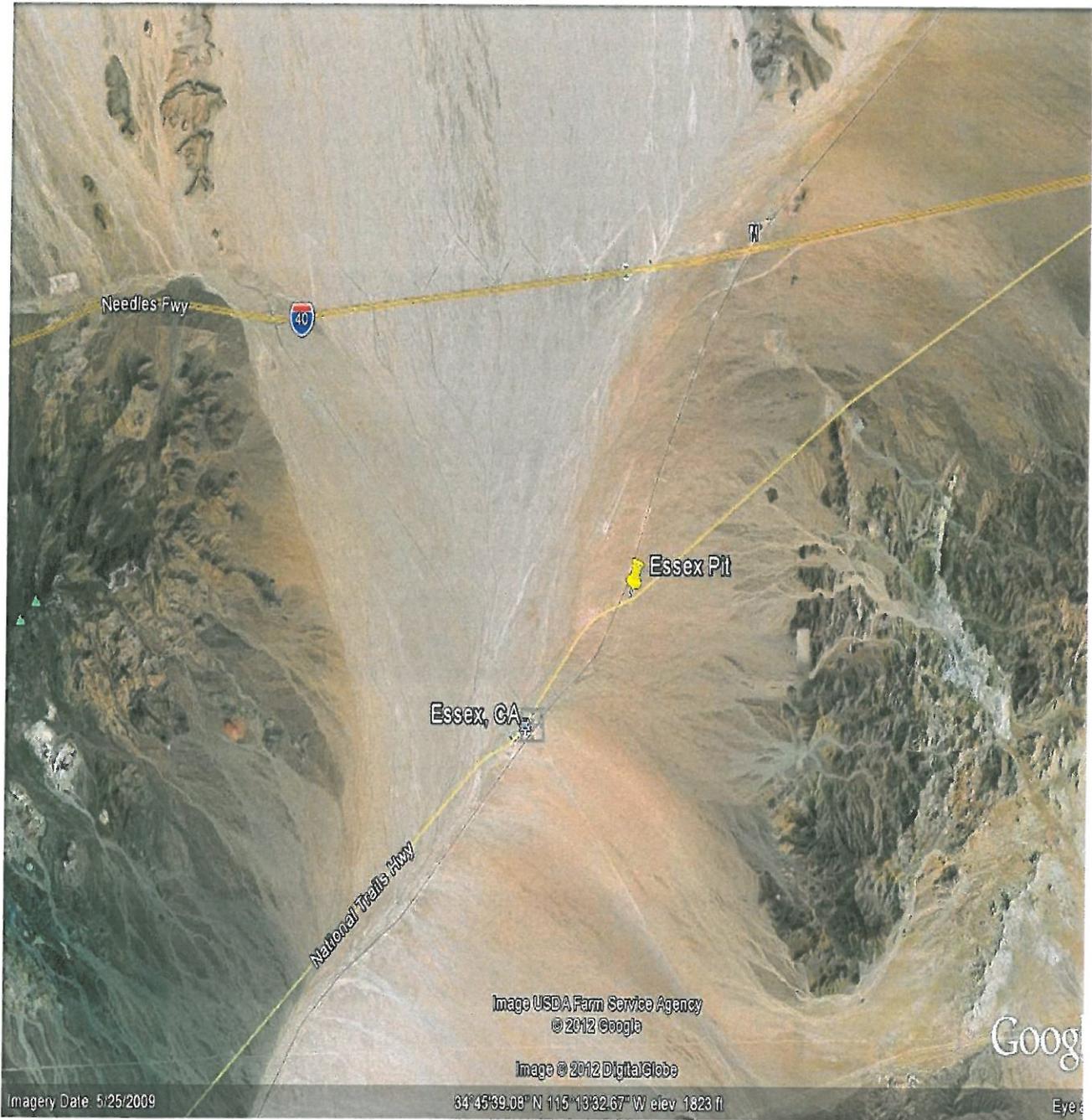
The site could also provide aggregates for the many solar power sites proposed in the eastern Mojave Desert Region.

Mining will be conducted in two phases. Vegetation and top soil salvage is not expected to produce much growth media because the site has previously been mined, however, if found protected plant species, yucca and cacti, will be transplanted to the nursery area along the south side of the quarry. The upper 6"-12" of topsoil will also be stockpiled along the south side of the pit. Mining will be conducted by dozers, scrapers and loaders. Mining will occur from the east toward the west and north to the south. The rock plant and asphalt plant will remain in the original location until Phase I excavation (to the north and east) is completed then the plants will be placed below grade within the Phase I pit and Phase II will be excavated.

Mining may commence as early as 2012 and could continue intermittently for thirty years, until January 2042; with the completion of reclamation intended within five (5) years of the completion of mining (2047). Activity on the site is dependent upon repair, maintenance and construction schedules which will be determined by others, therefore the activity could occur 24 hours per day and 7 days per week. The surrounding properties are currently vacant and are expected to remain vacant because they are federally owned with the exception of the parcel south of the site which has also been used for an aggregate pit and material processing area. Temporary halts may occur due to climatic extremes such as air temperatures which are too low to allow asphalt to be applied and the absence of work contracts.

Mine wastes are expected to be composed of silts and clays which are too fine to be used in construction aggregates. Silts and clays will be reburied within the pit prior to spreading of growth media and revegetation seeding. Refuse and septage will be collected onsite and hauled to licensed facilities for disposal.

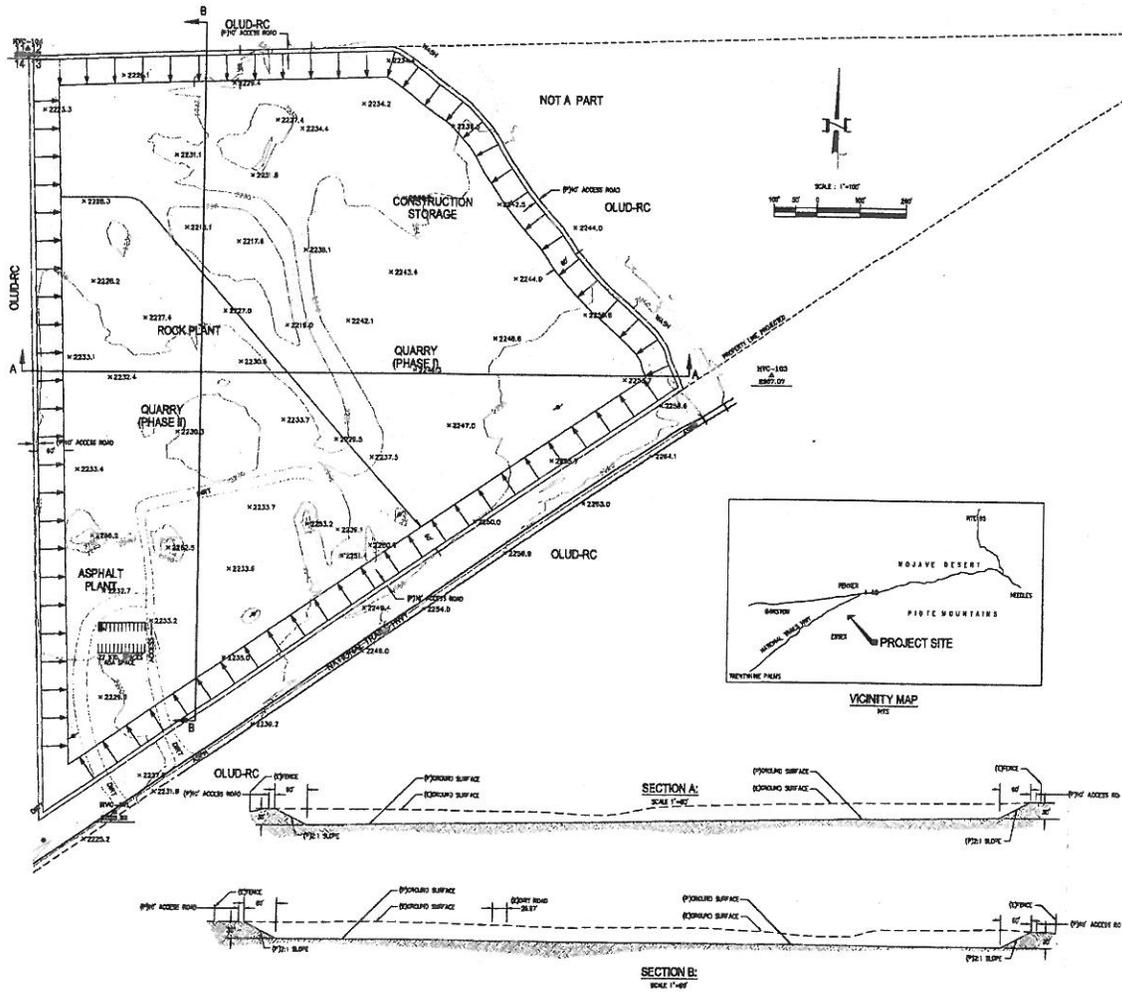
Aggregate will be moved from the pit via loaders, scrapers and dozers. Processing of excavated sand and gravel will be accomplished by a crushing and screening plant and an asphalt plant. The crushing plant uses a water spray system to control dust generation to levels permitted by the Mojave Desert Air Quality Control District. The asphalt plant uses a dry dust collection system (bag house). Material will leave the site as asphalt or other construction aggregate.



Essex Pit

Vicinity Map

Exhibit 1



Essex Pit

Location Map

Exhibit 2



Essex Pit

Site Photograph
Looking NW towards BLM Land

Exhibit 3



Essex Pit

Site Photograph
Looking North. I-40 is in the Background

Exhibit 4



Essex Pit

Site Photograph
Looking NE. Former pit is in mid-ground

Exhibit 5



Essex Pit

**Site Photograph
Looking South towards
National Trails Highway**

Exhibit 6

ENVIRONMENTAL/EXISTING SITE CONDITIONS:

Table 1. Existing and Surrounding Land Use and Zoning

AREA	EXISTING LAND USE	OFFICIAL LAND USE DISTRICT
Site	Vacant	Resource Conservation (RC)
North	Vacant	Resource Conservation (RC)
South	Vacant (Former Sand and Gravel Mine)	Resource Conservation (RC)
East	Vacant	Resource Conservation (RC)
West	Vacant	Resource Conservation (RC)

The site is located upon an alluvial fan emanating from the Piute Mountains. Surface water flows are ephemeral (occurring immediately after storms) and flow from the southeast to the northwest.

The surrounding area is vegetated with a Mojavean creosote bush - burro bush scrub community dominated by creosote bush and burro bush. Also present on adjacent undisturbed areas are cassia, cheesebush, krameria, cholla, barrel cactus, sweet bush, Mormon tea, euphorbia, buckwheat, desert spineflower and several annual species. A complete species list is included in the original (pre-disturbance) assessment by Victor Horchar. Baseline vegetation data was collected during the winter of 2011-2012 from adjacent areas. The baseline vegetation data include measures of aerial extent of ground cover by plants, plant density and species diversity. Plant species protected by state law and County ordinance; yucca, agave and cactus, will be transplanted during growth media salvage to areas which remain undisturbed until they are used in revegetation of the site. The area surrounding the site is undisturbed and remains in a natural state.

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

- Mojave Desert Air Quality Management District (MDAQMD): Permit to Construct and Operate a Crushing/Screening Plant/Asphalt Plant.

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 seventeen (17) major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study Checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

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

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.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> 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 proponent. 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.

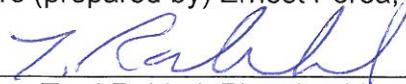
Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



 Signature (prepared by) Ernest Perea, Contract Planner

4-24-12

 Date



 Signature: Terri Rahhal, Planning Manager

4-24-12

 Date

Potentially Significant Impact.	Less Than Significant With Mitigation Incorp.	Less than Significant	No Impact
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- I. AESTHETICS -** Would the project
- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

a) **No Impact.** According to The San Bernardino County General Plan the project site is not within a scenic vista. The area surrounding the site is undisturbed and remains in a natural state. Activities occurring within the immediate area include recreational off-road vehicle travel and commercial livestock grazing. Other than desert habitat, there are no unique features in the area.

b) **No Impact.** According to The San Bernardino County General Plan the project site is not within a scenic vista. The Project Site is located on National Trails Highway in the Essex area. National Trails Highway is a County Scenic Route from Oro Grande northeast to Lenwood (Barstow area). The site is not located within this designated area. Therefore, no impact is anticipated

c) **Less Than Significant Impact.** The project site is not located within a scenic vista or along a scenic highway. Activities occurring within the immediate area include recreational off-road vehicle travel and commercial livestock grazing. Other than desert habitat, there are no unique features in the area. The proposed use is an allowable use within the Resources Conservation Land Use Zoning District. Although the visual character of the site will change during mining operations, upon conclusion of mining; all equipment, processing plants, tanks, generators, conveyors and any debris will be removed from the site and the site revegetated. Upon completion of revegetation, the site will be level with an elevation 20 feet below the surrounding grade. In addition, The height of the proposed structures is permitted by the San Bernardino County Development Code and will not be out of character with other mining facilities (either or future) allowed within the area. Therefore, a less than significant impact is anticipated.

d) **Less Than Significant Impact.** The Proposed Project may include outdoor lighting that would introduce a new source of light or glare which would affect nighttime views in the

area. Section 83.07.040 of the County Development Code contains performance standards and general requirements that minimize light pollution, glare, and light trespass and curtail the degradation of the nighttime visual environment. This is a mandatory requirement that will be part of the Project Conditions of Approval.

Potentially Significant Impact.	Less Than Significant With Mitigation Incorp.	Less than Significant	No Impact
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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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

a) **No Impact.** The California Resources Agency defines Prime Farmland, Unique Farmland, or Farmland of Statewide Importance for San Bernardino County as farmlands which include dryland grains of wheat, barley, oats, and dryland pasture. The Project Site does not meet these characteristics. Therefore, the Proposed Project would not Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. Therefore, no impact is anticipated.

b) **No Impact.** The Project Site is not designated as agricultural land use or under a Williamson Act contract and is not zoned for agricultural use. No impact is anticipated.

c) **No Impact.** No portion of the project site occurs within forest land or timberland. Therefore, the Proposed Project does not conflict with, nor could it result in the rezoning of forest or timber land. Therefore, no impact is anticipated.

d) **No Impact.** No portion of the project site occurs within forest land, and approval of the Proposed Project would not result in the loss of forest land or convert forest land to a non-forest use. No impact is anticipated.

e) **No Impact.** The Proposed Project would not involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use because the site is not located in the vicinity of farmland or forest land. Therefore, no impacts are anticipated.

Potentially Significant Impact.	Less Than Significant With Mitigation Incorp.	Less than Significant	No Impact
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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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

The Project Site is located in the Mojave Desert Air Basin (MDAB). The Mojave Desert Air Quality Management District (MDAQMD) has jurisdiction over air quality issues and regulations within the MDAB. To assist local agencies to determine if a project's emissions could pose a significant threat to air quality, the MDAQMD has published its California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, August 2011.

a) **No Impact.** Reclamation of the site would involve the disturbance of approximately 32 acres. The Proposed Project is an allowable use within the RC Land Use District. The project site is within the Mojave Desert Air Basin and under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The MDAQMD is responsible for updating the Air Quality Management Plan (AQMP). The AQMP was developed for the primary purpose of controlling emissions to maintain all federal and state ambient air standards for the district. A project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project is conforming if it complies with all applicable District rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan). Conformity with growth forecasts can be established by demonstrating that the project is consistent with the land use

plan that was used to generate the growth forecast.

The Project is consistent with the zoning and land use classifications that were used to prepare the Mojave Desert AQMP. In addition Project-generated emissions were modeled using the California Emissions Estimator Model (CalEEMod). Project generated emissions were modeled based on Project specific information and/or default information contained in CalEEMod, The Project's air pollutant emissions generated during all phases of the Project will not exceed construction or operational emission thresholds. (See Table 2). Therefore, the Project's emissions are in compliance with the thresholds established by the Mojave Desert Air Quality Management District. The project would not significantly increase local air emissions and therefore would not conflict with or obstruct implementation of the plan. Therefore, no impact is anticipated.

b) **Less Than Significant Impact:** On-site emissions for the proposed project were modeled using the Off-Road Mobile Source Emissions Factors (2013) for the on-site diesel equipment, rock crushing plant, and asphalt plant. Offsite emissions including worker trips and hauling were modeled using the CalEEMod.2011.1.1 software program.

On-site emission calculations included the use of 2-loaders, 2-scrappers, 2-rubber tire dozers, 1-water truck and the rock crushing and asphalt plants. Offsite emission calculations included estimates based on 180 bottom dump truck trips per day, 9 asphalt oil truck trips per day, and 6 water truck trips per day for a total of 195 truck trips per day.

Table 2. Project Emissions

Emissions Source	ROG	Nox	CO	PM
Loaders	1.912	14.9536	7.6208	0.8128
Scrapers	4.4528	38.5888	16.632	1.608
Rubber Tire Dozers	4.7776	40.7232	18.7984	1.7024
Water Truck	1.7128	14.8344	5.0888	0.5152
On-Road Hauling	0.14	1.03	1.63	11.58
Processing Equipment: Rock Crushing/Asphalt Plants	2.7728	18.8032	10.8368	1.1968
Total Emissions lbs/day	15.7	128.9	60.6	17.4
MDAQMD Thresholds	137	137	548	82
Exceeds Threshold?	No	No	No	No

As shown in Table 2, Project emissions would not exceed MDAQMD thresholds.

Compliance with MDAQMD Regulation II and Rules 402 and 403

Although the Proposed Project does not exceed MDAQMD thresholds, the Applicant is required to comply with all applicable MDAQMD rules and regulations as the MDAB is in non-attainment status

for ozone and suspended particulates (PM₁₀ and PM_{2.5} (state)). The Project shall comply with Regulation II which requires the Applicant to obtain and implement condition for a Permit to Construct and a Permit to Operate the proposed rock crushing and asphalt plants. To limit dust production, the Applicant must comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures (BACM) for each fugitive dust source. This would include, but not be limited to the following BACMs:

1. The Project proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.
 - I. The Project proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading and mining activity on the site. Portions of the site that are actively being mined shall be watered to ensure that a crust is formed on the ground surface, and shall be watered at the end of each workday.
 - II. The Project proponent shall ensure that all disturbed areas are treated to prevent erosion.
 - III. The Project proponent shall ensure that all mining and processing activities are suspended when winds exceed 25 miles per hour.

Exhaust emissions from vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, would increase NO_x and PM₁₀ levels in the area. Although the Proposed Project would not exceed MDAQMD thresholds during operations, the Applicant would be required to implement the following conditions as required by MDAQMD:

2. All equipment used for mining and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
3. The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site haul trucks in order to minimize exhaust emissions from truck idling.
4. The operator shall comply with all existing and future CARB and MDAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.
5. The aggregate crusher must obtain permits to construct and annually renew permits to operate from the MDAQMD and be in compliance with such permits.

MDAQMD rules for diesel emissions from equipment and trucks are embedded in the compliance for all diesel fueled engines, trucks, and equipment with the statewide CARB Diesel Reduction Plan. These measures will be implemented by CARB in phases with new rules imposed on existing and new diesel-fueled engines.

c) **Less Than Significant Impact.** The Project is located in a region that has been identified as being in Non-Attainment for Ozone and PM₁₀ (State) according to the California Air Resources Board Area

Designation Maps. This means that the background concentration of these pollutants have historically been over the Federal and/or State Ambient Air Quality Standards. With respect to air quality, no individual project would by itself result in Non-Attainment of the Federal or State Ambient Air Quality Standards. However, a project's air pollution emissions although individually limited, may be cumulatively considerable when taken in combination with past, present, and future development projects. In order to be considered significant, a project's air pollutant emissions must exceed the emission thresholds established by the regional Air Quality Management District.

The results of the CalEEMod computer model prepared for the Project determined that the thresholds for the above referenced criteria pollutants would not be exceeded by the Project. (See Table 2). Therefore, impacts from the Project are not cumulatively considerable when included with other past, present, and future probable projects.

d) **No Impact.** The Proposed Project is located in a remote area of northern San Bernardino County. No sensitive receptors are located within the project vicinity. Therefore, no impacts are anticipated.

e) **No Impact.** The Proposed Project is the reclamation of a gypsum mine. The generation of objectionable odors is typically not associated with surface mining operations and there are no sensitive receptors within the project vicinity. Therefore, no impact is anticipated.

Potentially Significant Impact.	Less Than Significant With Mitigation Incorp.	Less than Significant	No Impact
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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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

a) Less than Significant with Mitigation Incorporated:

Animal Species

According to information contained in the County of San Bernardino General Plan, the Desert Tortoise and the Burrowing Owl have the potential to occur in the project area. The Desert Tortoise is a federally- and state-listed threatened species and the Burrowing Owl is a federal and California species of concern.

A Desert Tortoise survey was conducted for the original mining project and no animals were found. An exclusion fence was installed and clearance surveys conducted at that time. At the conclusion of mining, the processing area was left compacted. Due to the lack of Desert Tortoises originally and the current surface conditions, the site is not expected to have been occupied by Desert Tortoises, however, transient animals could occur on site, therefore, the following mitigation measures are required:

BIO-1. Within 30 days prior to site clearing or grading, preconstruction surveys will be conducted to determine if the site has become occupied by the Desert Tortoise. If the site has become occupied by the Desert Tortoise then a Biological Opinion from United States Fish and Wildlife Service(USFWS) and a California Department of Fish and Game CDFG 2081 permit will be required prior to work beginning. If the site is occupied by Desert Tortoise, the following measures may be included in the work plan for the project as part of the 2081 permit and the 10a permit:

- **The Applicant shall conduct an orientation program for all persons who will work on-site during construction. The program shall consist of a brief presentation from a person knowledgeable about the biology of the Desert Tortoise, the terms of the grading permit, Federal Endangered Species Act (FESA), and California Endangered Species Act (CESA). The education program shall include a discussion of the biology of the Desert Tortoise the habitat needs of this species, their status under FESA and/or CESA, and the specific measures that are being implemented during construction to protect these species. In addition, they shall be advised as to the potential impact to tortoises and potential penalties (up to \$25,000 in fines per violation and one year in prison) for taking a threatened species. A fact sheet containing this information shall also be prepared and distributed to all attendees. Upon completion of the orientation, employees shall sign a form stating that they attended the program and understand all protection measures. These forms shall be filed at the construction office of the Applicant and shall be made available to the CDFG and USFWS upon request.**
- **Only an Authorized Biologist(s) shall be allowed to handle tortoises. The Authorized Biologist(s) shall have a Memorandum of Understanding (MOU) with the CDFG for handling tortoises and shall be authorized by the USFWS under the auspices of the Biological Opinion. The Applicant shall submit the credentials of the proposed Biologist(s) to the CDFG and USFWS for review and approval or authorization at least 30 days prior to the onset of activities. No ground disturbing activities shall begin until a Biologist is approved or authorized.**

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- All Desert Tortoises shall be handled according to the Desert Tortoise Council's handling guidelines (Desert Tortoise Council 1999). An Approved Biologist must approve the haul roads prior to use. If temporary Desert Tortoise fencing is necessary, the contractor will be responsible for the installation.
 - The construction right-of-way shall be clearly marked or flagged at the outer boundaries, prior to the onset of construction. All construction workers shall be instructed that their activities shall be confined to locations within the flagged or marked areas.
 - The project areas shall be surveyed for Desert Tortoise burrows within 24 hours prior to the onset of site disturbance. The inspections shall be conducted by the Authorized Biologist(s) and shall provide 100% coverage of the right-of-way. Tortoise occupancy of those burrows within the area of potential effect shall be determined by the Authorized Biologist(s). Those occupied burrows within the project area which cannot be avoided shall be excavated by hand during this time period. All excavation of tortoise burrows shall be in accordance with the Desert Tortoise Council guidelines and handling procedures. Measures will be taken to prevent tortoises from re-occupying the burrow sites. Burrows shall be excavated and tortoises handled only by the Authorized Biologist(s).
 - Prior to new ground disturbing activities, the authorized biologist(s) shall perform a pre-construction sweep and periodically monitor these ground disturbing activities. Each of the biologists shall have appropriate qualifications and shall be approved by the CDFG and USFWS at least 30 days prior to any ground disturbing activities.
 - All tortoises found on the project site, whether above ground, in excavated burrows, or in an open trench shall be moved at least 1,000 feet outside of the right-of-way in undisturbed habitat by the Authorized Biologist(s). Desert Tortoises shall be placed in the shade of a large, marked shrub. Disposable latex gloves shall be used to handle all desert tortoises. All Desert Tortoise handling and relocation shall be done in accordance with Desert Tortoise Council protocols (Desert Tortoise Handling Guidelines prepared by the DTC, revised 1999). All materials which come in contact with desert tortoises shall be used only once and then properly discarded to minimize contact with the causative factor(s) for upper respiratory tract disease. Tortoises shall be kept upright at all times and handled in a secure but gentle manner to minimize stress including the possibility of voiding the bladder.
 - Any Desert Tortoise burrow that may be affected (within 30 feet of project activities or in the opinion of the Biologist(s)) shall be clearly marked by the Biologist(s) to avoid crushing and shall be carefully monitored to ensure that the Desert Tortoise and its burrow are not taken. If the Authorized Biologist(s) determines that this monitoring effort is insufficient to protect the desert tortoise, temporary fencing shall be placed between the burrow and the construction area in a manner that will direct the desert tortoise away from harm's way. The fence shall be installed and removed either by, or under the direction of, the Authorized Biologist(s).

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- **Thirty (30) days prior to any ground disturbing activity, the Authorized Biologist(s) shall inform the Bureau of Land Management (BLM) in writing that the project site is to be cleared and BLM will be allowed to salvage any Yucca sp., cactus and other desert plant species to be destroyed due to the proposed actions until a given date.**
 - **Each Authorized and Approved Biologist shall maintain a log during each monitoring visit that includes a record of all Desert Tortoises that are encountered. The information shall be forwarded to the USFWS and CDFG detailing the locations of each occurrence, the general condition and health of each individual, diagnostic markings, and any actions undertaken (excavation of burrows, relocation of desert tortoises). A post-construction compliance report shall be provided to the CDFG within 90 calendar days following project completion. The report shall document the effectiveness of the mitigation measures, the level of take associated with the project including the number of desert tortoises excavated from burrows, and the number of Desert Tortoises moved from construction sites. The report will make recommendations for modifying or refining the above conditions to enhance Desert Tortoise protection.**
 - **Construction and maintenance vehicles shall not exceed a speed of 25 mph in tortoise habitat.**
 - **Project personnel will carefully check under parked vehicles or equipment for desert tortoises before moving them. Desert tortoises found within the parking, traffic or construction areas shall be moved by an authorized handler to a location away from danger and only as specified by CDFG/USFWS.**
 - **Upon discovery of a Desert Tortoise in a work area, all work in that area shall stop until the Desert Tortoise is relocated. An Authorized Biologist shall be on site or on call to relocate any desert tortoise found during work activities. The desert tortoise shall be monitored until the Authorized Biologist arrives.**
 - **Open trenches, auger holes, or other excavations that may act as pitfall traps shall be inspected prior to working in or around the excavation and prior to backfilling. Other excavations that remain open overnight will be covered to prevent them from becoming pitfall traps. Any animals found within the excavations shall be relocated.**
 - **All material areas, equipment storage areas, construction shacks, or other facilities related to the project must be within the disturbed area.**
 - **All project activities shall be confined within the project area. At no time shall equipment or personnel be allowed outside of the project area.**
 - **If, in any event, a Desert Tortoise is injured as a result of project related activities during construction, it will be immediately taken to a CDFG approved rehabilitation facility. Any veterinarian bills for such injured tortoises will be paid by the Applicant. The CDFG and USFWS will be notified so they can determine the final disposition of the animal, if the injured tortoise recovers. Notification to the CDFG and the USFWS shall occur in writing, within 5 calendar days of the incident. Notification shall include the date, time, location and circumstances of**

the incident.

- If a tortoise is killed by project related activities during construction, or if a tortoise is otherwise found dead, a written report will be sent to the CDFG and the USFWS within five (5) calendar days. The report will include the date, time of the finding or incident (if known), location of the carcass and the circumstances (if known). Tortoise remains shall be collected and frozen as soon as possible. The CDFG and/or USFWS shall be contacted as to the ultimate disposition of the remains.
- A litter control program shall be instituted. The program includes the direction to all workers to eliminate food scraps, paper wrappers, food containers, cans, bottles, and other trash from the project area and to maintain covered trash containers that are regularly removed from the project site.
- No firearms or pets shall be allowed at the work area. Firearms carried by authorized security and law enforcement personnel are exempt from this term and condition.
- The Applicant shall allow the CDFG and USFWS representatives access to the project site to monitor compliance with the terms and conditions of this permit, subject to such reasonable restrictions at Applicant's requests.
- Neither the Biologist(s), nor the CDFG or USFWS shall be liable for any costs incurred in complying with the management measures, including cease-work orders.

In order to mitigate potential impacts to the burrowing owl to the maximum extent feasible, a pre-construction survey is required as described in Mitigation Measure BIO-1 below:

BIO-2: Utilizing accepted protocols, within 30 days prior to establishment of the, a pre-construction survey must be conducted for the Burrowing Owl by a qualified biologist.

Plant Species

The site and surrounding area are vegetated with a Mojavean creosote bush - burro bush scrub community dominated by creosote bush and burro bush. Also present on adjacent undisturbed areas are cassia, cheesebush, krameria, cholla, barrel cactus, sweet bush, Mormon tea, euphorbia, buckwheat, desert spineflower, and several annual species. Baseline vegetation data was collected during the winter of 2011-2012. The baseline vegetation data include measures of aerial extent of ground cover by plants, plant density and species diversity. With implementation of the following mitigation measure, impacts will be less than significant:

BIO- 3. Plant species protected by state law and County ordinance; yucca, agave and cactus, will be transplanted during growth media salvage to areas which remain undisturbed until they are used in revegetation of the site.

b-c) **No Impact.** Section 404 of the Clean Water Act defines wetlands as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically

adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas." [Ref. EPA Regulations listed at 40 CFR 230.3(t)].

The California Department of Fish and Game found the U.S. Fish and Wildlife Service (Section 404 definition above) wetland definition and classification system to be the most biologically valid. The Department of Fish and Game staff uses this definition as a guide in identifying wetlands.

There are no features on the site that meet the definition of wetlands.

The wash area located to the east of the site contains smoke trees which are considered to be desert riparian woodlands. The wash area is not part of the project and this area will be avoided.

Therefore, the Project site does not contain riparian habitat, sensitive natural communities, or wetlands that would fall under the jurisdiction of the U.S. Army Corps of Engineers, the California Department of Fish and Game, or the Regional Water Quality Control Board.

d) **Less Than Significant Impact.** Wildlife corridors link together areas of suitable habitat that are otherwise separated by rugged terrain, changes in vegetation, or human development. Corridors effectively act as links between different populations of a species. Interference with the movement of native resident migratory fish or wildlife species occurs through the fragmentation of open space areas caused by urbanization

Wildlife nursery sites are areas that provide valuable spawning and nursery habitat for fish and wildlife. Wildlife nursery sites occur in a variety of settings, such as trees, wetlands, rivers, lakes, forests, woodlands and grasslands to name a few. The use of a nursery site would be impeded if the use of the nursery site was interfered with directly or indirectly by a project's development or activities.

The wildlife species observed onsite are characteristic of Mojavean creosote bush scrub. These species include coyote, jack rabbit, side blotched lizard, raven, vulture, dove, verdin, red-tailed hawk, roadrunner and kestrel.

The site is adjacent to National Trails Highway on the south and vacant land on the north, east and west. The location of the National Trails Highway limits the site's viability as a wildlife corridor. In addition, because of previous mining activities, the site has been disturbed and is devoid of any significant types of vegetation that would support wildlife. Consequently, the site does not serve as a wildlife movement corridor or wildlife nursery site.

e) **Less Than Significant Impact.** The Project site is located within the Resource Conservation land use district and is identified as a "Wilderness Area" by the County General Plan. The Biotic Resources (BR) Overlay established by Sections 82.01.020 (Land Use Plan and Land Use Zoning Districts) and 82.01.030 (Overlays) implements General Plan policies regarding the protection and conservation of beneficial rare and endangered plants and animal resources and their habitats, which have been identified within unincorporated areas of the county.

The BR Overlay is applied to areas that have been identified by a County, State or Federal agency as habitat for species of unique, rare, threatened or endangered plants or animals or their habitats as listed in the General Plan. As stated in the response to Question IVa above, the site has the potential to support the Desert Tortoise and the Burrowing Owl. Implementation of Mitigation Measures BIO-1 and BIO-2 would ensure potential impacts of the Proposed Project would be reduced to a less than significant level

f) Less Than Significant Impact. The Proposed Project is subject to and in conformance with the California Desert Conservation Area Plan (West Mojave Plan). Implementation of Mitigation Measures BIO-1 and BIO-2 would ensure potential impacts of the Proposed Project would be reduced to a less than significant level. Therefore, the Proposed Project activities would be in compliance with the California Desert Conservation Area Plan (West Mojave Plan).

Potentially Significant Impact.	Less Than Significant With Mitigation Incorp.	Less than Significant	No Impact
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V. CULTURAL RESOURCES - Would the project

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

a) **No Impact.** Based on CEQA Guidelines Section 15064.5, "historical resources" includes a resource that is eligible for listing in the California Register of Historical Resources or a resource listed in a local register of historical resources. There are no structures of any kind located on the Project site. Therefore, the Project will not cause a substantial adverse impact on a historical resource.

b-c) **Less Than Significant with Mitigation Incorporated.** The historic records search conducted by the Archaeological Research Unit of the San Bernardino County Museum identified only that the site is within the 18,000 square mile Desert Training Center, California-Arizona maneuver area (California Historic Landmark area CHL-985). The Desert Training Center was used by General George S. Patton and closed in 1944. No additional cultural resources have been identified by County Museum or BLM staff.

In order to mitigate to cultural resources to the maximum extent feasible, the following mitigation measure is recommended:

CUL-1. In the event that cultural resources, including paleontological resources, are encountered; mining activities in the immediate area of the find will be halted and the County Museum and BLM notified. Inspection of uncovered resources will be made and if necessary a recovery and curation plan implemented.

In the event of an accidental discovery or recognition of any human remains, California State Health and Safety Code Section 7050.5 dictates that no further disturbances shall occur until the County Corner has made the necessary findings as to origin and disposition pursuant to CEQA regulations and Public Resources Code Section 5097.98. With

adherence to mandatory State Health and Safety Code Section 7050.5 which stipulates the process to be followed when human remains are encountered, no mitigation measures are necessary.

d) **Less Than Significant Impact.** In the event of an accidental discovery or recognition of any human remains, California State Health and Safety Code Section 7050.5 dictates that no further disturbances shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to CEQA regulations and Public Resources Code Section 5097.98. With adherence to mandatory State Health and Safety Code Section 7050.5 which stipulates the process to be followed when human remains are encountered, no mitigation measures are necessary.

Potentially Significant Impact.	Less Than Significant With Mitigation Incorp.	Less than Significant	No Impact
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I. 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii. Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii. Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv. Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

ai) **No Impact.** The site is not located within an Alquist-Priolo Earthquake Fault Zone according to maps prepared by the State Geologist.

aii) **No Impact.** Seismic ground shaking is influenced by the proximity of the site to an earthquake fault, the intensity of the seismic event, and the underlying soil composition.

The site is not located in the vicinity of an earthquake fault and the project site is to be used for a mining operation and does not contain habitable structures. Impacts are forecast to be less than significant.

aiii) **No Impact.** According to the County General Plan Hazards Overlay Map for the Essex area, the site is not located in an area susceptible to liquefaction. As noted, the proposed project would not build permanent structures or construct facilities with foundations that could fail as a result of liquefaction during an earthquake. Additionally, because of depth of excavation is relatively shallow (20 feet) and because side slopes would be maintained at a stable 3:1 slope, risk to mine workers during excavation and reclamation due to liquefaction would be minimal. Therefore, this impact is considered less than significant.

aiv) **Less Than Significant Impact.** According to the County General Plan Hazards Overlay Map for the Essex area, the site is not located in an area susceptible to landslides. The proposed project would involve excavation to depths no greater than 20 feet below the existing ground elevation. In addition, the side slopes of the excavated area would not be steeper than 3:1 (H: V). Therefore, the project site would not be exposed to landslide hazard, and this impact would be less than significant.

b) **Less Than Significant Impact.** The site is a gently sloping alluvial fan dissected by small ephemeral drainage courses. The large wash draining the Piute Mountains has been avoided and occurs adjacent to the site's east boundary. Run-off resulting from direct precipitation and uncontrolled run-off from surrounding areas have the potential to cause minor erosion and deposition, in both the disturbed and downgradient areas. Excavation will create a basin with internal drainage; it will collect surface flows. The processing area will be sloped to drain into the basin created by the excavation. All storm water discharge is regulated by the Colorado River Basin Regional Water Quality Control Board pursuant to site specific Storm Water Pollution Prevention Plans.

Control of surface drainage, erosion, and sedimentation of planned operations involves the following typical components:

- Limiting surface disturbance to the minimum area required for active operations.
- Diverting run-off from undisturbed areas around the active mining area as necessary.
- Using berms, ditches, sediment basins, and localized control and maintenance measures to intercept and control disturbed area drainage as necessary.
- Stabilizing disturbed areas through grading or revegetation.

Due to the low precipitation, flat gradient of the topography, and sandy nature of the soil, drainage control does not present a significant impact. cause minor erosion and deposition, in both the disturbed and down gradient areas. Impacts are anticipated to be less than significant.

The revegetation program is designed to reestablish a self-sustaining native plant community upon the conclusion of mining. As excavations are finished they will be

revegetated with a combination of transplanted plants, growth media and native plant seeds collected from adjacent areas or purchased from commercial suppliers. all disturbed area drainage would be retained within the basins and low-lying areas; therefore, impacts are anticipated to be less than significant.

c) **Less Than Significant Impact:** Upon completion of revegetation, the site will be level with an elevation 20 feet below the surrounding grade. The site will be sloped slightly for positive drainage and revegetated with native plant species. The reclaimed slopes will be 2:1 aspect, 30 feet high and revegetated with native plants. Because of the relatively short and gentle slopes, intermediate benches will not be necessary. Therefore, the Project will not result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse

d) **No Impact.** The Project Site is not located in an area which has been identified by the County Building and Safety Geologist as having the potential for expansive soils. No impact is anticipated.

e) **No Impact.** Septic tanks and/or alternative water supply systems are not proposed as part of the proposed project. Therefore, no impacts are anticipated.

Potentially Significant Impact.	Less Than Significant With Mitigation Incorp.	Less than Significant	No Impact
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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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

Greenhouse Gas Emissions Interim Measures

According to CEQA Guidelines section 15064.4, when making a determination of the significance of greenhouse gas emissions, the “lead agency shall have discretion to determine, in the context of a particular project, whether to (1) use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use.” Moreover, CEQA Guidelines section 15064.7(c) provides that “a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts” on the condition that “the decision of the lead agency to adopt such thresholds is supported by substantial evidence.”

The San Bernardino County GHG Reduction Plan (“GHG Plan”) presents a comprehensive set of actions to reduce the County’s internal and external GHG emissions to 15% below current levels by 2020, consistent with the AB 32 Scoping Plan.

a) Less Than Significant Impact. The following analysis is based on the *Governor’s Office of Planning and Research, Technical Advisory on CEQA and Climate Change.*

Identify Greenhouse Gas Emissions:

Project-generated GHG emissions were modeled using the California Emissions Estimator Model (CalEEMod). Project generated emissions were modeled based on Project specific information and/or default information contained in CalEEMod, The project is estimated to generate 1,658 MTCO₂e per year.

Table 3. Greenhouse Gas Emissions (Annual)

Project MTCO ₂ e Emissions	San Bernardino County Threshold MTCO ₂ e/Yr.	Mojave Desert Air Quality Management District Threshold MTCO ₂ e/Yr.	Exceeds Threshold?
1640.16	3,000	100,000	No

Determining Significance:

According to the County’s GHG Plan, small projects that do not exceed 3,000 MTCO₂e per year will be considered to be consistent with the Plan and determined to have a less than significant individual and cumulative impact for GHG emissions. As shown on Table 3, the Project’s emissions are 1,658 MTCO₂e per year which does not exceed the 3,000 MTCO₂e threshold.

In addition, the Mojave Desert Air Quality Management District has established a threshold of 100,000 tons of MTCO₂e per year. The Project’s emissions are 1,658 MTCO₂e per year which does not exceed the 100,000 MTCO₂e threshold.

Therefore, the Project’s GHG emissions are not anticipated to exceed established GHG emissions thresholds. A less than significant impact is forecast.

Mitigate Impacts

The GHG reducing performance standards were developed by the County to improve the energy efficiency, water conservation, vehicle trip reduction potential, and other GHG reducing impacts from all new development approved within the unincorporated portions of San Bernardino County. As such, the following Performance Standards establish the minimum level of compliance that development must meet to assist in meeting the 2020 GHG reduction target identified in the in the County GHG Emissions Reduction Plan. These Performance Standards apply to all Projects, including those that are emit less than 3,000 MTCO₂e per year, and will be included as Conditions of Approval for development projects.

The following are the Performance Standards (Conditions of Approval) that are applicable to the Project:

1. The “developer” shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce GHG emissions and submitting documentation of compliance. The developer/construction contractors shall do the following:

a) Select construction equipment based on low GHG emissions factors and high-energy efficiency. All diesel/gasoline-powered construction equipment shall be replaced, where possible, with equivalent electric or CNG equipment.

b) All construction equipment engines shall be properly tuned and maintained in accordance with the manufacturers specifications prior to arriving on site and throughout construction duration.

c) All construction equipment (including electric generators) shall be shut off by work crews when not in use and shall not idle for more than 5 minutes.

b) Less Than Significant Impact. The state and local regulatory programs for GHG emissions and climate change are described in the response to Question VIIa above. The performance standards described above will ensure that there would be no conflict with any applicable plan, policy, or regulation; therefore, impacts would be less than significant, and no mitigation would be required.

Potentially Significant Impact.	Less Than Significant With Mitigation Incorp.	Less than Significant	No Impact
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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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:

a-b) **Less Than Significant Impact with Mitigation Incorporated.** Mining and reclamation activities for the proposed project would involve the use of heavy equipment and vehicles containing fuel, oil, and grease. These fluids could leak from construction vehicles or be inadvertently released in the event of an accident, potentially releasing petroleum compounds and metals. Unless properly managed, such releases could result in adverse health effects, present an increased risk of fire or explosion or contaminate exposed soil. This analysis assumes the routine use, storage, and disposal of hazardous materials during mining and reclamation would be in compliance with applicable regulations and codes.

Additional site-specific controls are recommended to ensure hazardous materials are not inadvertently released to the environment. This impact is considered less than significant with mitigation incorporated. Implementation of the following mitigation measure would reduce reclamation-related hazardous materials impacts to a less-than significant level:

HAZ 1. All spills or leakage of petroleum products during mining or reclamation activities shall be remediated in compliance with applicable state and local regulations regarding cleanup and disposal of the contaminant released. The contaminated waste shall be collected and disposed of at an appropriately licensed disposal or treatment facility.

c) **No Impact.** The Proposed Project involves the use of materials common to the mining industry and includes the transport, storage and use of fuels and lubricants. The operator would continue to comply with all applicable federal and state safety rules and regulations regarding hazardous materials during reclamation of the site. Potential impacts from the risk of exposure both on-site and off-site are anticipated to be less than significant with implementation of Mitigation Measures HAZ-1. During reclamation, diesel exhaust would be generated by heavy construction equipment; however, no school facilities or proposed school facilities are located within one-quarter mile radius of the Project Site. No impacts are anticipated.

d) **No Impact.** The Project Site is not identified on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The operator would comply with all applicable federal and state safety rules and regulations regarding hazardous materials. Potential impacts from the risk of exposure both on-site and off-site are anticipated to be less than significant with implementation of Mitigation Measures HAZ-1.

e) **No Impact.** As shown on San Bernardino County General Plan, Hazards Overlay Regional Map EJFJB (Essex), the Project Site does not occur within an airport influence area. Therefore, the Proposed Project would not result in safety hazard impacts from aircraft-related uses. No impact is anticipated.

f) **No Impact.** The Project Site is not within the vicinity or approach/departure flight path of a private airstrip. Therefore, no impact is anticipated.

g) **No Impact.** Activities associated with the Proposed Project would not impede existing emergency response plans for the Project Site and/or other land uses in the project vicinity. All vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Therefore, implementation of reclamation activities would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. No impact is anticipated.

h) **No Impact.** As shown on San Bernardino County General Plan, Hazards Overlay Regional Map EJFJB (Essex), the Project Site does not occur within a Fire Safety Overlay District. Therefore, the Proposed Project would not result in any safety hazard impacts from wild fires. No impact is anticipated

Potentially Significant Impact.	Less Than Significant With Mitigation Incorp.	Less than Significant	No Impact
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IX. HYDROLOGY AND WATER QUALITY - Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structure which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:

a, f) **Less Than Significant Impact.** The site is a gently sloping alluvial fan dissected by small ephemeral drainage courses. The large wash draining the Piute Mountains has been avoided and occurs adjacent to the site's east boundary. Run-off resulting from direct precipitation and uncontrolled run-off from surrounding areas have the potential to cause minor erosion and deposition, in both the disturbed and downgradient areas. Excavation will create a basin with internal drainage; it will collect surface flows. The processing area will be sloped to drain into the basin created by the excavation. All storm water discharge is regulated by the Colorado River Basin Regional Water Quality Control Board pursuant to site specific Storm Water Pollution Prevention Plans.

Control of surface drainage, erosion, and sedimentation of planned operations involves the following typical components:

- Limiting surface disturbance to the minimum area required for active operations.
- Diverting run-off from undisturbed areas around the active mining area as necessary.
- Using berms, ditches, sediment basins, and localized control and maintenance measures to intercept and control disturbed area drainage as necessary.
- Stabilizing disturbed areas through grading or revegetation.

Due to the low precipitation, flat gradient of the topography, and sandy nature of the soil, drainage control does not present a significant impact. cause minor erosion and deposition, in both the disturbed and down gradient areas. Impacts are anticipated to be less than significant.

The revegetation program is designed to reestablish a self-sustaining native plant community upon the conclusion of mining. As excavations are finished they will be revegetated with a combination of transplanted plants, growth media and native plant seeds collected from adjacent areas or purchased from commercial suppliers. all disturbed area drainage would be retained within the basins and low-lying areas; therefore, impacts are anticipated to be less than significant.

b) **Less Than Significant Impact.** The Project Site is not within a groundwater storage or recharge area and, therefore, would not interfere with groundwater recharge. The Proposed Project will not 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. Water will be purchased off site and delivered by truck. Less than significant impact is anticipated.

c-e) **Less Than Significant Impact...** Excavation will create a basin with internal drainage; it will collect surface flows. The processing area will be sloped to drain into the basin created by the excavation. All storm water discharge is regulated by the Colorado River Basin Regional Water Quality Control Board pursuant to site specific Storm Water Pollution Prevention Plans. The County will approve an on-site drainage control system. Therefore, less than significant impact is anticipated.

g, h) **No Impact.** The Proposed Project does not occur within a 100-year flood plain, nor does it involve the construction of housing or would place housing within a flood plain. No impacts are anticipated.

i) **No Impact.** According to County of San Bernardino Hazards Overlay Map EJFJB (Essex), the Project Site and surrounding area is located outside of any designated dam inundation area. The Proposed Project would not 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, as no levee or dam is proposed as part of the this project. Therefore, impacts are anticipated to be less than significant.

j) **No Impact.** A seiche is an oscillating surface wave in a restricted or enclosed body of water generated by ground motion, usually during an earthquake. Inundation from a seiche can occur if the wave overflows a containment wall or the banks of a water body. As the Project Site is not located adjacent to any body of water that has the potential of seiche or tsunami, no impacts are anticipated.

Potentially Significant Impact.	Less Than Significant With Mitigation Incorp.	Less than Significant	No Impact
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X. LAND USE AND PLANNING - Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

a) **No Impact.** The Project Site is currently vacant and surrounded by open space lands. The Proposed Project is consistent with the County General Plan and would not physically divide an established community. No impacts would result.

b) **No Impact.** The Proposed Project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project as the project is consistent with all applicable land use policies and regulations of the County of San Bernardino General Plan. No impacts are anticipated.

c) **Less Than Significant Impact.** Approval of the Mine Reclamation Plan would not conflict with a habitat conservation plan or natural community conservation plan. Less than significant impact is anticipated. (Also see response to Question IVf under *Biological Resources*).

Potentially Significant Impact.	Less Than Significant With Mitigation Incorp.	Less than Significant	No Impact
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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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION: (Check if project is located within the Mineral Resource Zone Overlay):
«MRZ»

a-b) **No Impact.** The site has been intermittently mined for aggregate since 1987. The Proposed Project would supply aggregate to the region. Therefore, the Proposed Project would not result in the loss of availability, however, would provide a mineral resource that would be of value to the region and the residents of the State as it would be used for road improvements. Therefore, no impacts are anticipated.

Potentially Significant Impact.	Less Than Significant With Mitigation Incorp.	Less than Significant	No Impact
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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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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, c, d) **No Impact.** Approval of the project would require mining and reclamation activities to conform to all applicable noise control regulations. There are no nearby noise sensitive land uses within the vicinity of the Project Site. Therefore, no impacts are anticipated.

b) **Less Than Significant Impact.** Ground-borne vibration can be an issue when vibration causes structural damage to existing buildings or disturbs sleep. Blasting is not proposed as part of mining activities. Equipment used for mining and reclamation would be limited to a front-loader, water truck, and haul trucks. These would not be a permanent or substantial source of vibration. Therefore no significant impacts from excessive groundborne vibration or groundborne noise levels would result.

e, f) **No Impact.** The Project Site is not located within an airport land use plan nor within two miles of a public airport or public use airport, or within the vicinity of a private airstrip, that would expose people at the Project Site to excessive noise levels. Therefore, impacts from airport-related noise are not anticipated.

Potentially Significant Impact.	Less Than Significant With Mitigation Incorp.	Less than Significant	No Impact
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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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:

a) **No Impact.** The Proposed Project would not induce substantial population growth in an area either directly or indirectly because The proposed project would not induce substantial population growth in an area because the project does not propose any physical or regulatory change that would remove a restriction to or encourage population growth in an area including, but limited to, the following: new or extended infrastructure or public facilities; new commercial or industrial facilities; large-scale residential development; accelerated conversion of homes to commercial or multi-family use; or regulatory changes including General Plan amendments, specific plan amendments, zone reclassifications, sewer or water annexations, or LAFCO annexation actions. No impacts are anticipated.

b) **No Impact.** The proposed use would not displace substantial numbers of existing housing units, or require the construction of replacement housing, as no housing units are proposed to be demolished as a result of this project. No impacts are anticipated.

c) **No Impact.** Implementation of the Proposed Project would not displace substantial numbers of people necessitating the construction of replacement housing elsewhere, as no housing exists at the Project Site.

Potentially Significant Impact.	Less Than Significant With Mitigation Incorp.	Less than Significant	No Impact
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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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

a) **No Impact.** The Proposed Project would not 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, or hinder acceptable service ratios, response times or other performance objectives for any of the public services, including fire and police protection, schools, parks or other public facilities because the Project consists of mining minerals for aggregate on a 32 acre parcel with no permanent improvements proposed. After mining operations, the site would consist of vacant land. Therefore, no impacts are anticipated.

Potentially Significant Impact.	Less Than Significant With Mitigation Incorp.	Less than Significant	No Impact
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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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:

a-b) **No Impact.** Approval of the Proposed Project would not generate the need for new jobs or housing which would induce population growth in adjacent areas, and ultimately increase the use of park facilities or other recreational facilities in the region. No impacts are anticipated.

Potentially Significant Impact.	Less Than Significant With Mitigation Incorp.	Less than Significant	No Impact
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XVI. TRANSPORTATION/TRAFFIC - Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:

a,b) **Less Than Significant Impact.** National Trails Highway provides direct access to the project site. Traffic generated by the project would include up to 180 bottom dump truck trips per day, 9 asphalt oil truck trips per day, and 6 water truck trips per day for a total of 195 truck trips per day and vehicle trips to transport up to 8 personnel to and from the project site to conduct daily excavation/reclamation activities. Project-related vehicle traffic would not cause an increase in traffic that 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), or

exceed, either individually or cumulatively, a level of service standard. Impacts would be less than significant.

c) **No Impact.** Approval of the reclamation plan would not affect air traffic patterns at any airport or airstrip as no airport facilities are located in the vicinity of the site. No impacts are anticipated.

d) **No Impact.** Reclamation activities would not result in an additional truck trips beyond approved mining activities and would not involve any road developments or design features that could substantially increase hazards on public roads. Therefore, less than significant impact is anticipated.

e-f) **No Impact.** Activities associated with the Proposed Project would not impede existing emergency response plans for the Project Site and/or other land uses in the project vicinity. All vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. In addition, no road closures would be required. The Proposed Project would not involve any long-term increase in traffic that would conflict with adopted policies, plans, or programs supporting alternative transportation. No impacts would result.

Potentially Significant Impact.	Less Than Significant With Mitigation Incorp.	Less than Significant	No Impact
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XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded, entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:

a,e) **No Impact.** The Proposed Project would not require sewer collection or treatment services and therefore no off-site discharge of treated wastewater would occur. No impacts related to wastewater treatment are anticipated.

b) **No Impact.** Production water will be used for dust control. The rock plant uses approximately 2,000 gallons per day and the asphalt plant has a dry dust collection system. The other uses of water are for dust control on roads and within the pit. Water will be purchased off site and delivered by truck. Domestic water for drinking will be imported for employees. Domestic wastewater and septage will be collected and removed by a licensed operator. Therefore, no impacts related to expanding a water treatment or distribution system would occur.

c) **Less Than Significant Impact.** Due to low rainfall the site has little potential for erosion and sedimentation. All operations on-site would comply with a NPDES General Permit for Storm Water Discharges associated with industrial activities and employ storm water Best Management Practices. Less than significant impacts are anticipated.

d) **Less Than Significant Impact.** Production water will be used for dust control. The rock plant uses approximately 2,000 gallons per day and the asphalt plant has a dry dust collection system. The other uses of water are for dust control on roads and within the pit. Water will be purchased off site and delivered by truck. Domestic water for drinking will be imported for employees. Therefore, adequate water supply is available to serve the project and impacts are considered less than significant.

f,g) **No Impact.** Mining and reclamation activities would not result in waste generation. Equipment maintenance will be done onsite. Waste oil, lubricants and solvents will be removed from the site and disposed of at permitted facilities. All refuse will be kept in closed containers and removed from the site to permitted facilities as needed. Upon reclamation, the Project Site would be monitored twice a year. No trash would be allowed to collect on the site. No impact is anticipated.

Potentially Significant Impact.	Less Than Significant With Mitigation Incorp.	Less than Significant	No Impact
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XVII. 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

a) **Less Than Significant Impact With Mitigation Incorporated.** Based on the analysis contained in this Initial Study, impacts to Aesthetics, Agriculture and Forestry Resources, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Transportation and Traffic, are considered as having a less than significant or no impact on the environment.

The results of the Initial Study show that there are potentially significant impacts to Biological Resources (Desert Tortoise, Burrowing Owl), Cultural Resources (archaeological and paleontological resources), Hazardous materials (vehicle fuel leaks). These impacts will be reduced to less than significant after incorporation of mitigation measures.

Therefore the Project will not degrade the quality of the environment and no habitat, wildlife populations, or plant and animal communities would be impacted.

b) **Less Than Significant Impact.** None of the proposed mining or reclamation activities would substantially contribute to any cumulatively significant impact on the evaluated

resources. The proposed project would not result in any unmitigated adverse project effects on air quality, biological resources, drainage, or water quality, and there would be no contribution to any cumulatively considerable impacts in these issue areas. There would be no long-term loss of agricultural or forestry resources or loss of availability of a mineral resource of value to the state, region, or locally, so there would be no cumulative effect. The project would involve reclamation of the project site for continued agricultural use. There would not be an adverse change in scenic value or visual quality or noise levels that could contribute to a cumulative impact. No impacts on services or utility systems would occur as a result of project implementation that could combine with cumulative effects in the area surrounding the project.

In addition, The analysis in this Initial Study Checklist demonstrated that the Project is in compliance with all applicable regional plans including but not limited to, water quality control plan, air quality maintenance plan, and plans or regulations for the reduction of greenhouse gas emissions. Compliance with these regional plans serves to reduce impacts on a regional basis so that the Project would not produce impacts, that considered with the effects of other past, present, and probable future projects, would be cumulatively considerable.

c) **Less Than Significant Impact With Mitigation Incorporated.** As discussed this Initial Study Checklist, the Project would not expose persons to adverse impacts related to Air Quality, Greenhouse Gas Emissions, Land Use and Planning, Population and Housing, or Transportation/Traffic hazards. These impacts were identified to have no impact or a less than significant impact.

Impacts from Hazards and Hazardous Materials would be potentially significant unless mitigated.

The implementation of the Mitigation Measures identified in this Initial Study Checklist would result in a less than significant impact and there would be no substantial adverse effects on human beings, either directly or indirectly

XVIII. 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)

SELF MONITORING MITIGATION MEASURES: Condition compliance will be verified by existing procedure

GENERAL REFERENCES

CEQA Guidelines, Appendix G.

County of San Bernardino General Plan, 2007

County of san Bernardino Development Code, 2007

County of San Bernardino Greenhouse Gas Emissions Reduction Plan, September 2011

Mojave Desert Air Quality Management District California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, August 2011.

Mine Reclamation Plan for Essex Pit, Revised February 14, 2012

PROJECT SPECIFIC REFERENCES

Air Quality and Greenhouse Gas Emissions Modeling