Initial Study/Mitigated Negative Declaration
County of San Bernardino Department of Public Works

Ocotillo Borrow Pit

Lead Agency:

County of San Bernardino Land Use Services

385 N. Arrowhead Ave.,
San Bernardino, CA 92415

Technical assistance provided by:

Lilburn Corporation

1905 Business Center Drive
San Bernardino, CA 92408

June 2020

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TABLES

FIGURES

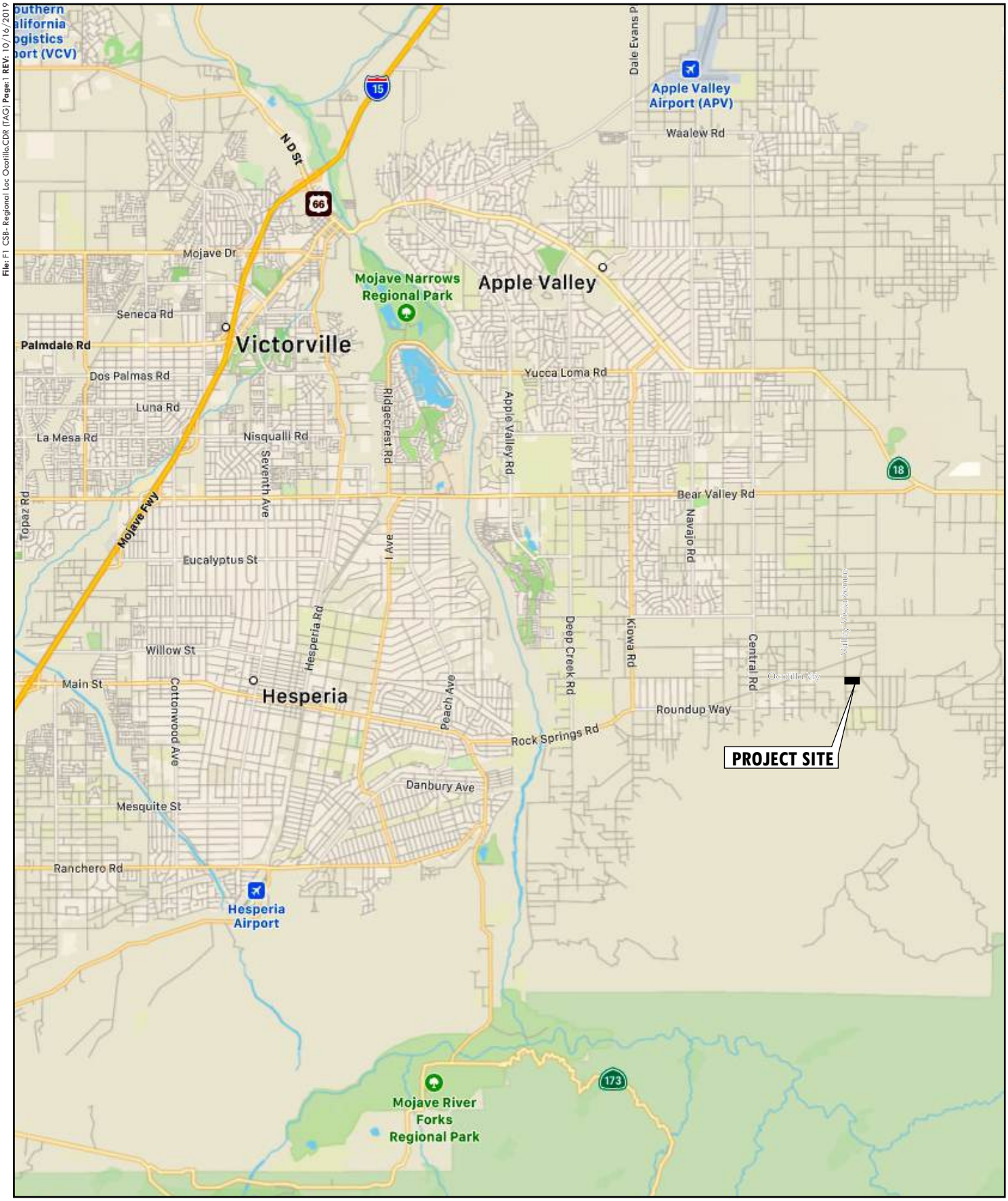
SECTION 1 – INTRODUCTION

The County of San Bernardino Department of Public Works (DPW) is submitting a Conditional Use Permit (CUP) application and Mining Reclamation Plan application- PROJ-2020-00014- to the County Land Use Services Department for the existing Ocotillo Borrow Pit. This application is to allow for the mining of up to 1,000 cubic yards (cy) of material annually for maintenance and/or emergency repairs that may be required primarily following storm events affecting roads, culverts, and other DPW sites.

The Project Site is located at the southeast corner of Ocotillo Way and Valley Vista Avenue, southeast of the Town of Apple Valley (see Figure 1 - Regional Map). The County-owned parcel is approximately 20 acres (APN 0438-082-01) and is located in Section 24, Township 4 North, Range 3 West, SBBM (see Figure 2 - Vicinity Map). Access to the site is from Ocotillo Way, a paved public road. The Project Site has previously been disturbances primarily due to the minor material removal and staging operations that have been associated with maintenance and emergency repair of San Bernardino road projects including unpaved roads, removal of materials, and material stockpiles. The Proposed Project will allow for the continued use of local construction material to reduce transportation costs and fuel usage from transporting material from more distant material sources. The material will be transported to DPW Sites for annual maintenance and/or emergency repairs. The site is mostly disturbed by past grading and material storage uses and has been used by the DPW for such activities since the 1960s.

Project Purpose and Need:

The purpose of the application is to permit the Ocotillo Borrow Pit for a 100-year period to continue providing general fill material for various DPW sites for annual maintenance and/or emergency repairs. DPW is proposing to excavate up to a depth of 15 feet with 3 horizontal to 1 vertical slopes (3H:1V) or 18° slopes to annually remove up to 1,000 cy of borrow material for a mining period of 100 years. The reclaimed end use of the Project Site is proposed to be a DWP material maintenance and storage yard.



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Source: Lilburn Corp., 10/2020 (TAG).

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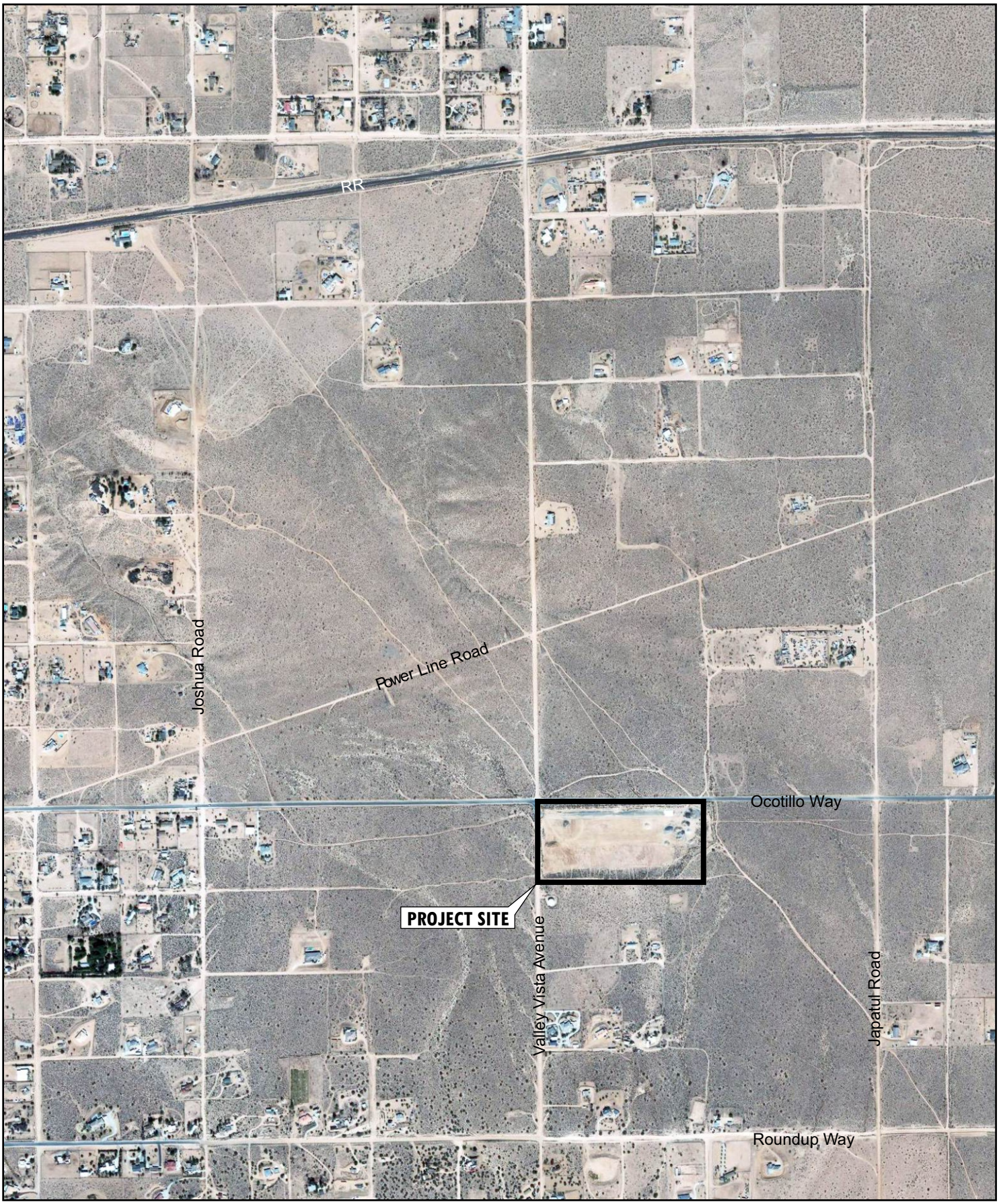
REGIONAL LOCATION

OCOTILLO BORROW PIT

County of San Bernardino, California

FIGURE 1

File: F1 CSB- Regional Loc Ocotillo.CDR (TAG) Page:1 REV: 10/16/2019



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Feet

Source: Lilburn Corp., 10/2020 (TAG).

LILBURN CORPORATION

PROJECT VICINITY

OCOTILLO BORROW PIT

County of San Bernardino, California

FIGURE 2

SECTION 2 – REGULATORY FRAMEWORK

The County of San Bernardino Department of Public Works has identified that the Ocotillo Borrow Pit Project meets the California Environmental Quality Act (CEQA) Guidelines Section 15378 definition of a Project. CEQA Guidelines Section 15378 defines a Project as the following:

"Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000-21177), this Initial Study has been prepared to determine potentially significant impacts upon the environment resulting from the construction, operation and maintenance of the Ocotillo Borrow Pit Project (hereinafter referred to as the "Project" or "proposed Project"). In accordance with Section 15063 of the State *CEQA Guidelines*, this Initial Study is a preliminary analysis prepared by the County of San Bernardino Department of Public Works as Lead Agency to inform the Lead Agency decision makers, other affected agencies, and the public of potential environmental impacts associated with the implementation of the proposed Project.

Initial Study Organization

This Initial Study is organized as follows:

Introduction: Provides the regulatory context for the review along a brief summary of the CEQA process.

Project Information: Provides fundamental Project information, such as the Project description, Project location and figures.

Lead Agency Determination: Identifies environmental factors potentially affected by the Project and identifies the Lead Agency's determination based on the initial evaluation.

Mitigated Negative Declaration: Prepared when a determination can be made that no significant environmental effects will occur because revisions to the Project have been made or mitigation measures will be implemented which will reduce all potentially significant impacts to less than significant levels.

Evaluating Environmental Impacts: Provides the parameters the District uses when determining level of impact.

CEQA Checklist: Provides an environmental checklist and accompanying analysis for responding to checklist questions.

References: Include a list of references and various resources utilized in preparing the analysis.

SECTION 3 – DETAILED PROJECT DESCRIPTION

Mining Operations

With approval of the Mine Plan, mining operations would continue over a period of up to 100 years beginning in early 2020 and extending until the end of 2119. Specifics of the Mine Plan are shown in Figure 3. The site will be fenced with a combination of desert tortoise fencing and 4-strand wire according to the protocols in Chapter 8 of the Desert Tortoise Field Manual (USFWS 2009).

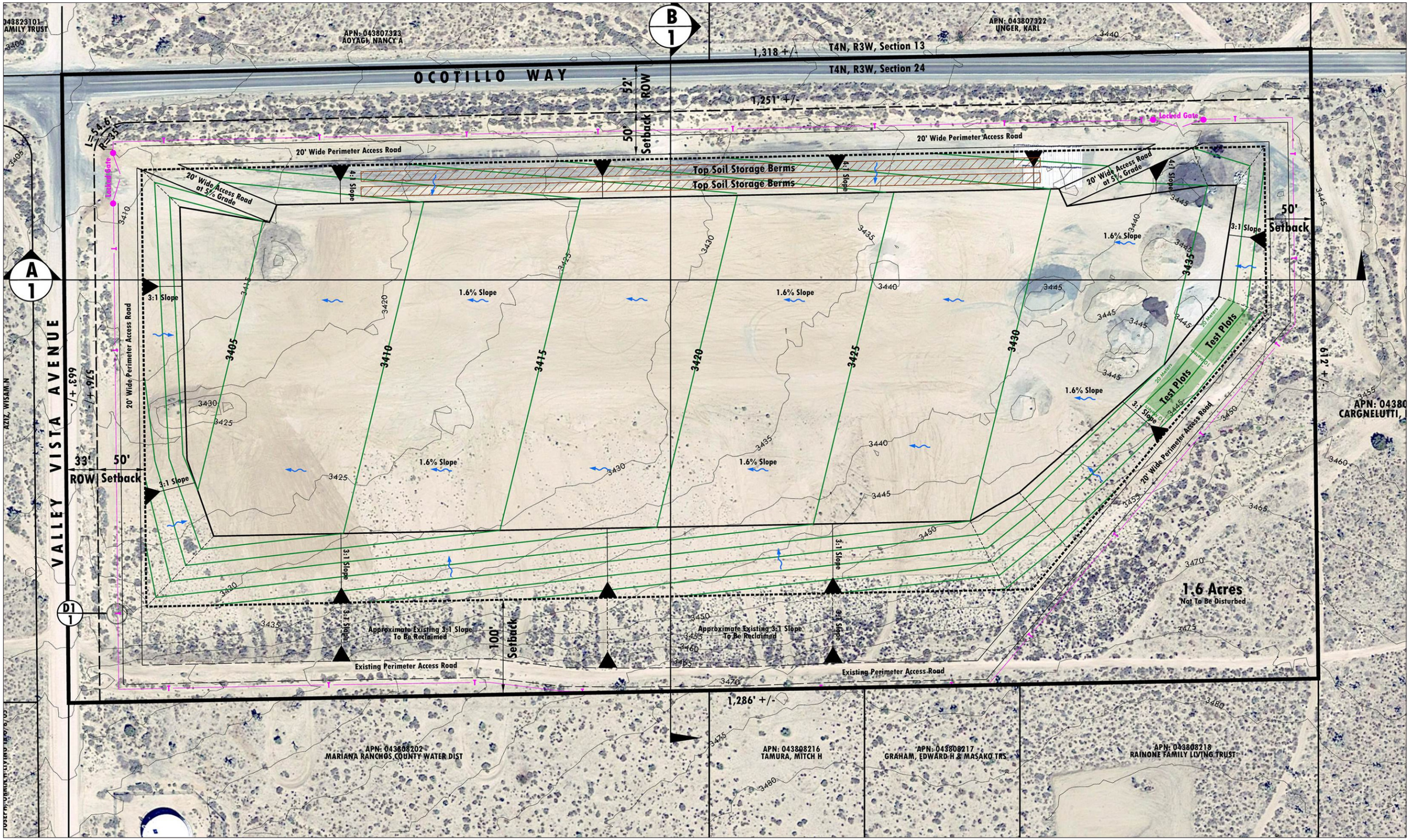
Mining will take place on approximately 11.7 acres of the 20-acre parcel. 50-foot wide setbacks will be established on the west, south, and east side of the property. The north side of the site will setback 52 feet from the centerline for the road right-of-way and an additional 50 feet from the south edge of the right-of-way or approximately 102 feet. Much of the setbacks are vegetated. In addition, the undisturbed southeast corner consisting of approximately 2 acres will be avoided. The setbacks total approximately 6.2 acres. An estimated 1,000 cy annually would be excavated on an intermittent basis over the course of 100 years. Equipment storage and parking area will be within the east portion of the excavated area.

Mining of the site is achieved with one loader, one excavator, and a dozer to break, move, and load material directly into single trailer or double truck trailers with capacity of up to approximately 10 to 25 cy (typical). A complete list of the typical equipment to be used on-site and for transport to various sites within the vicinity is included in Table 1. There will be no crushing, screening, or conveying conducted on-site. There will be no buildings or scale on-site.

Slopes of 3H:1V to depths of up to 15 feet will be produced from excavation of the pit. The top of the pit will range from 2,480 feet above mean sea level (amsl) on the northwest and 2,465 feet amsl on the southeast with a depth elevation ranging from 2,455 feet on the north to 2,440 feet amsl on the south. Setbacks of 50 feet in width will be maintained around the entire excavation area. These setbacks will include desert tortoise and 4-strand wire fencing with warning signs on the outside edge of the property and secured gates. Access into the borrow pit will be via a 5% decline ramp 26 feet in width located on the north sides of the pit to allow direct access to Ocotillo Way. Once off the Project Site, the street-legal transport trucks will utilize Ocotillo Way.

Truck traffic is anticipated at a rate of about 50 loads per year based on street-legal 20 cy trucks and DPW project demand.

The trucks will travel on Ocotillo Way to DPW projects. To minimize dust generation, a water truck will be retained for use during excavations and loading of haul trucks, prior to departing from the site. The mine operator shall water spray working mine areas and access roads on-site on a regular basis and more frequently as needed during windy conditions. Water used for dust control shall be obtained from a local water supplier via a water truck (source of water attached to application). Un-surfaced haul roads and access roads will also have dust controlled with or covered with road base material as needed.



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Source: Lilburn Corp., 10/2020 (TAG).

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LEGEND

- Property Line
- Top of Slope
- Proposed Contour
- Desert Tortoise Fence

MINE PLAN

OCOTILLO BORROW PIT

County of San Bernardino, California

FIGURE 3

Table 1
Mobile Mine and Transport Equipment (Typical)

Equipment Type	Typical Number	Hours/day	Purpose
Dozer	1	4	Excavate and loosen material. Access construction and maintenance.
2-5 Axle Dump/Haul Truck	2	4	Transportation of material.
Excavator	1	4	Excavate and load material into trucks.
Loader	1	4	Excavate and load material into trucks.
Water Truck	1	4	Water for dust control on mining areas, haul roads, and stockpiles.

Source: DPW July 2019
Note that equipment listed is typical and makes and models will vary.

Site operations will be conducted as needed intermittently primarily from 5:30 am until 8 pm, up to 6 days per week. Occasionally operations may be conducted up to 7 days per week depending on construction and road maintenance needs. All refuse shall be disposed of into approved trash bins and removed by the operator or a commercial vendor. Portable toilets will be used on-site when in operation and serviced by a commercial vendor. Bottled water will be provided to employees for a supply of drinking water as needed.

Mine Waste

Although the Project Site has been disturbed in the past, those areas with some vegetation will have the top one foot of surface material pushed into storage berms along the outside of the pit as shown on the mine plan. No overburden or waste material is expected; therefore, no method is required or planned for handling or storage of mine waste.

There will be no imported waste materials or chemicals brought to the Project Site besides fuel and equipment maintenance fluids. Maintenance and fueling will be conducted by a mobile maintenance truck and Best Management Practices (BMPs) will be implemented. All used fluids will be removed from the equipment and from the Project Site following standard regulations. No used fluids will be stored on-site.

Ore Processing

The borrow pit material will be loaded directly into trucks for transport to DWP Sites. No crushing or screening or any process plant facilities are utilized on-site. There is no need for on-site diesel-powered electricity or commercial power. No fuel tanks will be placed on-site.

Production Water

Water use on-site will be utilized to minimize dust generation. A water truck will be used for wetting-down material and roads during mining activities and for wetting-down haul trucks prior to site departure. Approximately 4,000 gallons of water a day (6 to 20 days a year) may be used for dust suppression activities. The 4,000-gallon water truck will fill at Mojave Water Agency designated hydrant. It is not

anticipated that there will be any excess water from the wetting-down procedure; therefore, no recycling is required or planned. The County has a memorandum of understanding (MOU) with the Mojave Water Agency.

Erosion and Sedimentation Control

DPW is required to comply with Statewide National Pollutant Discharge Elimination System (NPDES) and preparing and implementing a Storm Water Pollution Protection Plan (SWPPP) including applicable BMPs. The control of drainage, erosion, and sedimentation of the mine site will primarily involve the following primary BMPs as applicable:

- Limiting surface disturbance to the minimum area required for active operations;
- Monitoring erosion on slopes and implementation of one or more soil stabilization practices as applicable for the site such as: earthen berms or dikes; silt fence; fiber rolls; straw bales; gravel bags; sediment basin(s); and straw mulch.
- Stabilizing disturbed areas through grading slopes to 3H:1V; and
- After project completion - final revegetation by seeding or hydro-seeding with native species.

The Project Site slopes gently about 2% from the northwest to the south and southeast by about 25 feet. There are no drainage or run-off channels that will be affected by the pit. Principally only direct precipitation may affect the Project Site. The pit is designed with a 2% natural grade towards the southeast to collect any run-off that may collect in the pit and off the slopes in that area that will act as a sediment or percolation basin. The slopes are designed at 3H:1V to reduce possible slope erosion and runoff channeling down the slopes. There will no run-off from the site to adjacent properties. All precipitation will be collected within the borrow pit and allowed to evaporate or percolate.

During the course of mining and the final design of the 3H:1V slope contouring, some erosion may occur during heavy rainfall on the slopes. Erosion caused by rainfall will be retained at the bottom of the pit and rills or channels backfilled. Any water retained within the pit will not impact adjacent properties or local roads due to its containment.

After each major storm event or annually during mine inspections, any final slopes will be visually inspected to determine if any substantial erosion is evident such as sheet, rill or gully erosion. A major storm event is defined as precipitation totals of 0.5 inches per 24-hour period. Any rills or gullies in excess of 8 square inches in cross sectional area and are more than 10 linear feet located on final slopes shall be arrested using methods listed above. Revegetation will be used for the long-term control of erosion. Access points and mined surfaces will be water sprayed as necessary to reduce wind erosion during operations.

Blasting

There will be no blasting on this Project Site, therefore, no explosives will be used or stored on-site.

Reclamation Plan

The intent of the California Surface Mining and Reclamation Act of 1975 as amended (SMARA) is to "maintain an effective and comprehensive surface mining and reclamation policy with regulation of surface mining operations so as to assure that: (a) adverse environmental effects are prevented or minimized and that mined lands are reclaimed to a usable condition which is readily adaptable for alternative uses; (b) the production and conservation of minerals are encouraged, while giving consideration to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment; and (c) residual hazards to the public health and safety are eliminated" (Section 2712).

Article 9, Section 3700 of SMARA states the following: "Reclamation of mined lands shall be implemented in conformance with standards in this Article (Reclamation Standards). The standards shall apply to each surface mining operation to the extent that:

(1) they are consistent with required mitigation identified in conformance with CEQA; and
(2) they are consistent with the planned or actual subsequent use or uses of the mining site."

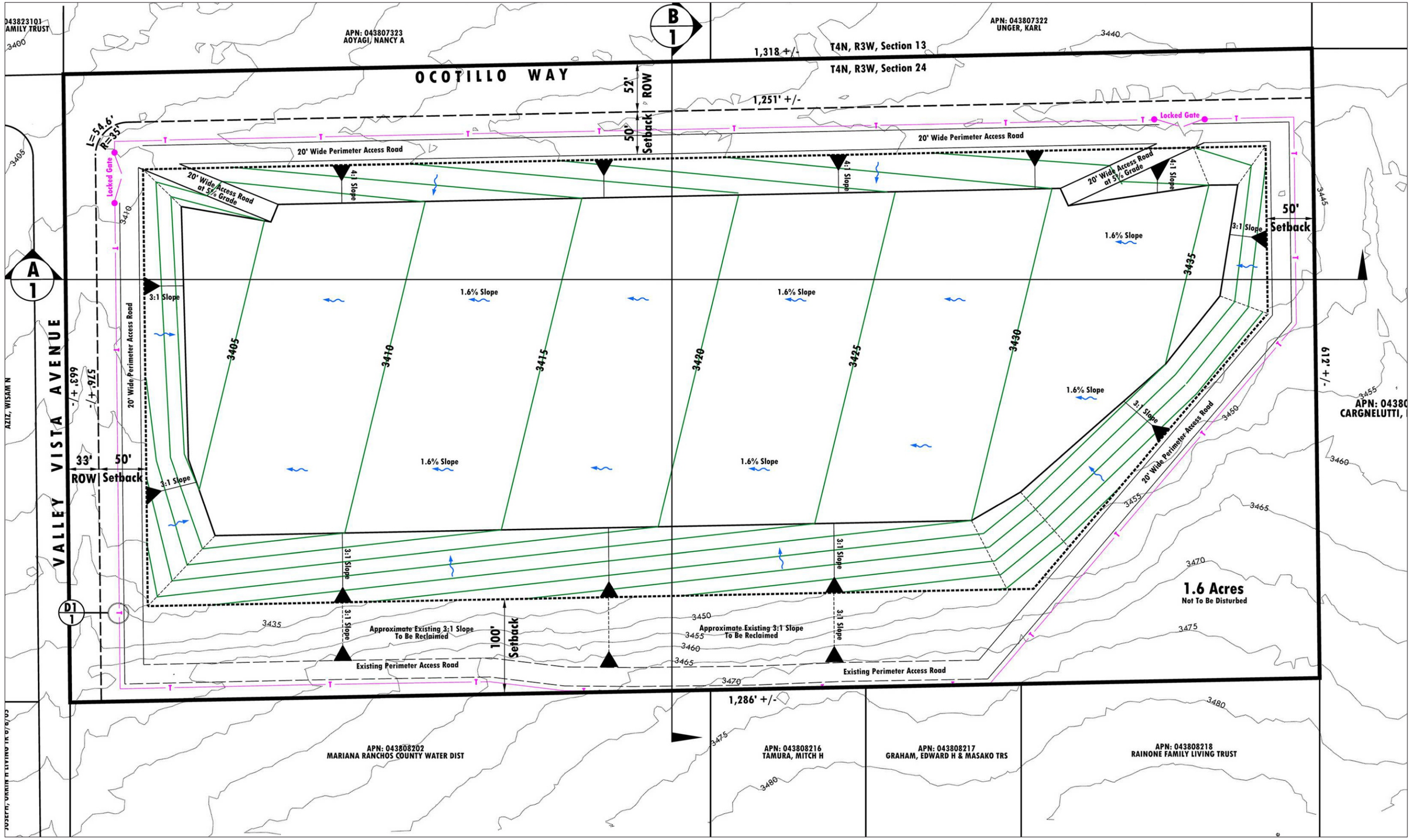
The objectives of the Reclamation Plan are to:

- Eliminate or reduce environmental impacts from mining operations;
- Reclaim in a usable condition for post-mining end uses which will be open space;
- Reshape mining features and revegetate disturbed areas to minimize aesthetic and biological impacts; and
- Reclaim the site as necessary to eliminate hazards to public health and safety.

Please refer to Figure 4 to review the Reclamation Plan. Reclamation of the mine will be undertaken at the completion of with the mining operations related to the construction of the SR-58 Kramer Junction Expressway. Final reclamation will occur upon termination of excavation activities. Any over-steepened slopes will be partially backfilled or recontoured to 3H:1V. Fill material will be excess material pushed up onto slopes to create 3H:1V contouring. The fill will be compacted by tracking the dozer over the slope to achieve necessary compaction consistent with final end use of open space. Any rock or gravel on the roads will be removed and used as fill in the pit area. Final graded slopes, the pit floor, storage areas, and roads will be revegetated. Surface material in all compacted working areas and roads will be loosened by mechanical means to a depth of one foot. Revegetation activities will generally commence in late fall to correspond with the rainy season of the area. The recontoured slopes and pit floor will be seeded with the recommended seed mix in this Reclamation Plan.

Equipment Staging Areas

Equipment storage and parking area will be within the east portion of the excavated area. A complete list of the typical equipment to be used on-site and for transport to various sites within the vicinity is included in Table 1, above. There will be no imported waste materials or chemicals brought to the Project Site besides fuel and equipment maintenance fluids. Maintenance and fueling will be conducted by a mobile maintenance truck and BMPs will be implemented. All used fluids will be removed from the equipment and from the Project Site following standard regulations. No used fluids will be stored on-site. At the completion of mining activities, all equipment will be removed from the Project Site. All debris will be removed and disposed at a permitted facility. All quarry fencing and gates will remain in place to prevent unauthorized access.



Source: Lilburn Corp., 10/2020 (TAG).

LILBURN CORPORATION

LEGEND

- Property Line
- Top of Slope
- Proposed Contour
- Desert Tortoise Fence
- Existing Contour

RECLAMATION PLAN

OCOTILLO BORROW PIT

County of San Bernardino, California

FIGURE 4

Operation and Maintenance

The County as lead agency to implement SMARA requires annual reporting of Mining and Reclamation activities. The reports are filed with the State Division of Mine Reclamation and the County. Revegetated areas will be monitored over a five-year period or until success criteria achieved following initial planting. Data on plant species diversity, cover, survival and vigor will be collected on revegetated sites and compared to baseline data from undisturbed sites to evaluate project success.

Monitoring and maintenance of reclamation is an ongoing responsibility of the applicant and if accepted, by the landowner.

Ongoing operations and reclamation activities require monitoring and maintenance as applicable. The operator will provide onsite review of the following among others:

a. Storm Water Pollution Prevention Plan per the NPDES plan and SWPPP required by State and Federal rules and per Caltrans contract as discussed under Section 1.5 above. Erosion control will be reviewed and addressed within the SWPPP.
b. Implementation and effectiveness of dust control measures;
c. Maintenance and managing idling for trucking operations;
d. Inspection of fencing and signs; and
e. Test revegetation plots.

Project Design Features

All equipment and debris will be removed from the Project Site upon project completion. Public access to the Project Site will be restricted by a perimeter 4-strand wire fence with attached desert tortoise fencing per USFWS protocol and locked access gates during operations and until revegetation is deemed successful. Warning signs with contrasting background lettering will be installed every 250 feet along the approved surface mine boundary shall be installed and shall read “No Trespassing - Keep Out; Surface Mining Operation” or similar during mining. Signs will be approximately one-foot high and two feet wide. The reclaimed 3H:1V slopes will be of sufficient low gradient as not to cause a hazard to public safety if the public illegally trespasses onto the Project Site.

SECTION 4 – ENVIRONMENTAL CHECKLIST FORM

1. Project Title: Ocotillo Borrow Pit

2. Lead Agency Name: County of San Bernardino Land Use Services

Address: 385 N. Arrowhead Ave.,
San Bernardino, CA 92415

3. Contact Person: Steven Valdez, Senior Planner

4. Project Location: Apple Valley Sphere of Influence, San Bernardino County, APN 0438-082-01

Topographic Quad (USGS 7.5"): Apple Valley South
Topographic Quad: T4N, R3W, Sections 24
Coordinates
Latitude/Longitude: 34°25'38.75" N, 117°8'39.16" W

Site Access: Access to the Project Site will be from Ocotillo Way, an existing paved public road.

5. Project Sponsor: County of San Bernardino Department of Public Works

Name and Address: 825 East Third Street, Room 123
San Bernardino, CA 92415
Nancy Sansonetti, AICP: Nancy.Sansonetti@dpw.sbcounty.gov
909-387-8109

6. General Plan/Zoning Designation: Apple Valley/Rural Living (AV/RL)

7. Project Description Summary:

San Bernardino County, Department of Public Works (DPW) is submitting an application for a Mine Reclamation Plan for the Ocotillo Borrow Pit. The purpose of this application is to permit the Ocotillo Borrow Pit for a 100-year period to provide general fill material for various DPW Sites for annual maintenance and/or emergencies. DPW is proposing to excavate up to a depth of 15 feet with 3 horizontal to 1 vertical slopes (3H:1V) or 18° slopes to remove up to 1,000 cubic yards (cy) a year for a mining period of 100 years. The reclaimed end use of the Project Site is proposed to be a DPW material maintenance and storage yard.

Details of the Project are further discussed in Section 3.

8. Environmental/Existing Site Conditions:

The Project Site consists almost entirely of undeveloped, but disturbed, open space. Joshua Tree woodland dominates undisturbed areas with disturbed areas being either bare or populated by a subset of species that occur nearby. Disturbances on-site are primarily due to the minor material removal and staging operations that have been associated with maintenance and emergency repair of San Bernardino road projects including unpaved roads, removal of materials, and material stockpiles. Hydrologically, the Project Site is within the Upper Mojave watershed and the soils on-site are solely comprised of Lucerne sandy loam. The Project Site topography is relatively uniform throughout with steep 25-foot slopes on the eastern, southern, and northern portions of the Project Site as a result of historical excavation and removal. Elevation on-site ranges from approximately 3,369 feet above mean sea level (amsl) in the southeastern portion of the Project Site, to 3,414 feet amsl in the northwesternmost portion of the site.

9. Surrounding land uses and setting:

The Project Site is located near the northern edge of San Bernardino foothills 5.5 miles southeast of the Town of Apple Valley in the Mojave Desert. The general project vicinity consists of rural housing and undeveloped open space. Habitat surrounding the Project Site consists primarily Joshua tree woodland. The surrounding land uses are as follows:

North	AV/RL; Ocotillo Way and vacant desert open space.
South	AV/RL; Water Tank, Single-family residences and vacant desert land.
East	AV/RL; Vacant desert land.
West	AV/RL; Valley Vista Avenue and vacant desert land.

10. Other public agencies whose approval is required:

Federal:

None.

State Agencies:

Compliance with Statewide NPDES Program through Preparation and Implementation of a Storm Water Pollution Prevention Plan (SWPPP).

City/County Agencies:

SMARA Mine and Reclamation Plan

Financing Approval or Participation Agreements: (i.e. Federal Funding? Grant Funding? JPA Agreement?)

None.

11. Have California Native American tribes traditionally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation?

Yes, consultation was requested and completed. See Tribal Cultural Resources section for details.

12. Lead Agency Discretionary Actions:

Mining Conditional Use Permit

Reclamation Plan

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact requiring mitigation to be reduced to a level that is less than significant as indicated in the checklist on the following pages.

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

LEAD AGENCY DETERMINATION

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

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

Signature: Steven A. Valdez (Steven Valdez , Planner) — Date: June 4, 2020

Signature: (David Prusch , Supervising Planner) — Date:

1. AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade an existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

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

Environmental Setting

The Project Site is located in the desert region of western San Bernardino County within a rural area with primarily undeveloped desert land in the vicinity.

Impact Analysis

a) Have a substantial adverse effect on a scenic vista?

No Impact. The Project Site is not located within a scenic vista recognized by the County General Plan. Therefore, the Proposed Project would not have a substantial adverse effect on a scenic vista. No impacts are identified or are anticipated, and no mitigation measures are required.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. Goal OS 5 of the County General Plan states that the County will maintain and enhance the visual character of scenic routes in the County. However, the Project Site is not located adjacent to or within the vicinity of a designated State Scenic Highway. The nearest officially designated State Scenic Highway, as identified by the California Department of Transportation State Scenic Highway Program (2019), is a portion of State Route 38 which is located approximately 28 miles southeast of the Project Site. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

c) Substantially degrade an existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an

urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less Than Significant. 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 level of change associated with the Proposed Project is considered to be low as the Proposed Project has been disturbed since the 1960s and is an acceptable use within the AV/RL zone as demonstrated by Table 82-7, Allowed Land uses and Permit Requirements for Residential Land Use Zoning Districts, of the San Bernardino County Development Code. Furthermore, following the completion of mining, reclamation shall take place in order to reshape mining features and revegetate disturbed areas to minimize aesthetic impacts. With implementation of the proposed Reclamation Plan and adherence to San Bernardino County Development Code, impacts are considered temporary and less than significant. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

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 as no permanent new light sources are proposed. No lighting is proposed, however, in the event temporary lighting is needed, the operator shall comply with the requirements outlined by County Development Code Section 83.07.040, Glare and Outdoor Lighting – Mountain & Desert Regions. This includes fully shielding 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 adherence to existing regulations, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Mitigation Measures:

N/A

Aesthetics Impact Conclusions:

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

2. AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?				X
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))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
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?			X	

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

Environmental Setting

The Project Site is located is in an unincorporated area within the County Apple Valley/Rural Living (AV/RL) land use zoning district. Agricultural, Resource, and Open Space uses are permitted within this land use zoning district. The Project Site consists almost entirely of undeveloped, but disturbed, open space. Disturbances on-site are primarily due to the minor material removal and staging operations that have been associated with

maintenance and emergency repair of San Bernardino road projects including unpaved roads, removal of materials, and material stockpiles.

Impact Analysis

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?

No Impact. No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is identified on-site or on adjacent parcels as demonstrated by the Department of Conservation's California Important Farmland Finder. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

b) Conflict with existing zoning for agricultural use or a Williamson Act contract?

No Impact. The Proposed Project is a conditionally acceptable use within the AV/RL zone as demonstrated by Table 82-7, Allowed Land Uses and Permit Requirements for Residential Land Use Zoning Districts, of the San Bernardino County Development Code. Additionally, the Project Site is recognized as "Non-Enrolled Land" as identified in the latest San Bernardino County Williamson Act Map (FY 2015/2016) prepared by the California Department of Conservation's Division of Land Resource Protection. As such, the Proposed Project does not conflict with existing zoning for agricultural use or a Williamson Act contract. No impacts are identified or are anticipated, and no mitigation measures are required.

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))?

No Impact. The Project Site and surrounding area do not occur within forest land, timberland, or timberland zoned production. Impacts to these resource lands would not result with implementation of the Proposed Project. No impacts are identified or are anticipated, and no mitigation measures are required.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. The Project Site does not support forest land and implementation of the Proposed Project would not convert forest land to non-forest use. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

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?

Less than Significant. Agricultural uses are permitted within the AV/RL zone as stated within Table 82-7 of the San Bernardino County Development Code. However, as previously stated, the Proposed Project is also a conditionally acceptable use within the AV/RL zone. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Mitigation Measures:

N/A

Agriculture and Forestry Services Impact Conclusions:

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

3. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				X

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

Environmental Setting

The Project Site is located in the Mojave Desert Air Basin (MDAB). The MDAB encompasses the desert portion of San Bernardino County. The MDAQMD has jurisdiction over air quality issues and regulations within the City of Needles that includes the Project Site. To assist local agencies in determining 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 Guideline (August 2016). The air and dust emissions from the construction and operational use of the Proposed Project were evaluated and compared to the MDAQMD air quality thresholds to determine significance.

Air emissions from the Proposed 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. 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) and the 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. Areas that meet the standards are designated attainment and if found to be in violation of primary standards are designated as nonattainment areas.

The United States Environmental Protection Agency (EPA) 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 2 lists these designations and classifications. The MDAQMD has adopted attainment plans for a variety of nonattainment pollutants.

Table 2
State and Federal Air Quality
Designations and Classifications

Ambient Air Quality Standard	Status
Eight-hour Ozone (Federal 70 ppb (2015))	Expected Non-attainment; to be determined.
Ozone (State)	Non-attainment; classified Moderate
PM_{10} (24-hour Federal)	Non-attainment; classified Moderate (portion of MDAQMD in Riverside County is unclassifiable/attainment)
$PM_{2.5}$ (Annual Federal)	Unclassified/attainment
$PM_{2.5}$ (24-hour Federal)	Unclassified/attainment
$PM_{2.5}$ (State)	Non-attainment (portion of MDAQMD outside of Western Mojave Desert Ozone Non-attainment Area is unclassified/attainment)
PM_{10} (State)	Non-attainment
Carbon Monoxide (State and Federal)	Unclassifiable/Attainment
Nitrogen Dioxide (State and Federal)	Unclassifiable/Attainment
Sulfur Dioxide (State and Federal)	Attainment/unclassified
Lead (State and Federal)	Unclassifiable/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 2016

Impact Analysis

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less than Significant. The Proposed Project is a conditionally acceptable use within the AV/RL zone as demonstrated by Table 82-7, Allowed Land uses and Permit Requirements for Residential Land Use Zoning Districts, of the San Bernardino County Development Code. 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. The Proposed Project would not significantly increase local air pollutant emissions and therefore would not conflict with or obstruct implementation of the AQMP. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Less than Significant. The Project Site has previously been used for minor material removal and staging operations that have been associated with San Bernardino road projects including unpaved roads, removal of materials, and material stockpiles. The Proposed Project will allow for the continued use of local construction material to reduce transportation of material from more distant sites. Mining of the site typically occurs with one loader, one excavator, and a dozer to break, move, and load material directly into single trailer or double trailers trucks with capacities of up to approximately 10 to 25 cy (typical). Additionally, a water truck will be utilized for dust control on mining areas, haul roads, and stockpiles**.** Exhaust or criteria pollutants will be produced from the mobile equipment. Dust will be produced from mining and revegetation, and vehicular travel on gravel/dirt access

roads. Operations will be required to comply with the existing MDAQMD regulations for mobile equipment and fugitive dust control.

The MDAQMD has established the following significant daily emissions thresholds for determining whether the impacts from a proposed project would be considered significant per CEQA:

Carbon Monoxide (CO)	548 lbs/day
Oxides of Nitrogen (NO_X)	137 lbs/day
Reactive Organic Gasses (ROG)	137 lbs/day
Oxides of Sulfur (SO_X)	137 lbs/day
Particulate Matter (PM_{10})	82 lbs/day
Particulate Matter ($PM_{2.5}$)	65 lbs/day

Operational emissions for the Proposed Project's mobile equipment were estimated utilizing South Coast AQMD Off-Road Source Emission Factors for the 2020 operational year. Table 3 provides the estimated emissions for the planned operations in comparison to MDAQMD thresholds.

Table 3
Operational Emissions Summary
(Pounds Per Day)

Source/Phase	ROG	NO_X	CO	PM_{10}	$PM_{2.5}$
Loader	0.30	1.90	1.76	0.09	0.09
Water Truck	0.23	1.41	1.40	0.06	0.05
Excavator	0.29	1.62	2.05	0.07	0.07
Dozer	0.85	6.31	3.20	0.25	0.23
2-5 Axle Dump/Haul Trucks	0.74	5.20	3.54	0.20	0.19
Totals	**2.41**	**20.84**	**13.40**	**0.68**	**0.62**
MDAQMD Threshold	137	137	548	82	65
Significant	**No**	**No**	**No**	**No**	**No**

Emission Sources: Off-Road Mobile Source Emission Factors (Scenario Year 2020)

As shown above, the anticipated operational emissions are less than the MDAQMD thresholds and would be considered less than significant. Compliance with MDAQMD rules and CARB Off-Road Diesel Vehicle regulations are listed below and are included in the estimated emissions in Table 3.

Upon completion of mining, all disturbed slopes will be reclaimed and revegetated within one year. Reclamation activities would require minor earthmoving, and other activities typically associated with final grading and revegetation. Reclamation emissions would be substantially less than the mining operations and would not exceed MDAQMD thresholds.

Compliance with MDAQMD Rules 402 and 403

Although the Proposed Project does not exceed MDAQMD thresholds, the Applicant is required to comply with applicable MDAQMD Rules 402 for nuisance and 403 for fugitive dust control. This would include, but not be limited to the following:

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.

2. 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 activity on the site. Portions of the site that are actively being used shall be watered to ensure that a crust is formed on the ground surface and shall be watered at the end of each workday.

3. The Project Proponent shall ensure that disturbed areas are treated to prevent erosion.

4. The Project Proponent shall ensure that mining and revegetation activities are suspended when winds exceed 25 miles per hour.

Although the Proposed Project would not exceed MDAQMD thresholds for exhaust emissions during operations, the Applicant would be required to implement the following conditions as required by MDAQMD:

5. All equipment used for mining and revegetation must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.

6. The operator shall comply with all existing and future CARB and MDAQMD Off-Road Diesel Vehicle Regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.

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.

The project area is within the Mojave Desert PM_{10} Planning Area and the Western Desert Ozone non-attainment area. The State Implementation Plan (SIP) identifies sources of PM_{10} 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. These will be incorporated through compliance with rules and regulations described above. As such, with compliance with existing rules and regulations, the Proposed Project would not violate any air quality standards or contribute to an existing or projected air quality violation. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant. The MDAQMD CEQA and Federal Conformity Guidelines (August 2016) describes sensitive receptors as being residences, schools, daycare centers, playgrounds and medical facilities. The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor land use must be evaluated using MDAQMD significance thresholds:

- Any industrial project within 1000 feet;
- A distribution center (40 or more tucks per day) within 1000 feet;
- A major transportation project (50,000) or more vehicles per day) within 1000 feet;
- A dry cleaner using perchloroethylene within 500 feet;
- A gasoline dispensing facility within 300 feet.

Ocotillo Borrow Pit has been mined since the 1960s to provide general fill material for various DPW Sites for annual maintenance and/or emergencies. DPW is proposing to remove up to 1,000 cubic yards (cy) of fill material a year. No changes from existing conditions are proposed. Furthermore, the modeling results (as shown in Table 3) indicate that development of the Proposed Project is not anticipated to exceed MDAQMD emissions thresholds. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

No Impact. Ocotillo Borrow Pit has been mined since the 1960s to provide general fill material for various DPW Sites for annual maintenance and/or emergencies. DPW is proposing to remove up to 1,000 cubic yards (cy) of fill material a year. No changes from existing conditions are proposed. Furthermore, the modeling results (as shown in Table 3) indicate that development of the Proposed Project is not anticipated to exceed MDAQMD emissions thresholds. Temporary generation of objectionable oil and diesel fuel odors associated with the use of heavy equipment may occur during mining and reclamation activities however, impacts are anticipated to be negligible as demonstrated. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

Mitigation Measures:

N/A

Air Quality Impact Conclusions:

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

4. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, 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?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
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?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
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?				X

☐ Check if project is located in the Biological Resources Overlay or Contains habitat for any species listed in the California Natural Diversity Database

Environmental Setting

In July 2019, Jericho Systems Incorporated (Jericho) prepared a Biological Resources Assessment (BRA) and Jurisdictional Delineation (JD) for the Proposed Project (available at the County offices for review). Jericho describes the Project Site as consisting almost entirely of undeveloped, but disturbed, open space. Joshua Tree woodland dominates undisturbed areas with disturbed areas being either bare or populated by a subset of species that occur nearby. Disturbances on-site are primarily due to the minor material removal and staging operations at the site that have been associated with San Bernardino County road projects since the 1960's.

The habitat in vicinity of the Project Site consists primarily of *Yucca brevifolia* Woodland Alliance (Joshua Tree Woodland). The tree canopy of the community contains only two species and is co-dominated by *Y. brevifolia* and *Y. schirdigera* (Mojave yucca). The shrub canopy is diverse with 21 species with *Ambrosia salsola* (Burrobrush), *Ephedra nevadensis* (Nevada ephedra), *Hesperoyucca whipplei* (Chaparral yucca), and *Salvia dorri*i (Dorr's sage) being the most common. Fifty-one herbaceous species were found, including four non-natives species.

Impact Analysis

a) Have a substantial adverse effect, 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?

Less than Significant. Jericho obtained data regarding biological resources through field investigations and review of databases containing records of reported occurrences of State- and federally-listed species or otherwise sensitive species and habitats that may occur within the vicinity of the Project Site. These databases include the California Natural Diversity Database (CNDDB), California Native Plant Society Electronic Inventory (CNPSEI) databases, and the Calflora Database, among others. The database searches identified 38 sensitive species (23 plants and 15 animals) within the Apple Valley South, Fifteenmile Valley, and Hesperia USGS 7.5-minute series quadrangles.

No State- and/or federally listed threatened or endangered species, or other sensitive species were observed on-site during the field surveys; however, Jericho noted that there is some potentially suitable habitat in the undisturbed areas of the Project Site and in the adjacent undisturbed habitat for various sensitive species identified in the literature review. As such, habitat suitability assessments were conducted within the Project Site for golden eagle (*Aquila chrysaetos*) [GOEA], desert tortoise (DT), burrowing owl (BUOW), and Mohave ground squirrel (MGS). As a result of the habitat suitability assessments Jericho concluded that the Project Site is not considered suitable for any of these species. In addition, no sensitive plants were observed during the survey. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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 U.S. Fish and Wildlife Service?

No Impact. As stated by the JD performed by Jericho, there is a blueline stream course mapped by the USGS National Hydrography Dataset (NHD) that was historically mapped on the eastern edge of the Project Site. The current site conditions have resulted in a realignment of flows further east to the very eastern edge of the site. The desert dry wash flows from the south to the north. The visual character of the drainage is difficult to define as flows enter the site due to a road, but the drainage pattern become clearer as the flows exit the site. Once the flows leave the site they fan out and become sheet flow across the desert in a northwest direction. Furthermore, no amphibian species were observed or otherwise detected within the project area and none are expected to occur. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Less than Significant. As concluded by Jericho, no hydrophitic vegetation, hydric soils and/or wetland hydrology are present within the Project Site. The drainage feature located on the far eastern edge of the Project Site may be subject to the Fish and Game Code under the jurisdiction of the California Department of Fish and Wildlife (CDFW). The feature, however, does not meet the definition of Waters of the U.S. due to the lack of a significant nexus to a traditional navigable water and therefore there would be no U.S. Army Corps of Engineers jurisdiction. There are no planned operations within this area and no permanent or temporary impacts to State or federal jurisdictional features are expected. Therefore, no permits or authorizations will be required. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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?

No Impact. As concluded by Jericho, habitat conditions on-site are not suitable for DT or BUOW. Additionally, the Project Site occurs outside the established current range for MGS. Although the local vicinity surrounding the Project Site likely provides suitable foraging habitat for GOEA, there are no tall trees or cliffside habitat present that could provide potential GOEA nest sites. No GOEA were observed within the project area during the site surveys. Given the level of disturbance from the existing site conditions and the general lack of suitable nest sites within the immediate project vicinity, the Project Site and surrounding area is not considered suitable to support nesting GOEA. The Project Site does not contain any habitat that would support migratory fish species. Therefore, the Proposed Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or established native resident or migratory wildlife corridors. No impacts are identified or are anticipated, and no mitigation measures are required.

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

No Impact. As concluded by Jericho Systems, the Project Site is predominately devoid of vegetation and consists almost entirely of undeveloped open space. Most of the Project Site is disturbed due to mining and staging operations and no trees that would be required to be preserved are located on-site. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

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?

No Impact. As demonstrated by the CDFW's California Natural Community Conservation Plans map (April 2019), the Proposed Project is located within the Town of Apple Valley's Multi-Species Habitat Conservation Plan/Natural Community Conservation Plan (MSHCP/NCCP). However, as of May 18, 2020 the Apple Valley MSHCP/NCCP has not yet been adopted (https://www.applevalley.org/services/planning-division/multi-species-habitat-conservation-plan). Therefore, the Proposed Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. No impacts are identified or are anticipated, and no mitigation measures are required.

Mitigation Measures

N/A

Biological Resources Impact Conclusions:

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

5. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?		X		
b) Cause a substantial adverse change I the significance of an archaeological resource pursuant to §15064.5?		X		
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		

(Check if project is located in the Cultural ☐ overlays or cite results of cultural resource review)

Environmental Setting

In October 2019, CRM TECH prepared a Historical/Archaeological Resources Survey Report for the Proposed Project (available at the County offices for review). Historic maps and aerial photographs show that the only man-made feature known to be present within the survey area during the historic period was a small segment of Van Dusen Road. Historically, Van Dusen Road approached the survey area from the west but entered the Project Site from the north, crossing the northeast corner of the parcel. Geologic maps of the project vicinity identify the surface sediments in and near the Project Site as alluvial-fan deposits of late Holocene age, consistent with the typical valley floor deposits. CRM TECH received historical/archaeological resources records search results from San Bernardino County Archaeologist Jesse Yorck, M.A., who conducted the records search on December 20, 2018, at the South Central Coastal Information Center (SCCIC) of the California Historical Resources Information System. Jesse Yorck also provided CRM TECH with a written response to the County's inquiry from the State of California Native American Heritage Commission (NAHC), which includes the results of a records search in the commission's Sacred Lands File. Additionally, CRM TECH geologist Harry M. Quinn conducted geoarchaeological analysis to assess the Project Site's potential for the deposition and preservation of subsurface cultural deposits from the prehistoric period.

Impact Analysis

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Less than Significant with Mitigation Incorporated. According to SCCIC records, the project area had not previously been surveyed for cultural resources; however, a linear site of historical origin, referred to as site 36-004276, was previously recorded as crossing the northeast corner of the Project Site. Site 36-004276 consists of the entire course of the 1860s Van Dusen Road from the Victor Valley to the gold mines in the San Bernardino Mountains, parts of which remain in use today on the northern slope of the mountains as Bowen Ranch Road and Coxey Road. As an important early road to the San Bernardino Mountains, Van Dusen Road was officially designated California Point of Historical Interest (CPHI) No. SBr-017 in 1973. In addition, SCCIC records show a total of 10 previous studies on various tracts of land and linear features within the one-mile scope of the records search, all of them dating to 2010 or earlier. None of these studies identified any other cultural resources within the Project Site or within the scope of the records search.

Geologic maps of the project vicinity identify the surface sediments in and near the Project Site as alluvial-fan deposits of late Holocene age, consistent with the typical valley floor deposits. Geospatial analyses of known prehistoric sites in inland southern California suggest that longer-term residential settlements of the Native population were more likely to occur in sheltered areas near the base of hills and/or on elevated terraces, hills,

and finger ridges near permanent or reliable sources of water, while the level, unprotected valley floor was used mainly for resource procurement, travel, and occasional camping during these activities. This is corroborated by the ethnographic literature that finds foothills to be preferred settlement environment for the Serrano people.

Based on this settlement pattern, the general location of the Project Site would not have provided a favorable setting for permanent or long-term habitation by the aboriginal population during prehistoric times. Furthermore, nearly the entire Project Site has been disturbed by past mining activities, and much of the original surface and near-surface soils have been removed. As a result, the Project Site appears to be low in sensitivity for buried deposits of intact, potentially significant archaeological remains of prehistoric or early historic origin.

Historic maps and aerial photographs consulted by CRM TECH show that the only man-made feature known to be present within the survey area during the historic period was a small segment of Van Dusen Road (Site 36-004276). Historically, Van Dusen Road approached the survey area from the west but entered the Project Site from the north, crossing the northeast corner of the parcel in a northwest-southeast direction. Sometime between 1952 and 1969, however, the roughly 250-foot-long segment of Van Dusen Road within the Project Site boundaries was completely destroyed when large-scale mechanical earth-moving activities began on the property. Since then, the earth-moving activities have expanded to cover almost the entire Project Site.

On March 27, 2019, CRM TECH field director Daniel Ballester and project archaeologists Michael Richards and Hunter O'Donnell carried out an intensive-level field survey of the Project Site by walking a series of parallel north-south transects spaced 15 meters (approximately 50 feet) apart. In this way, the entire Project Site was systematically and carefully examined for any evidence of human activities dating to the prehistoric or historic period. The field survey produced completely negative results for potential cultural resources, and no buildings, structures, objects, sites, features, or artifact deposits of prehistoric or historical origin were encountered on the property. As anticipated, no physical remnants of the historic Van Dusen Road (Site 36-004276) were found within the Project Site. Several modern dirt roads and tracks have been created near the former alignment of Van Dusen Road, but none of these was present prior to 1995.

In summary, an approximately 250-foot-long segment of Site 36-004276, representing the 1860s Van Dusen Road, was previously recorded as crossing the northeast corner of the Project Site. As an officially designated California Point of Historical Interest (No. SBr-017), Site 36-004276 meets CEQA's definition of a "historical resource" in the category of "presumptive historical resources". However, the portion of Site 36-004276 within the project boundaries no longer exists today, having been destroyed sometime between 1952 and 1969. Therefore, CRM TECH has concluded that the Proposed Project has no potential to cause a substantial adverse change in the significance or integrity of this "historical resource". Although CRM TECH concludes that no "historical resources" will be impacted by the Proposed Project, the possibility of discovering a significant unanticipated find remains. As such, Mitigation Measure CR-1, defined below, shall be implemented to ensure that less than significant impacts to historical and/or archaeological resources occur.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less Than Significant with Mitigation Incorporated. See response to (a), above.

c) Disturb any human remains, including those interred outside of formal cemeteries?

Less than Significant with Mitigation Incorporated. Mining activities could potentially disturb human remains interred outside of a formal cemetery. Thus, the potential exists that human remains may be unearthed during

implementation of the Proposed Project. Therefore, Mitigation Measure CR-2, defined below, shall be implemented to ensure that less than significant impacts regarding human remains occur.

Mitigation Measures:

CR-1 If historical/archaeological resources are encountered during ground-disturbing activities, work in the immediate area shall cease and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service [NPS] 1983) shall be contacted immediately to evaluate the find(s). If the discovery proves to be significant under CEQA, additional work such as data recovery excavation may be warranted and will be reported to the County.

CR-2 Should human remains and/or cremations be encountered during any earthmoving activities, all work shall stop immediately in the area in which the find(s) are present (suggested 100-ft radius area around the remains and project personnel will be excluded from the area and no photographs will be permitted), and the County of San Bernardino Coroner will be notified. The County of San Bernardino and the Project Proponent shall also be called and informed of the discovery. The Coroner will determine if the bones are historic/archaeological or a modern legal case. The Coroner will immediately contact the Native American Heritage Commission (NAHC) in the event that remains are determined to be human and of Native American origin, 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.

Cultural Resources Impact Conclusions:

Possible significant adverse impacts have been identified or are anticipated and therefore Mitigation Measures CR-1 and CR-2 are required as conditions of project approval to reduce these impacts to a level below significant.

6. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X

Environmental Setting

California is one of the lowest per capita energy users in the United States, ranked 48th in the nation, due to its energy efficiency programs and mild climate (United States Energy Information Administration [EIA] 2018). California consumed 292,039 gigawatt-hours (GWh) of electricity and 2,110,829 million cubic feet of natural gas in 2017 (California Energy Commission [CEC] 2019; EIA 2018). In addition, Californians consume approximately 18.9 billion gallons of motor vehicle fuels per year (Federal Highway Administration 2019). The single largest end-use sector for energy consumption in California is transportation (39.8 percent), followed by industry (23.7 percent), commercial (18.9 percent), and residential (17.7 percent) (EIA 2018).

Most of California's electricity is generated in-state with approximately 30 percent imported from the Northwest and Southwest in 2017. In addition, approximately 30 percent of California's electricity supply comes from renewable energy sources such as wind, solar photovoltaic, geothermal, and biomass (CEC 2018). Adopted on September 10, 2018, SB 100 accelerates the State's Renewables Portfolio Standards Program by requiring electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

To reduce statewide vehicle emissions, California requires that all motorists use California Reformulated Gasoline, which is sourced almost exclusively from in-state refineries. Gasoline is the most used transportation fuel in California with 15.5 billion gallons sold in 2017 and is used by light-duty cars, pickup trucks, and sport utility vehicles (California Department of Tax and Fee Administration 2018). Diesel is the second most used fuel in California with 4.2 billion gallons sold in 2015 and is used primarily by heavy duty-trucks, delivery vehicles, buses, trains, ships, boats and barges, farm equipment, and heavy-duty construction and military vehicles (CEC 2016). Both gasoline and diesel are primarily petroleum-based, and their consumption releases greenhouse gas (GHG) emissions, including CO2 and NOX. The transportation sector is the single largest source of GHG emissions in California, accounting for 41 percent of all inventoried emissions in 2016 (California Air Resources Board [CARB] 2018).

Building Energy Efficiency Standards

The California Energy Conservation and Development Commission (California Energy Commission) adopted Title 24, Part 6, of the California Code of Regulations; energy Conservation Standards for new residential and nonresidential buildings in June 1977 and standards are updated every three years. Title 24 ensures building designs conserve energy by requiring the use of new energy efficiency technologies and methods into new developments. Currently, the California Energy Commission (CEC) Title 24 2016 Building Energy Efficiency Standards are in effect; however, the updated 2019 Building Energy Efficiency Standards will take effect on January 1, 2020. The 2019 Building Energy Efficiency Standards states that nonresidential buildings will use about 30 percent less energy compared to the 2016 standards due mainly to lighting upgrades.
Senate Bill 350

Senate Bill (SB) 350 (de Leon) was signed into law in October 2015 and established new clean energy, clean air, and greenhouse gas reduction goals for 2030. SB 350 establishes periodic increases to the California Renewables Portfolio Standard (RPS) Program with the target to increase the amount of electricity generated per year from eligible renewable energy resources to an amount that equals at least 33% of the total electricity sold annually to retail customers, by December 31, 2020. The SB 350 specifically calls for the quantities of eligible renewable energy resources to be procured for all other compliance periods reflecting reasonable progress in each of the intervening years to ensure that the procurement of electricity products from eligible renewable energy resources achieves 40 percent by December 31, 2024, 45 percent by December 31, 2027, and 50 percent by December 31, 2030.

Senate Bill 100

Senate Bill 100 (SB 100) was signed into law September 2018 and increased the goal of the California RPS Program to achieve at least 50 percent renewable resources by 2026, 60 percent renewable resources by 2030, and 100 percent renewable resources by 2045. SB 100 also includes a State policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all State agencies by December 31, 2045. Under the bill, the State cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

Impact Analysis

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?

Less Than Significant. The Proposed Project is anticipated to produce truck traffic at a rate of approximately 50 loads per year based on street-legal 20 cubic yard trucks and DPW project demand (1,000 cy per year). The Proposed Project will provide construction material to various roads, culverts, and other DPW sites in the region, thereby reducing the energy and fuel consumption that would occur if material was transported from more distant material sources. Therefore, the Proposed Project is not anticipated to result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy sources during project operation. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

No Impact. As stated above, the Proposed Project is anticipated to produce truck traffic at a rate of about 50 loads per year based on street-legal 20 cubic yard trucks and DPW project demand. As such, the minimal number of trips anticipated to be produced by the Proposed Project is considered negligible. Additionally, the Proposed Project would not require implementation of new or expanded electric power or natural gas facilities. Therefore, the Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. No impacts are identified or are anticipated, and no mitigation measures are required.

Mitigation Measures:

N/A

Energy Impact Conclusions:

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

7. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury 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.			X	
ii. Strong seismic ground shaking?			X	
iii. Seismic-related ground failure, including liquefaction?				X
iv. Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
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 onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
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?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		

(Check if project is located in the Geologic Hazards ☐ or Paleontological Resources ☐ Overlay District):

Environmental Setting

The Project Site is situated near the northern edge of the San Bernardino foothills 5.5 miles southeast of the Town of Apple Valley in the Mojave Desert. The topography of the local landscape is a slight slope to the north. The Project Site is relatively flat with steep approximately 25-foot slopes on the eastern, southern, and northern portions of the Project Site as a result of historical material excavation and removal. Elevation on-site ranges from approximately 3,369 feet amsl in the southeastern portion of the site to 3,414 feet amsl in the northwestern portion of the site.

Impact Analysis

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

ii. Strong seismic ground shaking?

iii. Seismic related ground failure, including liquefaction?

iv. Landslides?

i) **Less than Significant.** The Project Site is not located within, or in the immediate vicinity of, an Alquist Priolo Earthquake Fault Zone as demonstrated by San Bernardino County Geologic Hazard Overlay Map FH07 C – Apple Valley South. The Alquist Priolo Earthquake Fault located nearest to the Project Site is the Ord Mountains Fault, also known as the North Frontal Fault Zone of the San Bernardino Mountains, which is located approximately three miles southwest of the Project Site. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

ii) **Less Than Significant**. 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 Project Site has supported past mining and staging operations and does not contain habitable structures and no such structures are proposed. As such, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

iii) **No Impact**. The Project Site is not located in an area susceptible to liquefaction as demonstrated by San Bernardino County Geologic Hazard Overlay Map FH07 C – Apple Valley South. Therefore, no impact is identified or anticipated, and no mitigation measures are required.

iv) **No Impact**. The Project Site is not located in an area susceptible to landslides as demonstrated by San Bernardino County Geologic Hazard Overlay Map FH07 C – Apple Valley South. Therefore, no impact is identified or anticipated, and no mitigation measures are required.

b) Result in substantial soil erosion or the loss of topsoil?

Less than Significant. The Project Proponent is required to comply with the Statewide NPDES and will prepare and implement a SWPPP including applicable BMPs. The control of drainage, erosion, and sedimentation of the mine site will primarily involve the following primary BMPs as applicable:

- Limiting surface disturbance to the minimum area required for active operations;
- Monitoring erosion on slopes and implementation of one or more soil stabilization practices as applicable for the site such as: earthen berms or dikes; silt fence; fiber rolls; straw bales; gravel bags; sediment basin(s); and straw mulch.
- Stabilizing disturbed areas through grading slopes to 3H:1V; and
- After project completion - final revegetation by seeding or hydro-seeding with native species.

Final revegetation will be used for the long-term control of erosion. Furthermore, access points and mined surfaces will be water sprayed as necessary to reduce wind erosion during operations. With implementation of a SWPPP and associated BMPs, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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 onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?

Less than Significant. The Project Site is not located in an area susceptible to landslides or liquefaction as demonstrated by San Bernardino County Geologic Hazard Overlay Map FH07 C – Apple Valley South. Although the Project Site's susceptibility to lateral spreading and subsidence is unknown at this time, reclamation of the mine will be undertaken at the completion of mining operations. Any over-steepened slopes will be partially backfilled or recontoured to 3H:1V. Fill material will be excess material used to create slopes of 3H:1V. The fill will be compacted by tracking the dozer over the slope to achieve necessary compaction consistent with final end use of DWP material maintenance and storage yard. Furthermore, the Proposed Project does not include construction of habitable structures or permanent facilities; therefore, implementation would not expose people or structures to substantial risks due to unstable soil. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

No Impact. The Proposed Project does not include construction of habitable structures or permanent facilities; therefore, implementation would not expose people or structures to substantial risks due to expansive soils. No impacts are identified or are anticipated, and no mitigation measures are required.

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?

No Impact. Septic tanks and/or alternative wastewater systems are not proposed as part of the Proposed Project. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant with Mitigation. :

On October 18, 2019 CRM Tech prepared a Paleontological Resources Assessment Report which is available for review at County offices. In summary, sources consulted during the study agreed as to the type of soils present at the project location but disagreed on their age. Therefore, CRM conducted a field survey and subsequent trenching. The field survey of the project area found no surface manifestations of paleontological resources within the project area but confirmed the surface soils profile as sandy alluvial deposits.

The Western Science Center has assessed the alluvial fan sediments that make up the entire project area as having a high potential to contain significant, nonrenewable vertebrate fossil remains and recommends monitoring of all earth-moving activities associated with the project (Radford 2019). Alluvial fans tend to be made up of coarse-grained materials that are often considered detrimental to the preservation of fossil remains. The sediments tend to be coarser near the source and decrease in coarseness further away from the source. At this locality, the alluvial fan sediments appear to have originated from decomposing granitic bedrock in the nearby Ord Mountains, less than a mile to the south.

Both the San Bernardino County Museum and the Natural History Museum of Los Angeles County consider the coarser alluvial sediments on the surface in the project area to be low in paleontological sensitivity but the older

alluvium at some unknown depth beneath the surface, which may be finer-grained, to be much more sensitive (Cortez 2019; McLeod 2019).

The 2019 testing excavation encountered no buried paleontological resources and revealed a fairly uniform subsurface soil profile to the depth of at least 15 feet below the current ground surface, characterized by well-sorted, medium- to coarse-grained alluvial sand, non-bedded, and a gradual increase in clay content with the depth. The non-bedded and well-sorted nature of these soils indicates a slow and consistent deposition throughout the Holocene Epoch, with no evidence of dynamic flows or uplifting. The uniformity of the soils encountered in the trenches is an indicator that they are Holocene in age despite the conflicting geological mapping. Therefore, CRM TECH proposed quarry operations may continue without monitoring within the project area to a depth at 15 feet in depth without encountering any paleontologically sensitive sediments. Therefore, with implementation of a maximum of 15 feet depth no impacts are identified and impacts would be less than significant level.

Mitigation Measure:

GS-1 In order to prevent inadvertent impacts on paleontological resources, when project impacts reach the depth of 15 feet below the current ground surface, further paleontological evaluation of the sediments underneath will become necessary. Therefore, mining activities shall not exceed 15 feet in depth without additional evaluation.

Geology and Soils Impact Conclusions:

Possible significant adverse impacts have been identified or are anticipated and therefore Mitigation Measure GS-1 is required as conditions of project approval to reduce these impacts to a level below significant.
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8. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Background

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) quantity greenhouse gas emissions resulting from a project and/or (2) rely on a qualitative analysis or performance based standards. 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 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 internal and external 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_2 equivalent ($MTCO_2e$) 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_2e per year.

Impact Analysis

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant. 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_2), methane (CH_4), and nitrous oxide (N_2O). SCAQMD provides guidance methods and/or Emission Factors. MDAQMD allows the use of this methodology.

A threshold of 3,000 $MTCO_2e$ per year has been adopted by the County as potentially significant to global warming. Utilizing the SCAQMD's Off-Road Mobile Source Emission Factors (2019), annual operation GHG emissions amount to approximately 1.58 $MTCO_2e$ per day or 578.49 $MTCO_2e$ per year based on a worst case of 4 hours/day operation on up to 365 days per year (see Table 4).

Table 4
Greenhouse Gas Emissions

Equipment	CO_2	CH_4*
Loader (lbs/day)	436	0.03
Water Truck (lbs/day)	488	0.02
Excavator (lbs/day)	480	0.03
Dozer (lbs/day)	956	0.08
Dump/Haul Trucks (lbs/day)	1,128	0.07
Total Per Year ($MTCO_2e$)	577.48	1.01
$MTCO_2e$ per Year	**578.49**	
County Threshold ($MTCO_2e$)	3,000	
Significant	**No**	

Emission Sources: SCAQMD Off-Road Mobile Source Emission Factors (Scenario Year 2020)
Note: Assumes 365 working days/year.
*CH_4 has a Global Warming Potential of 28 as provided by IPCC's 2013 Working Group I

The Project Site has previously been used for minor material removal and staging operations that have been associated with San Bernardino road projects including unpaved roads, removal of materials, and material stockpiles. The Proposed Project will allow for the continued use of local construction material rather than transporting material from more distant sites. As demonstrated, operations would not exceed the County's GHG thresholds. Therefore, the Proposed Project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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 emit less than 3,000 MTCO2e per year, and will be included as Conditions of Approval for development projects.

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

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

a) Select construction equipment based on low GHG emissions factors and high-energy efficiency.

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

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

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant. See response to (a), above.

Mitigation Measures:

N/A

Greenhouse Gas Emissions Impact Conclusions:

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

9. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
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?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
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?				X
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?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
g) Expose people or structures, either directly or indirectly, to a significant risk loss, injury or death involving wildland fires?			X	

Environmental Setting

The Project Site is located near the northern edge of San Bernardino foothills 5.5 miles southeast of the Town of Apple Valley in the Mojave Desert. The general project vicinity consists of rural housing and undeveloped open space. Most of the Project Site is disturbed due to previous mining and staging operations that have been associated with San Bernardino road projects and include unpaved roads, removal of materials, and material stockpiles.

Impact Analysis

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant. There will be no imported waste materials or chemicals brought to the Project Site besides fuel and equipment maintenance fluids. Maintenance and fueling will be conducted by a mobile maintenance truck and BMPs will be implemented. All used fluids will be removed from the equipment and from the site following standard regulations. No used fluids will be stored on-site.

Furthermore, borrow pit material will be loaded directly into trucks for transport to DWP Sites. No crushing or screening or any process plant facilities are utilized on-site. Therefore, there is no need for on-site diesel-powered electricity or commercial power, and no fuel tanks will be placed on-site. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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?

Less Than Significant. As stated above, no fluids and no fuel tanks will be placed on-site. Furthermore, the Proposed Project does not include blasting and, therefore, no explosives will be used or stored on-site. As such, the Proposed Project is not anticipated to 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. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. The school located nearest to the Project Site is Mariana Academy, which is located approximately 2.5 miles northwest of the Project Site in the Town of Apple Valley. Furthermore, no schools are known to be proposed within one-quarter mile of the Project Site. Therefore, the Proposed Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within on-quarter mile of an existing or proposed school. No impacts are identified or are anticipated, and no mitigation measures are required.

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?

No Impact. The Project Site was not found on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system as reviewed on August 29, 2019. The operator would comply with all applicable federal and state safety rules and regulations regarding hazardous materials. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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?

No Impact. According to San Bernardino County Hazard Overlay Map FH07 B – Apple Valley South, the Project Site is not within an Airport Safety Review Area. The nearest public airport is the Hesperia Airport, located approximately 10 miles southwest of the Project Site. Therefore, implementation of the Proposed Project would not result in a safety hazard related to airport land uses for people residing or working in the area. No impacts are identified or are anticipated, and no mitigation measures are required.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

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. 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 impacts are identified or are anticipated, and no mitigation measures would occur.

g) Expose people or structure, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less than Significant. According to San Bernardino County Hazard Overlay Map FH07 B – Apple Valley South, the Project Site is within Fire Safety Area 2 (FS2). As described by the San Bernardino County Development Code, FS2 includes those lands just to the north and east of the FS1 area in the mountain-desert interface. These areas have gentle to moderate sloping terrain and contain light to moderate fuel loading. These areas are periodically subject to high wind conditions that have the potential of dramatically spreading wildland fires. As such, the Project Proponent shall adhere to all applicable sections of Chapter 82.13, Fire Safety (FS) Overlay, of the San Bernardino County Development Code. Additionally, the Proposed Project does not include construction of habitable structures or permanent facilities and, therefore, implementation would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Mitigation Measure:

N/A

Hazards and Hazardous Materials Impact Conclusions:

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

10. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?				X
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would?				
I. Result in substantial erosion or siltation on – or off-site;			X	
II. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on – or off-site;			X	
III. Create or contribute runoff water which would exceed the capacity of the existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff; or			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X

Environmental Setting

The Project Site is situated near the northern edge of San Bernardino foothills 5.5 miles southeast of the Town of Apple Valley in the Mojave Desert. Hydrologically, the Project Site is located within the upper Mojave watershed. The overall Mojave hydrologic basin, which has a surface area of approximately 4,500 square miles, is located entirely within the County of San Bernardino. The Mojave River, located approximately 13 miles southeast of the Project Site, is the nearest major watercourse. Most of the Mojave River is subterranean, but flows breach the surface between the cities of Barstow and Victorville. The site is relatively flat with a slight gradient to the south. No drainages are intersected by the proposed excavation area.

Impact Analysis

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

No Impact. Groundwater is anticipated to flow northwest and west generally mimicking surface topography. According to State Water Board Groundwater Ambient Assessment Program (GAMA), groundwater is recorded at a depth greater than 350 feet below ground surface (bgs) in the vicinity of the project. The Project Site is to be excavated to a depth not to exceed 15 feet, which is not anticipated to impact the water table. No wastewater will be generated as a result of operations. As such, the Proposed Project will not violate any water quality

standards or waste discharge requirements or otherwise substantially degrade surface or groundwater. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less Than Significant. Water use on-site will be utilized to minimize dust generation. A water truck will be used for wetting-down material and roads during mining activities and for wetting-down haul trucks prior to site departure. Approximately 4,000 gallons of water a day (6 to 20 days a year) may be used for dust suppression activities. The 4,000-gallon water truck will fill at Mojave Water Agency designated hydrant. It is not anticipated that there will be any excess water from the wetting-down procedure; therefore, no recycling is required or planned. The County has a memorandum of understanding (MOU) with the Mojave Water Agency. As such, the Proposed Project is not anticipated to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable management of the Mojave basin. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would?

I. Result in substantial erosion or siltation on – or off-site;

II. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site;

III. Create or contribute runoff water which would exceed the capacity of the existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff; or

I. **Less than Significant.** The Project Site slopes gently about 2% from the northwest to the south and southeast by about 25 feet. There are no drainage or run-off channels that will be affected by the borrow pit. The pit is designed with a 2% natural grade slope toward the southeast to collect any run-off from the pit or the slopes (refer to Figure 3); the grade differential will act as a sediment or percolation basin. The slopes are designed at 3H:1V which would reduce possible slope erosion and runoff channeling down the slopes. There will no storm water run-off from the site. All precipitation will be collected within the borrow pit and allowed to evaporate or percolate.

During the course of mining and the final design of the 3H:1V slope contouring, some erosion may occur during heavy rainfall on the slopes. Erosion caused by rainfall will be retained at the bottom of the pit and rills or channels will be backfilled. Any water retained within the pit will not impact adjacent properties or local roads.

After each major storm event, any final slopes will be visually inspected to determine if any substantial erosion is evident such as sheet, rill or gully erosion. Erosion and sediment will be controlled by utilizing applicable BMPs which will be constructed and modified based on actual conditions as operations progress. In addition, a SWPPP would be implemented to control runoff and sedimentation from project disturbance. Furthermore, final revegetation will be used for the long-term control of erosion. Access points and mined surfaces will be water sprayed as necessary to reduce wind erosion during operations. Therefore, the Proposed Project will not substantially alter the existing drainage pattern that would result in substantial erosion or siltation or runoff on- or off-site. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

II. **Less than Significant.** The Proposed Project will not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site. There are no drainage or run-off channels that will be affected by the borrow pit. The pit is designed with a 2% natural grade slope toward the southeast to collect any run-off from the pit or the slopes (refer to Figure 3); the grade differential will act as a sediment or percolation basin. The slopes are designed at 3H:1V which would reduce possible slope erosion and runoff channeling down the slopes. There will no storm water run-off from the site. All precipitation will be collected within the borrow pit and allowed to evaporate or percolate.

III. **Less than Significant.** As stated above, the slopes are designed at 3H:1V that would reduce possible slope erosion and runoff channeling down the slopes. There will no storm water runoff leaving the site. All precipitation will be collected within the borrow pit and allowed to evaporate or percolate. Therefore, the Proposed Project is not anticipated to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact. As shown by San Bernardino County Hazard Overlay Map FH07 B – Apple Valley South, the Project Site is not located within Flood Plain Safety (FP) Overlay District or within a dam inundation area. Tsunamis are large waves generated in open bodies of water by fault displacement of major ground movement. Due to the inland location of the Project Site, tsunamis are not considered to be a risk. Seiches are standing waves generated in enclosed bodies of water in response to ground shaking. The Project Site is not located in the immediate vicinity of a known large body of water or water storage facility and therefore impacts from potential seiches are not anticipated. Therefore, the Proposed Project is not anticipated to risk release of pollutants due to project inundation. No impacts are identified or are anticipated, and no mitigation measures are required.

Mitigation Measures:

N/A

Hydrology and Water Quality Impact Conclusions:

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

11. LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X

Environmental Setting

The Project Site is located in the desert region of western San Bernardino County in the Apple Valley Sphere of Influence within the Apple Valley/Rural Living (AV/RL) land use zoning district.

Impact Analysis

a) Physically divide an established community?

No Impact. The Proposed Project Application is to permit the existing Ocotillo Borrow Pit for a 100-year period to continue providing general fill material as needed for various annual maintenance and/or emergency repairs to DPW roadway facilities. The Proposed Project is a conditionally acceptable use within the AV/RL zone as demonstrated by Table 82-7, Allowed Land Uses and Permit Requirements for Residential Land Use Zoning Districts, of the San Bernardino County Development Code. The general project vicinity consists of rural housing and undeveloped open space. There would be no change in existing conditions and therefore, the Proposed Project would not physically divide an established community. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact. Ocotillo Borrow Pit has been mined since the 1960s to provide general fill material for various DPW Sites for annual maintenance and/or emergencies. DPW is proposing to remove up to 1,000 cubic yards (cy) of fill material a year. No changes from existing conditions are proposed. 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 No impacts are identified or are anticipated, and no mitigation measures are required.

Mitigation Measures:

N/A

Land Use and Planning Impact Conclusions:

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

12. MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	
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?			X	

Environmental Setting

The Proposed Project is located within the Town of Apple Valley Sphere of Influence within the County of San Bernardino. As stated in the Apple Valley General Plan, important mineral resources that occur in the Apple Valley area are aggregate and limestone, both of which are used in the manufacturing of cement. Current sources of aggregates and limestone are for the most part located within the Town's Sphere of Influence and are found adjacent to the Mojave River floodplain or within the mountain ranges in the region.

Impact Analysis

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?

Less than Significant. The Proposed Project is an application to continue providing general fill material for maintenance and/or emergency repairs required primarily following storm events at various San Bernardino County DPW roadway facilities. The Proposed Project would result in adding to the availability of a known mineral resource that is of value to the region and residents. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

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?

Less than Significant. The Project Site is not designated as a mineral resource recovery site as delineated on a local general plan, specific plan, or other land use plan, however the borrow pit has been used since the 1960's for providing excavated material for roadway repairs and maintenance and a location for stockpiling materials demolished by or needed for roadway repairs. The fill material is generally used for annual maintenance and/or emergency repairs required primarily following storm events. Therefore, implementation of the Proposed Project would result in a beneficial effect regarding availability of mineral resources. As such, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Mitigation Measures:

N/A

Mineral Resources Impact Conclusions:

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

13. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration of groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

Environmental Setting

The Project Site is located near the northern edge of San Bernardino foothills 5.5 miles southeast of the Town of Apple Valley in the Mojave Desert. The general project vicinity consists of rural housing and undeveloped open space.

Impact Analysis

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less than Significant. The Project Site is within a primarily undeveloped area consisting of open space and sparse rural development. The nearest sensitive receptors are the two single-family residences located approximately 0.1-mile south of the Project Site. Noise levels are currently affected only when the site is used for material borrow or stockpiling as maintenance and repairs are required. These events has typically occurred on an occasional basis and are considered to be temporary. Noise is produced from the on-site equipment and trucks. Operations would be required to conform to applicable noise control regulations as outlined in Section 83.01.080, Noise, of the San Bernardino County Development Code. Therefore, with adherence to the Development Code, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

b) Generation of excessive groundborne vibration of groundborne noise levels?

Less than Significant. As stated, the Project Site is within a primarily undeveloped area consisting of open space and sparse rural development. The nearest sensitive receptors are the two single-family residences located approximately 0.1-mile south of the Project Site. Groundborne vibration is typically produces during temporary operations is required to conform to applicable vibration control regulations as outlined in Section 83.01.090, Vibration, of the San Bernardino County Development Code. There are no known occurrences of complaints being filed during or as a result of prior operations. Therefore, with adherence to the Development Code, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. According to San Bernardino County Hazard Overlay Map FH07 B – Apple Valley South, the Project Site is not within an airport land use plan. The Project Site is not within two miles of public airport or public use airport, or within the vicinity of a private airstrip as the airport nearest to the site is Lake Arrowhead Airport, which is approximately 8.5 miles south of the Project Site. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

Mitigation Measures:

N/A

Noise Impact Conclusions:

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

14. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned 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)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

Environmental Setting

The Project Site is located near the northern edge of San Bernardino foothills 5.5 miles southeast of the Town of Apple Valley in the Mojave Desert. The general project vicinity consists of rural housing and undeveloped open space.

Impact Analysis

a) Induce substantial unplanned 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)?

Less than Significant. . The existing borrow pit at the Project Site is used by County staff and/or contractors for the excavation of or stockpiling of materials used in roadway maintenance and repairs. The Proposed Project does not result in an increase in operations, only the length of the borrow pit's permitted term. No new population growth would result as employment would not be increased. Therefore implementation of the Proposed Project would not induce substantial growth in the area. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. The Project Site is an existing borrow pit and there is no housing on-site. The Proposed Project would not displace substantial numbers of existing people or housing units or require the construction of replacement housing. No impacts are identified or are anticipated, and no mitigation measures are required.

Mitigation Measures:

N/A

Population and Housing Impact Conclusions:

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

15. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
i. Fire protection?			X	
ii. Police protection?			X	
iii. Schools?			X	
iv. Recreation/Parks?			X	
v. Other public facilities?			X	

Environmental Setting

The Project Site is located near the northern edge of San Bernardino foothills within the Town of Apple Valley's Sphere of Influence. The general project vicinity consists of rural housing and undeveloped open space.

Impact Analysis

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection, Police protection, Schools, Recreation/Parks, Other public facilities?

i. Fire Protection

Less than Significant. As stated by the Apple Valley General Plan, the Apple Valley Fire Protection District (AVFPD) serves the Town of Apple Valley as well as other high desert communities, including those portions of unincorporated San Bernardino County that are within its approximately 206-square mile service area. The AVFPD maintains a mutual aid agreement with the City of Victorville Fire Department, San Bernardino County Fire Department, and the Bureau of Land Management. The mutual aid agreements provide a mechanism for coordinated strategic and facilities planning between fire departments in the region to actively support one another regardless of geographic or jurisdictional boundaries. The closest AVFPD Station to the Project Site is Fire Station 335 located at 2160 Tussing Ranch Road, approximately 2.5 miles northwest of the Project Site. The Proposed Project would receive adequate fire protection services and would not result in the need for new or physically altered fire protection facilities; there is no planned increase in existing site operations. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

ii. Police Protection

Less than Significant. As stated by the Apple Valley General Plan, police services are provided to the Town of Apple Valley through a contractual agreement with the San Bernardino County Sheriff's Department. The Sheriff's Department assigns staff to the Apple Valley Police Department within the

approximately 72 square miles that are encompassed by the Town's corporate limits. The Sheriff's Department also serves unincorporated areas in the vicinity of Apple Valley, including the Town's Sphere of Influence. The Proposed Project would receive adequate police protection services as there is no planned increase in existing site operations. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

iii. Schools

Less than Significant. The Proposed Project would not create a direct demand for public school services as the Proposed Project does not include any type of residential use or other land use, or an increase in employment that may induce population growth. As such, the development would not generate any new school-aged children requiring public education. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

iv. Parks

Less than Significant. The Proposed Project does not include any type of residential use or other land use or increase in employment that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

v. Other Public Facilities

Less than Significant. The Proposed Project is not expected to result in a demand for other public facilities/services, such as libraries, community recreation centers, and/or animal shelter. Implementation of the Proposed Project would not adversely affect other public facilities or require the construction of new or modified facilities. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Mitigation Measures:

N/A

Public Services Impact Conclusions:

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

16. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				X
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?				X

Environmental Setting

The Project Site is located near the northern edge of San Bernardino foothills within the Town of Apple Valley's Sphere of Influence. The general project vicinity consists of rural housing and undeveloped open space.

Impact Analysis

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?

No Impact. No residential use or other land use or change in employment that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity is proposed. Accordingly, implementation of the Proposed Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

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?

No Impact. The Proposed Project does not include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

Mitigation Measures:

N/A

Recreation Impact Conclusions:

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

17. TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
d) Result in inadequate emergency access?				X

Environmental Setting

The Project Site is located southeast corner of Ocotillo Way and Valley Vista Avenue, southeast of the Town of Apple Valley. Access to the site will be from existing Ocotillo Way, a paved public road.

Impact Analysis

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less than Significant. Ocotillo Borrow Pit has been mined since the 1960s to provide general fill material for various DPW Sites for annual maintenance and/or emergencies. DPW is proposing to remove up to 1,000 cubic yards (cy) of fill material a year (approximately 50 loads per year based on street-legal 20 cubic yard trucks). No changes from existing conditions are proposed. Access to the site will continue to be from existing Ocotillo Way, which is designated as a Major Highway by the San Bernardino County General Plan Circulation and Transportation Element. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less Than Significant. The Proposed Project would not increase the current level of operations in terms of Vehicle Miles Traveled (VMTs); the current County roads in the region of the site would continue to be maintained and repaired as necessary. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?

No Impact. The Proposed Project does not involve any road development or design features that could substantially increase hazards due to a geometric design feature or incompatible uses. The Project Site will continue to be accessed via Ocotillo Way, which is designated as a Major Highway by the San Bernardino County General Plan Circulation and Transportation Element. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

d) *Result in inadequate emergency access?*

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. Vehicles and equipment used in excavation and stockpiling activities would continue to be staged on the Project Site as necessary and would not block emergency access routes. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

Mitigation Measures:

N/A

Transportation Impact Conclusions:

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

18. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, lace, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X	
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X		

Regulatory Setting

Effective July 1, 2015, Assembly Bill 52 (AB 52) amended CEQA to require that: 1) a lead agency provide notice to those California Native American tribes that requested notice of projects proposed by the lead agency; and 2) for any tribe that responded to the notice within 30 days of receipt with a request for consultation, the lead agency must consult with the tribe. Topics that may be addressed during consultation include Tribal Cultural Resources (TCRs), the potential significance of project impacts, type of environmental document that should be prepared, and possible mitigation measures and project alternatives.

Pursuant to AB 52, Section 21073 of the Public Resources Code defines California Native American tribes as "a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of the Statutes of 2004." This includes both federally and non-federally recognized tribes.
Section 21074(a) of the Public Resource Code defines TCRs for the purpose of CEQA as:

1. Sites, features, places, cultural landscapes (geographically defined in terms of the size and scope), sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

    a. included or determined to be eligible for inclusion in the California Register of Historical Resources; and/or

    b. included in a local register of historical resources as defined in subdivision (k) of Section 5020.1; and/or

    c. a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Because criteria a and b also meet the definition of a historical resource under CEQA, a TCR may also require additional consideration as a historical resource. TCRs may or may not exhibit archaeological, cultural, or physical indicators.

Recognizing that California tribes are experts in their tribal cultural resources and heritage, AB 52 requires that CEQA lead agencies provide tribes that requested notification an opportunity to consult at the commencement of the CEQA process to identify TCRs. Furthermore, because a significant effect on a TCR is considered a significant impact on the environment under CEQA, consultation is used to develop appropriate avoidance, impact minimization, and mitigation measures.

Summary of AB 52 Consultation

On October 22, 2018, the County of San Bernardino initiated environmental review under CEQA for the Proposed Project. On October 22, 2018, the County of San Bernardino Department of Public Works sent project notification letters to the following California Native American tribes, which had previously submitted general consultation request letters pursuant to 21080.3.1(d) of the Public Resources Code:

- San Manuel Band of Mission Indians
- Twentynine Palms Band of Mission Indians

Each recipient was provided a brief description of the Proposed Project and its location, the lead agency contact information, and a notification that the tribe has 30 days to request consultation. The 30-day response period concluded on November 22, 2018.

Below is a summary of responses received by the County of San Bernardino Department of Public Works and subsequent consultation actions and results:

- Twenty-Nine Palms Band of Mission Indians: November 20, 2018; No known Tribal cultural resources on site. Tribe requested copies of cultural resources report prior to concluding consultation. Cultural Resources report forwarded to Tribe on November 4, 2019. Consultation closed.
- San Manuel Band of Mission Indians: November 19, 2018; No known Tribal cultural resources on site. Tribe requested incidental find language be added to conditions of approval. Copies of cultural resources report were also forwarded to the Tribe on November 4, 2019. Consultation closed.

San Manuel Band of Mission Indians requested incidental finds measures be added to the Proposed Project. Specific measure language was agreed upon on November 19, 2018 (Mitigation Measures TCR-1 through TCR-4 below) and consultation was closed.

Environmental Setting

In accordance with the Historical/Archaeological Resources Survey Report, San Bernardino County Archaeologist Jesse Yorck, M.A., provided CRM TECH with a written response to the County's inquiry from the State of California Native American Heritage Commission (NAHC), which includes the results of a records search in the commission's Sacred Lands File. After reviewing the NAHC's response, CRM TECH contacted a total of five Native American representatives in the region in writing on March 22, 2019, for additional information on potential Native American cultural resources in the project vicinity.

Impact Analysis

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

Less than Significant with Mitigation Incorporated. As concluded in Section 5(a), above, the Historical/Archaeological Resources Survey Report concluded that no "historical resources" are anticipated to be impacted by the Proposed Project. However, the possibility of discovering a significant unanticipated find remains and therefore Mitigation Measure CR-1 and Mitigation Measure CR-2 shall be implemented to ensure that less than significant impacts to potential historical resources occur. No additional mitigation measures are required.

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?

Less Than Significant With Mitigation Incorporated.

No TCRs were identified within the project area during AB 52 consultation. The Proposed Project would not result in significant impacts to known TCRs. However, as a result of AB 52 consultation the Tribes identified a potential for the discovery of unknown TCRs during construction, which may result in a significant impact if such resources are found and affected. Impacts to unknown TCRs would be less than significant with the implementation of Mitigation Measures TCR-1 through TCR-4.

As stated above, CRM TECH submitted a written request to the State of California NAHC for a records search in the commission's Sacred Lands File. Following the NAHC's recommendations and previously established protocol, CRM TECH further contacted a total of five tribal organizations in writing on March 22, 2019, for additional information on potential Native American cultural resources in the project vicinity. For some of the tribes, the designated spokespersons on cultural resources issues were contacted in lieu of the individuals recommended by the NAHC, as requested by tribal government staff in the past. The five tribal representatives contacted during this study are listed below:

- Matthew Leivas, Director, Chemehuevi Cultural Center, Chemehuevi Indian Tribe;
- Travis Armstrong, Tribal Historic Preservation Officer, Morongo Band of Mission Indians;
- Donna Yocum, Chairperson, San Fernando Band of Mission Indians;
- Lee Clauss, Director of Cultural Resources, San Manuel Band of Mission Indians;
- Mark Cochrane, Chairperson, Serrano Nation of Mission Indians.

As of the time of preparation of the CRM TECH report, two of the five tribes have responded to the inquiry. In an e-mail dated March 26, 2019, Jessica Mauck, Cultural Resources Analyst for the San Manuel Band, stated that the tribe has concluded its consultation on the Proposed Project with the County in light of the existing ground disturbance within the survey area. Nevertheless, the tribe has requested a copy of CRM TECH's report upon completion. In an e-mail sent on April 24, 2019, Travis Armstrong indicated that the Morongo Band has no additional information to provide at this time but may provide other information to the County during future consultations.

As stated in Section 5, above, the Proposed Project will not cause a substantial adverse change in the significance or integrity of Site 36-004276, the only "historical resource" or potential "historical resources" encountered within or partially within the Project Site, and the geoarchaeological analysis suggests that the project location is low in sensitivity for archaeological remains of prehistoric or early historic origin in buried deposits. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Mitigation Measures

TCR-1 Appropriate consulting Tribe(s) shall be contacted, as detailed in CR-1, of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input within 48 hours with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2018), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with consulting Tribe(s), and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents consulting Tribe(s) for the remainder of the project, should Tribe(s) elect to place a monitor on-site at the Tribe's cost.

As necessary, and in accordance with Project-Specific consultations conducted with the NAHC and various Tribal entities in association with AB52, SB18, and/or any other legal guidelines relating to Native American consultations, the specific language noted in CR-1 and CR-2 may change to reflect Project-Specific needs and requirements.

TCR-2 If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to CR-2 and State Health and Safety Code §7050.5 and that code shall be enforced for the duration of the project.

TCR-3 Only the NAHC Designated MLD Tribal representative shall make all future decisions regarding the treatment of human remains of Native American origin within the response times outlined below. The MLD shall determine the disposition and treatment of Native American human remains and any associated grave goods following Native American Graves Protection and Repatriation Act (NAGPRA) protocols, and what constitutes "appropriate dignity" as that term is used in the applicable statutes and in the Tribe's customs and traditions.

The MLD or his/her designee shall complete an inspection and provide written recommendations to the DPW and the landowner (if different than the DPW) within forty-eight (48) hours of being granted access to the site. If the descendant does not make recommendations within 48 hours, the landowner shall re-inter the remains in a secure area of the property where there will be no further disturbance. Should the landowner not accept the descendant's recommendations, either the owner or the MLD may request mediation by NAHC. According to the California Health and Safety Code, six (6) or more human burials at one (1) location constitute a cemetery (Section 8100), and willful disturbance of human remains in a cemetery is a felony (Section 7052).

TCR-4 Any and all archaeological/cultural documents as related to documented tribal cultural resources created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be disseminated to appropriate consulting Tribe(s) in the form of an un-redacted report (containing DPR forms). The Lead Agency and/or applicant shall, in good faith, consult with the appropriate Tribe(s) until construction completion of the project and completion of any measures imposed to protect resources.

Tribal Cultural Resources Conclusions

With implementation of the above listed measures, less than significant impacts would occur.

19. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?				X
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				X
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				X
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				X

Environmental Setting

The Project Site is located near the northern edge of San Bernardino foothills within the Town of Apple Valley's Sphere of Influence. The general project vicinity consists of rural housing and undeveloped open space.

Impact Analysis

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

No Impact. There are no public or private utilities that currently serve the Project Site or that would be required for continued operation of the borrow pit. The Proposed Project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

No Impact. Water use on-site will be utilized to minimize dust generation. A water truck will be used for wetting-down material and roads during mining activities and for wetting-down haul trucks prior to site departure. Approximately 4,000 gallons of water/day (6 to 20 days/year) may be used for dust suppression activities. The 4,000-gallon water truck will as necessary at a Mojave Water Agency designated hydrant. The County has a Memorandum of Understanding (MOU) with the Mojave Water Agency. Bottled water will be provided to

employees for a supply of drinking water as needed. Therefore, no new or expanded entitlements would be needed. No impacts are identified or are anticipated, and no mitigation measures are required.

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

No Impact. See response to (a), above. Furthermore, portable toilets will be used on-site and serviced by a commercial vendor. No impacts are identified or are anticipated, and no mitigation measures are required.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

No Impact. All refuse shall be disposed of in approved trash bins and removed by the County or a commercial vendor as necessary. No impacts are identified or are anticipated, and no mitigation measures are required.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

No Impact. See response to (d), above.

Mitigation Measures

N/A

Utilities and Service Systems Impact Conclusions

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

20. WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project?				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

Environmental Setting

The Project Site is located near the northern edge of San Bernardino foothills 5.5 miles southeast of the Town of Apple Valley in the Mojave Desert. The general project vicinity consists of rural housing and undeveloped open space

Impact Analysis

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

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. Vehicles and stationary equipment used for material excavation and stockpiling operations would continue to be staged at the Project Site and would not block emergency access routes. Therefore, implementation of the Proposed Project would not substantially impair an adopted emergency response plan or emergency evacuation plan. No impacts are identified or are anticipated, and no mitigation measures would occur.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Less than Significant. According to San Bernardino County Hazard Overlay Map FH07 B – Apple Valley South, the Project Site is within Fire Safety Area 2 (FS2). As described by the San Bernardino County Development Code, FS2 includes those lands just to the north and east of the FS1 area in the mountain-desert interface. These areas have gentle to moderate sloping terrain and contain light to moderate fuel loading. These areas are periodically subject to high wind conditions that have the potential of dramatically spreading wildland fires. As such, the Project Proponent shall adhere to all applicable sections of Chapter 82.13, Fire Safety (FS) Overlay, of the San Bernardino County Development Code. Additionally, the Proposed Project does not include

construction of habitable structures or permanent facilities and, therefore, implementation would not expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

No Impact. The Proposed Project will not require the construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities. Therefore, the Proposed Project is not anticipated to require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary ongoing impacts to the environment. No impacts are identified or are anticipated, and no mitigation measures are required.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Less than Significant. As identified by San Bernardino County Geologic Hazard Overlay Map FH07 C – Apple Valley South, the Project Site is not located in an area likely to become unstable as a result of on- or off-site landslide. As shown by San Bernardino County Hazard Overlay Map FH07 B – Apple Valley South, the Project Site is not located within Flood Plain Safety (FP) Overlay District or within a dam inundation area, however, the Project Site is within FS2. As described by the San Bernardino County Development Code, FS2 areas have gentle to moderate sloping terrain and contain light to moderate fuel loading. These areas are periodically subject to high wind conditions that have the potential of dramatically spreading wildland fires. As such, the Project Proponent shall adhere to all applicable sections of Chapter 82.13, Fire Safety (FS) Overlay, of the San Bernardino County Development Code. Additionally, the Proposed Project does not include construction of habitable structures or permanent facilities and, therefore, implementation would not expose people or structures to significant risks. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Mitigation Measures:

N/A

Wildfire Impact Conclusions:

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

21. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
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)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less than Significant Impact. The results of the Initial Study show that there are less than significant impacts to Biological Resources anticipated and potentially significant impacts to Cultural Resources. These impacts will be reduced to less than significant levels after incorporation of mitigation measures and compliance with existing rules and regulations. Therefore, the Proposed 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; no additional mitigation is warranted.

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)?

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

(a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.

(b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

Impacts associated with the Proposed Project would not be considered individually adverse or unfavorable. The Proposed Project is a conditionally acceptable use identified in and previously evaluated as part of the San Bernardino County General Plan and EIR. No cumulative impacts are identified or are anticipated, and no mitigation measures are required.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant. Implementation of the existing rules and regulations, conditions from permit approvals and the mitigation measures identified in this Initial Study Checklist would result in a less than significant impact. There would be no substantial adverse effects on human beings, either directly or indirectly. No additional mitigation measures are required.

SECTION 5 – SUMMARY OF MITIGATION MEASURES

The following mitigation measures were identified to reduce impacts to less than significant:

CULTURAL RESOURCES:

CR-1 If historical/archaeological resources are encountered during ground-disturbing activities, work in the immediate area shall cease and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service [NPS] 1983) shall be contacted immediately to evaluate the find(s). If the discovery proves to be significant under CEQA, additional work such as data recovery excavation may be warranted and will be reported to the County.

CR-2 Should human remains and/or cremations be encountered during any earthmoving activities, all work shall stop immediately in the area in which the find(s) are present (suggested 100-ft radius area around the remains and project personnel will be excluded from the area and no photographs will be permitted), and the County of San Bernardino Coroner will be notified. The County of San Bernardino and the Project Proponent shall also be called and informed of the discovery. The Coroner will determine if the bones are historic/archaeological or a modern legal case. The Coroner will immediately contact the Native American Heritage Commission (NAHC) in the event that remains are determined to be human and of Native American origin, 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.

GEOLOGY AND SOILS:

GS-1 In order to prevent inadvertent impacts on paleontological resources, when project impacts reach the depth of 15 feet below the current ground surface, further paleontological evaluation of the sediments underneath will become necessary. Therefore, mining activities shall not exceed 15 feet in depth without additional evaluation.

TRIBAL CULTURAL RESOURCES:

TCR-1 Appropriate consulting Tribe(s) shall be contacted, as detailed in CR-1, of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input within 48 hours with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2018), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with consulting Tribe(s), and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents consulting Tribe(s) for the remainder of the project, should Tribe(s) elect to place a monitor on-site at the Tribe's cost.

As necessary, and in accordance with Project-Specific consultations conducted with the NAHC and various Tribal entities in association with AB52, SB18, and/or any other legal guidelines relating to Native American consultations, the specific language noted in CR-1 and CR-2 may change to reflect Project-Specific needs and requirements.

TCR-2 If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to CR-2 and State Health and Safety Code §7050.5 and that code shall be enforced for the duration of the project.

TCR-3 Only the NAHC Designated MLD Tribal representative shall make all future decisions regarding the treatment of human remains of Native American origin within the response times outlined below. The MLD shall determine the disposition and treatment of Native American human remains and any associated grave goods following Native American Graves Protection and Repatriation Act (NAGPRA) protocols, and what constitutes "appropriate dignity" as that term is used in the applicable statutes and in the Tribe's customs and traditions.

The MLD or his/her designee shall complete an inspection and provide written recommendations to the DPW and the landowner (if different than the DPW) within forty-eight (48) hours of being granted access to the site. If the descendant does not make recommendations within 48 hours, the landowner shall re-inter the remains in a secure area of the property where there will be no further disturbance. Should the landowner not accept the descendant's recommendations, either the owner or the MLD may request mediation by NAHC. According to the California Health and Safety Code, six (6) or more human burials at one (1) location constitute a cemetery (Section 8100), and willful disturbance of human remains in a cemetery is a felony (Section 7052).

TCR-4 Any and all archaeological/cultural documents as related to documented tribal cultural resources created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be disseminated to appropriate consulting Tribe(s) in the form of an un-redacted report (containing DPR forms). The Lead Agency and/or applicant shall, in good faith, consult with the appropriate Tribe(s) until construction completion of the project and completion of any measures imposed to protect resources.

SECTION 6 – REFERENCES

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