

# SAN BERNARDINO COUNTY INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

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

## PROJECT LABEL:

<b>APN:</b>	0571-191-06 and 0571-181-03
<b>APPLICANT:</b>	Iron Age Mine, LLC 7555 grand Blvd. Suite B105 #316 Miramar Beach, FL 32550
<b>COMMUNITY:</b>	Twentynine Palms
<b>LOCATION:</b>	The site is located on both unpatented claims and patented lands approximately 18 miles east/southeast of the City of Twentynine Palms, California. The site is in the historic Dale Mining District in the Northern Pinto Mountains (Figure 1).
<b>PROJECT NO:</b>	AP20120018
<b>STAFF:</b>	Reuben Arceo, George Kenline
<b>REP(S):</b>	Lilburn Corp., Martin Derus
<b>PROPOSAL:</b>	Iron Age Mine, LLC is submitting a Mining and Reclamation Plan to remove historical iron ore tailings on 63 acres of public (BLM) lands and 34 acres of patented (private) lands. The project will restore the former 3.4-mile long haul road and reclaim 70 acres of prior disturbed land and backfill 8 acres of existing quarry.

**USGS Quad:** New Dale Lake

**T, R, Section:** T1S R13E Sec: 7, 17, 18, 20, 29

**Thomas Bros.:** San Bernardino and Riverside County  
2005 Book, Page 390, Grid L-2.

**Planning Area:** Desert Region (no index map)  
**Land Use Zoning:** Resource Conservation (RC) including BLM Land

**Overlays:** None

## PROJECT CONTACT INFORMATION:

**Lead agency:** County of San Bernardino  
Land Use Services Department - Planning Division  
385 North Arrowhead Avenue  
San Bernardino, CA 92415-0187

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**Phone No:** (909) 387-4374 Fax No.: (909) 387-3223  
**E-mail:** Reuben.arceo@lus.sbcounty.gov

**Project Sponsor:** Iron Age Mine, LLC (Mark Miller, President)  
755 Grand Blvd, Ste 105 #316  
Miramar Beach, FL 32550  
**Phone No:** (765) 210-4111  
**E-mail:** mark@sportship.com

## OVERVIEW AND PROJECT DESCRIPTION:

Iron Age Mine, LLC (Iron Age) is submitting a Mining and Reclamation Plan (Plan) for the Iron Age Mine. The Iron Age Mine is an iron ore deposit that has been explored and mined prior to the enactment of the Surface Mining and Reclamation Act of 1975 ("SMARA") and has been closed and un-reclaimed for over 50 years. It is located approximately 18 miles east/southeast of the City of Twentynine Palms, California and approximately 3.4 miles south of State Highway 62 (SH 62) in San Bernardino County, California (see Figure 1 - Regional Map) in the northern Pinto Mountains. The site is accessed from State Highway 62 east of Twentynine Palms via Iron Age Mine Road (unpaved road, 3.4 miles south) (see Figure 2 - Vicinity Map).

FIGURE 1: Project Site Regional Location

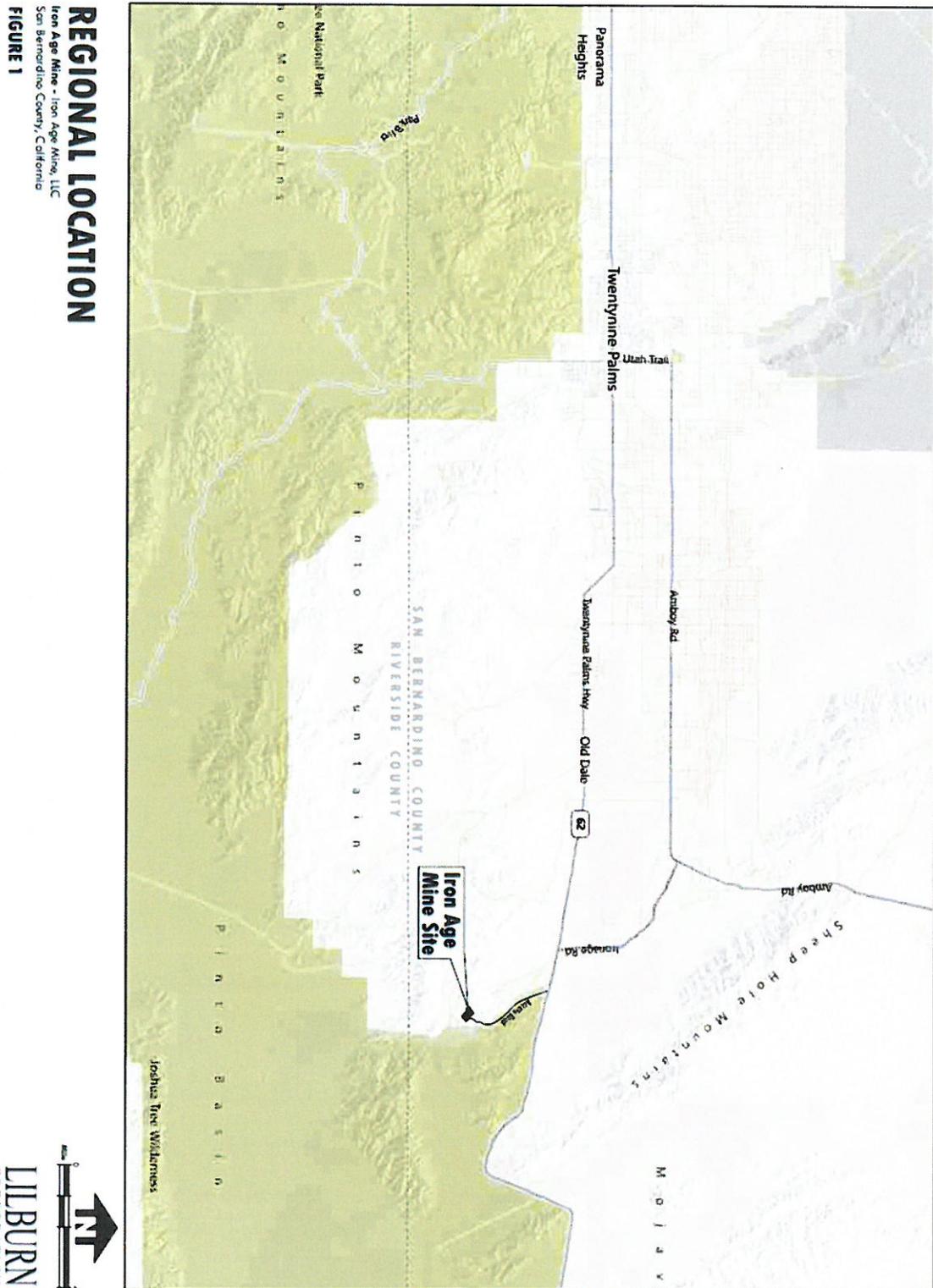
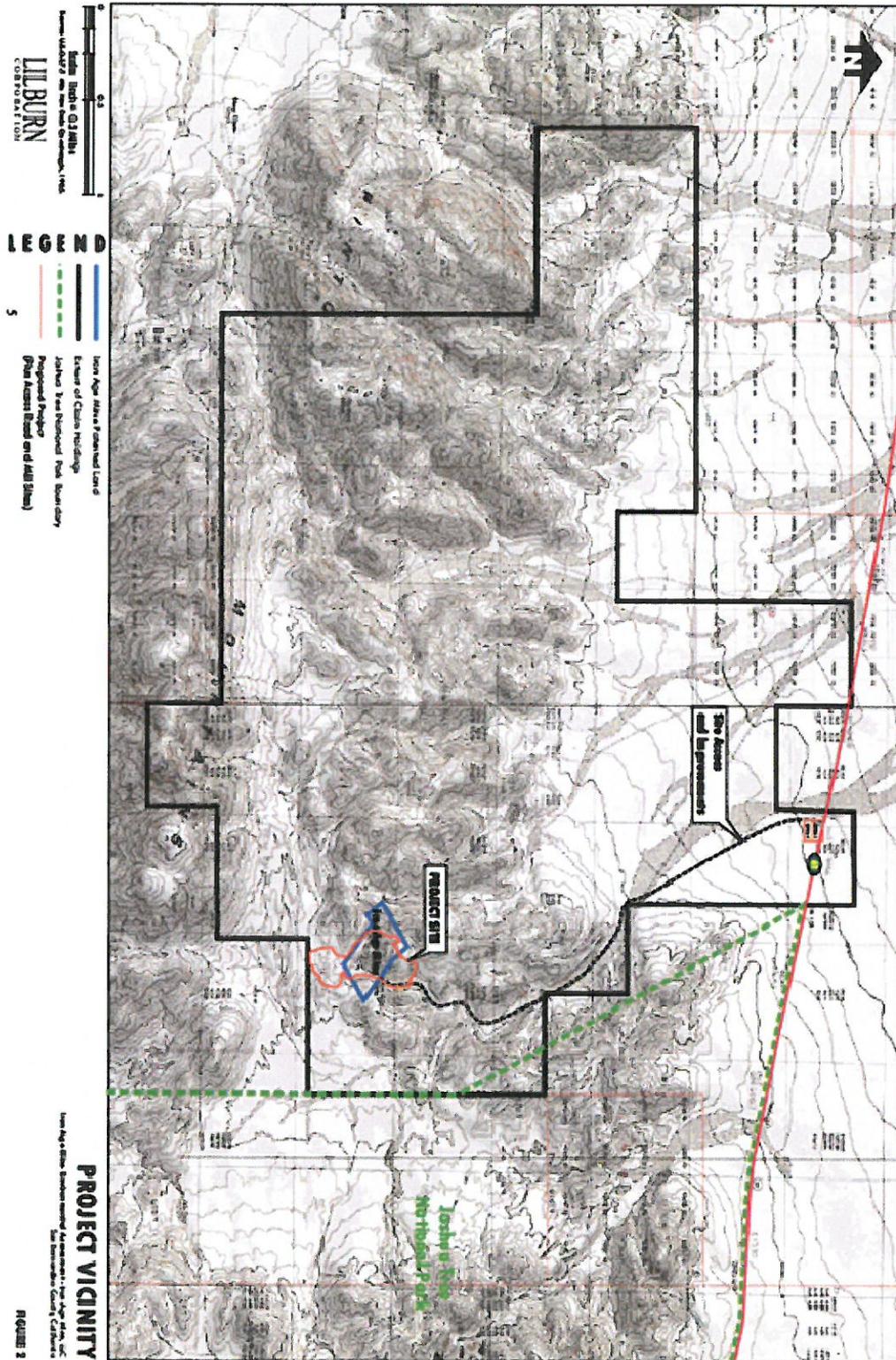


FIGURE 2: Project Vicinity



The Iron Age holdings relevant to this Plan consist of patented (private land) and unpatented claims on public land managed by the BLM Barstow office. The land patents were established between 1904 and 1908 to include the principal exposures of locatable iron ore. The entire iron deposit was extensively mapped by geologists in 1909. Approximately 60 acres of patented claims occur within portions of Sections 20 and 29, Township 1 South, Range 13 East, SBBM; approximately 330 acres of unpatented claims, including two 5-acre mill site claims, occur within portions of Sections 7, 17, 18, 20, and 29 Township 1 South, Range 13 East, SBBM. The mine access road alignment extends into additional unpatented placer claims within portions of Sections 7, 17, 18, and 20. As required by the BLM, Iron Age has submitted a Plan of Operations (POO) and this Mining and Reclamation Plan for review and approval of actions on Federal lands.

The Proposed Project will remove, crush, and transport offsite the iron ore tailings deposited prior to the enactment of SMARA and then reclaim all areas disturbed by the removal activities. The Plan is prepared in accordance with SMARA (Public Resources Code [PRC] 2710 et seq.) and San Bernardino County (County) Development Code requirements for implementing SMARA. The Iron Age Mine project totals 97 acres, of which 76 acres are currently disturbed. The site consists of approximately 63 acres of BLM unpatented (public) lands and 34 acres of patented (private) land. The BLM lands consist of approximately 37.5 acres of recoverable tailings piles, 17 acres of re-construction and re-alignment of the existing roadway (Iron Age Mine Road), and 8.5 acres of the 10-acre mill site claims. Approximately 34 of the 60.6 patented acres will be impacted by tailings removal, quarry backfill, a plant site, and access roads (see Table 1). Reclamation will be implemented on the 8.5 acres of disturbance at the mill site claims, 37.5 acres of tailings on unpatented land, and 32 acres of tailings and quarry areas on patented lands. Unlike most reclamation plans, which reclaim areas planned for mining, the Iron Age Reclamation Plan will reclaim approximately 70 acres of land covered with historic iron ore tailings back to the original grade and establish native vegetation and backfill approximately 8 acres of the old quarry.

**Table 1**  
**Iron Age Mine**  
**Operations Phasing, Areas and Schedule**

Operational Phases	Unpatented Acres	Patented Acres	Total Acres (approx.)	Tons Removed (Millions)	Approx. Years
1A	25.5	7.0	32.5	0.5	1
1B	22.8	8.0	30.8	5.5	7
2	0	19.0	19.0	2.4	3
3	14.7	0	14.7	3.6	4
Phase 4 Final Reclamation <sup>1</sup>			---	---	16 – 20 <sup>1</sup>
<b>Total</b>	<b>63.0</b>	<b>34.0</b>	<b>97.0<sup>2</sup></b>	<b>12</b>	<b>15 (operations) 5 (reclamation)<sup>1</sup></b>

Areas and tons are rounded and approximate.

<sup>1</sup> Active reclamation for approx. 5 years and monitoring and remediation as necessary until revegetation success criteria achieved.

<sup>2</sup> 76 acres currently disturbed; 78 acres to be reclaimed, approximately 19 acres of roads will be left in place per BLM direction and to maintain access to site for monitoring.

The removal of the tailings will provide a marketable product and subsequently reclaim a heavily disturbed area back to open space and wildlife habitat. Based on an aerial photo reconnaissance and sampling of existing tailings stockpiles, the site has an estimated reserve of 12 million tons of iron ore with an average concentration of 62 percent iron. Maximum throughput at the plant will be approximately 2.3 million tons per year; 920,00 tons of product and approximately 1.4 million tons per year of waste rock and low grade ore, which will be utilized for site reclamation.

The site will be mined at a maximum average production rate of 920,000 tons annually, which is expected to provide reserves for up to 13 years (through year 2027). Crushed iron ore concentrate will be shipped by haul truck to the Long Beach/San Pedro port for overseas shipment to industrial steel manufactures or to other customers. At the maximum proposed production rate of 2.3 million tons per year, the mine would be operated for approximately 8 years taking into account a construction and start-up period for two years. In order to account for variable production rates dependent on product demand, an operating life of 15 years, through 2029, is estimated. Concurrent and final reclamation is anticipated to conclude by 2034.

The mining operation would consist of excavating, drilling, and occasional blasting of the tailings faces and loading the broken iron rock into a feeder, screen sorter, and magnetic separator designed to increase iron concentration to exceed 60% iron. Upon separation, off-road haul trucks will transport the iron ore, via the mine access road, to a proposed mill site facility located south of SH 62. The mill site would be located approximately 3.4 miles north of the tailings area; iron ore transported from the tailings area to the mill site would be stockpiled and ultimately transferred to market. Waste rock and low quality iron ore will be backfilled into the existing Iron Age Quarry. The tailings area will be graded back to the original surface and revegetated per the Reclamation Plan. Reclamation will include the removal of all equipment, structures, tanks and debris from the site. Compacted surface material in the processing area, roads to be closed, and the former stockpile areas will be loosened and ripped to a depth of 18 to 36 inches by mechanical means and seeded with native plant species.

Elevation at the site ranges from 1,975 to 2,250 feet above mean sea level (amsl), a 275-foot difference. Approximately 100 acres of the site have been previously disturbed from previous mining activities conducted before 1965. The mine was not reclaimed but exhibits a moderate level of natural revegetation. The project site vegetation is characterized as Creosote Bush and Brittlebush series habitat types. The tailings and quarry area are mostly barren with scattered vegetation.

Operation water will be provided by an onsite well to be drilled at the plant site or at the mill site depending on anticipated drilling results. Process water will be recycled through a lined holding pond. A 10,000 gallon water tank will be placed at the plant site and/or the mill site. A water truck will be available for mobile use.

The operations will take place on two tailings disposal areas that extend to the south and north of the historic mine quarry and occupy approximately 54 acres. The operations will begin in the south tailings area on the patented property then extend further south to the adjacent unpatented claims. The next phase will extend to the north patented property then onto the unpatented claims (see Figure 3 – Plan of Operations Map). The phased operations, the processing area, and reclamation with phased slopes and contours are depicted on the Mine Reclamation Plan sheets. The Proposed Plan was prepared with the following objectives:

- To remove an existing historic iron ore resource of stockpiled tailings that meets the Federal regulations and the State's and County's SMARA requirements;
- To provide adequate crushed iron ore reserves from a closer source to meet the increasing demand for high grade iron ore for overseas and cement manufacturing market needs;
- To reduce the distance traveled for hauling of the iron ore to market resulting in decreased truck mileage and related diesel fuel consumption and air pollutant emissions;
- To provide reclamation and revegetation to impacted mining sites to mitigate historic visual, biological, safety, and hydrological impacts;
- To partially backfill the existing quarry with waste rock to the extent feasible; and
- To reclaim the site for an end use that will support open space and wildlife habitat.

Reclamation will be concurrent with phased mining and completed as the tailings piles are depleted. Removed stockpile areas will be ripped and revegetated. At the completion of operations and within one year, all equipment and stockpiles will be removed and any remaining refuse will be disposed of at an appropriate offsite disposal site. The surface material will be re-graded to approximate natural contours. On BLM lands, approximately 46 acres of former tailings piles and the mill sites will be reclaimed and revegetated. The access

road (17 acres) and the onsite access roads (2 acres) will remain in place. In total, on both BLM and patented lands, approximately 78 acres will be reclaimed of which approximately 70 acres will be revegetated. Approximately 8 acres of existing quarries on patented land will be backfilled with waste rock not conducive for revegetation because of lack of available topsoil. See Figure 4 – Reclamation Plan Map.

With implementation of the reclamation and revegetation plan on tailings piles now devoid of vegetation and not suitable desert tortoise habitat, approximately 50 acres will be returned to desert vegetation and suitable desert tortoise habitat as compared to existing conditions.

**PROJECT LOCATION**

The subject property is located in an unincorporated Desert Region of San Bernardino County. The site is located on BLM managed public lands and patented private land owned by Iron Age Mine, LLC. The Project is located approximately 18 miles east/southeast of the City of Twentynine Palms, California and approximately 3.4 miles south of SH 62 in San Bernardino County, California (see Figure 1 - Regional Map) in the northern Pinto Mountains. The mine is within Sections 7, 17, 18, 20 and 29, Township 1 South, Range 13 East SBBM. The site is accessed from SH 62 east of Twentynine Palms via Iron Age Mine Road (unpaved road, 3.4 miles south) (see Figure 2 - Vicinity Map).

Surrounding land uses predominately consist of historic mines and vacant public lands administered by the BLM and designated for open space uses, which allows cross-country off-highway vehicle usage. There are no structures or human habitation in the area.

**ENVIRONMENTAL/EXISTING SITE CONDITIONS:**

AREA	EXISTING LAND USE	LAND USE/OVERLAY DISTRICT
Site	Vacant/Stockpiled iron ore tailings, quarry, and access road	Resource Conservation (RC)
North	Vacant	Resource Conservation (RC)
South	Vacant	Resource Conservation (RC)
East	Vacant	Resource Conservation (RC)
West	Vacant	Resource Conservation (RC)

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

Federal: Bureau of Land Management - Record of Decision for Plan of Operations;  
US Fish and Wildlife Service - Section 7 Consultation for “take” permit

State of California: California Department of Fish and Wildlife - 1602 Streambed Alteration Agreement; 2081 California Endangered Species “take” permit  
Colorado River Regional Water Quality Control District – Waste Discharge Requirements; 401 certification

County of San Bernardino: Land Use Services Department- Code Enforcement, Building and Safety, Public Health-Environmental Health Services, and County Fire

Regional: Mojave Desert Air Quality Management District (MDAQMD)

Figure 3 – Mine Plan of Operations

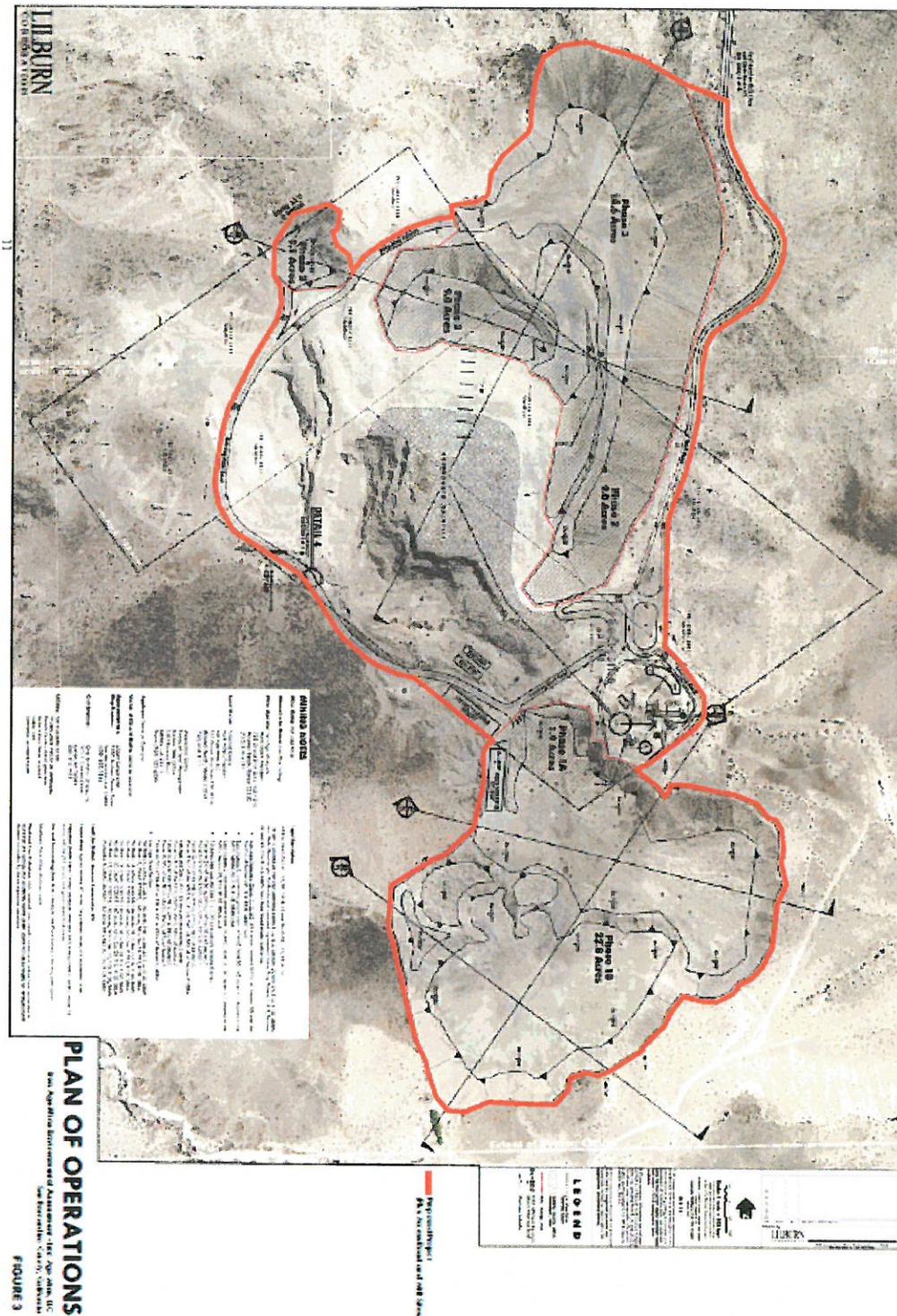
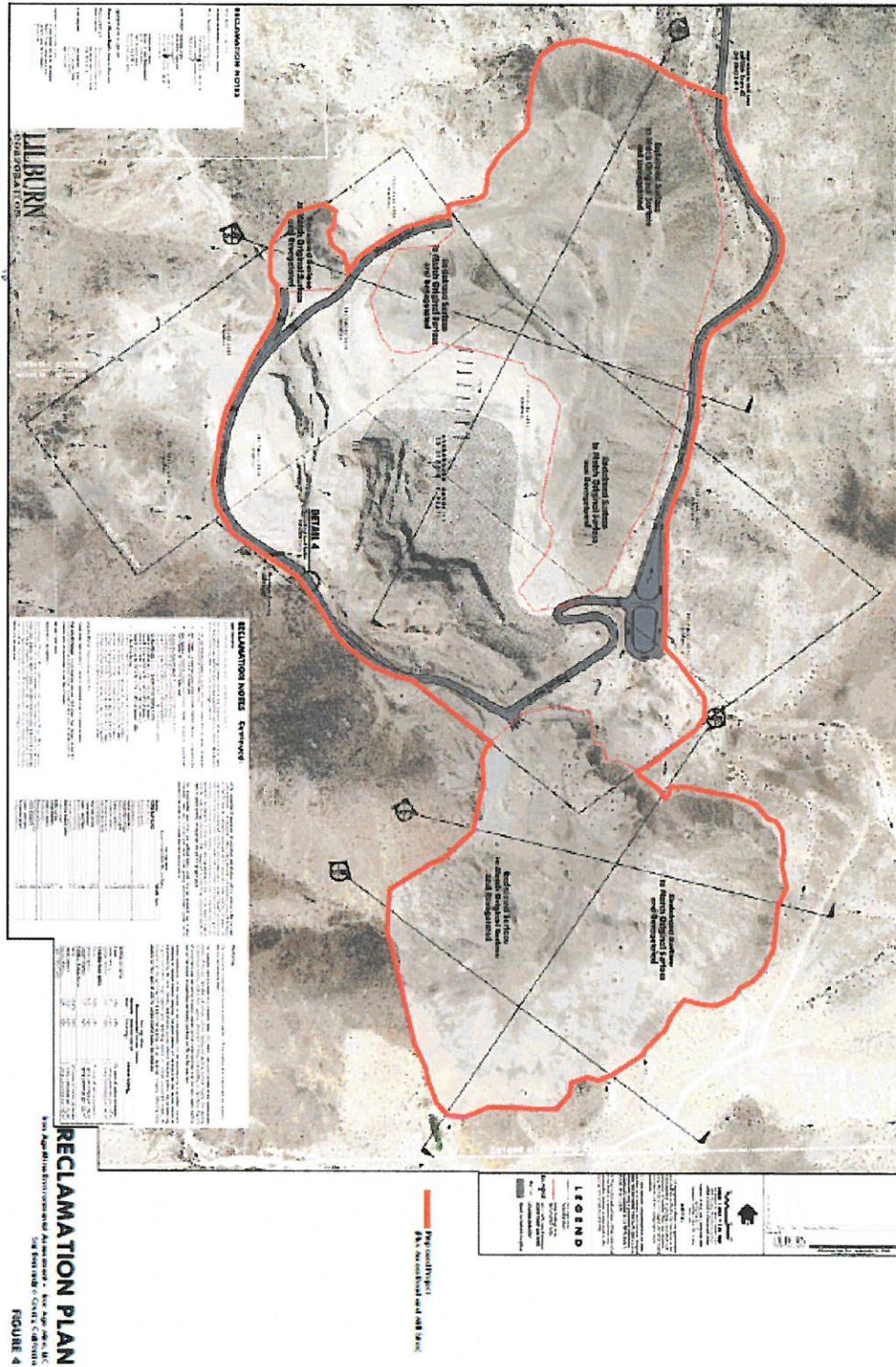


Figure 4 – Reclamation Plan



**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. The 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 four conclusions is provided as a summary of the analysis for each of the major environmental factors.

1. **No Impact:** No impacts are identified or anticipated and no mitigation measures are required.
2. **Less than Significant Impact:** No significant adverse impacts are identified or anticipated and no mitigation measures are required.
3. **Less than Significant Impact with Mitigation Incorporated:** Possible significant adverse impacts have been identified or anticipated and mitigation measures required as conditions to reduce project impacts to a level below significant are listed.
4. **Potentially Significant Impact:** Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate significant adverse impacts.

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

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

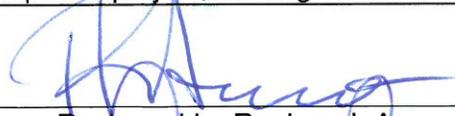
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agriculture and Forestry Resources | <input checked="" 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 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 |

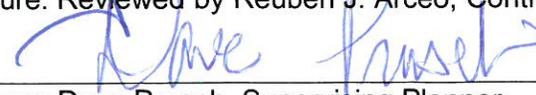
**DETERMINATION:** (To be completed by the Lead Agency)

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

<input type="checkbox"/>	The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION shall be prepared.
<input checked="" type="checkbox"/>	Although the proposed project could have a significant effect on the environment, there shall not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION shall be prepared.
<input type="checkbox"/>	The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	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.
<input type="checkbox"/>	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: Reviewed by Reuben J. Arceo, Contract Planner

11/14/15  
 Date

  
 Signature: Dave Prusch, Supervising Planner

11/14/15  
 Date

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>I. AESTHETICS - Would the project</b>				
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"/>
<b>SUBSTANTIATION</b> (Check <input type="checkbox"/> 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. Therefore, no impact is anticipated and no mitigation measures are required.
- b) **No Impact.** Policy OS 5.3 of the San Bernardino County General Plan lists scenic routes to be protected for their scenic vistas and other scenic and aesthetic qualities that have been found to add beauty to the County. The Proposed Project occurs more than 30 miles east of the nearest scenic route (Park Blvd./Quail Springs Road from SH 62 southeast to Joshua Tree National Park) as identified in the General Plan. No impact is anticipated and no mitigation measures are required.
- c) **Less than Significant.** The project site is located approximately 18 miles east/southeast of the City of Twentynine Palms, California, and approximately 3.4 miles south of SH 62 (see Figures 1 and 2). There are no permanent residences or views of the mine site from SH 62, except for the loading area directly along the highway. Joshua Tree National Park is located about one mile to the east with designated Joshua Tree wilderness located 1.5 miles east. There are no designated recreational areas, roads, or hiking trails located in this portion of the Park from which recreational users could view the Proposed Project area.

Impacts to visual resources are based on changes to the existing character of the landscape, viewer sensitivity, and the number of viewers that may view the project activities. The site is an existing mine with large tailings piles and an access in disrepair. Removal of tailings and reconstruction/realignment of the existing access road associated with the Proposed Action may potentially affect the form, lines, and color of the landscape but the change would be minimal. The Project would result in short-term (15-year) visual impacts principally affecting the visual elements of color through the removal of existing tailings. In addition, impacts would occur with the placement and operation of mining equipment onsite and the potential for visible dust. Operations will be required to comply with Mojave Desert Air Quality Management District (MDAQMD) Rules 401 (limiting visible emissions from exhaust); 402 (avoid nuisance emissions); 403 prohibits visible dust from crossing property lines); and 403.2 (requirements for controlling fugitive dust within the Mojave Desert Panning Area). These are listed under Section III, Air Quality below.

Removal of material at the site would return the area to typical desert surfaces and topography that surrounds the site. Reclamation would include removal of all equipment and structures, grading areas to natural contours, and reseeding with a BLM-approved seed mix followed by vegetation monitoring and remediation to ensure achievement of success criteria. Impacts are considered temporary and less than significant with implementation of the Reclamation Plan.

- d) **Less than Significant.** The Proposed Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. No new light sources are proposed at the operations site as material removal will occur during daylight hours only. The loading and trucking of material from the mill site along SH 62 would be allowed 24 hours/day except Sundays and holidays. All lighting at this site shall comply with County Development Code Chapter 83.07.040; Glare and Outdoor Lighting – Mountain and Desert Regions requirements. This include fully shielding all lights as required to preclude light pollution or light trespass on adjacent property, other property directly or reflected, and members of the public on adjacent roads. With compliance with existing regulations, less than significant impacts are anticipated and no mitigation measures are required.

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>II. AGRICULTURE RESOURCES</b> - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				

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

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

- a) **No Impact.** No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is identified in the California Important Farmland Finder. The Proposed Project will have no impact to agricultural resources, including Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. There are no agricultural land uses within the subject property or in the vicinity. No impacts are identified or anticipated.
- b) **No Impact.** The Project Site is not designated or zoned as agricultural land use or Williamson Act land. Therefore, the project will not conflict with existing zoning for agricultural use, or a Williamson Act contract. No impacts are identified or anticipated.
- c/d) **No Impact.** The Project Site and surrounding area does not occur within forest land, timberland, or timberland zoned production. No impacts to these resource lands would result with implementation of the Proposed Project.
- e) **No Impact.** The Proposed Project will not have any direct or indirect impacts to agricultural resources in the County including the conversion of Farmland to non-agricultural uses. No impacts are identified or anticipated.

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

<b>ISSUES</b>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>III.</b>	<b>AIR QUALITY</b> - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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?

<b>SUBSTANTIATION</b>	(Discuss conformity with the South Coast Air Quality Management Plan, if applicable):
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**Background** - The Project Site is located in the Mojave Desert Air Basin (MDAB). The 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 prepared *the California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, August 2011*. The air and dust emissions from the operational use of the Project were evaluated and compared to the MDAQMD standards and evaluated against the most recent thresholds applicable.

Air quality is determined primarily by the types and amounts of contaminants emitted into the atmosphere, the size and topography of the local air basin and the pollutant-dispersing properties of local weather patterns. When airborne pollutants are produced in such volume that they are not dispersed by local meteorological conditions, air quality problems result. Dispersion of pollutants in the MDAB is influenced by periodic temperature inversions, persistent meteorological conditions and the local topography. As pollutants become more concentrated in the atmosphere, photochemical reactions occur, producing ozone and other oxidants.

Air emissions from the project are subject to federal, State and local rules and regulations implemented through provisions of the federal Clean Air Act, California Clean Air Act and the rules and regulations of the California Air Resources Board (CARB) and MDAQMD. Under the provisions of the federal and California Clean Air Acts, air quality management districts with air basins not in attainment of the air quality standards are required to prepare an Air Quality Management Plan (AQMP). An AQMP establishes an area-specific program to control existing and proposed sources of air emissions so that the air quality standards may be attained by an applicable target date.

The federal Clean Air Act and California Clean Air Act were established in an effort to assure that acceptable levels of air quality are maintained. These levels are based upon health-related exposure limits and are referred to as National Ambient Air Quality Standards (NAAQS) California Ambient Air Quality Standards (CAAQS). The ambient air quality standards establish maximum allowable concentrations of specific pollutants in the atmosphere and characterize the amount of exposure deemed safe for the public. The primary and secondary ambient air quality standards are shown in Table 2. Primary federal standards reflect levels of air quality deemed necessary by the federal EPA to provide an adequate margin of safety to protect public health. Areas that meet the standards are designated attainment and if found to be in violation of primary standards are designated as nonattainment areas. Secondary standards reflect levels of air quality necessary to protect public welfare from known or anticipated adverse effects of a pollutant.

The USEPA and the CARB have designated portions of the District as nonattainment for a variety of pollutants, and some of those designations have an associated classification. Table 3. lists these designations and classifications. The MDAQMD has adopted attainment plans for a variety of nonattainment pollutants.

The MDAQMD has rules that apply to this project along with permitting requirements. MDAQMD regulates emissions from stationary sources through the permitting process and requires permits to Construct/Operate for all stationary equipment with the potential to release air contaminants. The site's processing equipment will be operated under a permit to construct and operate from the MDAQMD. Operations and permits are inspected and renewed annually. Haul trucks and diesel equipment must meet requirements of the CARB's Off-road Diesel Vehicles Regulations to reduce diesel pollutants. Operations will be required to comply with MDAQMD Rules 401 (limiting visible emissions from exhaust); 402 (avoid nuisance emissions); 403 prohibits visible dust from crossing

property lines); and 403.2 (requirements for controlling fugitive dust).

**Table 2**  
**State and Federal**  
**Ambient Air Quality Standards**

Pollutant	Averaging Time	California Standards <sup>1</sup>		Federal Standards <sup>2</sup>			
		Concentration <sup>3</sup>	Method <sup>4</sup>	Primary <sup>3,5</sup>	Secondary <sup>3,6</sup>	Method <sup>7</sup>	
Ozone (O <sub>3</sub> )	1-Hour	0.09 ppm (180 µg/m <sup>3</sup> )	Ultraviolet Photometry	---	Same as Primary Standard	Ultraviolet Photometry	
	8-Hour	0.07 ppm (137 µg/m <sup>3</sup> )		0.075 ppm (147 µg/m <sup>3</sup> )			
Respirable Particulate Matter (PM <sub>10</sub> ) <sup>8</sup>	24-Hour	50 µg/m <sup>3</sup>	Gravimetric or Beta Attenuation	150 µg/m <sup>3</sup>	Same as Primary Standard	Inertial Separation and Gravimetric Analysis	
	Annual Arithmetic Mean	20 µg/m <sup>3</sup>		---			
Fine Particulate Matter (PM <sub>2.5</sub> ) <sup>8</sup>	24-Hour	---	Gravimetric or Beta Attenuation	35 µg/m <sup>3</sup>	Same as Primary Standard	Inertial Separation and Gravimetric Analysis	
	Annual Arithmetic Mean	12 µg/m <sup>3</sup>		12 µg/m <sup>3</sup>			15 µg/m <sup>3</sup>
Carbon Monoxide (CO)	1-Hour	20 ppm (23 mg/m <sup>3</sup> )	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m <sup>3</sup> )		Non-Dispersive Infrared Photometry (NDIR)	
	8-Hour	9.0 ppm (10 mg/m <sup>3</sup> )		9 ppm (10 mg/m <sup>3</sup> )			
	8-Hour (Lake Tahoe)	6 ppm (7 mg/m <sup>3</sup> )		-			
Nitrogen Dioxide (NO <sub>2</sub> ) <sup>9</sup>	1-Hour	0.18 ppm (339 µg/m <sup>3</sup> )	Gas Phase Chemiluminescence	100 ppb (188 µg/m <sup>3</sup> )	---	Gas Phase Chemiluminescence	
	Annual Arithmetic Mean	0.030 ppm (57 µg/m <sup>3</sup> )		0.053 ppb (100 µg/m <sup>3</sup> )			Same as Primary Standard
Sulfur Dioxide (SO <sub>2</sub> ) <sup>10</sup>	1-Hour	0.25 ppm (655 µg/m <sup>3</sup> )	Ultraviolet Fluorescence	75 ppd (196 µg/m <sup>3</sup> )	-	Ultraviolet Fluorescence, Spectrophotometry (Pararosaniline Method)	
	3-Hour	---		--			0.5 ppm (1300 µg/m <sup>3</sup> )
	24-Hour	0.04 ppm (105 µg/m <sup>3</sup> )		0.14 ppm (for certain areas) <sup>10</sup>			---
	Annual Arithmetic Mean	-		0.030 ppm (for certain areas) <sup>10</sup>			-
Lead <sup>11,12</sup>	30-day average	1.5 µg/m <sup>3</sup>	Atomic Absorption	-	-	High Volume Sampler and Atomic Absorption	
	Rolling 3-Month Average <sup>11</sup>	--		1.5 µg/m <sup>3</sup> (for certain areas) <sup>12</sup>			Same as Primary Standard
	Calendar Quarter	-		0.15 µg/m <sup>3</sup>			
Visibility-Reducing Particles <sup>13</sup>	8-Hour	See footnote 13	Beta Attenuation and Transmittance through Filter Tape	<b>No Federal Standards</b>			
Sulfates	24-Hour	25 µg/m <sup>3</sup>	Ion Chromatography				
Hydrogen Sulfide	1-Hour	0.03 ppm (42 µg/m <sup>3</sup> )	Ultraviolet Fluorescence				
Vinyl Chloride <sup>11</sup>	24-Hour	0.01 ppm (26 µg/m <sup>3</sup> )	Gas Chromatography				

Source: ARB, June, 4, 2013.

1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM<sub>10</sub>, PM<sub>2.5</sub>, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM<sub>10</sub>, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m<sup>3</sup> is equal to or less than one. For PM<sub>2.5</sub>, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact U.S. EPA for further clarification and current federal policies.

3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.

5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
  7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.
  8. On December 14, 2012, the national annual PM<sub>2.5</sub> primary standard was lowered from 15 µg/m<sup>3</sup> to 12.0 µg/m<sup>3</sup>. The existing national 24-hour PM<sub>2.5</sub> standards (primary and secondary) was retained at 25 µg/m<sup>3</sup>, as was the annual secondary standard of 15 µg/m<sup>3</sup>. The existing 24-hour PM<sub>10</sub> standards (primary and secondary) of 150 µg/m<sup>3</sup> also were retained. The form of the annual primary and secondary standards in the annual mean, averaged over 3 years.
  9. To attain the 1-hour national standard, the 3-year average of the 98th percentile of the 1-hour daily maximum concentration at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
  10. On June 2, 2010, a new 1-hour SO<sub>2</sub> standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99<sup>th</sup> percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO<sub>2</sub> national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.
- Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the new primary national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.
11. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
  12. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 µg/m<sup>3</sup> as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.
  13. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

**Table 3**  
**State and Federal Air Quality**  
**Designations and Classifications**

Ambient Air Quality Standard	Status
Eight-hour Ozone (Federal)	Non-attainment, classified Moderate (portion of MDAQMD in Riverside County is attainment)
Ozone (State)	Non-attainment; classified Moderate
PM <sub>10</sub> (Federal)	Non-attainment; classified Moderate (portion of MDAQMD in Riverside County is attainment)
PM <sub>2.5</sub> (Federal)	Unclassified/attainment
PM <sub>2.5</sub> (State)	Non-attainment (portion of MDAQMD outside of Western Mojave Desert Ozone)
PM <sub>10</sub> (State)	Non-attainment
Carbon Monoxide (State and Federal)	Attainment
Nitrogen Dioxide (State and Federal)	Attainment/unclassified
Sulfur Dioxide (State and Federal)	Attainment/unclassified
Lead (State and Federal)	Attainment
Particulate Sulfate (State)	Attainment
Hydrogen Sulfide (State)	Unclassified (Searles Valley Planning Area is non-attainment)
Visibility Reducing Particles (State)	Unclassified

Source: MDAQMD CEQA and Federal Conformity Guidelines, August 2011

- a) **Less than Significant.** Operations are considered the removal of the iron ore tailings on approximately 54 acres deposited historically prior to the enactment of SMARA for a period of

15 years. Reclamation of the site after the removal of the tailings would involve the final grading/revegetation of 76 acres within a 97-acre site including 8.5 acres of mill site. The project site is within the MDAB and under the jurisdiction of the 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 (Resource Conservation/RC). In addition, based on Table 4 below, Project-generated emissions will not exceed emission thresholds. Therefore, the Project's emissions are in compliance with the thresholds established by the MDAQMD. The project would not significantly increase local air emissions and therefore would not conflict with or obstruct implementation of the AQMP. Therefore, no impact is anticipated.

**Table 4**  
**Operational Emissions Summary**  
**(Pounds Per Day)**

Source/Phase	ROG	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Crushing/Screening Plant including conveyors & stackers	---	---	---	18.5	5.5
Haul Road Dust	---	---	---	34.7	7.4
Generators	2.4	32.6	9.1	0.9	0.8
Mobile Equipment (ore removal & transport)	9.9	84.4	33.3	3.4	3.1
<b>Totals</b>	<b>12.3</b>	<b>117.0</b>	<b>42.4</b>	<b>57.5</b>	<b>16.8</b>
MDAQMD Threshold	137	137	548	82	82
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Emission Sources: SCAQMD OFF-ROAD Emissions Model and AP-42.

- b) **Less than Significant.** The Proposed Project would include removal of existing tailings, transfer of tailings to the plant by conveyor, crushing and screening, loading and transfer of sized ore to the mill site along SH 62, and loading onto highway trucks for transport. Exhaust or criteria pollutants will be produced from the onsite generators and the mobile equipment. Dust will be produced from tailings removal, loading and unloading, crushing and screening, and truck travel on graveled access roads. Operations will be required to comply with the PM<sub>10</sub> State Implementation Plan and the MDAQMD regulations for stationary and mobile equipment and to reduce fugitive dust.

To determine if a potential project may significantly impact the ambient air quality, the MDAQMD utilizes the following net daily emissions increase as CEQA thresholds of significance. If the potential emissions exceed these thresholds, then the project may have a significant air quality impact and requires additional analysis.

Carbon Monoxide (CO)	548 lbs/day
Nitrogen Dioxide (NO <sub>2</sub> )	137 lbs/day
Reactive Organic Gases (ROG)	137 lbs/day
Sulfur Dioxide (SO <sub>2</sub> )	137 lbs/day
Particulate Matter (PM <sub>10</sub> )	82 lbs/day
Particulate Matter (PM <sub>2.5</sub> )	82 lbs/day

Operational emissions for the stationary plant and generators, mobile equipment, and dust emissions were estimated utilizing the South Coast Air Quality Management District Offroad Model – Mobile Source Emission Factors model and emissions factors from AP-42 Compilation of Air Pollutant Emission Factors (as updated) for Crushed Stone Processing and for unpaved roads. Table 4 above provides the estimated emissions for the tailings removal, processing, and shipping operations. Operational emissions would not exceed MDAQMD significance thresholds.

Reclamation activities would require earthmoving, and other activities typically associated with final grading and revegetation for an approximate two to three week period. The Proposed Project was screened for emissions generation as discussed above. Typically daily reclamation activities were screened for the following: a water truck, a scraper/grader, and a miscellaneous material handling equipment. This would occur for approximately 14 days. Reclamation emissions would not exceed MDAQMD significance thresholds.

As shown in Tables 4 and 5, operational and reclamation emissions would not exceed MDAQMD thresholds and less than significant air quality impacts are expected with implementation of existing regulations.

**Table 5**  
**Reclamation Activities Emissions**  
**(Pounds per Day)**

Source	ROG	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Water Truck	0.4	3.7	1.6	0.2	0.2
Scraper/Grader	2.5	21.6	9.6	1.0	0.9
Other Material Handling Equipment	1.6	12.0	4.2	0.6	0.5
<b>Totals (lbs/day)</b>	<b>4.5</b>	<b>37.3</b>	<b>15.4</b>	<b>1.8</b>	<b>1.6</b>
MDAQMD Threshold (lbs/day)	137	137	548	82	82
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Emission Sources: SCAQMD OFF-ROAD Emissions Model and AP-42

*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 (PM<sub>10</sub> and PM<sub>2.5</sub> (state)). Stationary equipment including the crushing and screening plant and the generators must comply with Regulation II and obtain Permits to Construct and Operate which limit emissions to current regulatory thresholds and are renewed annually.

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 worked 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 operational 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<sub>x</sub> and PM<sub>10</sub> 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 off-road and on-road diesel vehicle and MDAQMD regulations, 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 Off-Road Diesel Vehicle Regulations. These measures will be implemented by CARB in phases with new rules imposed on existing and new diesel-fueled engines and truck and equipment fleets.

With compliance with existing rules and regulations and mitigation measures above, operational emissions are expected to be less than significant.

- c) **Less than Significant.** The project area is within the Mojave Desert PM<sub>10</sub> Planning Area and the Western Desert Ozone non-attainment area. The State Implementation Plan (SIP) identifies sources of PM<sub>10</sub> emissions and control measures to reduce emissions. The EPA requires the application of reasonable available control technology (RACT) to stationary emission sources and reasonable available control measures (RACM) to mobile sources, and new source review and permitting. These will be incorporated through compliance with regulations described above. No new mining or excavation of the existing quarry is proposed at this time; the Proposed Project only includes the removal, screening and transporting of iron material from the site. As shown in Table 4, the thresholds for the above referenced criteria pollutants would not be exceeded by the Project. The mine is located in a very sparsely populated desert region and no development is proposed in the vicinity. Therefore no air quality cumulative impacts are anticipated.
- d) **No Impact.** The Proposed Project is located in a remote area of northeastern San Bernardino County, east of the San Bernardino Mountains. No sensitive receptors are located within the project vicinity. Therefore, no impacts are anticipated.
- e) **No Impact.** The Proposed Project is the removal, processing, and reclamation of iron ore tailings stockpiled on 58 acres. The generation of objectionable odors is not associated with this type of mining and reclamation activities and there are no sensitive receptors within the project vicinity. Therefore, no impact is anticipated.

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

<i>ISSUES</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>IV. BIOLOGICAL RESOURCES - Would the project:</b>				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<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 Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 ):

- a) **Less than significant with Mitigation Incorporated.** A Biological Resources Assessment (BRA) for the Iron Age Mine was prepared by Lilburn Corporation in June 2012 (see Appendix B of the Mine Reclamation Plan).

Listed or Sensitive Plants - Focused botanical surveys of the haul road right-of-way, mill site, and tailings area were conducted on April 7-8, and May 27-28, 2012. No sensitive plant species were observed within the survey area.

Listed Wildlife Species - The BRA identified one candidate, sensitive, or special status species, desert tortoise (*Gopherus agassizii*), to have the potential to occur within the Project Site and vicinity. The desert tortoise was determined to have a moderate potential to occur south of the tailings area. Additionally, a Pre-Project Desert Tortoise Survey was conducted, the survey recorded no live desert tortoise or sign within the study area or along the road alignment. Two burrows that could have been used by desert tortoise at one time were observed south of the proposed tailings recovery area. The BRA recommended a series of standard protection practices to reduce Project impacts to less than significant.

The Proposed Project would impact a total of approximately 21 acres of suitable desert tortoise habitat; 15.7 of those acres occur within the Pinto Mountains critical habitat unit / Desert Wildlife Management Area (DWMA) and 5.3 acres occur outside of the critical habitat unit/DWMA. The remainder of the project site (approximately 76 acres) is heavily impacted by the tailings piles, quarry, and roadway and is unsuitable for desert tortoise habitat. Note that with implementation of the required reclamation and revegetation plan on tailings piles now devoid of vegetation and not suitable desert tortoise habitat, approximately 50 acres will be returned to desert vegetation and suitable desert tortoise habitat as compared to existing conditions.

Because part of the project will occur on public lands administered by the BLM, the BLM will initiate a Section 7 Consultation of the Federal Endangered Species Act (FESA) with the USFWS to determine the potential impact of the Proposed Project on the desert tortoise and develop appropriate conditions and mitigation. Additionally, Iron Age will consult with the CDFW to comply with the California Endangered Species Act. Possible significant adverse impacts have been identified and mitigation measures required as conditions to reduce project impacts to a level below significant are listed below.

Sensitive Wildlife – The following species have been designated by the CDFW as “Special Animals.” The CDFW defines “Special Animals” as a general term that refers to all of the taxa the CNDDDB is interested in tracking, regardless of their legal or protection status. The CDFW considers the taxa in its latest list (January 2012) to be those of greatest conservation need. The following species from the Special Animal list either have a probability to occur at the subject site or were observed to be present in the course of biological surveys: Pallid Bat (*Antrozous pallidus*); California Leaf-nosed Bat (*Macrotus californicus*); Coast Horned Lizard (*Phrynosoma blainvillii*); American Badger (*Taxidea taxus*); and Mojave Fringe-toed Lizard (*Uma scoparia*). Note that the northern portion of the project area overlies a Mojave Fringe-toed Lizard Area of Critical Environmental Concern (ACEC) established by the BLM. This is discussed under IV f and mitigation measures are listed below to reduce impacts to less than significant.

Migratory Birds - "Migratory bird" means any bird listed in 50 CFR 10.13. All native birds found commonly in the United States, with the exception of native resident game birds, are protected under the Migratory Bird treaty Act (MBTA). The MBTA prohibits taking of migratory birds, their parts, nests, eggs, and nestlings. EO 13186, signed January 10, 2001, directs federal agencies to protect migratory birds by integrating bird conservation principles, measures, and practices.

Six special status migratory birds were observed in the Project Area, including the following: Golden eagle (*Aquila chrysaetos*); Prairie falcon (*Falco mexicanus*); Burrowing owl (*Athene cunicularia*); Le Conte's thrasher (*Toxostoma lecontei*); California thrasher (*Toxostoma redivivum*); and Loggerhead shrike (*Lanius ludovicianus*). The Le Conte's thrasher (*Toxostoma lecontei*), designated a “Special Animal” by the CDFW was the only non-special status migratory bird species that was found to have a moderate probability to occur within the Project Site. Possible significant adverse impacts to bird species will be reduced to a level less than significant per implementation of the mitigation measures listed below.

- b) **Less than Significant with Mitigation Incorporated:** The BRA for Iron Age Mine identified six vegetation habitat types within the survey area. Vegetation habitat types included brittlebush, big galleta, creosote bush, catclaw acacia, streambed, and disturbed habitat. A Jurisdictional Delineation for the Iron Age Mine prepared by Lilburn Corporation in June 2012 mapped approximately 6.3 acres of catclaw acacia series habitat and unvegetated streambed within the project limits along the access road reconstruction route. Catclaw acacia is described as occurring in uplands and rarely flooded margins of arroyos and washes. Streambeds are described as unvegetated and characterized by sandy beds with no vegetation or dominated by upland species vegetation. No riparian vegetation or wetlands as defined by Section 404 of the Clean Water Act were observed to occur.

The Jurisdictional Delineation identified impacts to 6.3 acres of catclaw acacia and streambed habitat. The reconstructed access road will be designed to minimize streambed impacts, will prevent deleterious materials from entering the streambed, and will participate in an in-lei program for the enhancement of similar stream habitat. The applicant is required to notify CDFW and comply with Fish and Game Code Section 1602 for a Streambed Alteration Agreement. The CDFW will then provide measures to protect wildlife resources based on their review of the site. Compliance with 1602 conditions and with mitigation measures below will reduce project impacts to habitat under the jurisdiction of the CDFW to less than significant.

- c) **No Impact.** The jurisdictional delineation did not identify riparian vegetation or wetland resources as defined by Section 404 of the Clean Water Act within the study area. No impact will occur.
- d) **Less than Significant with Mitigation Incorporated:** Iron Age Mine is located adjacent to Joshua Tree National Park to the east and south, to Humbug Mountains to the West, and to the Pinto Mountains to the southwest. The general location of the mine site has a wildlife corridor function for species moving to and from these locations. The large wash adjacent to the proposed mine access road serves as a wildlife corridor for species moving from the rocky areas of brittlebush series habitat, to the big galleta habitat and creosote bush habitat. The washes may be used by various mammals, reptiles, and bird species to forage, seek shelter, and migrate. In order to reduce potential impacts to less than significant, the approved Reclamation Plan and Mitigation Measure BIO 4 shall be implemented.
- e) **No Impact:** The San Bernardino County Native Plant Protection policy (1989) provides protection for all trees greater than 6 inches diameter at breast height (dbh), smoke trees, mesquite, creosote rings, and all plants in the agave family, including Joshua trees. The project is not anticipated to conflict with any local policies or ordinances protecting native plants or other biological resources because the site is predominately devoid of any vegetation. Therefore, no impacts are anticipated.
- f) **Less Than Significant Impact with Mitigation Incorporated.** Iron Age Mine is located within the planning area for the Draft West Mojave Plan. The West Mojave Plan consists of two components: a Federal component that will amend the existing 1980 California Desert Conservation Area Plan, and a Habitat Conservation Plan (HCP) component that will cover development in private lands. A Biological Opinion was finalized for the federal portion of the Plan; however, the plan is currently in litigation after suit was filed by conservation groups.

The HCP component of the Plan is still in the development phase and the expected completion date is unknown at this time. The CDFW in collaboration with the County jurisdictions are working to develop conservation measures that will be sufficient for the HCP to fulfill the requirements of the Federal Endangered Species Act.

The Project Site overlies two BLM designated habitat management areas established by the West Mojave Plan; these include the Mojave fringe-toed lizard Area of Critical Environmental Concern

(ACEC) and the Pinto Mountain DWMA for desert tortoise. Approximately 8 acres of the Mojave fringe-toed lizard ACEC will be impacted. Approximately 84.2 acres of the project site are within the DWMA, of these approximately 68.5 have been determined to be currently impacted and unsuitable for desert tortoise habitat; 15.7 acres have been determined to be viable desert tortoise habitat. Potential impacts to these areas and species will be mitigated as discussed in Section IVa above and by measures listed below.

Note that with implementation of the required reclamation and revegetation plan on tailings piles now devoid of vegetation and not suitable desert tortoise habitat, approximately 50 acres will be returned to desert vegetation and suitable desert tortoise habitat within the DWMA as compared to existing conditions.

**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 less than significant.**

**MM#            Mitigation Measures**

**Desert Tortoise Protection Measures**

**BIO 1**

- Have an authorized biologist conduct a tortoise educational program for personnel at the project site; the program should discuss conservation measures as well as pre-entrance and pre-construction surveys before personnel obtain access to the site roads and work areas.
- Authorized biologists or monitors should be present on-site during all activities on the portions of the project that intersect with or are adjacent to tortoise habitat, to ensure take (harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect or attempt to engage in any such conduct) will not occur.
- An authorized biologist should survey the Project Site for the presence of desert tortoise no more than 72 hours prior to the commencement of project activities within desert tortoise habitat. If necessary, the biologist (if authorized) should relocate tortoise a minimum distance necessary to ensure their safety. In general, desert tortoise should be moved no more than 1,000 feet for juveniles and adults, and 300 feet for hatchlings.
- Any desert tortoise burrows within 50 yards of the Proposed Project should be flagged for avoidance.
- An authorized biologist should inspect potential desert tortoise burrows including collapsed burrows for occupancy.
  
- Should it prove necessary to excavate a desert tortoise from its burrow to move it from harm's way, excavation should be performed using hand tools either by, or under the direct supervision of an authorized biologist (if and as authorized). Procedures for handling tortoises would follow those described in the Desert Tortoise Field Manual (USFWS 2009). All tortoises shall be handled using disposable surgical gloves. The gloves must be disposed of after handling each tortoise. Equipment or materials that contact desert tortoise must be sterilized, disposed of, or changed before contacting another tortoise. Desert tortoises must only be moved for the purpose of removing the tortoises out of harm's way. The authorized biologist shall document each tortoise encounter/handling with the following information, at a minimum: A narrative describing circumstances; vegetation type; dates of observations; conditions and health; any apparent injuries and state of healing; if moved, the location from which it was captured and the location in which it was released; maps; whether animals voided their bladders; and diagnostic markings (that is, identification numbers marked on

lateral scutes).

- To ensure safety, all desert tortoise moved should be monitored for at least two days or until the end of the project activities for that area, whichever period is longer.
- Disturbance should be confined to the smallest practical area, considering topography, location of burrows, public health and safety, and other limiting factors.
- Temporary barriers such as temporary desert tortoise fencing should be used to exclude desert tortoises and other wildlife species from entering trenches or other excavations left open overnight or unattended during the day.
- Vehicle speeds should not exceed 15 miles per hour through desert tortoise habitat.
- The mill site shall be enclosed within a desert tortoise proof fence. Tortoise fencing shall be no greater than a ½ inch mesh and shall extend 16 inches below ground. Upon completion of the fencing, the authorized biologist shall survey the enclosure and remove any tortoises encountered prior to commencing ground disturbing activities.
- To the extent possible, disturbances on undisturbed areas shall be scheduled when tortoises are inactive (November 1 - March 15).
- Work should cease a minimum of one hour before sunset on rainy or overcast days allowing workers to travel the access road when visibility is not impaired by darkness.
- No cross-country travel with motorized vehicles outside of the Project Site by project personnel shall be permitted.
- Workers should inspect for desert tortoise under vehicles prior to moving them.
- All trash and food items should be promptly contained within closed, common raven-proofed containers and will be removed daily from the project site to reduce the attractiveness of the area to common ravens (*Corvus corax*).
- No firearms, dogs, or other pets should be allowed in desert tortoise habitat within the project area.
- Compensatory mitigation for impacts to habitat regulated under the FESA by the USFWS by shall be mitigated through participation in an in-lieu fee program or provision of Category 1 compensation lands as agreed to by the BLM and the USFWS. A ratio of 5:1 for acres of habitat within a critical habitat unit and DWMA and a ratio of 1:1 for areas outside critical habitat and DWMA is required. For approximately 15.7 acres within the DWMA, this equals approximately 78.5 acres plus 5.3 acres at 1:1 equals 83.8 acres of either land or compensation fees based on current land appraisals. Note that the amount of compensation will be determined by the USFWS Section 7 consultation determination.
- The applicant shall comply with the CESA through coordination with the CDFW in obtaining 2080.1 Consistency Determination or an incidental take permit per Sections 2081(b) and (c) of the CESA and provide verification of compliance with the County prior to project initiation.
- All project activities will remain within the established project area and unnecessary vehicle or personnel activity will be avoided outside the project area.

#### Monitoring and Reporting

- No more than 90 days upon completion of construction of the mill site and access route repairs, the authorized biologist and Field Contact Representative (FCR) shall submit a post construction report to the Barstow Field Office of BLM and Ventura Field Office of Fish and

Wildlife Service. The report shall include: the number of tortoises encountered, the number of tortoises moved, and the number of tortoises injured or killed. The report shall also include the actual acreage disturbed by the project. An authorized biologist shall inspect potential desert tortoise burrows including collapsed burrows for occupancy.

- The authorized biologist and FCR shall submit an annual written report to the Barstow Field Office of BLM and Ventura Field Office of Fish and Wildlife Service. The report shall include: the number of tortoises encountered, the number of tortoises moved, and the number of tortoises injured or killed. The report shall also include the actual cumulative acreage disturbed by the project. An authorized biologist shall inspect potential desert tortoise burrows including collapsed burrows for occupancy.

#### Reclamation and Revegetation

- The operator shall comply with reclamation requirements, phasing, clean-up, and the success of the revegetation effort. Annual assessments of the reclamation area will be conducted by a qualified botanist to determine species diversity, density and compliance with stipulated success ratios and goals. Remedial actions may include removing invasive non-native noxious weed species and reseeded with different species based on annual assessment results. An evaluation of the surviving species will be repeated annually following initial seeding for five years or until the success criteria are achieved.
- Reclamation and the on-site conditions will be inspected annually for compliance. Reclamation bonds are released upon restoration and reclamation compliance by the BLM and the County, the SMARA lead agency.

#### Migratory Birds

- BIO 2** If construction or land clearing activities will occur during nesting season (March 15-September 15), a pre-construction survey will be conducted in the project impact area to identify any nests. If nests are found, the nest will be flagged and avoided. In accordance with the MBTA, if an active bird nest is located, the nest site shall be fenced a minimum of 200 feet in all directions, and the area shall not be disturbed until after the nest becomes inactive. If no active nests are observed during the survey, vegetation may be removed.

### Sensitive Wildlife

**BIO 3** In order to mitigate potential impacts to specific species that may occur within the project impact area, the following measures are recommended:

#### American Badger:

- All project work areas shall be clearly flagged or similarly marked at the outer boundaries to define the limit of work activities. All construction and restoration workers shall restrict their activities and vehicles to areas which have been flagged to avoid adverse impacts to the badger. All workers shall be instructed that their activities are restricted to flagged and cleared areas; and
- An on-call biological monitor will be available to help identify any potential impacts to the badger.

#### Le Conte's Thrasher:

- If construction activities will occur during nesting season (March 15-September 15), a pre-construction survey will be conducted in the project impact area to identify any nests. If nests are found, the nest will be flagged and avoided. In accordance with the Migratory Bird Treaty Act, if an active bird nest is located, the nest site shall be fenced a minimum of 200 feet in all directions, and the area shall not be disturbed until after the nest becomes inactive. If no active nests are observed during the survey, vegetation may be removed;
- All project activities will remain within the established project area and unnecessary vehicle or personnel activity will be avoided outside the project area. Potential direct impacts to the species include being hit by vehicles on access roads, grading of new access roads, preparation of staging locations, and general disturbance due to increased human activity.

#### Coast horned lizard and Mojave fringe-toed lizard:

- Conducting clearance surveys prior to the commencement of any ground disturbing activities;
- Worker environmental training; and
- Maintaining a speed limit of 20 mph on all access roads.

#### Burrowing Owl:

- The project impact area should be surveyed for the presence of burrowing owl no more than thirty days prior to ground disturbing activities;
- If the burrowing owl is found or the presence of burrowing owl is confirmed, and the proposed reconstruction and realignment of the existing roadway will occur during the breeding season (February 15 to August 15), then the active owl burrows on-site and within 500 feet of the project activities shall be identified, and physically marked before the start of any construction activities. A survey to mark the burrows shall be undertaken no earlier than February 15. During the construction period, active burrows that are not going to be removed by construction activities will be afforded a minimum 250-foot buffer to protect foraging habitat and owls. A biological monitor will be present to ensure that adequate avoidance of impacts to owls and their burrows is maintained. The monitor will have the authority to modify the buffer zone in order to protect the owls from harm; and

- If necessary, passive relocation techniques should adhere to those described in the *Burrowing Owl Consortium Survey Protocol & Mitigation Guidelines*.

**Jurisdictional Drainages**

- BIO 4**
- Comply with Fish and Game Code Section 1602 for a Streambed Alteration Agreement. The CDFW will provide measures to protect wildlife resources based on their review of the site. Typical measures will include designing the reconstructed access road to minimize streambed impacts, prevent deleterious materials from entering the streambed, and participation in an in-lieu program for the enhancement of similar stream habitat.

<b>ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less than Significant with Mitigation Incorp.</b>	<b>Less than Significant</b>	<b>No Impact</b>
<b>V. CULTURAL RESOURCES - Would the project</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>SUBSTANTIATION</b>	(Check if the project is located in the Cultural <input type="checkbox"/> or Paleontologic <input type="checkbox"/> Resources overlays or cite results of cultural resource review):			

a-d **Less Than Significant with Mitigation Incorporated.** A cultural resources report for the Iron Age Mine was prepared and is available at the County of San Bernardino Planning Department. McKenna et al. completed a Class III cultural resources investigation for the BLM Barstow Field Office, San Bernardino County, California. The study was completed under Field Authorization No. CA-680-13-22 (BLM State Permit No. CA-10-26), by Jeanette A. McKenna, M.A. and R.P.A., Principal Investigator for McKenna et al. The studies were initiated in February 2013 and completed in June 2013. The field survey was conducted between March 20 and March 24, 2013, also by Jeanette A. McKenna. **Note that data presented in the cultural resources investigation is confidential and not for public review.** Only a summary of the findings, conditions and mitigation measures in order to mitigate any potential significant cultural impacts are included herein.

The cultural resources investigation included: 1) an archeological records search through the San Bernardino County Museum, Archaeological Information Center, Redlands and supplementary research through the BLM Barstow Field Office, 2) Native American Consultation, 3) historic background research of the general area and the potential for identifying prehistoric and/or historic cultural resources, 4) a paleontological overview from the Natural History Museum of Los Angeles County, and 5) field studies.

The Area of Potential Impact (APE) was approved through consultation with James Shearer, BLM

Archaeologist, Barstow Field Office. As approved, the Iron Age Mine APE consists of a corridor involving 50 feet on either side of the center line of the existing roadways (early and recent Iron Age Road alignments), the 97-acre Iron Age Mine project site itself, and ten acres of land identified as the "mill site" on SR 62. The 100-foot wide roadway corridor would provide the necessary width to re-establish a direct road between SR 62 and the Iron Age project site.

The project area is within the historic Dale Mining District having been explored and occasionally mined since the 19<sup>th</sup> century. Previous research identified six cultural resources within one mile of the APE. Of these, two were roadways (Route 62 and Iron Age Road); two historic/modern refuse scatters; one USGS benchmark; and one mining camp. Only the roadways were within the APE. The remaining resources are not in areas of primary or secondary impacts.

As a result of the recent studies, McKenna et al. recorded updates for SR 62 and Iron Age Road. McKenna et al. has also recorded the Iron Age Mine as a resource. Despite these recordings, McKenna et al. concluded that none of these resources is considered significant or important and the proposed undertaking will not result in any adverse environmental impacts with respect to cultural resources. Mitigation measures are required to protect and avoid unknown and possible buried prehistoric and historic archaeological sites that could be uncovered during operations.

The Proposed Project will be removing iron tailings stockpiles and the surficial nature of the disturbance would minimize potential impacts to paleontological resources. The area is also not considered sensitive for paleontological resources and no impacts to paleontological resources are anticipated.

**Possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level below significant:**

**MM# Mitigation Measures**

- CR-1** A qualified project archaeologist approved by the BLM and County will conduct a pre-construction survey for cultural resources to mark sensitive resources for avoidance. Operations shall not knowingly disturb, alter, or destroy any historical or archaeological resource. The employees and contractors involved in the project will receive cultural resources awareness training, which will be directed towards recognizing and avoiding these features. Access roads and operation areas will set back from any historical or archaeological features which will be prominently flagged in the field to avoid disturbance.
- CR-2** The following procedures shall be implemented in the event that potentially sensitive cultural resources are uncovered during construction and grading activities:
- In the event archaeological, paleontological and/or historical resources, including pottery, rock art, middens or human remains, are uncovered during earthmoving activities, all work in that area shall cease immediately and a qualified archeologist shall be retained to access the findings, and if necessary provide appropriate disposition of the resources. Earthmoving shall be diverted temporarily around the deposits until they have been evaluated, recorded, excavated, and/or recovered as necessary. Earthmoving shall be allowed to proceed on the site when the archaeologist, in consultation with the appropriate Native American Tribe(s) and the County of San Bernardino Museum, determines the resources are recovered to their satisfaction.

- If possible human remains are encountered during any earthmoving activities, all work shall stop in the area in which the find(s) are present, and the San Bernardino County Coroner must be notified. The appropriate land manager (BLM or County) and the owner of the site shall also be called and informed of the discovery. If the remains are located on federal public lands, the BLM land managers/federal law enforcement/federal archaeologist is to be informed as well because of complementary jurisdiction issues. Disturbing human remains is against federal and state laws and there are criminal/civil penalties including fines and/or time in jail up to several years. The Coroner will determine if the bones are historic/archaeological or a modern legal case.
- State law dictates that the Native American Heritage Commission (NAHC) shall be notified in the event that remains are determined to be human and of Native American decent, in accordance with California Public Resources Code Section 5097.98.
- All discovered human remains shall be treated with respect and dignity. California state law (California Health & Safety Code 7050.5) and federal law and regulations ([Archaeological Resources Protection Act (ARPA)16 USC 470 & 43 CFR 7], [Native American Graves Protection & Repatriation Act (NAGPRA) 25 USC 3001 & 43 CFR 10] and [Public Lands, Interior 43 CFR 8365.1-7]) require a defined protocol if human remains are discovered in the state of California regardless if the remains are modern or archaeological.
- Modern Remains - If the Coroner's Office determines the remains are of modern origin, the appropriate law enforcement officials will be called by the Coroner and conduct the required procedures. Work will not resume until law enforcement has released the area.
- Archaeological Remains - If the remains are determined to be archaeological in origin and there is no legal question, the protocol changes depending on whether the discovery site is located on federally or non-federally owned/managed lands.
- Remains discovered on federally owned/managed lands - After the Coroner has determined the remains are archaeological or historic and there is no legal question, the BLM Barstow Field Office Archaeologist must be called. The archaeologist will initiate the proper procedures under ARPA and/or NAGPRA. If the remains can be determined to be Native American, the steps as outlined in NAGPRA, 43 CFR 10.6 Inadvertent discoveries, must be followed.
- Remains discovered on non-Federally owned/managed lands - After the Coroner has determined the remains on non-federally owned/managed lands are archaeological and there is no legal question, the Coroner will make recommendations concerning the treatment and disposition of the remains to the person responsible for the excavation, or to his or her authorized representative. If the Coroner believes the remains to be those of a Native American he/she shall contact by telephone within 24 hours, the California NAHC. The NAHC will immediately notify the person it believes to be the most likely descendent of the remains. The most likely descendent has 48 hours to make recommendations to the land owner for treatment or disposition of the human remains. If the descendent does not make recommendations within 48 hours, the land owner shall reinter the remains in an area of the property secure from further disturbance. If the land owner does not accept the descendent's recommendations, the owner or the descendent may request mediation by the NAHC.

<b>ISSUES</b>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>VI. GEOLOGY AND SOILS - Would the project:</b>				
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 checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 181-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):

a) **Less Than Significant Impact.**

a i) **Less Than Significant Impact.** The site is not located within an Alquist-Priolo Earthquake Fault Zone according to maps prepared by the State Geologist. No significant adverse impacts are identified or anticipated and no mitigation measures are required.

a ii) **Less Than Significant 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 Proposed Project site is to be used for a mining operation and does not contain habitable structures. No significant adverse impacts are identified or anticipated and no mitigation measures are required.

a iii) **Less Than Significant Impact.** The project site is not mapped within one of the San Bernardino County General Plan Hazards Overlay index maps. The General Plan does not identify the site to occur 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. Therefore, this impact is considered less than significant and no mitigation measures are required.

a iv) **Less Than Significant Impact.** The project site is not mapped within one of the San Bernardino County General Plan Hazards Overlay index maps. The General Plan does not identify the site to occur in an area susceptible to landslides. Therefore, the project site would not be exposed to landslide hazard, and this impact would be less than significant. No mitigation measures are required.

b) **Less Than Significant Impact.** During the removal of the tailings, drainage patterns will not be altered from existing conditions. The tailings are porous and heavy and are not susceptible to erosion. After removal of the tailings, the site will be re-graded to near the original contours as shown on the Reclamation Plan sheet. Sheet flow will drain towards the east and eventually enter the drainage that is located along the southeast portion of the site and continue downgradient. It is expected that the onsite runoff will eventually create its own natural drainage channels to the east. The site will also be stabilized through revegetation. Therefore, less than significant impact is anticipated.

c) **Less Than Significant Impact.** The Proposed Project is the removal and transport of iron ore tailings and reclamation of the tailings removal site. The removal of the stockpiled tailing is not located in an area that is geologically unstable or would become unstable as a result of the removal of the stockpile. Less than significant impact is anticipated.

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 and no mitigation measures are required

e) **No Impact.** Septic tanks and/or alternative waste water systems are not proposed as part of the Proposed Project. Therefore, no impact is anticipated and no mitigation measures are required.

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

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>VII</b>	<b>GREENHOUSE GAS EMISSIONS - Would the project:</b>				
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 any applicable plan, policy or regulation of an agency 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.”

San Bernardino County GHG Reduction Plan

In September 2011, the County of San Bernardino adopted a Greenhouse Gas Emissions (GHG) Reduction Plan (September 2011) (“GHG Plan”). The GHG Plan presents a comprehensive set of actions to reduce the County’s GHG emissions to 15% below current levels (2007 levels) by 2020, consistent with the AB 32 Scoping Plan. GHG emissions impacts are assessed through the GHG Development Review Process (DRP) by applying appropriate reduction requirements as part of the discretionary approval of new development projects. Through its development review process, the County will implement CEQA requiring new development projects to quantify project GHG emissions and adopt feasible mitigation to reduce project emissions below a level of significance. A review standard of 3,000 metric tons of CO<sub>2</sub> equivalent (MTCO<sub>2</sub>e) per year is used to identify projects that require the use of Screening Tables or a project-specific technical analysis to quantify and mitigate project emissions. Note that the MDAQMD has an annual threshold of 100,000 tons of CO<sub>2</sub> per year.

a-b) **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.

Per CEQA guidelines, new project emissions are treated as standard emissions, and air quality impacts are evaluated for significance on an air basin or even at a neighborhood level. Greenhouse gas emissions are treated differently, in that the perspective is global, not local. Therefore, emissions for certain types of projects might not necessarily be considered as new emissions if the project is primarily population driven. Many gases make up the group of pollutants that are believed to contribute to global climate change. However three gases are currently evaluated Carbon dioxide (CO<sub>2</sub>) Methane (CH<sub>4</sub>) and Nitrous oxide (N<sub>2</sub>O). South Coast Air Quality Management District (SCAQMD) provides guidance methods and/or Emission Factors. MDAQMD allows the use of this methodology.

A threshold of 3,000 MTCO<sub>2</sub>e per year has been adopted by the County as potentially significant to global warming. Utilizing the South Coast Air Quality Management District's (SCAQMD) Offroad Model - Mobile Source Emission Factors model (<http://www.aqmd.gov/ceqa/handbook/offroad/offroad.html>), annual operation GHG emissions amount to approximately 7.55 tons per day or 2,465 MTCO<sub>2</sub>e per year based on a worst case of 360 days of operations per year (see Table 6). Operations would not exceed the County's thresholds.

Due to the estimated minimal GHG emissions from the Proposed Project to be less than the County threshold, effects on climate change are expected to be less than significant.

**Table 6  
 Greenhouse Gas Emissions**

<b>Equipment</b>	<b>CO<sub>2</sub><sup>1</sup></b>
Mobile Equipment	10,707
Generator	4,400
Total Lbs. per Day	15,107
Total Per Year (tons)	2,720
<b>MTCO<sub>2</sub>e per Year</b>	<b>2,465</b>
Threshold (MTCO <sub>2</sub> e)	3,000 <sup>2</sup>
<b>Significant (Yes/No)</b>	<b>No</b>

Note: Assumes 360 working days/year.

1 Off-Road Mobile Source Emissions Factors (2012);

Emission Factors for On-Road Heavy-Heavy Duty Diesel Trucks (Emfac 2012)

2 San Bernardino County threshold, 3,000 MTCO<sub>2</sub>e/year

**Required Conditions**

The project emissions are less than significant. However, the applicant will be required to implement GHG reduction performance standards. 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 MTCO<sub>2</sub>e 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.

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

<i>ISSUES</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:</b>				
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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.** 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.

Regular maintenance will be performed on-site using a lube truck. All oil and grease will be stored and dispensed using a lube truck. The lube truck, service truck, and the mine foreman's pickup truck are all outfitted with appropriate diesel fuel tanks to transport fuel from bulk storage and fuel equipment at the mine site. Per the County of San Bernardino, the mine is required to submit a business plan, spill prevention control and counter measure plan (SPCC) with Best Management Practices (BMPs) to ensure that on-site materials are stored appropriately and contained in the event of uncontrolled release. Fuel storage specifications apply to all above ground fuel containers. The diesel fuel and gasoline tanks will be placed within concrete or lined containment pads to contain the contents of the tank and a 100-year rainfall event as required. Fuel will be transferred to the site by tanker trucks.

All refuse generated by Project activities would be transported offsite and would be disposed of at an authorized offsite landfill facility. With the implementation of the SPCC and BMPs, less than significant impacts from hazardous and solid wastes are anticipated.

- 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 operation, 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. Therefore, no impact is 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. Therefore, no impact is anticipated.
- e-f) **No Impact.** The project site is not identified on a San Bernardino County General Plan, Hazards Overlay Map. The project site does not occur within a public or private airport influence area. No safety hazard impacts from aircraft-related issues are 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 the Proposed Project 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.** The project site is not mapped within one of the San Bernardino County General Plan Hazards Overlay index maps. The General Plan does not identify the site to occur in a Fire Safety Overlay District. The project is not anticipated to result in any safety hazards impacts from wild fires to people or structures due to its isolated location. No Impact is anticipated.

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

<b>ISSUES</b>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>IX.</b>	<b>HYDROLOGY AND WATER QUALITY - Would the project:</b>				
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 that 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 that 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) **Less Than Significant Impact.** A Jurisdictional Delineation for the Iron Age Mine was prepared by

Lilburn Corporation in June 2012. The report found that the Proposed Project has the potential to impact 6.3 acres of ephemeral drainages subject to Waste Discharge Requirements (WDRs) from the Colorado River Basin Regional Water Quality Control Board (RWQCB) and Fish and Game Code Section 1602 for a Streambed Alteration Agreement from the CDFW. Compliance with WDRs and 1602 conditions will reduce project impacts to less than significant.

In addition, the site operations will be required to obtain a Stormwater Pollution Prevention Plan (SWPPP) to control runoff and sedimentation from the Project disturbance. In addition, a SPCC plan will be implemented to prevent impacts to ephemeral surface waters.

- b) **Less Than Significant Impact.** The Iron Age Mine is located within the Pinto Mountains, a nonwater-bearing rock formation. The nearest groundwater basin is the Dale Valley Groundwater Basin within the Colorado River Hydrologic Region. The California Department of Water Resources (DWR), Bulletin 118 identifies the surface area of the Dale Valley Ground Water Basin ("basin") as 213,000 acres (333 square miles). The basin underlies Dale Valley and is bounded by nonwater-bearing rocks of the Bullion Mountains on the north, of the Pinto Mountains on the south, of the Sheephole Mountains on the East, and by the Mesquite fault on the West (Bishop 1963). Surface runoff drains toward Dale (dry) Lake in the southeastern part of the valley. Groundwater movement is also to the lake. Recharge to the basin is by percolation of runoff from the slopes of the surrounding mountain and precipitation to the valley floor and by underflow past the Mesquite fault from the west (DWR 1961, 1979). The basin's total storage capacity has previously been estimated by DWR to be 2,000,000 acre-feet (1975) and 3,500,000 acre-feet (1979).

Analyses of water from 11 wells in the basin show high total dissolved solid (TDS) content. Water below Dale Lake is saline and has been mined for salts. TDS is generally less away from the lakebed. Fluoride concentration is commonly high. The water quality in this basin is generally unsuitable for domestic and agricultural uses (DWR 1979).

Operation water will be provided by an on-site well to be drilled at the plant site or at the mill site depending on drilling results.. Process water will be recycled through a lined holding pond. Approximately 60% of the water used for wet cycle processing will be recycled through a lined settling pond. A 10,000 gallon water tank will be placed at the plant site. A water truck will be available for mobile use. Water will be used for product screening, dust control, and road dust suppression; water used for dust control will evaporate. Water demand is estimated at 9 million gallons annually with approximately 3.6 million gallons (11 acre-feet) of makeup water due to product loss and evaporation.

The Proposed Project is not within the service area of a water supplier, a State Water Project contractor, or a regional groundwater management agency. No water purveyor exists within approximately 17 miles of the Project Site and therefore an Urban Water Management Plan is not available.

The Proposed Project's estimated demand of 11 acre-feet per year will not adversely affect the water balance of the Dale Valley Groundwater Basin vicinity. The Proposed Project's consumptive use for operations or dust control is not expected to be affected by water quality. Less than significant impact is anticipated.

- c-d) **Less Than Significant Impact.** There is an ephemeral wash located to the east of the Project Site that flows north along the existing haul road and broadens into an alluvial fan as it nears SH 62. A second drainage drains the project site north through a canyon and along the existing haul road for approximately 0.75 miles where it intersects the main drainage described above. The onsite drainage was cut off by the large tailings pile on the south. After removal of this tailings stockpile, the drainage will be reclaimed back to its natural flow through the south end of the site.

During the removal of the tailings, drainage patterns will not be altered from existing conditions. The tailings are porous and heavy and are not susceptible to erosion. After removal of the tailings, the site will be re-graded to near the original contours as shown on the Reclamation Plan sheet. Sheet flow will drain towards the east and eventually enter the drainage that is located along the southeast portion of the site and continue downgradient. It is expected that the onsite runoff will eventually create its own natural drainage channels to the east. The site will also be stabilized through revegetation.

Reconstruction of the existing mine road access will require routing within portions of the existing wash and outside the wash where possible and in some cases construction of dip crossings within the wash. Iron Age has attempted to utilize and improve the historic alignment where possible. It will be located on the wash terrace to prevent undue erosion from seasonal flash flooding. Dip crossing will be employed to accommodate seasonal flooding without restriction on natural flow. These will be replaced as necessary. The alignment and design of the road will be reviewed by the BLM and a CDFW 1602 Streambed Alteration Agreement will be required. With implementation of conditions from the BLM RWQCB, and CDFW and a SWPPP, impacts are expected to be less than significant.

- e-f) **Less than Significant.** The Project Site is located within the Dale Lake Watershed (HUC 1810010024) in the Southern Mojave sub-basin. The Dale Lake watershed is approximately 135 square miles. The watershed captures hydrologic flow from the Pinto Mountains. Surface water in the vicinity is limited to storm flows as sheet flow and ephemeral drainages. There are no surface waters that provide a source of supply. There are no springs, seeps, perennial drainages, wetlands, or riparian areas within or adjacent to the Project Site.

Surface water in the vicinity of the Project is dependent on seasonal precipitation. The Project Site does not receive much precipitation, with average rainfall of 4.24 inches per year (WRCC 2012) as measured at Twentynine Palms. Cool-season precipitation is the most extensive source of rain in the Mojave Desert region, and is widespread with a relatively long duration. Warm-season precipitation results from convective thunderstorms.

The Project is not within the service area of a water supplier, a State Water Project contractor, or a regional groundwater management agency. Neither is it within an adjudicated groundwater basin. The Proposed Project is located east of the City of Twentynine Palms. The Twentynine Palms Water District provides water to the city and surrounding area; the service area is approximately 87 square miles. The District is the nearest public water supplier (PWS) to the Project Site and their easternmost service lateral is located in Wilshire Road, approximately 25 miles west of the Project Site. A PWS does not serve the area of the Proposed Project.

Water for operations will be obtained from a well to be drilled onsite as described in Paragraph IXb above and the project will not generate runoff water. Additionally, the project will implement a SPCC and BMPs as discussed in Section 8 to avoid and prevent contamination by hazardous materials used onsite. All refuse generated by Project activities would be transported offsite and would be disposed of at an authorized offsite landfill facility. No impacts are anticipated.

- g-h) **No Impact.** The project site is not identified on a San Bernardino County General Plan, Hazards Overlay Map. Iron Age Mine is not identified on a General Plan index map to occur within a 100-year flood plain. The FEMA Map Service National Flood Hazard Layer identifies Iron Age Mine as a Zone D location. Zone D is defined as an undetermined risk area; no flood analysis has been conducted for the area. The project does not include the construction of housing and would not place housing within a flood plain. No impacts are anticipated.
- i) **No Impact.** 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 his project. Therefore, no impacts are anticipated.

- 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.

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

<b>ISSUES</b>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>X. LAND USE AND PLANNING - Would the project:</b>				
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 type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION**

- a) **No Impact.** The Project Site is surrounded by open space lands. The Proposed Project is consistent with the County General Plan and would not physically divide an established community. No impact is anticipated.
- 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 impact is anticipated.
- c) **No Impact.** Iron Age Mine is located within the planning area for the West Mojave Plan. The West Mojave Plan consists of two components: a Federal component that will amend the existing 1980 California Desert Conservation Area Plan (CDCAP), and a Habitat Conservation Plan (HCP) component that will cover development in private lands. A Biological Opinion was finalized for the federal portion of the Plan; however, the plan is currently in litigation after suit was filed by conservation groups therefore the WMP only applies to public lands.

The HCP component of the Plan is still in the development phase and the expected completion date is unknown at this time. The California Department of Fish and Wildlife in collaboration with the County jurisdictions are working to develop conservation measures that will be sufficient for the HCP to fulfill the requirements of the Federal Endangered Species Act.

The unpatented portions of the Project Site are identified in the CDCAP as a Multiple Use Area,

Class M, which is based upon a controlled balance between higher intensity use and protection of public lands. This class provides for a wide variety of present and future uses such as mining, livestock grazing, recreation, energy, and utility development. Class M management is also designed to conserve desert resources and to mitigate damage to those resources which permitted uses may cause.

The Proposed Project will impact approximately 21 acres of undisturbed lands and 76 acres of an existing mine site. The Proposed Project is subject to and in conformance with CDCAP 1980, as amended, which defers to surface management regulations 43 CFR 3809. The project is located within the historic Dale Mining District and is a compatible use with past activities.

Mitigation to reduce potential impacts to biological resources has been proposed in Section IV Biological Resources. No impacts are anticipated.

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

<i>ISSUES</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XI. MINERAL RESOURCES - Would the project:</b>				
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):

a-b) **No Impact.** The State's Guidelines for Classification and Designation of Mineral Lands help implement SMARA by providing the State Geologist with direction in carrying out mineral resource classification of lands in California that are threatened by uses that will be incompatible with, or will preclude access to significant mineral resources. These guidelines describe how the State Mining and Geology Board (SMGB) may elect to designate mineral-bearing areas of statewide or regional significance.

The Mineral Lands Classification System (MLCS) is the process of identifying lands containing significant mineral deposits. Designation is the formal recognition by the SMGB, after consultation with lead agencies and other interested parties, of areas containing mineral deposits of regional or statewide significance. The objective of classification and designation processes is to ensure, through appropriate lead agency mineral resource management policies and procedures, that mineral deposits of statewide or of regional significance are available when needed. Classification is completed by the State Geologist in accordance with the SMGB's priority list, into Mineral Resource Zones (MRZ). Classification is based on geologic and economic factors without regard to existing land use and land ownership. Within the classifications, "MRZ-2" is defined as areas that contain identified mineral resources.

The Department of Conservation, California Geological Survey (formerly the Division of Mines and Geology) has not included the Iron Age ore deposit within the MLCS. However, mining claims have been maintained to access the iron ore deposit. The Proposed Project would supply iron ore to the region. Therefore, the Proposed Project would not result in the loss of availability, but, would provide

a mineral resource that would be of value to the region and the residents of the State. Therefore, no impacts are anticipated.

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

<i>ISSUES</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XII. NOISE - Would the project:</b>				
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"/>
<b>SUBSTANTIATION</b>	(Check if the project is located in the Noise Hazard Overlay District <input type="checkbox"/> or is subject to severe noise levels according to the General Plan Noise Element <input 62="" 745="" 842"="" 940="" data-label="Text" type="checkbox/&gt;):&lt;/td&gt; &lt;/tr&gt; &lt;/tbody&gt; &lt;/table&gt; &lt;/div&gt; &lt;div data-bbox="/> <p>a,c,d) <b>No Impact.</b> The County of San Bernardino General Plan Noise Element does not identify specific goals or policies for the desert region. Noise regulations are identified in Section 83.01 of the County Development Code. Iron Age Mine is relatively isolated. The nearest sensitive receptors occur at the Cottonwood, Belle and White Tank designated camping areas of Joshua Tree National Park; the camping areas are located approximately 20 miles away from the Project Site. No impacts are anticipated.</p>			

I b) **Less Than Significant.** Approval of the project would require operations to conform to all applicable noise control regulations as outlined in Section 83.01 of the County Development Code. No sensitive noise receptors occur in the vicinity of the Project Site. Removal of the tailings would not expose persons to generation of excessive groundborne vibration or groundborne noise levels. Therefore, less than significant impact is anticipated.

- 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.

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

<i>ISSUES</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XIII.</b>	<b>POPULATION AND HOUSING - Would the project:</b>				
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 the area either directly or indirectly because the Proposed Project will not generate major job opportunities. The site will operate with approximately 6 to 8 employees. The site will operate year round approximately 6 days/week, 312 days annually. In addition, the duration of the operation is approximately 15 years after which time the site will be reclaimed and returned to open space use. 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.

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

<i>ISSUES</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XIV.</b>	<b>PUBLIC SERVICES</b>				
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 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. The Project consists of a mining operation to remove exiting iron tailings, no permanent improvements are proposed. After mining operations, the site would be reclaimed to open space. No impacts are anticipated.

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

<i>ISSUES</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XV.</b>	<b>RECREATION</b>				
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 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.

BLM property in the vicinity of the Project Site is identified within the CDCAP as amended as being Multiple Use Class L (Limited Use) Area. Class L areas allow vehicle travel on designated routes as posted and recreational opportunities including biking, camping, climbing, and hiking. There are no designated recreational facilities in the immediate vicinity of the Project. The Project Site is located within the historic Dale Mining District and numerous old mining sites are found in the area. This area of the Mojave Desert is very isolated and any recreational use is minimal and limited to four-wheel drive vehicles using designated roads, primitive camping, hiking, and rock hounding.

The southern 2.4 miles of the historic mine access road is designated as BLM Rout JT1957 open to all vehicles. The Proposed Project will re-align and reconstruct portions of this access road and utilize it to transport sized iron ore approximately 3.4 miles to the planned mill sites adjacent to SH 62. In order to protect public safety on the road, the BLM will designate the road as a "limited route" for mine operations during the operational period after which it will be re-opened for public access. Iron Age will implement the safety features as part of the project design. No impacts to recreational facilities are anticipated.

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

<i>ISSUES</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XVI. TRANSPORTATION/TRAFFIC - Would the project:</b>				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard 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"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## SUBSTANTIATION

a-b) **Less Than Significant Impact.** Total available iron tailings are estimated at approximately 12 million tons. Iron Age is requesting a 15-year operation period through 2027 due to variable production rates based on demand. The site will operate year round approximately 6 days/week, 312 days/year. Loading and trucking may occur 24 hours/day, six days/week (not including holidays), and removal operations will be daytime hours only. Iron Age has located two 5-acre mill site claims at the junction of Iron Age Mine Road and SH 62; off-road mine haul trucks will deposit ore at the mill sites for transfer to licensed highway haul trucks or shipping containers for shipment to market or transfer to rail. Each truck would hold approximately 25 tons. A maximum of 920,000 tons of product suitable for market would be mined per year and this equates to approximately 120 truck round trips per day or about 24 one way truck trips ingressing/egressing the site per hour based on a 10-hour operational timeframe. Note that loading of material may occur 24 hours/day..

SH 62 is identified in the San Bernardino County General Plan as a State Highway. It is not identified in the Congestion Management Plan as a segment of concern. Caltrans traffic data on SH 62 for 2011 in the vicinity of the site access is 780 annual average daily traffic (AADT). The Proposed Project is not anticipated to cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of SH 62 (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ration on roads, or congestion at intersections), or exceed, either individually or cumulatively, a level of service standard. Impacts would be less than significant. The access intersection will be designed per Caltrans Highway Manual and reviewed and approved by Caltrans prior to construction to meet safety requirements

c) **No Impact.** Approval of the tailings removal would not affect air traffic patterns at any airport or airstrip. No impacts are anticipated.

d) **Less than Significant Impact.** The Material will be transferred to street licensed trucks at the mill sites where the trucks will enter onto SH 62. The intersection with SH 62 will be improved with acceleration and deceleration lanes to the west; the direction where nearly 100 percent of trucks will be traveling, appropriate line-of-sight distances and warning signage as required by Caltrans. The design will be reviewed and approved with Caltrans prior to any construction.

e-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. 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.

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

<b>ISSUES</b>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XVII.</b>	<b>UTILITIES AND SERVICE SYSTEMS - Would the project:</b>				
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 checked="" type="checkbox"/>	<input 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. There is no wastewater treatment provider in the remote area. Sanitation needs will be met with portable facilities. No impacts related to wastewater treatment are anticipated.
- b) **Less Than Significant Impact.** Water for operations would be obtained from a well to be drilled on site as described in Paragraph IXb. No wastewater will be generated as a result of excavation or plant operations. Process water will be recycled through a lined settling pond. Water used for dust control will evaporate. Domestic water for drinking will be imported for employees. Domestic wastewater and septage will be collected via portable facilities. Less than significant impact is anticipated.
- c) **Less Than Significant Impact.** Reconstruction of the existing mine road access will require routing within portions of the existing wash and outside the wash where possible and in some cases construction of dip crossings within the wash. Iron Age has attempted to utilize and improve the historic alignment where possible. It will be located on the wash terrace to prevent undue erosion from seasonal flash flooding. Dip crossing will be employed to accommodate seasonal flooding

without restriction on natural flow. The alignment and design of the road will be reviewed by the BLM and a CDFW 1602 Streambed Alteration Agreement will be required. With implementation of conditions from the BLM RWQCB, and CDFW and a SWPPP, impacts are expected to less than significant.

- d) **Less Than Significant Impact.** The Project Site is not within the service area of a water supplier, a State Water Project contractor, of a regional groundwater management agency. Neither is it within an adjudicated groundwater basin. The Proposed Project is located west of the City of Twentynine Palms. The Twentynine Palm Water District provides water to the city and surrounding area; the service is approximately 87 square miles. The District is the nearest public water supplier to the project site and their easternmost service lateral is located in Wilshire Road, approximately 25 miles west of the Project Site. A public water supplier does not serve the area of the Proposed Project.

Water for operations would be obtained from a well to be drilled on site as described in Paragraph IXb. Water demand is estimated at 9 million gallons annually with approximately 3.6 million gallons (11 acre-feet) of makeup water per year due to product loss and evaporation. Approximately 60% of water usage will be recycled onsite through a lined settling pond. Water will be used for ore processing and dust control measures. Water will be utilized in the wet plant cycle for washing and in sprayers at material transfer points for dust control. Water used for dust control will evaporate. Water will be stored in a 10,000-gallon above-ground tank for onsite use and fire emergencies. No new or expanded entitlements would be needed.

The Proposed Project's estimated demand of 11 acre-feet per year will not adversely affect the water balance of the Dale Valley Groundwater Basin vicinity. The Proposed Project's consumptive use for operations or dust control is not expected to be affected by water quality. Less than significant impact is anticipated.

- f-g) **No Impact.** All refuse will be kept in closed containers and removed from the site to permitted facilities as needed. No trash will be allowed to collect on the site. No impact is anticipated.

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

<i>ISSUES</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:</b>				
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?

**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, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, and 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 and Cultural Resources. These impacts will be reduced to less than significant after incorporation of mitigation measures and compliance with existing rules and regulations.

Therefore the Project will not substantially degrade the quality of the environment and impacts to habitat, wildlife populations, plant and animal communities, rare and endangered species or important examples of the major periods of California history or prehistory, would be less than significant with mitigation.

- b) **Less Than Significant Impact.** None of the proposed mining activities would substantially contribute to any cumulatively significant impact on the evaluated resources. Due to the remoteness of the project area and the protected habitat within the critical habitat unit, the DWMA and Joshua Tree National Park, it is unlikely that any future State or private activities will occur in the area. Therefore, cumulative effects from other activities are not expected.

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 implementation of the reclamation plan on tailings piles now devoid of vegetation and not suitable desert tortoise habitat, will return approximately 50 acres to desert vegetation and suitable desert tortoise habitat. Thus, the long-term biological impacts of the Proposed Project will be beneficial. 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.** As discussed this Initial Study Checklist, the Project would not expose persons to adverse impacts related to Air Quality, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use and Planning, Noise, Population and Housing, or Transportation/Traffic hazards. These impacts were identified to have no impact or a less than significant impact.

The implementation of the existing rules and regulations, conditions from permit approvals and the mitigation measures identified in this Initial Study Checklist and listed below would result in a less than significant impact. There would be no substantial adverse effects on human beings, either directly or indirectly.

## **GENERAL REFERENCES**

California Department of Water Resources (DWR), Bulletin 118, 1979.

"CEQA and Federal Conformity Guidelines," MDAQMD, August 2011.

CEQA Guidelines, Appendix G.

County of San Bernardino General Plan, 2007 as updated

County of San Bernardino Development Code, 2007 as updated

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

Lilburn Corporation. Biological Resources Assessment for the Iron Age Mine San Bernardino County, California. Revised April 2014.

Lilburn Corporation. Jurisdictional Delineation for the Iron Age Mine San Bernardino County, California. June 2012.

Lilburn Corporation. Water Supply Assessment, April 2014.

Mojave Desert Air Quality Management District Rules and Regulations as amended, (<http://www.mdaqmd.ca.gov/>).

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

"Plan of Operations and Mine Reclamation for Iron Age Mine," Iron Age Mine, LLC and Lilburn Corporation, September 2012.

South Coast Air Quality Management Districts (SCAQMD) Greenhouse Gas Assessment and Off-road Model – Mobile Source Emission Factors Model (<http://www.aqmd.gov/ceqa/handbook/offroad/offroad.html>)

Western Region Climate Center, Climate Summaries, 2012.