



Area Q Quarry Project



FINAL ENVIRONMENTAL IMPACT REPORT

SCH# 2020010528

August 2020

Prepared by:

Sespe Consulting, Inc.
374 Poli Street, Suite 200
Ventura, California 93001
Contact Person: Maya Rohr
Phone: (805) 275-1515

Lead Agency Contact:

San Bernardino County, Land Use Services
Steven Valdez, Senior Planner
385 N. Arrowhead Avenue
San Bernardino, California 92415
Phone: (909) 387-8311

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1.0 INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA), the County of San Bernardino (County) has prepared a Draft Environmental Impact Report (DEIR) and this Final Environmental Impact Report (FEIR) in response to Vulcan Materials Company – Western Division (Vulcan or Applicant) submittal of the following applications:

- Surface Mining and Reclamation Plan (SMRP) for the proposed Area Q Quarry in accordance with the Surface Mining and Reclamation Act (SMARA) and San Bernardino County Development Code.
- Conditional Use Permit (CUP).
- General Plan land use designation/zoning change from MS/RS-1 (Muscoy/Single Residential, 1-acre Minimum Parcel) to MS/IC (Muscoy/Community Industrial).

Vulcan owns and operates the Cajon Creek Quarry (consisting of Areas L, M, and N), located in the northwest portion of the City of San Bernardino. The Cajon Creek Quarry is currently providing high-quality local aggregates (sand and gravel) to serve the regional market. Once mining is completed in the Cajon Creek Quarry Area L (also referred to as Area L), Vulcan is proposing to relocate the existing mining operation into an adjacent area, referred to as the Area Q Quarry or simply Area Q.

Relocation of the mining operations into Area Q requires approval of a General Plan land use designation/zoning change, CUP, and SMRP. These three actions combined are the Project. Because the Project requires discretionary approvals from State and local agencies; the Project is subject to the environmental review requirements of the CEQA. The County is the lead agency for the CEQA process. Figure 1-1 provides an aerial image of the Project site and adjacent Cajon Creek Quarry.

This FEIR provides a brief description of the proposed Project, the CEQA review processes and how the FEIR will be used by County decision makers (Section 1.0), the response to comments received on the DEIR (Section 2.0), revisions and corrections to the DEIR (Section 3.0), and the Mitigation Monitoring and Reporting Plan (MMRP) (Section 4.0). The FEIR is to be used in conjunction with, rather than in place of, the DEIR.

1.1 Project Overview

1.1.1 Summary of Project

The CEQA Project consists of the proposed relocation of the mining operations from Area L to Area Q, approval of a CUP, and the General Plan land use designation/zoning change. The Project would not involve any substantial changes to the existing mining operations other than relocating material extraction activity to the Project site. The aggregate mined from the Project site would be transferred via an extension of the existing conveyor system infrastructure in place at Area L. Material would then be sent to Vulcan's existing processing facilities in the same manner as is currently being done with the aggregate extracted from Area L. No haul trucks would enter onto or exit the Project site via public roadways. The Project would not result in an increase of haul trucks or employee vehicles on public roadways.

The operations at the Project site would be typical of surface aggregate mining. Blasting would not be required to conduct the mining operations. It is expected that a total of approximately 40 million tons of salable (net) sand and gravel would be extracted over approximately 30 years. Annual extraction rates would depend on market demand. The extraction of all material over 30 years would be a gross amount of 42.1 million tons which includes the removal of the overburden and interburden. There would also be approximately 100,000 tons of topsoil and subsoil removed and used on the Project site (as discussed below).

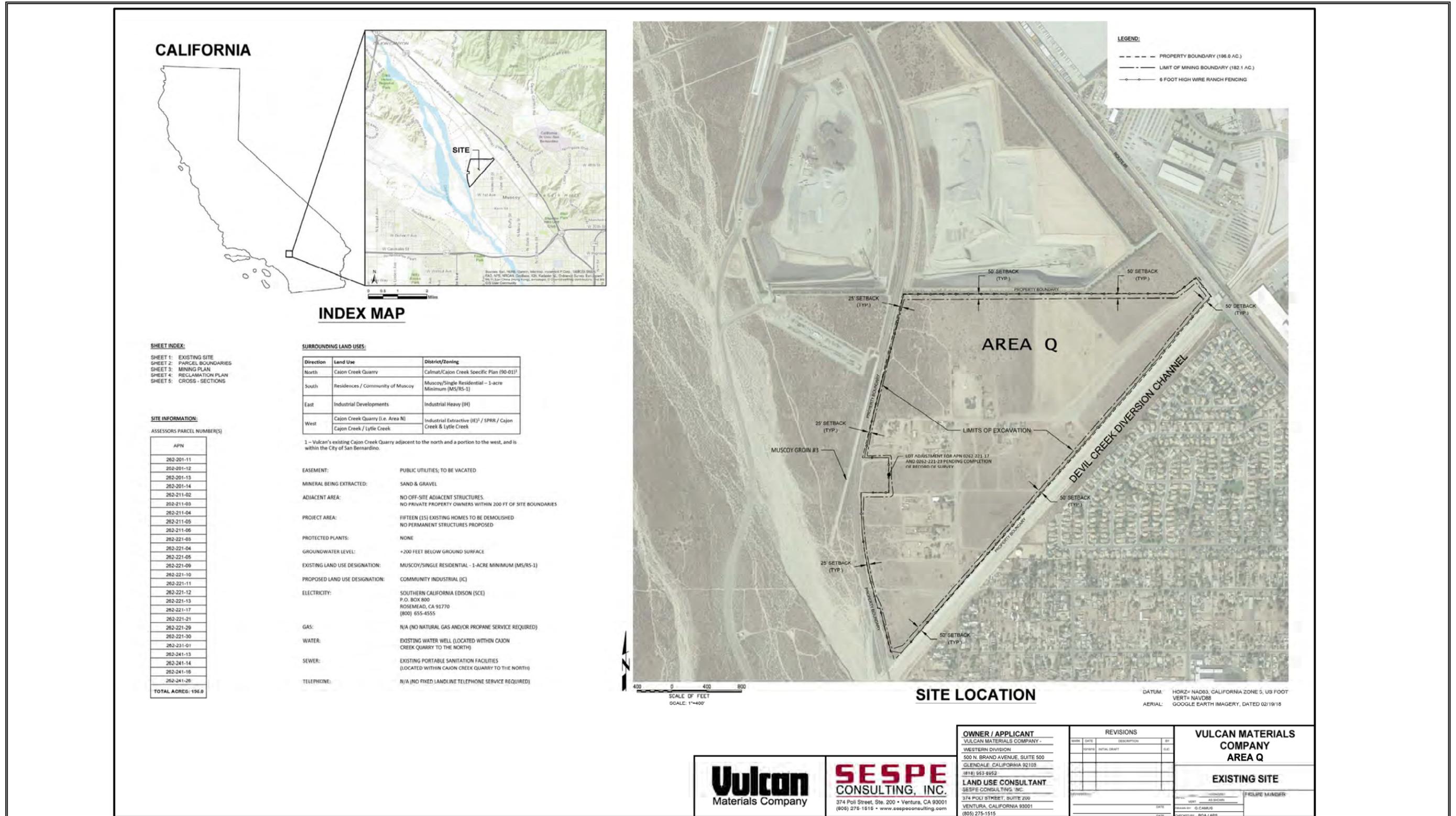
Project activities would take place within 187.6 acres of the 196.0-acre Area Q property/Project site. Extraction of aggregate would occur over a 182.1-acre area, with the balance of 5.5 acres dedicated to setbacks and construction of an approximately 10 foot tall earthen landscaped berm along the southern site boundary (referred to as the southern berm). The Project is located within an urban area of unincorporated San Bernardino County in the southwestern portion of the County's Valley Planning Region. The Project site is generally undeveloped, but also has a number of homes and related structures in various states of condition, as well as areas of miscellaneous debris that has been illegally dumped.

Prior to mining, the site would be cleared, and the topsoil, subsoil and overburden would be removed. The topsoil and subsoil would be used to build the southern berm. Topsoil and subsoil used in berm construction would eventually be used as revegetation cover during post-mining reclamation. The overburden would be conveyed to Vulcan's processing plants in the same manner as the extracted aggregate from Area L is currently conveyed. Once site preparation is completed (approximately 3 months), mining of the Project site would commence in the northeast corner of Area Q, moving to the southwest and reaching a final depth of 120-feet below ground surface (bgs).

Once mining operations are complete, the site would be reclaimed back to open space, in a manner consistent with the approved end use for the Cajon Creek Quarry (open space). The mine and reclamation site design and slope contours for the Project are consistent with the current approved mining contours at Area L. A copy of the Area Q Quarry – Reclamation Plan (Sespe Consulting, Inc., 2020) is provided in DEIR Appendix B.

A detailed description of the Project is provided in DEIR Section 2.0 – Project Description. The Project purpose and need, objectives and alternatives to the Project are discussed in DEIR Section 1.0 – Introduction. Figure 1-2 shows the setting and layout of the Project site.

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Source: Area Q – Reclamation Plan (Sespe Consulting, Inc., 2020). Note: Full size figures are provided in the Surface Mining and Reclamation Plan located in DEIR Appendix B.

Figure 1-2 Project Site and Land Use Map

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1.1.2 Project Environmental Impacts and Mitigation Measures

The Project was evaluated to identify potentially significant impacts that would result from the proposed activities. The evaluations included, but were not limited to, the review of comments received during the public scoping process, technical reports and studies addressing environmental concerns, the Project design features, operating practices and Best Management Practices (BMPs) that would be implemented as part of the Project to minimize potential environment impacts, as well as regulatory requirements that would be imposed on the Project.

The environmental issues identified below were determined not to be significantly affected by the implementation of the Project and did not require further analysis in the DEIR. Brief explanations as to why it was determined that these resource areas did not require further analysis were included in DEIR Section 2.0 – Project Description.

- Agriculture and Forestry Resources
- Energy
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Transportation
- Utilities and Service Systems

The following environmental issues are described and evaluated in detail within DEIR Section 3.0. If determined necessary and feasible, mitigation measures were identified to reduce the impact(s) to less than significant. The DEIR section number where each of the environmental issues are evaluated is identified in parentheses.

- Aesthetics (3.1)
- Air Quality (3.2)
- Biological Resources (3.3)
- Cultural Resources (3.4)
- Geology and Soils (3.5)
- Greenhouse Gases (3.6)
- Hazards and Hazardous Materials (3.7)
- Hydrology and Water Quality (3.8)
- Land Use and Planning (3.9)
- Noise (3.10)
- Tribal Cultural Resources (3.11)
- Wildfire (3.12)

The DEIR identified that there were no potential impacts that could not be mitigated to a less than significant level.

1.2 CEQA Environmental and Public Review Process

1.2.1 FEIR Requirements

Section 15132 of the CEQA Guidelines requires that the FEIR consist of:

- The DEIR or a revision of the draft;
- Comments and recommendations received on the DEIR either verbatim or in summary;
- A list of persons, organizations, and public agencies commenting on the DEIR;
- The responses of the Lead Agencies to significant environmental points raised in the review and consultation process; and

- Any other information added by the Lead Agencies.

The information in this FEIR, which incorporates the DEIR, fulfills both the State and County CEQA requirements for a complete EIR.

CEQA Guidelines Section 15088 provides that where the response to comments makes important changes in the information contained in the text of the DEIR, the Lead Agencies should either revise the text in the body of the EIR or include marginal notes showing that the information is revised in the response to comments. Section 3.0 of this FEIR provides revisions for clarification or amplification of information already in the record, as well as corrections noted during preparation of this FEIR and by commenters. In no instances do the revisions or corrections provide substantial new information, indicate a new impact, or increase in the severity of an impact identified in the DEIR.

1.2.2 Use of the EIR in the Decision-Making Process

The EIR is an informational document designed to inform the public and decision makers of the significant environmental effects of a project, identify possible ways to minimize or avoid the significant effects, and describe reasonable alternatives to the project.

The County decision makers will use the EIR, together with economic, social, and technical information, to decide whether or not to approve the discretionary entitlements being requested. The County has made this FEIR available prior to public hearing(s) on Project approval or denial in order to provide agencies and the public with an opportunity to review the FEIR before decisions on the Project are made.

Upon review of the FEIR and before rendering decisions on the discretionary actions, the County must certify that:

- The FEIR was completed in compliance with CEQA;
- The FEIR was presented to the decision-making body of the Lead Agencies, and the decision-making body reviewed and considered the information contained in the FEIR prior to approving the project; and
- The FEIR reflects the County's independent judgments and analyses.

Should the Project be approved by the County, pursuant to CEQA a Statement of Findings would be adopted for each significant environmental effect of the Project, accompanied by a brief explanation of the rationale for each finding. Possible findings are one or a combination of the following findings:

- Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the FEIR;
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency; and/or

- Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the FEIR.

In addition, CEQA Guidelines Section 15093 states:

“CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered ‘acceptable’.”

Because of the Project had no significant and unavoidable impacts identified in the EIR, the County would not need to adopt a Statement of Overriding Considerations as described in Section 15093 for impacts to approve the Project. The Statement of Findings would be adopted by the County Planning Commission and the Board of Supervisors following its decisions at public hearings.

The Project would be regulated by the County in accordance with applicable regulations including, but not limited to, the San Bernardino County General Plan (San Bernardino County, 2014), the San Bernardino County Development Code (San Bernardino County, 2009), the South Coast Air Quality Management District (SCAQMD) rules and regulations, the regulatory requirements enforced by the San Bernardino County Health Department acting as the Certified Unified Program Agency (CUPA), the California Department of Conservation (DOC) and the California Department of Mine Reclamation (DMR). The County is also responsible for regulating the reclamation of mining operations in accordance with the California Surface Mining and Reclamation Act (PRC § 2710 et seq.) and the San Bernardino County Surface Mining Ordinance (San Bernardino County Development Code, Chapter 88.03 – Surface Mining and Land Reclamation). Additionally, the Project would be regulated, as appropriate, by local, state and federal regulatory agencies such as, but not limited to, the Santa Ana Regional Water Quality Control Board (SARWQCB) and the California Department of Fish and Wildlife (CDFW). Please see DEIR Section 1.0 – Introduction for a detailed description of local, state and federal regulatory agencies and requirements applicable to the Project.

1.2.3 Project Public Review

In accordance with both the specific requirements and the intent of CEQA, the environmental review process for the Project has included substantial opportunities for public and agency review and comment on the environmental documents. The public review process for the Project EIR included the following opportunities:

- The County prepared a Notice of Preparation (NOP) for the Project and circulated to responsible agencies and interested parties, including the California State Clearinghouse, beginning on January 27, 2020. On February 26, 2020, the County published a revised NOP which corrected a

minor error in the list of the Assessor's Parcel Numbers (APNs). The scoping period for this Project formally ended on March 27, 2020.

- On March 11, 2020, the County held a public meeting at the Provision Accelerated Learning (PAL) Academy to discuss the scope of the EIR being prepared for the Project. A Scoping Report was prepared and included in DEIR Appendix A.
- The County filed a Notice of Completion (NOC) with the Office of Planning and Research (OPR) on June 30, 2020, and distributed notices to public agencies, other affected agencies, adjacent cities and counties, members of the public and any parties who submitted written requests during the scoping period. A Notice of Availability (NOA) of the DEIR was also posted on the County's website.
- The DEIR was circulated for review and comment between June 30, 2020 and August 17, 2020. Per Executive Order N-54-20, hardcopies of the DEIR were not mailed directly to the public due to the COVID-19 pandemic but the document was made available on the County's website (<https://cms.sbcounty.gov/lus/Planning/Environmental/Valley.aspx>).
- A notice of the upcoming September 3, 2020 County Planning Commission hearing for the Project was posted in the San Bernardino Sun on August 23, 2020.

This FEIR has been provided on the County's website to commenting agencies, organizations, and individuals. The County will hold a public hearing before the County Planning Commission on September 3, 2020. A notice of the upcoming Planning Commission hearing was posted in the San Bernardino Sun on August 23, 2020. The Notice of Availability (NOA) of this FEIR was also provided to agencies, organizations, and members of the public who had previously expressed an interest in the Project.

1.2.4 Document Availability

Per Executive Order N-54-20, due to the COVID-19 pandemic, hardcopies of the FEIR are not being made available to the public but the document is available for review on the County webpage. Further details on the proposed Area Q Quarry Project, including the DEIR and FEIR as well as the supporting appendices, have been posted at:

- <https://cms.sbcounty.gov/lus/Planning/Environmental/Valley.aspx>

Copies of the FEIR were mailed to anyone contacting:

Steven Valdez
County of San Bernardino
Land Use Services Department
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0187
Email: steven.valdez@lus.sbcounty.gov

2.0 COMMENTS AND RESPONSES TO THE DRAFT EIR

Responses to each substantive comment regarding the DEIR’s evaluation of environmental impacts of the Project and/or the adequacy of the DEIR are provided in the following sections. The County received two (2) letters from public agencies, one (1) letter from an organization, and two (2) emails/letters from individuals during the 45-day comment period. Table 2-2 in Section 2.2 below provides a list of the commenters. All comments were carefully reviewed and common concerns that were expressed by several authors were identified. “Collective Responses” (CR) were developed to address these common concerns and are included in Section 2.1 below. Section 15006 of the CEQA Guidelines encourages that environmental documents be organized and written in an efficient and streamlined manner. Consistent with this policy, instead of individually repeating specific comments from each letter, the actual letters are included in Section 2.2 of this FEIR, with the substantive comments bracketed and numbered, so that they may be referenced to the appropriate response.

Comments that were introductory in nature, expressed general opposition to the Project, or raised concerns that were not related to the evaluation of environmental effects of the Project or the adequacy of the DEIR were not bracketed for specific responses. All comments have been noted and are included as part of the Administrative Record, and will be considered by the County decision makers during deliberations on Project approvals.

2.1 Collective Responses

Table 2-1 identifies the common concerns for which Collective Responses have been developed.

Table 2-1 Summary of Collective Responses

CR#	Topic	Sub-Topic
CR 1a	Air Quality	Health Risk (dust from transfer of rocks and blasting) (Maria G. Corona, Kimberlyn Hearn, South Coast Air Quality Management District, Golden State Environmental Justice Alliance)
CR 1b	Air Quality	High Winds (Maria G. Corona, Kimberlyn Hearn, South Coast Air Quality Management District, Golden State Environmental Justice Alliance)

2.1.1 CR 1a: Air Quality – Health Risk (dust from transfer of rocks and blasting)

Commenters noted that the Project might create substantial amounts of dust from blasting and the transfer of rocks, which could result in health impacts.

As stated in the DEIR Section 2.1 – Project Overview and the *Air quality, Health Risk and Climate Change Impact Assessment* (AQCCIA, DEIR Appendix D) prepared by Sespe Consulting, Inc. (Sespe Consulting, Inc., 2020), “*blasting would not be required to conduct the mining operations.*” The operations at the Project site would be typical of surface aggregate mining operation. Other than changing the location of the material extraction from Area L to Area Q, operations in Area Q would not involve changes to Vulcan’s existing mining operation. Aggregate would be extracted by using mobile equipment such as excavators, loaders, dozers, etc. As stated in various locations throughout the DEIR, there would be no offsite heavy-duty trucks leaving or entering the site from public roadways. Therefore, the Project would not create dust from blasting or the transfer of aggregate by offsite heavy-duty trucks.

Dust would be generated by the mobile equipment used to extract the aggregate and to transfer it to the conveyor system to be taken offsite. As discussed in DEIR Section 3.2.3.3 – Local Regulations, the South Coast Air Quality Management District (SCAQMD), has rules and regulations that require the control of fugitive dust. Specifically, DEIR Section 3.2.3.3 states the following:

Rules and Regulations

“Eighteen (18) SCAQMD rules were identified as being applicable to sources at the Project site. The primary pollutant of concern for the Project is fugitive dust and the various constituents therein. Thus, rules that regulate fugitive dust are discussed in detail below. The remainder of the rules were determined to be applicable but irrelevant for purposes of impact analysis and are discussed in the AQCCIA (Appendix D) [located in DEIR Appendix G]. Rules deemed irrelevant for impact assessment include general mandates for recordkeeping, equipment operating procedures, permitting applicability, and other bureaucratic topics that are not directly pertinent to risk analysis.”

Rule 401 (Ringelmann Chart/Opacity)

With few exceptions that are inapplicable to the Project, Rule 401 requires that:

A person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any one hour which is:

- (A) As dark or darker in shade as that designated No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines; or*
- (B) Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subparagraph (b)(1)(A) of this rule [above].*

Rule 402 (Nuisance)

To protect the public health, Rule 402 requires that “a person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.”

Rule 403 (Fugitive Dust)

Rule 403 applies to any activity capable of generating fugitive dust, and requires the implementation of best available dust control measures (BACM) during active operations capable of generating fugitive dust. This rule also requires activities defined as “large operations” to notify the SCAQMD by submitting specific forms. A large operation is defined as any active operation on property containing 50 or more acres of disturbed surface area; or any earth moving operation with a daily earth-moving or throughput volume of 3,850 cubic meters (5,000 cubic yards), three times during the most recent 365-day period. Section 3.1.4.2 of the AQCCIA (Appendix D) provides a more detailed description of Rule 403. [note – the Project is considered a large operation and would be subject to this rule.]

Rule 404 (Particulate Matter – Concentration)

Rule 404 establishes a particulate matter concentration standard that consists of varying levels based on volumetric flow rate of the discharge. Discharge of PM from any source in excess of 450 mg/m³ (i.e., 0.196 gr/dry standard cubic feet (dscf)) is prohibited and applies to discharges of 883 cfm or less. Higher flow rates require lower concentrations with the minimum concentration (i.e., 23 mg/m³ or 0.01 gr/dscf) required for discharges equal to or greater than 2,472,000 cubic feet per minute (cfm). For the purposes of Rule 404, emissions are averaged over one complete cycle of operation or one hour, whichever is the lesser time period.

Rule 405 (Solid Particulate Matter – Weight)

Rule 405 limits the mass of solid PM emissions by using a table of allowable emissions rates that vary based on the weight of materials processed. For instance, activities that handle 400 ton/hr (800,000 lb/hr) of material are limited to 28.4 lb/hr of PM emissions.

Rule 1157 (PM₁₀ Emission Reductions from Aggregate and Related Operations)

Rule 1157 applies to all permanent and temporary aggregate and related operations. Aggregate operations are defined as operations that produce sand, gravel, crushed stone, and/or quarried rocks. Aggregate or related material means material that is produced and/or used by the aggregate and related operations. Related operations are defined as operations that use sand, gravel, cement, crushed stone, and/or quarried rocks in their products, or crush miscellaneous base, and inert landfills that handle construction/demolition debris.

Rule 1157 contains several “General Performance Standards” some of which are subject to a tolling agreement between the mining industry and AQMD and are thus not implemented at this time (e.g., SCAQMD Opacity Test Method 9B). Standards that are implemented by AQMD inspectors include the following:

- *Visible fugitive dust plumes may not exceed 100 feet in any direction from any activity, equipment, storage pile, or disturbed surface area.*

- *Operator of a facility must promptly remove piles of material spillage on internal paved roads or maintain the spillage in a stabilized condition with dust suppressants and remove it by the end of each day.*
- *Maintain in a stabilized condition all other piles of material spillage and carry-back with dust suppressants until removal.*
- *Control loading, unloading, transferring, conveyance, crushing, screening and storage piles as necessary to meet performance standards. Some sources have prescribed control methods that would allow exceedance of performance standards where implemented.*
- *Re-apply dust suppressants to re-stabilize disturbed areas of the piles at the end of each work day.*
- *Maintain water irrigation system to stabilize open storage piles greater than eight feet in height and located within 300 feet of off-site occupied buildings or houses.*
- *Take all reasonable steps, including the posting of signs at exits of the facility and provision of the "Fugitive Dust Advisory" prepared by SCAQMD to trucking company/broker, to ensure that all loads on aggregate trucks are leveled and maintained with at least 6 inches of freeboard, and that the load is stabilized by applying dust suppressants in sufficient quantities so that the performance standards are met, unless the driver tarps or suitably covers the load prior to entering paved public roads or prior to the use of a rumble grate and/or wheel washer.*
- *Install and utilize a rumble grate, a wheel washer, or a truck washer to prevent track-out of materials onto public paved roads.*
- *An additional requirement to submit an emission reduction plan to SCAQMD is triggered by three (3) or more validated notices of violation within a 12-month period (i.e., recurrent violations).*
- *Exemptions from Rule 1157 primarily include periods of start-up, shutdown and maintenance (SSM) for equipment; blasting; periods of high wind if operations cease with exception of loadout and dust control; specific unpaved roads are exempted from the requirement to use chemical dust suppressants if use would violate water quality regulations."*

The Project is required to comply with the SCAQMD rules and regulations. The SCAQMD conducts routine inspections and, as stated in the rules above, also has reporting requirements to verify compliance.

Emissions from dust sources associated with the Project include windblown dust, storage pile area activities (e.g., loading and handling), dozer/quarrying, and material drops. DEIR Section 3.2.5.1 – Emissions Calculations Methodologies provides a detailed description of how the dust (i.e., particulate matter [PM]) emissions were calculated and evaluated. Detailed spreadsheets of the emission calculations are provided in Appendix G of the AQCCIA (DEIR Appendix D).

It was determined that all the emissions associated with the Project (not just dust/particulate matter) would be below SCAQMD CEQA thresholds. In addition, due to the use of cleaner engines that meet the current California Air Resources Board (CARB) diesel standards, the Project emissions would also be below the existing baseline emissions associated with the mining operation at the Cajon Creek Quarry Area L.

DEIR Section 3.2.5.6 – Health Risk Assessment (HRA) discusses the methodology and results of the health risk evaluation that was conducted for potential emissions from the Project, including dust and specific components of dust. The results of the HRA show that the emissions associated with the Project are below all health thresholds and would not present a significant health risk to the public.

2.1.2 CR 1b: Air Quality – High Winds

Commenters noted that the prevailing Santa Ana winds might deposit residual dust and hazardous materials that could be a constant presence inside and outside of their homes.

The air quality assessment emission estimates (discussed above in Section 0 above), take into consideration wind speed. The modeling addresses worst-case scenarios. The air quality assessment concluded that the emissions associated with the Project, even under worst-case scenarios, would not present a health risk and would be below the SCAQMD air quality thresholds. In addition, Vulcan’s policy is to ensure fugitive dust emissions are controlled in accordance with SCAQMD Rule 403 and Rule 1157. If necessary, this could include stopping or limiting mining operations during significant, sustained high wind events, such as strong Santa Ana winds, in accordance with standard industry practices. DEIR Section 2.4.14 – Project Design Features and Protective Measures has been updated to include Vulcan’s high wind policy as a Project design feature. The revised section is provided in the FEIR Section 3.1.1.

2.2 Comment Letters

This section of the FEIR provides specific responses to each of the comment letters received during the public review of the DEIR. Each letter is organized into a Comment Set, which includes the original letter or e-mail, combined with the County’s responses. The letters are grouped chronologically by agencies, organizations, and individuals. Table 2-2 lists all the commenters, their affiliation, date the comment was received, and the Comment Set number assigned to each letter. The page number at which each Comment Set begins is provided in the Table of Contents of this FEIR.

Each Comment Set has been assigned a number, and each individual comment addressing a substantive environmental issue within the letter is bracketed and assigned a sub-number (e.g., Comment Set 1 contains bracketed comments numbered 1-1, 1-2, etc.). The County’s responses to each bracketed comment is provided directly after the individual letters.

In general, comments concerning an environmental issue pertaining to analysis in the DEIR receive a response that either 1) summarizes the information provided in the DEIR and/or directs the commenter to the section(s) of the DEIR providing that information, 2) provides additional information concerning the environmental issue raised by the commenter, and/or 3) provides a reference to a Collective Response in

Section 2.1 of this FEIR. If the commenter raised concerns that did not address an environmental issue or otherwise address the adequacy of the DEIR, a specific bracketed response was not provided; however, these comments have been noted and will be considered by County decision-makers during their Project approval deliberations.

2.2.1 Summary of Written Comments

As shown on Table 2-2, the County received two (2) letters from public agencies, one (1) letter from an organization, and two (2) emails/letters from individuals.

Table 2-2 Public Comments Received on the Draft EIR

Comment Set No.	Commenter	Commenter Type	Date Received
<i>Public Agencies</i>			
1	San Bernardino County, Department of Public Works	Local Agency	8/12/2020
2	South Coast Air Quality Management District (SCAQMD)	Local Agency	8/14/2020
<i>Organizations</i>			
3	Golden State Environmental Justice Alliance (GSEJA)	Organization	8/14/2020
<i>Individuals</i>			
4	Maria G. Corona	Individual	07/20/2020
5	Kimberlyn Hearn	Individual	08/04/2020

Comments addressing the adequacy of the DEIR or issues relevant to the environmental review included topics such as, but not limited to, the following:

- Air quality and dust control;
- Biological resources and impacts to local wildlife;
- Health risks and hazards;
- Traffic congestion due to offsite trucks and transportation concerns;
- Water supply and water quality;
- Noise and vibration impacts on nearby residences;
- Stormwater runoff and site drainage;
- Storm drains and flood control facilities;
- Flood hazards and downstream impacts;

- Air quality emissions associated with health risks;
- Typographical inconsistencies;
- Population and housing impacts; and
- Alternatives to the Project considered.

Issues raised in comments that did not speak to the adequacy of the DEIR or that did not otherwise address environmental issues included topics such as, but not limited to, the following:

- Impacts on property values and quality of life;
- Concerns over the COVID-19 pandemic; and
- General opposition to mining operations and the Project.

Many of the comments submitted were general and asked questions already answered in the DEIR. Other commenters asked for clarification on points addressed in the environmental evaluations. Some comments provided suggestions on the evaluation of impacts and determination of specific mitigation measures or alternatives to the Project.

Comments received indicated that some reviewers disagree with the DEIR conclusions. Reviewers of the same data may arrive at different conclusions. However, the County is required to rely on substantial evidence, which includes *“facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts,”* for evaluating the potential impacts of a project (PRC § 21082.2). Speculation, unsubstantiated opinion or narrative is not substantial evidence (Id.). Nonetheless, all comments have been noted, are included as part of the Project’s administrative record and will be considered by the County decision makers during their Project approval deliberations.

2.2.2 Response to Agency Comments

The following public agencies submitted comment letters:

- San Bernardino County, Department of Public Works
- South Coast Air Quality Management District (SCAQMD)

Comment Set 1

Main Office - 825 East Third Street, San Bernardino, CA 92415-0835 | Phone: 909.387.7910 Fax: 909.387.7911

www.SBCounty.gov



Department of Public Works

- Flood Control
- Operations
- Solid Waste Management
- Special Districts
- Surveyor
- Transportation

Luther Snoke
Interim Director

Brendon Biggs, M.S., P.E.
Assistant Director

August 12, 2020

File: 10(ENV)-4.01

County of San Bernardino
Land Use Services Department
385 North Arrowhead Avenue, First Floor
San Bernardino, CA 92415-0187
Email: steven.valdez@lus.sbcounty.gov

Transmitted Via Email

RE: CEQA – NOTICE OF AVAILABILITY A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE AREA Q QUARRY PROJECT

Dear Mr. Valdez:

Thank you for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. **We received this request on July 9, 2020** and pursuant to our review, the following comments are provided:

Permits/Operations Support Division (Melissa Walker, Chief, 909-387-7995):

1. The proposed Project is encroaching upon a San Bernardino County Flood Control District (SBCFCD) access easement that follows the current roadways for Road Runner Trail and Gray Street that extends to District facilities (Document No. Book 2884/39) from those roadways and may impact the SBCFCD facilities Devils Creek Diversion, COE (2-307-IB), Muscoy Groin No. 3, COE (2-209-5()) and Muscoy Groin No. 5, COE (2-209-5E). Be advised that any encroachments on SBCFCD's facilities will require a permit from the SBCFCD prior to start of the project. Also, SBCFCD facilities built by the Army Corps of Engineers (ACOE) will require the SBCFCD to obtain approval (408-Permit) from the ACOE. The necessity for any, or all of these permits, and any impacts associated with them, should be addressed in the DEIR prior to adoption and certification.

1-1

Flood Control Planning & Water Resources Divisions (Michael Fam, Chief, 909-387-8120):

1. We are aware there may be storm drains in and around the site that may be affected by the proposed Project. When planning for or altering existing or future storm drains, be advised that the Project is subject to the Comprehensive Storm Drain Plan No. 7, dated December 1982. It is to be used as a guideline for drainage in the area and is available at the San Bernardino County Department of Public Works-Flood Control Planning Section. Any revision to the drainage should be reviewed and approved by the Jurisdictional Agency (City section, County section). Should construction of new, or alterations to

1-2

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existing storm drains be necessary as part of the Proposed Project, their impacts and any required mitigation should be discussed within the DEIR before the document is adopted by the Lead Agency.

1-2 (cont.)

2. DEIR Section 1.4.11.4 - Mine Operations. Page 1-24: The Project actually lies within Zones A, X-shaded (500-yr. floodplain, 0.2% chance of flooding), and X (unshaded), according to the most recent FEMA Flood Insurance Rate Map (FIRM), Panel 06071C7940J, dated September 2, 2016,

1-3

3. We recommend that the County establish adequate provisions for the east and southwest through the site in a manner that will not adversely affect adjacent or downstream properties.

1-4

4. We recommend that the Project includes, and the County (LUS) enforces, its most recent regulations for construction within a Special Flood Hazard Area (SFHA) and floodplain.

1-5

Environmental Management Division (AJ Gerber, Planner II, 909-387-7802):

Environmental Management Division Ecologist make the following recommendations:

1. DEIR Section 3.3 - Biological Resources. Page 3.3-12: details that although the project is within US Fish and Wildlife Service (USFWS) critical habitat designated for San Bernardino kangaroo rat (SBKR), a Section 7 consultation is not required because there is no federal nexus. While Section 7 consultation may not be required, it is the Division's understanding the proposed project is still within critical habitat for SBKR, which requires a USFWS Section 10 consultation, unless special accommodations have been made that are not discussed within the DEIR. It is recommended that the project proponent contact USFWS. Additionally, the outcome of the USFWS recommendation should be discussed in the DEIR prior to adoption by the Lead Agency.

1-6

We respectfully request to be included on the circulation list for all project notices, public reviews, or public hearings. In closing, I would like to thank you again for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. Should you have any questions or need additional clarification, please contact the individuals who provided the specific comment, as listed above.

Sincerely,

Michael Perry

Michael R. Perry
Supervising Planner
Environmental Management

Response to Comment Set 1.**San Bernardino County, Department of Public Works (August 12, 2020)****Response 1-1**

Vulcan does not intend to impact existing San Bernardino County Flood Control District (SBCFCD) facilities or access easements. Prior to commencement of mining operations, it is Vulcan's intention to vacate Road Runner Trail and Gray Street, and relocate necessary rights-of-way and easements, as well as existing utility infrastructure found on the Project site (Project Design Feature No. 33). At that time, Vulcan will work with SBCFCD to ensure proper access to infrastructure, such as the Devils Creek Diversion Channel and Muscoy Groins No. 3 and 5, is maintained and necessary easements are granted or relocated, as necessary.

Response 1-2

As discussed in the DEIR, the Project will not involve the construction of new stormwater drains or conveyances during mining or reclamation activities. Additionally, the mine and reclamation design will direct drainage into the mining excavation, except at the entrance to the Project off of Cajon Boulevard, as analyzed in DEIR Section 3.8. The Project has been designed in accordance with applicable requirements in the Comprehensive Storm Drain Plan No. 7, dated December 1982, and will comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Industrial Activities, NPDES No. CAS000001.

Response 1-3

As discussed in DEIR Section 2.4.11.4 – Flood Water and DEIR Section 3.8 – Hydrology and Water Quality, according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06071C7940J, (Effective Date - September 2, 2016), portions of the Project site are located within Zone A and Zone X floodplain(s). The above-referenced FIRM can be found in the *Drainage Report* (DEIR Appendix H) prepared by Sespe Consulting, Inc. (Sespe Consulting, Inc., 2019).

Zone A is identified by FEMA as areas subject to inundation by the 1% (100-year) annual chance of flood. Zone X is identified by FEMA as areas of 0.2% (500-year) annual chance of flood; areas of 1% (100-Year) annual chance of flood with depths of less than 1 foot or areas with drainage areas less than 1 square mile; and areas protected by levees from 1% (100-year) annual chance of flood (Sespe Consulting, Inc., 2019).

Although FEMA FIRM No. 06071C7940J shows portions of the Project site located within Zone A, Chang Consultants performed a supplemental analysis to assess the accuracy of the FEMA floodplain mapping. As identified in the December 26, 2018 letter from Chang Consultants (DEIR Appendix H) and referenced within the DEIR (DEIR Section 2.4.11.4), *"Zone A floodplain is an approximate 100-year floodplain... The FEMA mapping shows the floodplain extending beyond the [Devil Creek Diversion] Channel and into a portion of Area Q. [Chang Consultants] have performed research to assess the accuracy of the FEMA*

floodplain... 100-year and greater flows will be contained within the Channel and will have no impact on, or be impacted by, Vulcan's future operations in Area Q." Based on the Chang Consultants report findings, a request has been submitted to FEMA to update the flood zone designation for the Project site. The process includes the submittal of a Letter of Map Change (LOMC) which initiates the issuance of a Letter of Map Revision (LOMR). The LOMC was submitted to the County in December 2019, and approved by the County in April 2020. The LOMC was submitted to FEMA in April 2020, and final approval is anticipated in September 2020. Once approved, a LOMR will be issued to officially revise a portion of the effective National Flood Insurance Program (NFIP) map according to requirements and procedures outlined in Part 65 of the National Flood Insurance Program (NFIP) regulations. A LOMR allows FEMA to revise flood hazard information on an NFIP map via letter without physically revising and reprinting the entire map panel. Please see the *Drainage Report* (DEIR Appendix H) for the complete analysis from Chang Consultants (Chang Consultants, 2018).

Response 1-4

As discussed in DEIR Section 3.8.6.4, the Project will not adversely affect adjacent or downstream properties. No natural surface water courses traverse the Project site, and the mining area lies outside of the 100-year flood zone (see response to Comment 1-3 above), so excavation of the mine pit is not expected to affect flows in surface waters in the Cajon Wash. Additionally, the Project does not entail creating impervious surfaces.

Vulcan would obtain coverage for the Project under the General Permit for Discharges of Storm Water Associated with Industrial Activities (Permit Order 2014-0057-DWQ). All of the Project site operational areas would be covered by this Industrial General Permit (IGP). As required by the IGP, a site-specific SWPPP would be prepared and implemented. The SWPPP would contain BMPs associated with potential discharge areas, hazardous materials, and sediment and erosion control measures. Monitoring and inspections required by the permit would be conducted to determine if changes to the erosion and sediment controls are warranted.

As part of the *Drainage Report* for the Project (Sespe Consulting, Inc., 2019), Sespe evaluated the potential for encroachment into surrounding water bodies and potential downstream impacts resulting from the Project. Based on this evaluation, no encroachment is anticipated and therefore significant impacts due to erosion or siltation are not expected during mining or reclamation at the Project site. Rather, site drainage would be captured within the mine pit thereby precluding erosion and sediment transport offsite. Further, upon completion of mining, surface flows would be contained in the final reclaimed mine pit, and would therefore not have any significant impacts to downstream areas (Sespe Consulting, Inc., 2019).

In order to control erosion during the initiation of mining and construction of the southern berm, the Sespe *Drainage Report* (Sespe Consulting, Inc., 2019) identifies specific erosion control measures, as prescribed in the California Stormwater Quality Association (CASQA) Best Management Handbook, to be installed and maintained as needed to eliminate discharge of sediment from the site until vegetation is

established on the berm. When implemented, these erosion control methods would control runoff from not less than the 20-year, 1-hour storm, and would conform to the SMARA performance standards for drainage and erosion control in § 3706 of the regulations.

Based on the *Sespe Drainage Report* (Sespe Consulting, Inc., 2019) and considering the information presented in the Chang Consultants December 2018 letter report (provided in DEIR Appendix H), implementation of the Project is expected to reduce downstream flooding potential, as the pit would serve to capture surface flow, rather than exacerbate it. Therefore, the runoff surface area would be reduced by the Project. Additionally, since the Project would not encroach into the floodplain or effect the Devil Creek Diversion Channel, it would not change flood flows or otherwise restrict flooding that could adversely affect adjacent or downstream properties.

Response 1-5

Please see response to Comments 1-3 and 1-4 above. FEMA defines Special Flood Hazard Area (SFHA) as areas that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year, also referred to as the base flood or 100-year flood (e.g., Zone A, Zone AO, Zone AH, etc.). Areas of minimal flood hazard, such as Zone X (unshaded), are not designated as SFHA.

Based on the Chang Consultants report (Chang Consultants, 2018) findings, discussed above and in the DEIR, The Project site is not located within a SFHA or floodplain. A request has been submitted to FEMA to update the flood zone designation for the Project site. Please see the *Drainage Report* (DEIR Appendix H) for the complete analysis from Chang Consultants (Chang Consultants, 2018).

Because the Project site is not located within a SFHA or floodplain, County regulations for construction within SFHA designated areas do not apply.

Response 1-6

As discussed in DEIR Section 3.3.5.2 and Section 3.3.6.2, SJM Biological Consultants, Inc. (SJM) conducted both a San Bernardino kangaroo rat (SBKR) suitability assessment as well as a SBKR presence/absence trapping study in conformance with applicable protocols. The suitability assessment was conducted to determine which portions of the Project site provide suitable habitat for SBKR based on the presence of suitable habitat conditions (sandy soils, exposure or proximity to a hydrologic source, etc.). Based on the amount of suitable habitat identified during the habitat suitability assessment, SJM also completed three SBKR trapping studies to determine the presence/absence of SBKR. In accordance with USFWS survey protocol, each trapping survey was conducted by a permitted SBKR biologist for five consecutive evenings. No SBKR were captured during these 2017 trapping studies, and therefore SJM determined that the Project Site is unoccupied by SBKR.

As discussed in DEIR Section 3.3.6.3, while the entire Project site is located within designated Critical Habitat Unit 2, Lytle Creek/Cajon Wash (DEIR Figure 3.3-4) for SBKR, there is no Federal permit, license, or funding required for this Project, and the site is unoccupied by SBKR. No Section 7 or Section 10 Consultation with the U.S. Fish and Wildlife Service is required.

Comment Set 2



SENT VIA E-MAIL:

August 14, 2020

steven.valdez@lus.sbcounty.gov

Steven Valdez, Senior Planner
County of San Bernardino, Land Use Services Department
385 North Arrowhead Avenue, First Floor
San Bernardino, CA 92415-0187

Draft Environmental Impact Report (Draft EIR) for the Area Q Quarry Project
(Proposed Project) (SCH No.: 2020010528)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The County of San Bernardino (Lead Agency) is the CEQA Lead Agency for the Proposed Project. The following comments include recommended revisions to the air quality analysis, health risk assessment, project design features and mitigation measures that the Lead Agency should include in the Final EIR.

Based on the Draft EIR, the Lead Agency is proposing to relocate an existing aggregate mining operation at the Cajon Creek Quarry. Mining operations currently occurring at Area L will cease, once completed in 2023, and be relocated to an adjacent area, Area Q. The relocation will require demolition of 15 existing structures and construction of a 112,280-square-foot berm¹. Construction activities will occur over a three-month period and be completed in March 2023². It is anticipated that operations in Area Q will begin in 2023 and will continue over a 30-year period, terminating in 2053³. During operations, the Proposed Project would have a maximum annual extraction rate of 3.1 million tons of aggregate⁴. Aggregate would be transferred using an existing conveyance infrastructure in place near the northern site boundary where the materials would be transported off-site for processing using the same amount of haul trucks already in operation⁵. Based on a review of the Draft EIR and aerial photographs, South Coast AQMD staff found that residences are located within 350 feet southeast of the Proposed Project

Assembly Bill 617 (AB 617) was approved into law in 2017, focusing on local impacts from air pollution in environmental justice communities. In December 2018, the San Bernardino, Muscoy (SBM) community was designated as an AB 617 community, requiring South Coast AQMD staff to establish a Community Steering Committee (CSC). South Coast AQMD and the CSC worked to develop a Community Emissions Reduction Plan (CERP) that addresses the community's air quality priorities. The CERP includes actions, such as, focused enforcement for idling trucks, community outreach for incentives that fund cleaner technology, and inter-agency collaboration to establish enforceable truck routes. The Draft EIR includes a discussion of the SBM CERP and acknowledges that the Proposed Project is adjacent to the SBM community boundary and within the SBM emissions study area. This community is disproportionately impacted by air pollution generated from multiple sources (e.g., existing aggregate plants and heavy-duty diesel trucks servicing commercial and industrial operations). Therefore, South Coast AQMD staff recommends that the Final EIR include a discussion of project design features consistent with Chapter 5f, Action 1 of the SBM CERP.

2-1

¹ Draft EIR, Air Quality and Climate Change Impact Analysis, Page 280.

² Draft EIR, Section 2.0 Project Description, Page 2-32.

³ *Ibid.*

⁴ *Ibid.* Pages 2-1 to 2-3.

⁵ *Ibid.*

Steven Valdez

August 14, 2020

Based on a review of the Draft EIR and supporting technical documents, South Coast AQMD staff has three main comments. A summary of these comments is provided as follows with additional details provided in the attachment.

- 1. CEQA Localized Air Quality Impact Analysis: In the Draft EIR, the Lead Agency did not include a localized air quality impacts analysis. Since the closest sensitive receptors (e.g. residents) are located within 350 feet⁶, the Lead Agency should analyze the Proposed Project’s localized air quality impacts in the Final EIR as substantial evidence to show that nearby sensitive receptors are not adversely affected by emissions that are occurring in close proximity. 2-2
- 2. Health Risk Assessment: Based on the exposure duration used to estimate health risks, the Proposed Project’s operational health risks may be underestimated because the Lead Agency used a shorter exposure duration than is recommended. Therefore, the Lead Agency should revise the health risk assessment in the Final EIR and use a 30-year exposure duration for sensitive receptors and a 25-year exposure duration for off-site workers to re-calculate cancer risk. 2-3
- 3. Recommended Air Quality Mitigation Measures: In the event that, upon revisions to the Air Quality Analysis based on Comment No. 1, the Lead Agency finds that the Proposed Project would result in significant air quality impacts, feasible mitigation measures would be required. To assist the Lead Agency in identifying them for incorporation in the Final EIR, the attachment includes a recommendation of using Tier 4 Final on-site equipment at the Proposed Project. Additional recommended mitigation measures during operation are also included in the attachment. 2-4

In conclusion, the Draft EIR likely underestimated the Proposed Project’s localized emissions and cancer risk. South Coast AQMD staff recommends that the Lead Agency revise the air quality analysis and health risk assessment in the Final EIR.

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Alina Mullins, Assistant Air Quality Specialist, at amullins@aqmd.gov, should you have any questions or wish to discuss the comments.

Sincerely,
Lijin Sun
 Lijin Sun, J.D.
 Program Supervisor, CEQA IGR
 Planning, Rule Development & Area Sources

Attachment
 LS:AM:dg/df
 SBC200716-01
 Control Number

⁶ Draft EIR, Appendix C-1: Visual Impact Analysis, Page 15.

Attachment to Comment Set 2

Steven Valdez

August 14, 2020

ATTACHMENT

South Coast AQMD Staff's Summary of the Air Quality Analysis and Health Risk Assessment

The Lead Agency quantified the Proposed Project's regional construction and operational emissions and compared those emissions to South Coast AQMD's regional CEQA air quality significance thresholds. Based on the analysis, the Lead Agency found that the Proposed Project's regional construction air quality impacts would be less than significant. The Proposed Project's net operational air quality impacts would also be less than significant and would result in decreases in CO, PM_{2.5}, and PM₁₀ emissions from the baseline conditions by 25 pounds per day (lbs/day), 1.5 lbs/day, and 1.8 lbs/day, respectively⁷. No air quality mitigation measures were included⁸. The Lead Agency also conducted a health risk assessment for the Proposed Project's operational activities and found that the Proposed Project would result in an incremental cancer risk of 5.46 in one million⁹, which would not exceed South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk¹⁰.

South Coast AQMD staff's detailed comments on the CEQA air quality impacts analysis and health risk assessment are provided as follows.

1. CEQA Localized Air Quality Impact Analysis

In the Draft EIR, the Lead Agency quantified the Proposed Project's regional air quality emissions and found the regional air quality impacts would be less than significant¹¹. However, the Lead Agency did not include a localized air quality impacts analysis from criteria pollutants for comparison to South Coast AQMD's CEQA air quality localized significance thresholds or the National Ambient Air Quality Standards and the California Ambient Air Quality Standards. Since sensitive receptors (e.g. residents) are located within 350 feet of the Proposed Project, South Coast AQMD staff recommends that the Lead Agency analyze the Proposed Project's localized air quality impacts from construction and operation activities in the Final EIR to demonstrate that nearby sensitive receptors are not adversely affected by emissions that are occurring in close proximity¹².

2. Health Risk Assessment

In the Draft EIR, the Lead Agency performed a health risk assessment and found that the Proposed Project's maximum operational cancer risk at the maximum exposed individual receptor would be 5.46 in one million, which would not exceed South Coast AQMD's CEQA significant threshold of 10 in one million for cancer risk. However, upon review of the Draft EIR and technical appendices, South Coast AQMD staff found that the Lead Agency calculated cancer risk to sensitive receptors based on a 15-year exposure duration¹³.

The Proposed Project's operational health risk impacts may be underestimated because the Lead Agency used a shorter exposure duration for sensitive receptors. South Coast AQMD's CEQA significance threshold of 10 in a million for cancer risk is based on a 30-year exposure duration for sensitive receptors. Since the Lead Agency compared the Proposed Project's cancer risk to the South Coast AQMD's CEQA significance threshold of 10 in a million to determine the level of significance for the Proposed Project's health risk impacts, the Lead Agency should use a 30-year exposure period for sensitive receptors (e.g.

⁷ Draft EIR, Section 3.2 Air Quality, Page 3.2-38 to 3.2-40.

⁸ *Ibid.*

⁹ *Ibid.* Page 3.2-41 to 3.2-43.

¹⁰ South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk is based on the most current methodology recommended by the California Office of Environmental Health Hazard assessment.

¹¹ *Ibid.*

¹² South Coast AQMD, *Localized Significance Thresholds*. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

¹³ Draft EIR, Air Quality and Climate Change Impact Analysis, Page 50.

Steven Valdez

August 14, 2020

residents) and a 25-year exposure duration for off-site workers to re-calculate cancer risk to re-calculate the Proposed Project's health risks in the Final EIR.

3. Recommended Air Quality Mitigation Measures

In the event that the Lead Agency finds that, after revisions to the Air Quality Analysis based on Comment No. 1, the Proposed Project would result in significant air quality impacts, feasible mitigation measures will be required (CEQA Guidelines Section 15126.4). South Coast AQMD staff has identified the following mitigation measure capable of reducing localized air quality impacts during operation that the Lead Agency should review and incorporate in the Final EIR.

Off-Road Diesel-Powered On-Site Equipment

Require the use of off-road diesel-powered equipment that meets or exceeds the California Air Resources Board (CARB) and U.S. Environmental Protection Agency (USEPA) Tier 4 Final off-road emissions standards for equipment rated at 50 horsepower or greater during operation of the Proposed Project. Such equipment will be outfitted with Best Available Control Technology (BACT) devices including a CARB certified Level 3 Diesel Particulate Filter (DPFs). Level 3 DPFs are capable of achieving at least 85 percent reduction in particulate matter emissions. A list of CARB's verified DPFs are available on the CARB website.

To ensure that Tier 4 Final off-road diesel-powered equipment or better would be used during the Proposed Project's operation, South Coast AQMD staff recommends that the Lead Agency include this requirement in applicable bid documents, purchase orders, and contracts with construction contractor(s). Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and operational activities. A copy of each unit's certified tier specification, model year specification, and CARB or South Coast AQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, the Lead Agency should require periodic reporting and provision of written documents by operation contractor(s) to ensure compliance and conduct regular inspections to the maximum extent feasible to ensure compliance.

In the event that operational equipment cannot meet the Tier 4 Final engine certification, the Project representative(s) or contractor(s) must demonstrate through future study with written findings supported by substantial evidence that is approved by the Lead Agency before using other technologies/strategies. Alternative applicable strategies may include, but would not be limited to, off-road diesel-fueled equipment with Tier 4 Interim or Tier 3 emission standards.

On-Road Diesel-Powered Heavy-Duty Trucks

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse impacts. While the Proposed Project will use the same amount of haul trucks already in operation¹⁴, those trucks are part of the Proposed Project's ongoing operation that will generate diesel particulate emissions. Additionally, since sensitive receptors (e.g. residents) are located in close proximity, and the Proposed Project would be operational for a 30-year period extending out to 2053, the Lead Agency can and should take this opportunity to incorporate the use of cleaner heavy-duty trucks during operation.

¹⁴ *Ibid.* Pages 2-1 to 2-3.

Steven Valdez

August 14, 2020

CARB adopted the statewide Truck and Bus Regulation (Regulation) in 2010. The Regulation requires, among others, that diesel trucks and buses that operate in California to have 2010 model year engines or equivalent by January 1, 2023¹⁵. Not only does this regulation establish economic, environmental, legal, social, and technological feasibility, it also provides an opportunity for projects such as the Proposed Project to use 2010 model year trucks. As stated above, operation of the Proposed Project would begin by 2023, and would be ongoing for a period of 30 years. During the earlier years of operation, the Proposed Project will need to comply with the Regulation by using 2010 model year trucks, which should become more widely available commercially. The Lead Agency should use 2010 model year trucks or newer for the Proposed Project.

Technology is transforming the transportation sector at a rapid pace. Cleaner trucks such as zero-emissions (ZE) or near-zero emissions (NZE) heavy-duty trucks are increasingly more feasible and commercially available as technology advances. If using ZE or NZE trucks as a mitigation measure is not feasible today, cleaner trucks could become feasible in a reasonable period of time during the Proposed Project's 30-year operational lifetime (CEQA Guidelines Section 15364). Therefore, it is recommended that the Lead Agency develop a process with performance standards as follows or any other comparable standards to incentivize the use of and accelerate the turnover of trucks to ZE or NZE heavy-duty trucks during operation in the Final EIR (CEQA Guidelines Section 15126.4(a)).

- Develop a minimum amount of ZE or NZE heavy-duty trucks that the Proposed Project must use during each year of the operation to ensure adequate progress. Include this requirement in the Proposed Project's operation management documents and business agreement.
- Establish a truck operator(s) selection policy that prefers truck operator(s) who can supply the use of ZE or NZE heavy-duty trucks at the Proposed Project. Include this policy in the bid documents and business agreement.
- Develop a target-focused and performance-based process and timeline to review the feasibility to implement the use of ZE or NZE heavy-duty trucks during operation. Include this process and timeline in the Proposed Project's operation management documents and business agreement.
- Develop a project-specific process and criteria for periodically assessing progress in implementing the use of ZE or NZE heavy-duty trucks during operation. Include this process and criteria in the Proposed Project's operation management documents and business agreement.

¹⁵ More information on the CARB's Truck and Bus Regulations is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.html>.

Response to Comment Set 2.**South Coast Air Quality Management District (August 14, 2020)****Response 2-1**

The commenter recommends that the FEIR include a discussion of Project design features consistent with the requirements found in the San Bernardino-Muscoy Community Emissions Reduction Plan (CERP).

The DEIR and AQCCIA summarizes Project-relevant requirements in several air quality and land use related plans, including the Muscoy Community Emissions Reduction Plan (CERP) developed under the environmental justice legislation Assembly Bill (AB) 617.

DEIR Section 3.2.6.2 discusses AB 617's framework for development of the CERP in the Muscoy/San Bernardino Region. As noted in the DEIR, two specific actions in the CERP are intended for "rock/aggregate plants." First, the CERP provides for outreach to operators on best practices and rule requirements. Second, the CERP provides for focused air monitoring and inspections to identify potential emissions or violations.

Neither of these actions would impose new requirements on the Project. Thus, the Project is consistent with the CERP because Best Available Dust Control Measures as identified in SCAQMD Rules 403 and 1157 are required. Also, please see Response 5-3 and Sections 2.1.1 (CR 1a: Air Quality – Health Risk [dust from transfer of rocks and blasting]) and Section 2.1.2 (CR 1b: Air Quality – High Winds) above for more detail. Focused air monitoring and inspection that could occur would be performed by others and enforce existing air quality and health risk standards. Also see Response CR 1a in Section 2.1 above.

Response 2-2

The commenter requests that the Lead Agency analyze the proposed Project's localized air quality impacts in the FEIR. Localized impacts on criteria pollutants during the operation phase of the Project was not evaluated in the DEIR for the following reasons:

- Except for NO_x, the daily Project emissions of criteria pollutants decrease with the Project as compared to the baseline (i.e., existing emissions associated with Area L). Thus, potential for causing a new exceedance of an ambient air quality standard (AAQS) is unlikely.
- The Localized Significance Thresholds (LST) methodology (SCAQMD, 2008) states that SCAQMD LST "screening tables may not apply" for "Project sites larger than 5 acres".
 - Additionally, the LST methodology states, "that lead agencies are not precluded from performing project-specific modeling if they prefer more precise results. It is recommended that lead agencies perform project-specific air quality modeling for larger projects (SCAQMD, 2008)." Project-specific modeling has been completed for the Project.
- Project operation phase NO_x emissions (13.9 pounds per day [lbs/day]) are less than the Mass Daily Threshold (MDT) of 55 lbs/day, and only a fraction of NO_x becomes a criteria pollutant (NO₂)

that can be modeled on a Project-level basis using AERMOD and/or screened using the LST methodology.

- Ambient air quality standards (AAQS) are evaluated at the point of maximum impact off-site, which in this case would be the property line. Localized impacts are addressed in the HRA which evaluated potential health risk impacts at nearby (localized) receptors (e.g., residences, workplaces) and is a more precise measurement of potential health impacts on neighbors. For instance, fugitive dust particulates could be evaluated by comparing the mass concentration of particulates to an AAQS (i.e., PM₁₀ or PM_{2.5}). Conversely, the HRA method separates, or speciates, the particles into chemical components (e.g., crystalline silica, arsenic, nickel, etc.) and assesses health risk based on the dose of the chemicals that comprise the fugitive dust.
- The Project construction phase occurs for a short period of approximately 3 months and emissions would therefore cause a sub-chronic exposure and do not exceed MDT. Since the emissions do not cause a cumulative effect as determined by the MDT comparison, it is unlikely that the construction phase emissions would result in a significant impact from the Project alone.

The above reasons are sufficient to alleviate concerns that the Project would cause or contribute to an exceedance of the NO_x AAQS, and SCAQMD's LST methodology need not be applied to this Project because it exceeds five (5) acres. Nevertheless, the LST methodology was completed for the FEIR using the LST values for a site that is 5 acres in size. Project sources are mobile and would operate throughout the Project site. Thus, the potential to create a hot spot off-site is lower than would occur from a stationary source. The LST methodology was designed to screen all sources including stationary sources. Therefore, use of the LST methodology in this case should be an acceptably conservative approach in determining the impact on AAQS.

The Project is within the Source-Receptor Area (SRA) Zone 34. For NO₂, the LST for both construction and operation phases is 270 lbs/day for a receptor at minimum distance (25 meters) from a 5-acre site. The LST modeled construction NO_x emissions are 59.3 lbs/day and operation phase NO_x emissions are 13.9 lbs/day, both of which have a less than significant impact under the LST screening methodology.

Project construction would result in temporary increases in CO (35.1 lbs/day) and PM₁₀/PM_{2.5} (5.81 lbs/day). Construction phase LSTs for these pollutants emitted by a 5-acre site and received by a receptor 25 meters from the source(s) are 1,746 lbs/day and 8 lbs/day, respectively. Thus, construction phase emissions screen-out from additional analysis and would not cause a significant impact on AAQS.

Response 2-3

The HRA (see DEIR Appendix D) was prepared for 15 years of mining at the maximum annual rate rather than the customary 30 years recommended by SCAQMD and California Air Resources Board (CARB) HRA Guidelines because using this more conservative approach the resulting health risk is greater. This is true because the Age Sensitivity Factors (ASF) are greater earlier in life and the mine has a finite amount of material.

The HRA considered the 15-year excavation at a maximum rate of 3.1 million tons per year (MMtpy) versus 30-years of excavation at a maximum rate of 1.55 MMtpy (50% rate). Clearly chronic non-cancer risk evaluated based on the maximum year would be greater for the 15-year analysis. As demonstrated in Table 2-3, the chosen 15-year Project HRA results in approximately 30% greater cancer risk than the AQMD suggested 30-year Project operating at half the rate even though both scenarios result in the maximum amount being mined.

Table 2-3 Demonstration that 15-Year Project Results in Greater Cancer Risk than 30-Year Project

Case	3 rd Trimester to 2 years (2.25 years at ASF = 10)	Year 2 to Year 16 (14 years at ASF = 3)	Year 16 to Year 30 (ASF = 1) ^A	Total Cancer Risk
15 years @ 3.1 MMtpy	22.5x	39x	N/A	61.5x
30 years @ 1.55 MMtpy	11.25x	21x	15x	47.25x

Note: X represents a unit of health risk for any project. The Project HRA includes negative sources representing baseline mining in Area L that will stop before Project mining begins and which prevent the direct application of these multipliers to the results presented for the Project.

A – Years 16-30 were not included in the 15-year HRA model, as all excavation was modeled to occur during Years 1-15.

Response 2-4

As discussed above (see Responses 2-2 and 2-3) and in the DEIR, the air quality and HRA impact assessments provided in the DEIR are conservative. The Project impacts determined in the EIR remain unchanged and less than significant. Therefore, after accounting for SCAQMD comments, SCAQMD's recommended mitigation measures remain unnecessary to achieve less than significant impacts on air quality and therefore have not incorporated into the EIR.

2.2.3 Response to Organizations Comments

The following organizations provided comments on the DEIR:

- Golden State Environmental Justice Alliance (GSEJA)

Comment Set 3

Page 1 of 10



August 14, 2020

VIA EMAIL

Steven Valdez, Senior Planner
Land Use Services Department
County of San Bernardino
385 N. Arrowhead Ave., First Floor
San Bernardino, CA 92415
Steven.Valdez@lus.sbcounty.gov

SUBJECT: COMMENTS ON AREA Q QUARRY PROJECT EIR (SCH NO. 2020010528)

To whom it may concern:

Thank you for the opportunity to comment on the Environmental Impact Report (EIR) for the proposed Area Q Quarry Project. Please accept and consider these comments on behalf of Golden State Environmental Justice Alliance. Also, Golden State Environmental Justice Alliance formally requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

1.0 Summary

As we understand it, the project proposes the construction and operation of a mining facility at the 196 acre project site located in the County of San Bernardino. The mining operation expects to extract approximately 42.1 million tons of sand and gravel over approximately 30 years.

There is an existing mining operation adjacent to the project site within the City of San Bernardino known as Cajon Creek Quarry/Area L. The project requires a General Plan land use designation and Zoning designation change from MS/RS-1 (Muscoy/Single Residential, 1-acre Minimum Parcel) to IC (Community Industrial) in order to proceed. This is in addition to a Conditional Use Permit and Surface Mining and Reclamation Plan (SMRP) in accordance with the Surface Mining and Reclamation Act (SMARA) and San Bernardino County Development Code.

1.1 EIR Internal Inconsistencies

There are several inconsistencies throughout the EIR. For example, the Executive Summary states that the project requests to change both the General Plan land use and Zoning designation to IC (Community Industrial) while the Introduction states both designations will be changed to MS/IC (Muscoy/Community Industrial). The EIR is inadequate as an informational document and a revised EIR must be prepared and recirculated for public review which provides a consistently accurate description of the proposed changes to the General Plan land use and Zoning destinations (CEQA § 15121).

3-1

1.6 Environmental Issues Not Analyzed in the Draft EIR

Population and Housing

The EIR concludes that the “number of employees would not change from the existing number of employees currently at the Cajon Creek Quarry Area L.” The EIR does not state the existing number of employees at Area L or the size of Area L to support that it is comparable to the project. Further, the EIR must quantify the number of employees generated by the proposed project. The Southern California Association of Government (SCAG) Employment Density Study¹ provides the following applicable employment generation rates for San Bernardino County:

3-2

4.91 employees per acre of heavy manufacturing area

Application of this ratio results in the following calculation:

Mining area: 182.1 acres x 4.91 employees per acre = 895 employees

¹SCAG Employment Density Study <https://www.mwcog.org/file.aspx?A=QTTTTR24POOOUIw5mPNzK8F4d8djdJe4LF9Exj61XOU%3D>

Utilizing an unspecified number of employees on a separate site for analysis underrepresents the number of employees generated by the proposed project. The project will also create short-term construction jobs and this has not been analyzed or discussed in the EIR. The EIR does not provide any meaningful information or any type of quantified analysis, such as the number of construction jobs created, if there are construction employees available in the project vicinity, the number of operational jobs created, or if there are enough available operational employees in the project vicinity. The EIR lacks basic project information relevant to analysis of the project's impacts to population and housing. A revised EIR must be prepared in order to meaningfully disclose information regarding the project's potentially significant impacts to population and housing.

3-2 (cont.)

3-3

Transportation

The EIR is misleading by concluding that activity occurring at Area L due to the mining operations at Area Q is offsite activity resulting in no impacts. The EIR has given itself an offsite exemption for any transportation impacts related to operation of the proposed project. The EIR has established a baseline operation at Area L for Air Quality through technical analysis and studies, but there has not been a baseline operation study or technical analysis for Transportation. The EIR has not made a good faith effort to disclose the project's impacts rendering it inadequate as an informational document (CEQA § 15204, 15121).

3-4

2.0 Project Description

The Environmental Setting and Project Description are misleading in describing the proposed mining operations. These sections and other sections throughout the EIR state that "mining would be conducted in the same manner as currently being conducted at the Cajon Creek Quarry Area L." The EIR then misleads the public and decision makers by skewing the narrative to focus on the offsite activity. Even though "no haul trucks would enter or leave the project site by public roads," they will travel to and from the quarry to the north due to the operations of the proposed project. The EIR relies on the "offsite" activity to avoid any VMT, transportation, traffic, or mobile source analysis of any kind, which is unacceptable and not compliant with CEQA's requirements for meaningful disclosure (CEQA § 21003). Haul trucks, employees, visitors, and other necessary trips will be generated directly due to the operation of the proposed project. The EIR must be revised to accurately quantify and analyze the project's trip generation impacts, conduct a full transportation analysis, and all related GHG/Air Quality/Energy impacts from mobile sources.

3-5

The Project Description also presents conflicting information throughout regarding the end use of the project site throughout the EIR. The Project Description states that “once mining operations are complete, the site would be reclaimed back to open space, in a manner consistent with the approved end use for the Cajon Creek Quarry (open space).” The Cajon Creek Quarry is located within the City of San Bernardino. The proposed project should be reclaimed back to open space in a manner consistent with the County of San Bernardino reclamation requirements. Further, the EIR states that in accordance with County Development Code Section 88.03.060(k) (2), the Reclamation Plan for the project would comply with the following requirements: “(E) The Reclamation Plan will reclaim the mined lands to a usable condition which is readily adaptable for alternative land uses consistent with the General Plan and applicable resource plan.” The Development Code requires that the project site be returned to a state readily usable for industrial land uses as part of the reclamation. The Project Description is misleading by stating the site will be reclaimed as open space with the end use of the property as open space when it is required to be reclaimed as readily usable for the next industrial user. The EIR is not reliable as an informational document in analyzing the full operation and reclamation of the project.

3-6

The Project Description states that “there would be no concurrent mining operations in Area L and the Project site (Area Q), as mining at the Project site would only initiate once the mining in Area L is completed.” However, there is no statement that site preparation, grading, creation of the berm, and other pre-mining activities would not occur at the project site concurrently with mining operations at Area L. The EIR must be revised to analyze the potentially significant impacts of concurrent mining at Area L and site preparation/construction/grading at the project site in all areas of environmental analysis, including Air Quality, GHG, and Traffic. The statement that there will be no concurrent mining operations at Area Q and Area L must be included as an enforceable mitigation measure with field verification by an enforcement entity of the lead agency (CEQA § 21081.6 (b)).

3-7

Table 2-1. Area Q Mining and Reclamation Plan Summary indicates that the Estimated Average Annual Extraction Rate will be 1.9 to 2.6 million tons. Over 30 years, an average of 1.9 million tons of extraction will result in 57 million tons of aggregate. An average of 2.6 million tons of extraction over 30 years results in 78 million tons of aggregate. This is significantly more than the EIR’s statement that “extraction of all material over 30-years would be a gross amount of 42.1 million tons which includes the removal of the overburden and interburden.” The EIR also states that approximately 40 million tons will be salable (net) of the total. The EIR arbitrarily states that the maximum amount of extracted material will be significantly lower than the sum of

3-8

the annual average extraction rate to mislead the public and decision makers. The EIR must be revised to comply with CEQA's requirements for meaningful disclosure by stating an accurate estimate of the total gross and net extracted material based on annual average extraction rates.

3-8 (cont.)

3.2 Air Quality

Project emissions were determined by subtracting existing Cajon Creek Quarry Area L site emissions (Baseline) from forecasted Project emissions post-relocation (Future). Crediting the project with emissions generated from a previous project is a flawed methodology which only serves to skew emissions downwards in an effort to avoid meaningful disclosure (CEQA § 21003). The EIR must be revised to remove all emissions credits from previous operations.

3-9

The EIR develops a baseline condition for emissions at Area L based upon an average of 2006-2017 site data for production, fuel use, and pollutant emissions. The EIR describes the baseline methodology as follows: "In order to identify and remove potentially erroneous data, the tons of aggregates produced per gallon of fuel consumed was determined for each year. Years 2007 and 2009 were determined to be statistical outliers and were removed from the dataset. The remaining years were *chosen* to represent baseline conditions." The EIR intentionally skews the baseline analysis to produce an unduly low baseline condition by *choosing* to remove two years from the analysis. The methodology and assumptions used for the baseline are also used for analysis in operational phase emissions, which also produce unduly low emissions as a result of the flawed analysis.

3-10

According to the EIR, mining began at Area L in 1995. Appendix C-2 Historical Production within the Air Quality Appendix provides the tons of aggregates produced for each year. It must be noted that data from January - mid October 2006 is omitted entirely, which further misrepresents the baseline conditions. There are also multiple consecutive weeks of each reported year omitted from the dataset, which implies that it was removed from the dataset. There are some days that recorded 0 tons of aggregate produced. If these omitted days in the dataset produced 0 tons of aggregate, it would have been recorded and presented as such.

3-11

It must further be noted that years 2007 and 2009 were intentionally *chosen* to be removed from the dataset. The EIR contends that these years were statistical outliers without supporting evidence for this decision. 2009 produced a total 1,193,053 tons of aggregate, which is statistically close to the median 1,419,995 tons of aggregate produced in 2008. 2007 produced the highest annual production of 2,606,441 tons of aggregate, which is likely why it was

3-12

identified as an outlier. However, the goal of an average in an environmental application is to find the sum of the group and account for outliers as they actually occur in real world operations. Excluding the highest annual year of production serves no purpose other than to skew the baseline conditions and thus the projected operational conditions downward to misrepresent the emissions to be significantly lower.

3-12 (cont.)

Additionally, the EIR states the peak historical day of excavation was December 29, 2006 with 33,258 tons of aggregate excavated. However, Appendix C-2 Historical Production shows that November 30, 2006 was the peak historical day of excavation with 200,819 tons of aggregate excavated. This day would generate a baseline peak hour of 16,735 tons excavated utilizing the same 12 hour workday methodology in the EIR. It must also be noted that the EIR states the peak historical year is 2006 with 3,134,709 tons excavated; however, as discussed earlier, data from January - mid October 2006 is omitted entirely from Appendix C-2 Historical Production.

3-13

The CalEEMod output sheets do not model any haul trips during any phase of construction because the EIR maintains that there will be no haul trips to or from the project site and there is no direct access to the project site from public roads. It is obvious that haul trucks would not enter/exit the project site because the aggregate from Area Q will be transferred to Area L via an extended conveyance system. Haul truck trips will be generated due to project operations, but they will utilize Area L for entrance/exit since this where the aggregate will end up for processing. Additionally, haul truck trips will be required during the site preparation phase as the Project Description describes that “prior to initiating mining, the existing fifteen homes and ancillary structures/debris would be demolished and removed from the site.” Removing fifteen residences, an unspecified number of other structures, dumped items, debris, and other vegetation as required from the project site will necessitate haul truck trips. The Project Description also states that the proposed berm will be vegetated, which necessitates truck trips to bring in landscaping. All haul truck trips noted above must be adequately and accurately quantified and included as part of a revised EIR for analysis. Further, as noted in the Project Description analysis, all haul truck, employee, and other trips generated due to project operations must be included in this analysis as well.

3-14

Further, Table F.1 Berm Construction Assumptions for CalEEMod Model of the Air Quality Appendix demonstrates that the quantities of soil excavated for berm construction are much larger than the actual berm itself. The berm will require 561,400 cubic feet of material. However, 794,118 cubic feet of material will be excavated at the site for berm construction. This is an excess of 232,718 cubic feet of material. Haul truck trips necessary for removing the

3-15

additional 232,718 cubic feet of material from the site since it will not be used to create the berm must be part of the CalEEMod analysis.

3-15 (cont.)

The CalEEMod output sheets also incorrectly model the proposed project site. The site is modeled as 179 acres while it is actually 196 acres. Additionally, the Project Description states that “reclamation would be conducted concurrently during the mining phase if possible, or after mining is complete” but CalEEMod does not include any reclamation activity analysis. Both issues have further skewed project emissions downwards and must be revised as part of a recirculated EIR.

3-16

The EIR does not include for analysis relevant environmental justice issues in reviewing potential impacts, including cumulative impacts from the proposed project. This is especially significant as the surrounding community is highly burdened by pollution. According to CalEnviroScreen 3.0, CalEPA’s screening tool that ranks each census tract in the state for pollution and socioeconomic vulnerability, the proposed project’s census tract (6071002706) ranks worse than 91% of the rest of the state overall. The surrounding community, including sensitive receptors such as residences adjacent to the southeast and Vermont Elementary School, bears the impact of multiple sources of pollution and is more polluted than average on every pollution indicator measured by CalEnviroScreen. For example, the project census tract ranks in the 100th (highest) percentile for ozone burden and the 84th percentile for PM 2.5 burden.

3-17

Further, the project’s census tract is a diverse community including 47% Hispanic and 21% African-American residents, which are especially vulnerable to the impacts of pollution. The community has a high rate of low educational attainment, meaning 61% of the census tract over age 25 has not attained a high school diploma, which is an indication that they may lack health insurance or access to medical care. Additionally, the surrounding community has a higher proportion of babies born with low birth weights than 51% of the state, which makes those children more vulnerable to asthma and other health issues. This is demonstrated by the census tract ranking in the 71st percentile for asthma.

3.3 Biological Resources

Project field investigations were conducted on May 11 and June 1, 2017; a third site visit was conducted on February 26, 2018.

3-18

Burrows were found throughout the site and it was determined that the project site has a moderate potential to support burrowing owl. However, the timing and number of field investigations conducted are not in accordance with the Department of Fish and Game’s 2012 Staff Report on Burrowing Owl Mitigation. The 2012 Report concludes that “current scientific literature indicates that it is most effective to conduct breeding and non- breeding season surveys and report in the manner that follows:

Breeding Season Surveys

Number of visits and timing. Conduct 4 survey visits: 1) at least one site visit between 15 February and 15 April, and 2) a minimum of three survey visits, at least three weeks apart, between 15 April and 15 July, with at least one visit after 15 June.”

The field investigations conducted as part of the Biological Resources analysis were not completed at times most effective as noted in the 2012 Report. The investigation conducted zero site visits after 15 June while at least one visit between 15 June and 15 July is explicitly listed as necessary in the Report. Three total site visits were conducted while the 2012 Report lists four total visits (each visit three weeks apart) as most effective. Burrows were detected onsite during all field investigations and the surveys were not conducted in accordance with the most effective practices outlined by the 2012 Report. A revised EIR must be prepared which includes focused burrow and burrowing owl surveys conducted in accordance with the most effective practices of the 2012 Report for public review.

3-18 (cont.)

3.6 Greenhouse Gases

The errors and skewed analysis listed above in the Air Quality modeling contribute significantly to further issues in the Greenhouse Gas analysis. All issues noted above in the Air Quality modeling must be corrected and applied to the GHG analysis as part of a revised EIR in order to accurately and adequately analyze all potentially significant environmental impacts.

3-19

3.9 Land Use and Planning

The EIR does not address the Housing Crisis Act (HCA) of 2019 and provisions in Senate Bill (SB) 330. The HCA of 2019 and SB 330 require replacement housing sites when land designated for housing development is changed to a non-housing use to ensure no net loss of housing capacity. This is applicable to the project because the proposed mining operation would change the residential zoning classification to an industrial classification. Due to these land uses

3-20

changes the Area Q site would not be used for the development of up residential units and replacement sites must be proposed and analyzed. The EIR does not act in conformance with these laws and has not identified replacement sites for housing. Approval of the EIR and the proposed project will result in a net loss of housing. This significant environmental impact is further illustrated as the County’s 5th Cycle Housing Element identifies the project site for residential development that is credited to achieving the County’s RHNA. The EIR must be revised to include replacement sites for housing which accomodate at minimum the same housing capacity (196 residential units) and all related technical analysis.

3-20 (cont.)

This section of the EIR also states that “the Project site is not within the community of Muscoy.” This is notably erroneous and misleading to the public and decision makers as the project site is located within the Muscoy Community Plan. This statement must be deleted and all related analysis restated to clearly identify the project site as within the Muscoy Community Plan as part of a revised EIR.

3-21

Additionally, the consistency analysis with applicable land use plans only evaluates the proposed project in accordance with the proposed land use (IC) and not the existing land use (MS/RS-1). The EIR relies upon approval of the GPA and Zone change for the project to be consistent with the applicable plans. The EIR must be revised to evaluate the project in accordance with the existing General Plan land use and Zoning designations in order to accurately and adequately analyze potentially significant impacts.

3-22

The EIR provides the following goals and policies from the Muscoy Community Plan (MCP) for analysis:

GOAL MS/LU 1 Retain the rural residential character of the community.

POLICY MS/LU 1.1 Require strict adherence to the Land Use Policy Map unless proposed changes are clearly demonstrated to be consistent with the community character.

3-23

The EIR’s consistency analysis is further misleading as it finds that “the proposed use of the site for mining operation is consistent with the community character as existing mining currently exists adjacent to the north of the Project site.” However, the mining north of the project site is not within the MCP or under County of San Bernardino jurisdiction. The consistency analysis must be revised to analyze if the proposed mining operation is consistent with the rural residential character of the community, particularly noting that the existing land use designation for the project site is residential.

4.0 Alternatives

The EIR is required to evaluate a reasonable range of alternatives to the proposed project which will avoid or substantially lessen any of the significant effects of the project (CEQA § 15126.6.) The two alternatives chosen for analysis include the CEQA required “No Project” alternative and an alternative in with the berm is not constructed (Berm Elimination). The EIR does not evaluate a reasonable range of alternatives as only one alternative beyond the required No Project alternative is analyzed. The Berm Elimination alternative results in more significant impacts than the proposed project. The EIR must be revised to include analysis of a reasonable range of alternatives and foster informed decision making (CEQA § 15126.6). This could include alternatives such as development of the project site in accordance with the existing General Plan and Zoning designations, reduced mining area, and reducing the permitted lifetime of the mining operation.

3-24

Conclusion

For the foregoing reasons, GSEJA believes the EIR is flawed and an amended EIR must be prepared for the proposed project and recirculated for public review. Golden State Environmental Justice Alliance requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

3-25

Sincerely,



Board of Directors
Golden State Environmental Justice Alliance

Response to Comment Set 3.**Golden State Environmental Justice Alliance (August 14, 2020)****Response 3-1**

The commenter noted that there are inconsistencies throughout the EIR. Specifically, the commenter noted that DEIR's Executive Summary states that the Project will change the General Plan land use/zoning designation to IC (Community Industrial) while DEIR Section 1.0 states that the General Plan land use/zoning will change to MS/IC (Muscoy/Community Industrial). This inconsistency also appears in DEIR Section 3.9 – Land Use and Planning.

The County Development Code provides that "Specific Plans, Community Plans, and Area Plans may be established to allow the implementation of special development standards for specified areas." (Development Code, § 82.23.010(a).) The Development Code further uses a two-character identifier that appears as a prefix on land use zoning district maps to identify Specific Plan, Community Plan, or Area Plan areas adopted by the Board of Supervisors. (Id. at § 82.23.020(b).)

As stated in various locations throughout the DEIR, including a detailed discussion in DEIR Section 3.9 – Land Use, the Project is located within the Muscoy Community Plan area. The County Development Code therefore uses the "MS" identifier as a prefix on the Project site's land use zoning designation. (see Development Code, § 82.23.020(b)(1)(B).)

The Muscoy Community Plan sets goals and policies distinct from those applied County-wide; however, it does not include specific development standards or identify uses that are permitted within specific land use zoning designations. As a result, the Project is subject to the applicable Muscoy Community Plan goals and policies, as well as the County General Plan and Development Code.

As discussed in DEIR Section 3.9.6, "the Project is consistent with all relevant County plans, policies, and zoning ordinances applicable to the Project," including applicable policies found in the Muscoy Community Plan, which was specifically analyzed in Table 3.9-4.

The DEIR's Executive Summary and Section 3.9 – Land Use and Planning statements that the Project will change the General Plan land use/zoning designation to IC rather than MS/IC is a typographical error. The revised section is provided in FEIR Section 3.2.1.

Response 3-2

The commenter notes that the DEIR does not quantify the number employees at Cajon Creek Quarry Area L or its size to support that it is comparable to the Project.

As discussed in DEIR Section 2.4.3:

The number of employees would be consistent with the number of employees needed to operate the Cajon Creek Quarry Area L and would fluctuate with seasonal demand. The average number of employees would be 5 to 6, and it is anticipated that the same employees working at the existing Cajon Creek Quarry would work at the Area Q Quarry. Employees working onsite would be moved from the existing Cajon Creek Quarry to work at Area Q once operations commence.

The operations at the Project Site would be the same as those that have been and are currently being conducted at Cajon Creek Area L. Other than changing the location of mineral resource recovery from Cajon Creek Quarry Area L to the Project Site, operations will not change. Accordingly, the number of employees needed to operate the Project will not change and will continue to fluctuate with seasonal demand. It is anticipated that the same employees who currently work at Area L will work at the Project site; however, the specific employees are subject to change per normal employee turnover.

The commenter also notes that the Southern California Association of Government (SCAG) Employment Density Study (Study) provides employment generation rates for land uses within San Bernardino County. The SCAG Study identifies employment generation rates of 4.91 employees per acre for “heavy manufacturing” activities. This would equal a generation rate of 895 employees for the Project.

The SCAG Study is inappropriate for use in estimating the number of employees for this Project. As discussed above, the existing number of employees at Cajon Creek Quarry Area L is quantifiable and would not change as a result of the Project. Moreover, the Project is not a “heavy manufacturing” activity. Rather, the County Development Code identifies natural resources development (i.e., mining) as an “Agricultural, Resource & Open Space Use” activity.

In summary, as discussed in DEIR Section 1.6.4, the Project will not result in a change to the number of existing employees or result in onsite or offsite infrastructure to serve the Project. Accordingly, the Project will not induce a substantial unplanned population growth in the area.

Response 3-3

The commenter notes that the DEIR does not analyze the impact on population and housing caused by the short-term construction jobs created by the Project.

Prior to Project site mining activities, and as part of the construction phase, fifteen homes will need to be demolished. It is estimated that demolition activities will involve employment of a local crew of approximately 10 workers for approximately 30 days. All other Project site preparation activities (site clearing, berm construction, etc.) will be completed by the existing employees operating Cajon Creek Area L.

The approximately 10 short-term construction jobs needed for Project site demolition activities will not result in a substantial unplanned population growth or displace substantial numbers of people or housing.

Response 3-4

The commenter notes that the DEIR has failed to provide a baseline operation study or technical analysis for transportation impacts and gives the Project an “offsite exemption” for transportation impacts.

The DEIR does not give itself an “offsite exemption” for transportation impacts. As discussed in DEIR Section 1.6.7, the Project would not result in an increase in existing employee vehicles from baseline operations at Cajon Creek Quarry Area L, and the Project would not result in an increase to haul trucks on public roads.

When applications involving extensions of existing conditions are considered, case law is uniform in holding that the extension of those existing conditions is not a project impact. As discussed in DEIR Section 2.4.1:

CEQA Guidelines section 15125 defines a project’s baseline as those environmental conditions existing at the time of environmental review. (CEQA Guidelines, § 15125 (a).) “This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.” (Communities for a Better Environment v. South Coast Air Quality Management District (2010) 48 Cal.4th 310, 320.)

When a project involves continuation of ongoing or past activities “the established levels of a particular use and the physical impacts therefore are considered to be part of the existing environmental baseline.” (North Coast Rivers Alliance v. Westlands Water District (2014) 227 Cal.App.4th 832, 872 [hereinafter “North Coast”].) The baseline thus reflects “the current operative condition” of the area being assessed. (Citizens for East Shore Parks v. California State Lands Commission (2011) 202 Cal.App.4th 549, 558 [“Citizens for East Shore Parks”].) Accordingly, “a proposal to continue existing operations without change would generally have no cognizable impact under CEQA.” (North Coast, supra, at 872-873.) This approach to baseline is the same for mining projects. (see San Joaquin Raptor Rescue Center v. County of Merced (2007) 149 Cal.App.4th 645, 658 [“In the situation of an existing mining operation, a description of baseline environmental setting may reasonably include the mine’s established levels of permitted use.”].)

A lead agency cannot analyze a project against hypothetical future conditions that do not incorporate the existing environmental conditions. This is true even if the existing environmental conditions would change in the future because, for example, a use would cease in the future due to expiration of a permit. (see Citizens for East Shore Parks, supra, at 560-61.)

In summary, where a project simply extends an existing operation, the continuation will not result in an environmental impact absent any change to or intensification of the existing use. (World Business Academy v. State Lands Commission (2018) 24 Cal.App.5th 476, 500-503.)

The Project does not change the existing and ongoing mining operations except for changing the location of the mining activities. The aggregates extracted from the Project Site would be transferred to the existing infrastructure in place at Cajon Creek Quarry Area L. The Cajon Creek Quarry operations are the baseline environmental conditions against which the Project's potential impacts are analyzed. Thus, the DEIR focuses its analysis on the new location (i.e., the physical area where mineral resource recovery operations will take place.) The DEIR does not, and need not, analyze existing conditions that will continue, such as existing employee vehicle trips or haul truck trips from the applicant's existing and ongoing facilities. These existing facilities and their ongoing operations are beyond the scope of this Project for purposes of CEQA.

As discussed under Response 3-3 above, fifteen homes will need to be demolished as part of the Project construction phase. It is estimated that demolition activities will involve employment of a local crew of approximately 10 workers for approximately 30 days. It is estimated that approximately 5 loads, or 10 one-way trips, per day (300 trips total over 30 days), of demolition debris will be removed from the site via haul truck during the construction phase. The County's Transportation Impact Study Guidelines (San Bernardino County, 2019) states that CEQA assessments of vehicle miles travelled (VMT) "*should not be required*" for "*Projects generating less than 110 daily vehicle trips*". Therefore, per the County's VMT guidance document, the short-term generation of 10 trips per day during the Project construction phase would not be considered a significant impact under CEQA. Furthermore, following Project demolition, fifteen existing residences will no longer be present on the Project site. It is assumed that the existing residences currently generate far more daily vehicle trips than the estimated 10 per day during the Project demolition phase.

Response 3-5

The commenter notes that the Project will generate haul trucks, employees, visitors, and other necessary trips due to operation of the proposed Project. See Response 3-4 above.

Response 3-6

The commenter notes that the DEIR's Project Description is misleading because it states the Project site will be reclaimed to open space, while the County Development Code requires the Project site to be reclaimed as "readily usable for the next industrial user."

The County Development Code does not require the Project site to be reclaimed as "readily usable for the next industrial user." Rather, County Development Code Section 88.08.060(k)(2)(F) requires that the end use be "readily adaptable for alternative land uses consistent with the General Plan and applicable resource plan."

The County General Plan's Land Use Element notes that the IC district "provides sites for light industrial uses such as light manufacturing uses, wholesale/warehouse services, contract/construction services, transportation services, agricultural support services, incidental commercial and accessing residential uses, and similar compatible uses." (County General Plan, Table LU-1; see also County Development Code, § 82.010.020(c)(4)(A).)

The Project Site's proposed end use is open space. As discussed in DEIR Section 2.5.2, mining operations will leave a 120-foot deep mining pit floor with undulating side slopes at a gradient of 2:1 (horizontal to vertical). The *Geotechnical Evaluation* prepared by Haley & Aldrich (Haley & Aldrich, Inc., 2019) determined the final reclaimed slopes had a factor of safety of 1.87 (static conditions) and 1.34 (seismic conditions). These factors of safety are suitable for an open space end use.

Upon completion of mining operations, the topsoil and subsoil stored in the southern berm along the southern Project boundary will be spread throughout the Project Site to assist in revegetation. As noted in the DEIR, revegetation will follow the typical sequence:

- Re-contouring slopes, if necessary;
- Control of invasive weeds;
- Placement of topsoil and subsoil;
- Installation of temporary irrigation systems, if necessary;
- Installation of erosion control devices;
- Hydroseeding;
- Maintenance and monitoring; and
- Reporting.

The basic goal of revegetation is to re-establish self-sustaining native plant communities within the areas disturbed by mining activities and provide surface erosion control through revegetation.

The open space end use is consistent with the County Development Code's requirement that the end use be "readily adaptable for alternative land uses" consistent with the IC land use designation. For example, this Project would be readily adaptable for agricultural support services, or landscape material sales, to name just a few of the dozens of land uses allowed in the IC General Plan land use zoning designation.

As with respects to the DEIR's statement that the proposed end use of open space is consistent with the Cajon Creek Quarry's end use, located in the City of San Bernardino, this statement is not intended to suggest the Project's end use is subject to the City's reclamation requirements. Rather, this statement is included to inform the reader that the reclamation plan is consistent with the character of the surrounding area (see Pub. Resources Code 2773(a).).

Response 3-7

The commenter notes that the DEIR states there will not be concurrent mining operations in Cajon Creek Quarry Area L and the Project Site; however, the DEIR does not specifically state that Project site clearance and preparation or pre-mining activities will not occur concurrently with mining in Area L.

As stated in DEIR Section 2.4.3, “operations would begin once mining in Cajon Creek Quarry Area L is complete, and after all the necessary County approvals and entitlements have been obtained (CUP, the Surface Mining and Reclamation Plan, acceptance of Financial Assurances, and CEQA compliance). Project site clearing, topsoil and subsoil removal, the installation of the southern berm, and other preparation activities would precede excavation of the aggregates at the Project site”. Therefore, Project site preparation, grading, and berm construction will not occur at the Project Site until mining (i.e., mineral resources extraction) is completed at the Cajon Creek Quarry Area L. Therefore, no additional mitigation is required.

Response 3-8

The commenter notes that if the Project site is mined at the estimated average annual extraction rates identified in the DEIR, the total extraction over the life of the Project will exceed the DEIR’s estimate of 42.1 million tons of material, 40 million tons salable (net).

The DEIR provides estimated average annual extraction rates and a total maximum extraction over the life of the Project. Actual annual extraction rate will necessarily fluctuate based on market demand and other factors. If Project extraction rates do achieve the average extraction rate on a yearly basis, the identified 42.1 million tons of material (which equates to 40 million tons salable) will be recovered in less than 30 years. If, however, extraction proceeds faster than the anticipated 30 years, the estimated total amount of aggregate extracted from the site will not change.

The Project’s surface mining and reclamation plan, discussed in DEIR Section 2.5, includes limitations on depth (120-foot bgs) and mine area acreage that necessarily limit the amount of material that may be extracted. The Project would provide for a maximum of 40 million tons of salable material over the life of the Project. Accordingly, the DEIR includes an accurate estimate of the total gross and net extracted material over the life of the Project.

Response 3-9

The commenter states that the DEIR improperly analyzes the Project’s emissions against the Cajon Creek Quarry Area L baseline emissions.

CEQA Guidelines Section 15125 requires an EIR to include a description of the “environmental setting.” The environmental setting is “normally” to be defined as “the physical environmental conditions” in the vicinity of a project that exist at the time the environmental review commences:

An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.

“In the situation of an existing mining operation, a description of baseline environmental setting may reasonably include the mine’s established levels of permitted use.” (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 658.) As discussed in DEIR Section 2.4.1, the existing Cajon Creek Quarry Area L emissions are the physical environmental conditions in the vicinity of the Project and, therefore, are an appropriate “baseline” for analysis of the Project. The approach used in the DEIR is standard practice for CEQA evaluations.

Response 3-10

The commenter notes that the DEIR skews the baseline emissions data by removing two years of historical production data from the analysis.

As discussed in DEIR Section 3.2.5.3, the DEIR omitted historical production data from the years 2007 and 2009 because they were statistical outliers of high production years. Omission of the two years of highest production is conservative because it lowers the baseline emissions. A higher baseline would result in a Project with less potential impacts because, as noted in Response 3-9 above, the baseline emissions are then subtracted from the Project emissions estimates. Had statistical data from 2007 and 2009 been included in the baseline, the baseline emissions would have been higher, which would have reduced the Project’s estimated emissions and been considered less conservative.

Response 3-11

The commenter notes that Appendix C of the AQCCIA (Sespe Consulting, Inc., 2020) omits data from 2006 that in their opinion should have been used to determine baseline emissions.

The applicant provided historical annual production data for preparation of the AQCCIA. Data prior to October 2006 did not exist or could not be found by the applicant at the time the environmental analysis was commenced. It was determined that extrapolating four months of data would not be representative of the entire year’s production and, therefore, this data was omitted from the annual baseline emissions data.

Response 3-12

The commented notes that the EIR produces an unduly low baseline by choosing to remove two years of historical production data from the baseline analysis.

See Response 3-9 and 3-10 above.

Response 3-13

The commenter notes that that the DEIR states the peak historical day was December 29, 2006, with 33,258 tons of aggregate extracted; however, Appendix C of the AQCCIA shows that November 30, 2006 was the peak historical day with 200,819 tons of aggregate extracted.

As discussed in Response 3-10 above, the DEIR removed statistical outliers of high production from the baseline emissions analysis to conservatively identify a lower baseline. Further, it was determined that reported data from November 30, 2006 was likely a typographical error, as it would be impossible to extract that amount of material during permitted Cajon Creek Quarry hours of operation in a single day. Thus, inclusion of the November 30, 2006 would not be representative of actual daily emissions.

Response 3-14

The commenter notes that the CalEEMod sheets in the AQCCIA do not model haul trips during Project construction or operation.

As discussed in Responses 3-4 and 3-5 above, the Project would not result in additional haul truck trips on public roads from baseline conditions.

As discussed in Response 3-4 above, prior to Project site operations, fifteen homes will need to be demolished. It is estimated that demolition activities would require approximately 10 offsite truck trips per day, for an approximately 30-day period. All other Project site preparation activities (berm construction, etc.) will be completed by the existing employees operating Cajon Creek Area L and would not increase offsite haul truck trips.

The DEIR analysis of demolition activities has been refined to address the gap identified by the commentator. It was determined that emissions associated with demolition increase. However, when combined with emissions reductions resulting from cessation of residential operations at the demolished homes, and the construction phase emissions already quantified in the DEIR (see DEIR Sections 3.2.5.4 and 3.2.6.3), the total construction emissions of each pollutant remain less than the applicable significance threshold as shown in the Table 2-4 below. The DEIR Table 3.2-17 is revised to reflect the data presented in Table 2-4 (see FEIR Section 3.1.2). A copy of the CalEEMod output file containing the results presented in the revised DEIR Table 3.2-17 is included as FEIR Appendix A.

Table 2-4 Construction Phase Criteria Pollutant Impacts (Revised DEIR Table 3.2-17)

	ROG (lb/day)	NO_x (lb/day)	CO (lb/day)	SO_x (lb/day)	PM₁₀ (lb/day)	PM_{2.5} (lb/day)
Construction Emissions from Demolition of 15 Homes	3.42	34.4	22.6	0.04	2.29	1.67
Operational Emissions from 15 Former Homes	-4.75	-2.59	-13.0	-0.04	-2.26	-1.46
Construction Phase (DEIR Table 3.2-17)	5.09	59.5	35.1	0.062	5.81	3.8
Total Construction Phase Emissions	3.76	91.3	44.7	0.1	5.85	4.01
Construction Phase Significance Thresholds	75	100	550	150	150	55
Significant Impact?	No	No	No	No	No	No

Response 3-15

The commenter notes that the CalEEMod Model of the AQCCIA (DEIR Appendix F) assumes more material would be placed in the southern berm than what would actually be required to construct the berm; therefore, the DEIR must analyze the haul truck trips necessary to remove the excess material from the Project Site.

The AQCCIA's CalEEMod Model Table F.1 used a conservative assumption of 50,000 cubic yards of material (approximately 794,118 cubic feet) to model construction emissions from berm construction. The fact that berm construction may require less material shows that the AQCCIA overestimated potential construction emissions during berm construction. If there is excess material beyond what would be required for the construction of the berm, it would be transferred via the onsite conveyor system to Area L in the same manner as the excavated aggregate would be managed. There would be no need for offsite haul trucks. Notwithstanding, the total amount of material needed to build the berm makes no change to the Project daily emissions during construction because the equipment chosen to perform the construction is assumed to operate eight hours per day (8 hours/day) regardless of the total material placed into the berm. The additional material for berm construction, and thus the additional 8/hour days for berm construction, was conservatively estimated.

Once berm construction is completed, the Project's construction phase is finished. Additional material excavation and removal is part of the mining operation. As discussed throughout the DEIR, material would be conveyed to Vulcan's processing plants in the same manner as extracted aggregate from Area L is currently conveyed. As discussed in Response 3-4 and 3-5 above, no haul trucks will leave Area Q. Accordingly, no haul truck emissions were included in the AQCCIA analysis.

Response 3-16

The commenter notes that the AQCCIA's CalEEMod Model analyzes the Project Site as approximately 179 acres, rather than the Project's actual 196 acres, and does not include any concurrent reclamation activity analysis.

The AQCCIA's CalEEMod Model uses an approximately 179-acre boundary to model excavation of topsoil to a depth of 1-foot bgs for placement in the berm. As discussed in Response 3-15 above, the exact size of the Project site as it relates to topsoil grading makes no change to daily construction emissions estimates for the construction phase because the AQCCIA assumed that equipment would operate eight hours per day (8 hours/day) regardless of the size of the area to be graded for topsoil. While the number of actual days needed to grade the topsoil may increase slightly on an approximately 196-acre Project Site, the AQCCIA conservatively overestimates the duration of construction.

Final reclamation slopes will be cut as operations proceed, using the same equipment analyzed in the AQCCIA (e.g., dozers, loaders etc.). There will also be hydroseeding that will take place just as it does under the existing baseline conditions for Area L.

Response 3-17

The commenter notes that the DEIR does not include analysis of relevant environmental justice issues while reviewing potential impacts.

The DEIR and AQCCIA summarizes Project-relevant requirements in several air quality and land use related plans, including the Muscoy Community Emissions Reduction Plan (CERP) developed under the environmental justice legislation Assembly Bill (AB) 617. Please see Response 2-1.

DEIR Section 3.2.6.2 discusses AB 617's framework for development of the CERP in the Muscoy/San Bernardino Region. As noted in the DEIR, two specific actions in the CERP are intended for "rock/aggregate plants." First, the CERP provides for outreach to operators on best practices and rule requirements. Second, the CERP provides for focused air monitoring and inspections to identify potential emissions or violations.

Neither of these actions would impose new requirements on the Project. The Project would be in compliance with the SCAQMD rules and regulations. In addition, the Project would implement the identified Project Design Features that require appropriate training for the operations to ensure compliance with the required mitigation measures, COAs and regulatory requirements. Thus, the Project is consistent with the CERP because it already requires bested practices for control of emissions such as dust control as identified in SCAQMD Rules 403 and 1157. Also, please see Response 7-3 and Sections 2.1.1 (CR 1a: Air Quality – Health Risk [dust from transfer of rocks and blasting]) and Section 2.1.2 (CR 1b: Air Quality – High Winds) above for more detail. Future monitoring of the site under CERP is outside of this CEQA evaluation. Focused air monitoring and inspection that could occur would be performed by others and enforce existing air quality and health risk standards.

Air quality impact assessment methodologies and significance thresholds are agnostic in terms of environmental justice and protect everyone equally regardless of race or socioeconomics. As discussed in Section 3.2.2.3, air quality methods and standards are set based on adverse health effects and should be protective of “particularly sensitive citizens such as bronchial asthmatics and emphysematics who in the normal course of daily activity are exposed to the ambient environment.”

Further, no specific environmental justice air quality standards or air impact assessment methods exist that could be further analyzed as suggested by the commentator. For these reasons, no changes to the DEIR are necessary.

Response 3-18

The commenter notes that the Project Site was found to have moderate potential to support burrowing owl; however, biological field investigations were not conducted in accordance with the Department of Fish and Game’s 2012 Staff Report on Burrowing Owl Mitigation.

As discussed in DEIR Section 3.3.5.2, biologists inventoried and evaluated the condition of the habitat within the Project site on three separate occasions. Plant communities and potential natural wildlife corridors and linkages that may support movement of wildlife were walked during the field investigations. Special attention was paid to special-status habitats, including specific emphasis on areas providing suitable habitat for burrowing owl, which were closely surveyed for signs of presence. Specific methods to detect the presence of burrowing owl included direct observation, aural detection, and signs of presence including pellets, white wash, feathers, or prey remains. No burrowing owls or their sign were observed onsite. Given the lack of visual observation or presence of sign, further studies were not required, and substantial evidence supports the DEIR’s conclusion that the Project site is not occupied by burrowing owl, or any other special status species.

In addition, California appellate case law has definitively determined that CEQA does not require compliance with U.S. Fish and Wildlife (USFWS) or California Department of Fish and Wildlife (CDFW) survey protocols as a matter of law. *Association of Irrigated Residents v. County of Madera* (2003) 107 Cal.App. 4th, 1383 [“CEQA does not require a lead agency to conduct every recommended test and perform all recommended research to evaluate the impacts of a proposed project. The fact that additional studies might be helpful does not mean that they are required.”].)

Response 3-19

See Responses 3-10 through 3-17 above.

Response 3-20

The commenter notes that the Housing Crisis Act of 2019 and provisions in Senate Bill (SB) 330 are applicable to the Project because the Project would change residential zoning classifications to industrial classifications.

On October 9, 2019, Governor Newsom signed SB 330, also known as the “Housing Crisis Act of 2019.” In general, SB 330 seeks to address the statewide housing supply crisis by restricting local rules that limit housing production and speed up the preliminary application process for housing development projects. SB 330 also declares a statewide housing emergency in effect until January 1, 2025.

Among other things, SB 330 provides that where housing is an allowable use, an affected public agency, including its voters by referendum or initiative, may not change a land use designation or zoning to remove housing as a permitted use, or reduce the intensity of residential uses permitted under the zoning or general plan that were in place on January 1, 2018. Specifically, Government Code section 66300(b) provides, in relevant part:

(b)(1) Notwithstanding any other law except as provided in subdivision (i), with respect to land where housing is an allowable use, an affected county or an affected city shall not enact a development policy, standard, or condition that would have any of the following effects:

(A) Changing the general plan land use designation, specific plan land use designation, or zoning district below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018 For purposes of this subparagraph, “less intensive use” includes, but is not limited to, reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, or new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or anything that would lessen the intensity of housing.

SB 330 defines “affected county” as “a census designated place, based on the 2013-2017 American Community Survey 5-year Estimates, that is wholly located within the boundaries of an urbanized area, as designated by the U.S. Census Bureau.” (Gov. Code, § 66300(a)(2)). SB 330 further requires that the California Department of Housing and Community Development (HCD) to determine the affected cities and counties by June 30, 2020. (*Id.* at § 66300(e).) SB 330 does not, however, prohibit an affected county or affected city from changing a land use designation or zoning ordinance to a less intensive use “if the county or city concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction to ensure that there is no net loss in residential capacity”. (Gov. Code § 66300(i)(1)).

According to the U.S. Census Bureau’s American Community Survey 5-year Estimates (2013-2017), the Project site is located in Muscoy, a census designated place. Muscoy, and more specifically the Project site, are not, however, “wholly located within the boundaries of an urbanized area,” as shown on the U.S. Census Bureau’s urban boundary map. This is confirmed by the absence of Muscoy from the HCD’s list of “affected” cities and counties.

Accordingly, SB 300, the Housing Crisis Act of 2019, is not applicable to the Project.

Response 3-21

The commenter notes that DEIR Section 3.9 erroneously states “the Project site is not within the community of Muscoy.”

As discussed in DEIR 3.9.1 and elsewhere throughout the DEIR, the Project is located within the Muscoy Community Plan area. DEIR Table 3.9-4 further analyzes the Project’s consistency with the Muscoy Community Plan. The DEIR does, in certain places, uses the term “residential community of Muscoy,” however, to refer to the residential community located south of the Project Site, across the Devil Creek diversion channel.

The commenter has identified a typographical error that has been revised and is included in FEIR Section 3.2.2.

Response 3-22

The commenter notes that the DEIR does not analyze the Project against the existing General Plan zoning land use designation (MS/RS-1) and, therefore, the DEIR must be revised to evaluate the Project in accordance with the existing General Plan land use designation.

The commenter appears to assert that the existing General Plan land use designation is the “baseline” conditions against which the Project must be analyzed. The existing regulatory condition, however, is not the baseline against which a Project is analyzed under CEQA. Rather, CEQA Guidelines Section 15125 requires an EIR to include a description of the “environmental setting.” The environmental setting is “normally” to be defined as “the physical environmental conditions” in the vicinity of a project that exist at the time the environmental review commences:

An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.

The existing MS/RS-1 regulatory scheme in place on the Project site is not a “physical environmental condition” against which the Project’s potential impacts are examined. Moreover, the Project does not seek to permit surface mining operations in a MS/RS-1 zone. Thus, analysis of the Project’s consistency with the MS/RS-1 zone requirements fails to inform the reader about any potential impact of the Project. The DEIR properly analyzes the Project’s potential impacts to land use. A Project may have a significant environmental impact if it conflicts “with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigation an environmental effect.” As discussed in DEIR Section 3.9.6.5:

[U]pon the County's approval of the zone change, the site's land use designation would be changed to Muscoy/Community Industrial (M/IC). The IC (Community Industrial) land use zoning designation allows for "Natural resources development (mining/material extraction)" with the conditional approval of a CUP. Therefore, with the conditional approval of the Project by the County, the proposed land use zoning designation IC would be compatible and consistent with the Project as proposed.

Additionally, as discussed in Section 3.9.3.3, the Project would comply with applicable conditions and requirements of the County Development Code, specifically Chapter 88.03 (Surface Mining and Land Reclamation) as well as other applicable chapters discussed throughout this DEIR (e.g., aesthetics, noise, etc.). In accordance with Section 88.03.040 of the Development Code, the Applicant is seeking to obtain County approval of a CUP, Reclamation Plan, and financial assurances for reclamation before commencement of the operation. Through compliance with the applicable County Development Code standards, approval of the Reclamation Plan and financial assurance by the State DOC, and adhering to annual compliance requirements (i.e., annual mine inspection and annual report), the Project would be consistent with the County Development Code standards for mining operations.

One of San Bernardino County's goals is to conserve areas identified as containing significant mineral deposits for potential future mining use, while promoting the reasonable, safe, and orderly operation of mining extraction activities within areas designated for such use (see GOAL CO-7 in Table 3.9-3 above). The proposed Project and its corresponding Reclamation Plan are in compliance with SMARA and Chapter 88.03 (Surface Mining and Land Reclamation) of the San Bernardino County Development Code (San Bernardino County, 2009), and conditions to minimize adverse impacts of the mining operations to surrounding properties are incorporated into the Project design features and included as mitigation measures within this Draft EIR. As discussed above and identified in Table 3.9-3 and Table 3.9-4, the Project is consistent with all relevant County plans, policies, and zoning ordinances applicable to the Project. Therefore, the Project is considered to have a less than significant impact on land use and planning

Response 3-23

The commenter notes that the DEIR's analysis of the consistency with the Muscoy Community Plan is misleading and must be revised to analyze whether the proposed Project is consistent with the rural residential character of the community, particularly noting that the existing land use designation for the Project site is residential.

As discussed in Response 3-22 above, the existing MS/RS-1 regulatory scheme in place on the Project site is not a "physical environmental condition" against which the Project's potential impacts are examined. Moreover, the Project does not seek to permit surface mining operations in a MS/RS-1 zone. Thus,

analysis of the Project's consistency with the MS/RS-1 zone requirements fails to inform the reader about any potential impact of the Project.

DEIR Table 3.9-4 specifically analyzes whether the Project is consistent with Muscoy Community Plan Goal MS/LU 1. With regard to MS/LU Policy 1.1, the DEIR states:

The proposed use of the site for mining operation is consistent with the community character as existing mining currently exists adjacent to the north of the Project site. The Muscoy Community Plan land use/zoning designation for the Project site is MS/RS- 1AA, AG Overlay (MS/RS, Single Residential). Similar to MS/RS-1, the MS/RS-1AA designation prohibits mining/material extraction, and therefore the Project Applicant is seeking to change the Community Plan land use zoning designation for consistency with this policy.

While the "AA, AG Overlay" notation is described in the Muscoy Community Plan (effective 2007), the County's General Plan land use designation map does not include this overlay. Specifically, County General Plan – Land Use Zoning District Map FH22A (effective 2010), shows the Project site in a MS/RS-1 zone. Therefore, the "AA, AG Overlay" reference has been removed from the DEIR Section 3.9 – Land Use and Planning when describing the Project site. Please see FEIR Section 3.2.3 for this correction.

With regard to MS/LU Policy 1.5, the DEIR states:

The Project would not conflict with County buffers policies. The southern berm and landscaping would buffer the Project's industrial use from the residential land uses in Muscoy to the south. Additionally, once mining is completed, the site would be reclaimed back to open space in a manner compatible with the surrounding environment. As such, the Project is consistent with this policy.

Response 3-24

The commenter notes that the DEIR does not evaluate a reasonable range of alternatives and should be revised to include an analysis of a reasonable range of alternatives such as development consistent with the existing General Plan land use zoning designation, reduced mining area, or reduced permit length for the mining operation.

CEQA Guidelines Section 15126.6(a) specifies that an EIR must describe a reasonable range of alternatives to a project "which would feasibly obtain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project" A lead agency "need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation." (*Ibid; Citizens v. Goleta Valley Bd. Of Supervisors* (1990) 52 Cal.3d 533; *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376.)

As discussed in DEIR Sections 2.2 and 4.2, the Project has four stated objectives: (1) Provide a reliable, sustainable, local source of high-quality aggregates to help meet the current and long-term demand for construction materials in San Bernardino County; (2) Create an environmentally sound project that would balance the recovery of the aggregate resource with the protection of other resources including wildlife habitat, sensitive and special-status species, groundwater, surface water, and air quality; (3) Provide a final reclamation land surface that is consistent with the proposed end use as open space and the adjacent Cajon Creek Quarry; and (4) Maintain existing levels of employment into the future for employees currently working at the Cajon Creek Quarry.

DEIR Section 4.0 discusses and analyzes Project alternatives that feasibly attain most of the Project's objectives, but that avoid or lessen identified significant effects of the Project. As respects commenter's suggestion that the DEIR analyze development consistent with the existing General Plan land use zoning designation, note that surface mining operations are not permitted under the existing zoning. Thus, any alternative project would be a project such as residential development. A residential development project, however, fails to meet any of the Project's basic objectives as they relate to mining operations. It is simply not the type of project applied for. Thus, analysis of a development project consistent with the existing General Plan land use designation is not an appropriate alternative under CEQA Guidelines Section 15126.6(a), as it would not foster informed decision making about the project.

As respects commenter's suggestion that the DEIR analyze a reduced mining area or reduced permit life alternative, neither of these alternatives "avoid or substantially lessen any of the significant effects of the project." DEIR Section 4.3.2 did analyze whether a reduced mining depth alternative was feasible. Such an alternative would reduce the mining area and permit life. The DEIR determined, however, that such an alternative was not feasible because it would not avoid or reduce a significant impact:

While such an alternative would generally achieve the Project objectives, a reduction in mining depth, would not lessen, avoid, or eliminate any significant effects of the Project. Such an alternative would increase the proportion of surface area disturbance in proportion to the amount of material excavated; however, the alternative would not reduce the Project's identified significant impact. First, a reduction in mining depth would still require the construction of the southern berm along the Devil Creek Diversion Channel to reduce noise and aesthetic impacts. Construction of the southern berm would still result in significant an unavoidable temporary construction noise impacts during construction under this type of alternative.

As to Project specific impacts, DEIR Section 3.10.6.6 determined that the Project would result in potentially significant impacts related to a substantial temporary increase in ambient noise levels as a result of construction of the southern berm. Thus, the alternatives section focused on alternatives that would avoid or substantially lessen these short-term construction noise impacts, in addition to the required No Project Alternative.

DEIR Section 4.4.2 thus analyzed the Elimination of the Southern Berm Alternative. While this alternative avoided or substantially lessened the potential short-term construction noise impacts, the alternative increased operational noise levels, resulting in new potential noise impacts to the Project. In addition, this alternative would result in increased aesthetic impacts, because existing and future mining operations would be more visible from the residential community of Muscoy to the south, as no visual screening would be provided.

Thus, based on an analysis of the pros and cons of each identified alternative, which is summarized in DEIR Table 4-1, the DEIR determined that the No Project Alternative is the environmentally superior alternative. However, when the No Project Alternative is the environmentally superior alternative, CEQA requires that an EIR further identify an alternative other than the No Project Alternative as the environmentally superior alternative. The County determined that since the Elimination of the Southern Berm Alternative would result in a substantial permanent increase in ambient noise levels over those associated with the proposed Project, that the Project is the environmentally superior alternative.

Response 3-25

The commenter believes the DEIR is flawed and an amended DEIR must be recirculated for public review.

The DEIR includes substantial evidence to support its conclusions and is legally adequate as an informational document.

2.2.4 Response to Individuals Comments

The following individuals submitted comments on the DEIR:

- Maria G. Corona
- Kimberlyn Hearn

Comment Set 4

Area Q Quarry Project

From: Nance * <nlandgrave@gmail.com>
Sent: Monday, July 20, 2020 9:41 AM
To: Valdez, Steven <Steven.Valdez@lus.sbcounty.gov>
Subject: Area Q Quarry Project

From: Maria G. Corona
 4782 N. Cristy Ave.
 San Bernardino, CA 92407

July 20, 2020

Attn: Steven Valdez, Senior Planner
 County of San Bernardino
 Land Use Services Department-Planning Division
 385 North Arrowhead Avenue, First Floor
 San Bernardino, CA 92415-0187

Project Title: Area Q Quarry Project
 Project No.: PROJ-2019-00073

Dear Mr. Valdez,

I, Maria C. Corona, as a concerned citizen am filing my objection to the above proposed new quarry operation for construction. Myself along with my elderly parents are 26 year residents of Cimmeron Ranch. This project imposes health risks for me and my family.

I suffer from respiratory system diseases. My elderly father suffers from disease of the lungs and heart, has trouble breathing, Atrial Fibrillation, Sleep Apnea which requires him to use a C-Pap Machine and is Diabetic. My mother suffers from ringing of the ears, chest pain and is also Diabetic.

The proposed mining operation will create substantial amounts of dust from the blasting and the transfer of rocks. It will sacrifice the air quality in our area where we live. The amount of dust and dirt in the air will be a health risk for me, my family and the citizens who live in our area. The prevailing Santa Ana Winds will deposit residual dust and hazardous material that will be a constant presence inside our homes, in our yards and in our community.

4-1

The transfer of rocks by heavy trucks will cause increased pollution (from truck exhaust

4-2

fumes) and the increased truck traffic poses substantial increased risk to the safety to the surrounding area.

4-2 (cont.)

This project will cause noise pollution from blasting, mining operations and on site processing plants will be heard by the local residents. Exposure to loud noise can cause high blood pressure, heart disease, sleep disturbances, and stress, which is a proven health risk factor and root cause in many mental and physical illnesses. These health problems can affect all age groups, especially the children in our community.

4-3

In addition, this project may decrease the flow of water and may be contaminated by runoff or dust from the quarry.

4-4

Overall, I feel the proposed project Area Q Quarry is not in the best interest of the citizens who live in Cimмерon Ranch and the surrounding area.

I am asking you to please refuse the application for the Q Quarry Project.

Sincerely,

Maria G. Corona

Response to Comment Set 4.**Maria G. Corona (July 20, 2020)****Response 4-1**

The commenter noted that the Project might create substantial amounts of dust from blasting and the transfer of rocks, which could result in health impacts. Please see Sections 2.1.1 (CR 1a: Air Quality – Health Risk [dust from transfer of rocks and blasting]) and Section 2.1.2 (CR 1b: Air Quality – High Winds) above for discussion of issues pertaining to dust controls and high wind events.

The Project is required to comply with the SCAQMD rules and regulations, including those pertaining to dust emissions and required controls. The SCAQMD conducts routine inspections and, as stated in the rules above, also has reporting requirements to verify compliance.

Emissions from dust sources associated with the Project include windblown dust, storage pile area activities (e.g., loading and handling), dozer/quarrying, and material drops. DEIR Section 3.2.5.1 – Emissions Calculations Methodologies provides a detailed description of how the dust (i.e., particulate matter [PM]) emissions were calculated and evaluated. It was determined that all the emissions associated with the Project (not just dust/particulate matter) would be below all SCAQMD CEQA thresholds. In addition, due to the use of cleaner engines that meet the current California Air Resources Board (CARB) diesel standards, the Project emissions would also be below the existing baseline emissions associated with the mining operation at the Cajon Creek Quarry Area L.

The commenter also noted that the prevailing Santa Ana winds might deposit residual dust and hazardous materials that could be a constant presence inside and outside of their homes. The air quality assessment emission estimates (discussed above in Section 2.1.2 above), take into consideration wind speed. The modeling addresses worst-case scenarios. The air quality assessment concluded that the emissions associated with the Project, even under worst-case scenarios, would not present a health risk and would be below the SCAQMD air quality thresholds. In addition, Vulcan's policy is to stop or limit mining activities during significant, sustained high wind events, such as strong Santa Ana winds. Also see Response 2-1. DEIR Section 2.4.14 – Project Design Features and Protective Measures has been updated to include Vulcan's high wind policy as a Project design feature. The revised section is provided in the FEIR Section 3.1.1.

Response 4-2

Transportation/Traffic – Traffic Congestion Generated by Offsite Trucks: The commenter noted a concern regarding increased congestion on public roadways.

As stated in various locations throughout the DEIR, there would be no offsite heavy-duty trucks leaving or entering the site from public roadways. Additionally, as discussed in Response 3-4 previously, Project demolition/site preparation activities will also not result in increased congestion on public roadways.

Although a local crew will be brought onsite to remove the existing fifteen homes, the short-term generation of 10 trips per day during the Project construction phase (approximately 30 days) would not be considered a significant impact under CEQA and would comply with the County's Transportation Impact Study Guidelines (San Bernardino County, 2019). Therefore, the Project would not create an increase to the congestion on public roadways. In addition, the number of employees required for the Project would be the same as the employees needed for the operations at the Cajon Creek Quarry Area L. Therefore, the Project would not result in an increase of personal vehicles on the public roadways.

Transportation/Traffic – Pollution from Offsite Truck Exhaust: The commenter had a concern regarding the air quality pollution created by the heavy-duty trucks transferring rocks.

As stated in various locations throughout the DEIR, there would be no offsite heavy-duty trucks leaving or entering the site from public roadways. While Project operations will not result in offsite truck trips, demolition activities would require approximately 10 offsite truck trips per day, for an approximately 30-day period. See Response 3-14 previously for more detail. As shown in Table 2-4, supplemental emissions calculations, which take into account existing operations in Area L as well as demolition activities in Area Q, the total construction emissions of each pollutant remain less than the applicable significance thresholds. Therefore, the Project would not create an increase to air quality pollution from heavy-duty trucks on public roadways.

Response 4-3

Noise – Blasting: The commenter raised a concern regarding increased noise impacts resulting from blasting at the Project site.

As stated in the DEIR Section 2.1 – Project Overview, "*blasting would not be required to conduct the mining operations.*" Therefore, the Project would not result in an increase in noise or vibration impacts due to blasting.

Noise – Mining Operations: The commenter had a concern regarding increased noise impacts associated with the mining operations at the Project site.

The operations at the Project site would be the same as those that have been and are currently being conducted at Cajon Creek Quarry Area L. The mining operations would be typical of surface aggregate mining operations. Aggregate (sand and gravel) would be extracted by using mobile equipment such as excavators, loaders, dozers, etc. There would be no blasting involved in the material extraction and no increase to offsite heavy-duty truck traffic. Therefore, noise would not be generated from these sources since they would not be part of the Project.

Other than changing the location of the material extraction from Cajon Creek Quarry Area L to the Project site Area Q, operations at the Project site would not involve changes to Vulcan's existing mining operations and associated noise levels. However, since the source of the noise would be moved closer to

offsite receptors (residences) to the south of the Project site, a *Noise Impact Analysis* (NIA) was prepared by Sespe Consulting, Inc. (Sespe Consulting, Inc., 2020). DEIR Section 3.10 – Noise, provides a detailed discussion of the NIA and a copy of the NIA is located in DEIR Appendix I.

The NIA was designed to produce conservative overestimations of worst-case Project noise impacts at nearby receptors. The following provides a brief summary of the methodology, results and mitigation measures. For a thorough understanding of the NIA, it is important to review both DEIR Section 3.10 – Noise, and the NIA in DEIR Appendix I.

Noise generated by the Project sources (i.e., mining/construction equipment) was quantified using reference data from the Federal Highway Administration’s (FHWA) *Roadway Construction Noise Model User Guide* (Federal Highway Administration, 2006). FHWA reference data was utilized to quantify the average or equivalent sound level (L_{eq}) and maximum sound pressure levels (L_{max}) generated by mobile equipment during the Project construction phase and operations activities.

Initial site clearing, ground preparation, and construction of an approximately 10-foot high perimeter berm, referred to as the southern berm, would commence during the Project start up. Two (2) dozer and/or scrapers would be used to clear the mining area and remove subsoil and topsoil from the Project site. The topsoil and subsoil would be used (stored) to construct the southern berm, just north of an existing berm adjacent to the Devil Creek Diversion Channel and residential receptors in the community of Muscoy. No other mining or aggregate excavation equipment would operate during this initial Project construction phase and completion of the southern berm. Construction activities and associated noise is temporary. The construction phase is expected to take approximately three (3) months.

Once the site is prepared and the southern berm constructed, mining in Area Q would commence in one (1) mining phase, initiating in the northeast corner of the site and reaching a final depth of 120-feet bgs. Mining at the Area Q Quarry would be conducted with the same equipment and in the same manner as the existing Cajon Creek Quarry Area L to the north of Area Q. When mining is completed at Area L, the existing equipment (e.g., dozers, front-end loaders, graders, etc.) would be relocated to the Area Q Quarry site. Mined materials would be transported by conveyor system to the existing conveyance infrastructure in place at Area L. From there, material would then be processed offsite at the San Bernardino facility or at one of Vulcan’s other permitted locations in the same manner as is currently being done with the aggregate from the Cajon Creek Quarry Area L. As discussed previously, no on-road haul trucks would enter or exit the Area Q site onto public roads. Over time, as the excavation pit reaches the final depth of approximately 120-feet bgs, equipment noise would be increasingly shielded due to the attenuation provided by the deepening pit walls.

During the construction phase (i.e., site preparation/berm construction), the Project would temporarily increase ambient noise levels in excess of applicable standards at Receptors 4 (R4), 5 (R5), 6 (R6), 7 (R7), 8 (R8), 9 (R9), 10 (R10), 11 (R11), and 12 (R12). DEIR Section 3.10 Figure 3.10-2 Noise Receptors and Measurement Locations) provides the location of these receptors (residences). Therefore, the Project

impacts would initially be considered potentially significant. In order to reduce the potential impact to below threshold requirements Mitigation Measure NO-1 would be implemented.

Per the San Bernardino County Development Standard (discussed in DEIR Section 3.10.6.6) §83.01.080(g)(3)-Exempt Noise (San Bernardino County, 2009), states that noise generated by “temporary construction, maintenance, repair or demolition activities between 7:00 a.m. and 7:00 p.m., except Sundays and Federal holidays” is considered exempt from County noise ordinance regulations. Berm construction using heavy duty equipment, specifically two (2) dozers and/or scrapers, falls within this category. Therefore, to ensure temporary noise impacts during the Project construction phase (topsoil/subsoil removal, berm construction) complies with this County requirement and would not create a substantial nuisance at nearby receptors, the following Mitigation Measure NO-1 would be implemented:

Mitigation Measure NO-1: Topsoil/subsoil removal and berm construction activities shall only occur between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday as defined by Section 83.01.080(g)(3)-Exempt Noise of the San Bernardino County Code of Ordinances.

As discussed above, once the southern berm is installed it would provide significant noise attenuation as it would sufficiently break line-of-sight between Project noise sources and receptors located in Muscoy to the south. The NIA located in DEIR Appendix I provides the detailed calculations and receptor information. After applying the appropriate noise reductions provided by the southern berm, controlled noise levels presented in DEIR Table 3.10-19 and Table 3.10-20 would be in compliance with County and City noise standards. Similarly, DEIR Table 3.10-18 shows that once the berm is installed, the Project would not increase ambient noise levels above the applicable Federal Interagency Commission on Noise (FICON) change criterion at any receptor.

The NIA was designed to produce conservative overestimations of worst-case Project noise impacts at nearby receptors. When taking into account additional shielding or absorption effects from intervening topography/vegetation, the existing berm adjacent to the Devil Creek Diversion Channel between source and receptor, as well as the fact that the majority of mining equipment would not operate simultaneously near the outermost Project site boundaries, as was assumed in this analysis, noise levels are expected to be far less than those presented in the NIA. Furthermore, as the excavation pit proceeds to a final depth of approximately 120-feet bgs, equipment noise would be increasingly shielded due to the attenuation provided by the deepening pit walls.

Noise – Onsite Processing Plant: The commenter questioned the potential noise levels associated with the processing of the aggregate.

As stated in the DEIR Section 2.1 – Project Overview, the excavated aggregate would not be processed on the Project site. It would be transferred by a conveyor system to the Cajon Creek Quarry Area L. From there the aggregate would be processed at the Vulcan San Bernardino processing facility or one of

Vulcan's other permitted locations in the same manner as is currently being done with the aggregate from Area L. Therefore, there would be no increase in noise levels related to processing of the aggregate from Area Q.

Response 4-4

Hydrology & Water Quality – Water Supply: The commenter stated concerns regarding potential impacts to the groundwater supply.

Numerous technical reports and evaluations were prepared to address potential impacts to groundwater supply and quality. Specifically, in regards to groundwater supply, a *Water Supply Assessment* (WSA) was prepared by Haley and Aldrich (Haley & Aldrich, Inc., 2020) and a *Water Use Report* was prepared by Integrated Resource Management (Integrated Resource Management, Inc., 2018).

The WSA was prepared according to the requirements of Section 10910 of the California Water Code. The Water Code requires a WSA to determine if available water supplies are sufficient to serve the Project-related demand. In addition, the water supply adequacy for the Project and surrounding area must be evaluated for a reasonably foreseeable demand over the next twenty years under average normal year, single dry year, and multiple dry year conditions.

No public water systems would be needed to provide service for the Project, and no public water system connections would be present on the Area Q site. The Project would be supplied by the existing groundwater well (see Figure 1-1 above) located in Area M at the Cajon Creek Quarry just west of Area L. The Area M groundwater well currently supplies water for, among other things, minimal landscape irrigation, dust control, and ongoing revegetation associated with the mining operations at Cajon Creek Quarry Area L. The Project would not use more water than the quantity of water that has been and is currently being used in Area L.

The Area M well was installed in December of 1997 under Permit Number 09049701 issued by San Bernardino County to CalMat, Inc. CalMat was acquired by Vulcan in 1999. The well was installed to a total depth of 370-feet bgs through a succession of fine- to coarse-grained sand with gravel, overlying the granitic bedrock.

DEIR Table 3.8-3 located in DEIR Section 3.8.5.1 and shown below provides data on the annual volume of groundwater pumped from the Area M well for the 19 years between 1999 and 2017. The total usage values are presented to illustrate the total groundwater demand from the existing groundwater well. These data also serve to document available supply over the past 19 years.

DEIR Table 3.8-3 also provides data on groundwater usage specific to extraction activities at Area L; this table represents activities which would be relocated to the Project site. Cajon Creek Quarry Area L water usage comprises approximately 15% of the total Area M well production volume (Haley & Aldrich, Inc., 2020). Area L groundwater use has ranged from 13.8 acre-feet per year (AFY) to 29.4 AFY over the past

19 years. Over the past 10 years, the average groundwater use at Area L has been approximately 19.5 AFY, equating to a 5-year baseline volume of 97.5-acre feet.

DEIR Table 3.8-3. Vulcan Historic Area M Well Production and Area L Groundwater Usage

Year	Area M Well Production ¹ (AFY)	Area L Mine Pit Groundwater Usage ² (AFY)	Normal/Wet/Dry Year ³
1998	18	2.7	Wet
1999	138	20.7	Dry
2000	140	21	Dry
2001	130	19.5	Normal
2002	140	21	Dry
2003	197	29.6	Normal
2004	197	29.6	Dry
2005	196	29.4	Wet
2006	196	29.4	Wet
2007	196	29.4	Dry
2008	196	29.4	Dry
2009	196	29.4	Dry
2010	103	15.5	Dry
2011	107	16.1	Wet
2012	92	13.8	Dry
2013	101	15.2	Dry
2014	135	20.3	Dry
2015	105	15.8	Dry
2016	110	16.5	Dry
2017	153	23	Dry

Notes:

- ¹ Area M supply well production volumes from “Vulcan Materials Company San Bernardino Area Q Expansion” document by Integrated Resource Management, Inc., 2018.
- ² Area L Groundwater Usage conservatively assumed to be 15% of the total Area M well water use.
- ³ Data to assess whether the calendar year was wet vs. normal vs. dry was downloaded from the California Data Exchange Center (CDEC) website. Monthly data was assessed from 1905 through 2004 (when the data set ended) from station SBD from the San Bernardino Medical Center. Years with precipitation between the 40th and 60th percentile of this data set (13.4 to 16.4 annual inches) are classified as normal, with years above or below this classified as wet or dry, respectively. For 2005 through 2017, daily data from station SCY, San Bernardino County Yard was assessed against the standard developed from the SBD data for classification.

The Project calls for the continued use of water for dust control, landscaping and revegetation purposes as is currently occurring in Area L. Based on these uses, the Haley and Aldrich WSA (Haley & Aldrich, Inc., 2020) determined that the Project water supply is sufficient to serve the demand generated over the full life of the Project under normal year, single dry year, and multiple dry year conditions, in addition to the area’s existing and planned future uses, including agricultural and manufacturing uses pursuant to the requirements of California Senate Bill (SB) 610.

In summary, the Project would not generate new water demand, nor would it substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. The Project would have a less than significant impact of groundwater resources.

Hydrology & Water Quality – Water Quality: There was a concern noted by the commenter regarding the potential impact that the Project would have on water quality.

The use of hazardous materials during mining operations would mainly include petroleum fuels, lubricants, and fluids associated with vehicles and equipment used in mining operations. As discussed in DEIR Section 3.8.6.2, a variety of management practices and Project design features would be implemented that would minimize the possibility of significant releases of these substances.

Motor fuel (diesel) and hazardous materials used for maintenance would not be stored at the Project site. Mining vehicles and equipment would be fueled with offsite mobile fuel trucks in accordance with the site Best Management Practices (BMPs) identified in the Project site Stormwater Pollution Prevent Plan (SWPPP), and Hazardous Materials Business Plan (HMBP). Waste products would be disposed of offsite in accordance with local, State, and Federal regulations. Vulcan's established fueling procedures, and inspection and maintenance programs would be implemented to verify that vehicles and equipment are operating properly and leaks are prevented. In addition, mining would not reach the groundwater level; therefore, the Project would not have the potential to directly impact the groundwater.

Unrelated to the Project, the Newmark Groundwater Contamination site (Newmark site) is an 8-square-mile area of groundwater contamination in San Bernardino, California. The Newmark site was placed on the National Priorities List (NPL) in 1995 by the USEPA, and covers part of a groundwater aquifer for the City of San Bernardino. In 1980, volatile organic compound (VOC) contaminants of concern (COCs), principally tetrachloroethene (PCE) and trichloroethene (TCE), were identified in groundwater at concentrations exceeding federal drinking water standards in eight municipal wells located in San Bernardino during a state water quality monitoring event.

Because portions of the Newmark site are located in the area of the Project site setting, it was discussed in detail in DEIR Section 3.8.2.3 – Project Site Setting. Neither the Project nor the Cajon Creek Quarry were involved in the historic contamination that resulted in the Newmark Groundwater Contamination site. The Project is simply located on property within the identified area of the previous contamination. However, since the Project would be obtaining water from the Area M groundwater well, the current contamination levels associated with the Newmark site were investigated to ensure that the groundwater from the Area M well was not contaminated. As discussed in DEIR Section 3.8.2.3, the water at the Area M groundwater well was sampled and the results reported non-detect for PCE and TCE from the Newmark site.

In addition, as part of the Superfund remediation program, a number of remediation monitoring wells are located within and north (up gradient) of the Project site and the Area M groundwater well. The samples

collected from these wells, both the Area M well and the Superfund remediation monitoring wells, show that the concentrations of PCE and TCE in these areas are below applicable Maximum Contaminant Levels (MCL) of 5µg/L. The MCL is the level that EPA has identified to protect the public health. This finding is based on USEPA-published technical reports (U.S. Environmental Protection Agency, 2014) and USEPA Final Record of Decision (U.S. Environmental Protection Agency, 2015).

In addition, there is no concern regarding the potential of groundwater entering the excavated area because the Project site groundwater level is 217.5- to 282.9-feet bgs, whereas the depth of the proposed excavation is 120-feet bgs.

Hydrology & Water Quality – Surface Water Quality Runoff: The commenter noted a concern regarding the potential impacts to both surface water and groundwater related to runoff from the Project site.

A *Drainage Report* (Sespe Consulting, Inc., 2019) was prepared for the site and is located in DEIR Appendix H. The following provides a brief summary of the hydrology, drainage and runoff associated with the Project site.

No natural surface water courses traverse the Project site, and the mining area lies outside of the 100-year flood zone, so excavation of mine pit is not expected to affect flows in surface waters in the Cajon Wash. Additionally, the Project does not entail creating impervious surfaces.

As discussed in Response 1-4, the Project would obtain coverage under the General Permit for Discharges of Storm Water Associated with Industrial Activities (IGP) (Permit Order 2014-0057-DWQ), and prepare a site-specific SWPPP which would contain BMPs associated with potential discharge areas, hazardous materials, and sediment and erosion control measures. Monitoring and inspections required by the permit would be conducted to determine if changes to the erosion and sediment controls are warranted.

As part of the *Drainage Report* for the Project (Sespe Consulting, Inc., 2019), Sespe evaluated the potential for encroachment into surrounding water bodies, specifically Cajon Creek, the Devil Creek Diversion Channel and the existing floodplain. Based on this evaluation, it was found that site drainage would be captured within the mining pit thereby precluding erosion and sediment transport offsite.

In order to control erosion during the initiation of mining and construction of the southern berm, the Sespe Drainage Report identifies specific erosion control measures, as prescribed in the California Stormwater Quality Association (CASQA) Best Management Handbook, to be installed and maintained as needed to eliminate discharge of sediment from the site until vegetation is established on the berm. When implemented these erosion control methods would control runoff from not less than the 20-year, 1-hour storm, and would conform to the SMARA performance standards for drainage and erosion control in §3706 of the regulations.

As a result of the factors discussed above and in DEIR Section 3.8.6.4, the Project would have a less than significant impact on water quality due to runoff. Also see Response 1-4 for more detail.

Comment Set 5

KIMBERLYN HEARNS
 PO BOX 9891
 SAN BERNARDINO, CA
 92427

COUNTY OF SAN BERNARDINO
 LAND USE SERVICES DEPARTMENT
 ATTN: STEVEN VALDEZ
 385 N. ARROWHEAD AVENUE, 1ST FLOOR
 SAN BERNARDINO, CA 92415-0187

8-4-2020

RE: AREA Q QUARRY PROJECT (PROJ-2019-00073)

DEAR MR. VALDEZ,

I HAVE PREVIOUSLY SUBMITTED TWO LETTERS IN
 OPPOSITION TO THIS PROJECT CITING THE HIGH POPULATION
 IN CIMARRON RANCH, THE LIKELY PLUNGE IN SAID REAL
 ESTATE VALUES, THE WOEFULLY AND WHOLELY INADEQUATE
 SECURITY PLAN AND THE VERY REAL DANGERS OF CONTRACTING
 AND DYING FROM VALLEY FEVER. NONE OF THESE ITEMS,
 TO DATE, HAVE BEEN MENTIONED NOR ADDRESSED IN THE
 DRAFT EIR (ENVIRONMENTAL IMPACT REPORT).

THAT SAID, I PROPOSE THE ENTIRE PROJECT BE
 SCRAPPED COMPLETELY AND A NEW DRAFT EIR BE

RECEIVED
 AUG 11 AM 10:21
 LAND USE SERVICES
 ADMINISTRATION

5-1

5-2

5-3

5-4

INITIATED AFTER WE HAVE A TRUE COVID-19/SARS-II VACCINE AND THE RESIDENTS IN MUSCOY HAVE BEEN INNOCULATED AGAINST THE PANDEMIC CORONAVIRUS. IF THAT TAKES 50 TO 100 YEARS... SO BE IT!!!

ONE ONLY NEED GO TO THE VICINITY OF STATE STREET, MACY STREET THROUGHOUT MUSCOY DOWN TO HIGHLAND AVENUE ON NIGHTS AND WEEKENDS TO WITNESS THE COMPLETE LACK OF SOCIAL-DISTANCING, UNMASKED CUSTOMERS AND COOKS, NO HAND-WASHING OR DECON MEASURES IN PLACE BY THESE UNLICENSED AND UN-REGULATED SIDEWALK VENDORS. WHERE'S THE ENFORCEMENT? I CHALLENGE YOU TO GO SEE FOR YOURSELF!

YOUR AGENCY AS PART OF A NEW DRAFT EIR NEEDS TO PREPARE FOR THE REPORTED CASES AND DEATHS DUE TO COVID-19 AND INCLUDE THE EXPOSURE RATES REVEALED THROUGH CONTACT-TRACING. SINCE PEOPLE DO DIE FROM VALLEY FEVER... IT MAKES SENSE NOT TO RISK CREATING AN ENVIRONMENTAL PETRIE DISH WHEREIN WE RISK FOSTERING UNDERLYING CONDITIONS (HEALTHWISE) THAT MAKE COVID-19 EXTREMELY MORE DANGEROUS IN THE PROPOSED VICINITY.

IT'S TIME TO CANCEL THE PROJECT TIMELINE AND START FROM SCRATCH WITH A NEW DRAFT EIR OR ABANDON THE Q QUARRY PROJECT COMPLETELY,

SINCERELY,



5-4 (cont.)

5-5

5-6

Response to Comment Set 5.**Kimberlyn Hearn (August 4, 2020)****Response 5-1**

The commenter expressed general opposition to the Project due to the merits of the Project and concerns regarding the Project's impacts on the quality of life of the neighboring residences, property values, etc. CEQA Guidelines Section 15088 requires that the County evaluate comments on environmental issues and provide a written response describing "*the disposition of significant environmental issues raised.*" The environmental review process under CEQA is not intended to address concerns regarding the quality of life or property values, unless these conditions would result in physical changes to the environment (CEQA Guidelines § 15131(a)).

Responses to comments received that identified specific environmental issues which may affect the quality of life and property values, are discussed in the following referenced sections of the DEIR:

- Aesthetics (DEIR Section 3.1);
- Air Quality (DEIR Section 3.2);
- Biological Resources (DEIR Section 3.3);
- Hydrology and Water Quality (DEIR Section 3.8);
- Land Use and Planning (DEIR Section 3.9); and
- Noise (DEIR Section 3.11).

Note that under CEQA, the County is required to rely on substantial evidence, which includes "*facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts*" when determining whether a project may have a significant effect on the environment (Public Resources Code § 21082.2). Addressing unsubstantiated concerns, opinions, or social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment, is not within the scope of the County's CEQA evaluation (*Id.*)

Discussion of Project-related economic benefits or impacts in an EIR is not required by CEQA, except when such economic issues would result in physical changes. The comment does not provide evidence that property values would be adversely affected by the Project or that, if property values were adversely affected, that an adverse environmental effect would occur as a result.

Response 5-2

The commenter raised concerns related to public safety. As stated in various locations throughout the DEIR, the entire perimeter of the Project site would be fenced with 6-foot high wire ranch fencing. A security gate with required signage would be located at the front of the access road at the boundary of the Project site, and would be locked during non-working hours. The entrance gate located at the

northeast corner of the site along Cajon Boulevard (see Figure 1-2) would be at a minimum 24-foot wide. Signs would be placed at the access road and as necessary on the fencing to identify the mining operation (in English and Spanish, as necessary) and warn the public that no public access/trespassing is allowed.

Response 5-3

DEIR Section 3.2.2.4 discusses Valley Fever (Coccidioidomycosis). As discussed in DEIR Section 3.2.2.4, the San Bernardino County Valley Fever Brochure, which references information from the Center for Disease Control (CDC), presents the following information about how to prevent Valley Fever:

If someone is in an endemic area for their job or even recreational activity, they should avoid exposure to dust if at all possible. Dust suppression methods include wetting the soil during work or covering bare soil. The California Department of Public Health recommends stopping outside activity during conditions where the dust cannot be controlled well. Appropriate use of respiratory protection may also be needed in some circumstances.

Project ground disturbance activities would create the potential for introducing *Coccidioides immitis*, the fungus that causes Valley Fever, into the air and exposure of workers or others in the area to the fungus and potential contraction of Valley Fever. Although it is unknown whether *Coccidioides immitis* is present within the Project site, it does have the potential to occur. However, fugitive dust suppression measures are considered sufficient to minimize the potential for release of *Coccidioides immitis* to the environment. Please see Section 2.1.1 (CR 1a: Air Quality – Health Risk [dust from transfer of rocks and blasting]) and 2.1.2 (CR 1b: Air Quality – High Winds) above for more detail. The Project would be required to comply with numerous required dust suppression measures in compliance with SCAQMD rules and regulations (see Rules 401, 402, 403, 404, 405, 1157).

Additionally, as discussed in Section 2.1.2, Vulcan's policy is to stop or limit mining activities during significant, sustained high wind events, such as strong Santa Ana winds. DEIR Section 2.4.14 – Project Design Features and Protective Measures has been updated to include Vulcan's high wind policy as a Project design feature, and this revised section is provided in the FEIR Section 3.1.1.

Through implementation of dust suppression methods in accordance with SCAQMD rules, and by curtailing operations during high wind events, the Project would not create an increased risk to onsite workers or area residents of exposure to Valley Fever.

Response 5-4

The commenter's general remarks regarding COVID-19 are noted. As discussed in the DEIR Executive Summary and again in Section 1.2.4 above, per Executive Order N-54-20, hardcopies of the DEIR and FEIR are not being mailed out to the public due to the COVID-19 pandemic. However, electronic copies of the DEIR and FEIR are available for review on the County webpage (<https://cms.sbcounty.gov/lus/Planning/Environmental/Valley.aspx>), and hardcopies are available upon request by contacting Steven Valdez with the County Planning Department.

Response 5-5

Please see Response 5-4 above for discussion related to the COVID-19 pandemic. Also, please see Response 5-3 and Sections 2.1.1 (CR 1a: Air Quality – Health Risk [dust from transfer of rocks and blasting]) and Section 2.1.2 (CR 1b: Air Quality – High Winds) above for discussion of issues pertaining to Valley Fever and dust control.

Response 5-6

The commenter's general remarks regarding their opinions and the merits of the Project are noted and will be considered by County decision makers during Project approval deliberations.

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3.0 REVISIONS AND CORRECTIONS TO THE DRAFT EIR

3.1 Revisions

The following revisions are made to the text of the Area Q Quarry DEIR. Amended text is identified by page number. Clarifications and revisions to the DEIR text are shown with underlining and text removed from the DEIR is shown with ~~strikethrough~~.

3.1.1 Draft EIR, Section 2.4.14 – Project Design Features and Protective Measures (pgs. 2-29 – 2-31)

Explanation

In response to DEIR comments provided by several commenters, an additional Project design feature was added to the Project. Please see Section 2.1.2 for more detail. Therefore, the following Project design feature has been added to the existing list found in Section 2.4.14 – Project Design Features and Protective Measures of the DEIR. Vulcan would continue its policy to stop or limit mining activities during high wind events, such as strong Santa Anas, to reduce fugitive dust during high wind events. The new Project design feature will be made a condition of Project approval.

– REVISION –

2.4.14 Project Design Features and Protective Measures

Project design features have been incorporated into the mine design to avoid, minimize and/or eliminate potential environmental impacts. These include BMPs, pollution prevention plans, environmental permits and regulations, operating practices and other types of protective measures. In addition to the Project design features, the Project would be in compliance with applicable local, state and federal regulations and requirements. These regulatory requirements as well as additional details on the Project design features are provided in the Environmental Impact Analysis (Section 3.0) for each of the potentially affected resource areas. Employee training programs would be conducted to educate personnel on the environmental responsibilities associated with their specific job, including but not limited to regulatory requirements, preventative inspection and maintenance, spill response, emergency response, etc.

The following identifies some of the key Project design features that would be implemented during the Project. More detailed discussions of the Project design features, as well as additional aspects of the Project that would minimize potential impacts, are provided in Section 3.0 – Environmental Impact Analysis and the technical support documents located in the appendices of the DEIR.

1. Local, state and federal regulations would be followed during the removal of structures and debris from the Project site (i.e., asbestos containing material and lead based paint regulations). (Air Quality, Hazardous Materials, Wildfire)
2. Prior to removal of topsoil and subsoil and during mining activities, the affected area would be sprayed by water trucks, as necessary to control dust and comply with air quality regulations. (Air Quality, Hazardous Materials, Dust)

3. The excavation and associated equipment would operate in compliance with applicable air quality regulations. (Air Quality, Greenhouse Gas)
4. Conveyors used to transport aggregate materials would be powered by grid electricity and replace some of the existing conveyors within the current mining site (Area L). (Air Quality, Greenhouse Gases)
5. The Project site would be designed to address stormwater runoff and drainage as described in the *Drainage Plan* (Appendix H) and per the requirements of the site-specific SWPPP. (Water Quality, Hazardous Materials)
6. The Project site would be graded to prevent sediment from leaving the site. (Hazardous Materials, Water Quality, Geology and Soils)
7. Equipment and vehicle parking/storage areas would be graded to prevent stormwater from leaving the site. (Water Quality, Hazardous Materials)
8. The design slope configurations were evaluated under both static and pseudo-static conditions and would be stable according to appropriate factors of safety. (Geology and Soils)
9. Mining and reclamation activities would occur outside of the Cajon Creek drainage, and would not change drainage patterns or induce soil erosion. (Geology and Soils)
10. Topsoil would be stored on site (within the berm) for future use during site reclamation in accordance with the Project's Surface Mining and Reclamation Plan (Appendix B). (Geology and Soils)
11. The Project site would be designed to address surface runoff and drainage as described in the *Drainage Report* (Sespe Consulting, Inc., 2019), and in accordance with the Industrial General Permit (IGP) and applicable County stormwater program requirements. (Geology and Soils, Water Quality)
12. Best management Practices (BMPs) (e.g., gravel bag or rock check dams along drainage swales, silt fencing or fiber rolls to contain drainage and sediment, lined swales, etc.) would be implemented to prevent stormwater runoff in accordance with the SWPPP. (Water Quality, Biology, Geology and Soils, Hazardous Materials)
13. Excavation equipment would be inspected, maintained and repaired to ensure that the equipment is operating properly and leaks are prevented to the maximum extent feasible. (Water Quality, Hazardous Materials, Wildfire)
14. Minor/routine maintenance and fueling activities conducted on-site would be done in accordance with the BMPs identified in the SWPPP. (Water Quality, Hazardous Materials)
15. Major maintenance and repairs of equipment and vehicles would be conducted off-site. (Water Quality, Hazardous Materials, Wildfire)
16. Hazardous materials and hazardous waste would be managed in accordance with applicable local, state and federal regulations. Any hazardous waste generated at the site would be disposed of at a permitted off-site facility. (Air Quality, Water Quality, Hazardous Materials, Wildfire)

17. The Project would not store hazardous substances or acutely hazardous substances in quantities that would be subject to chemical accident prevention provisions of the Clean Air Act (CAA) or the implementing regulation (40 CFR Part 68). (Air Quality)
18. Personnel would be trained in surveillance and control of mosquitoes in case there is standing water after storm events. (Hazardous Material)
19. Blasting would not be used for the proposed mining operations. (Air Quality, Noise, Vibration, Biology, Cultural Resources, Hazardous Materials, Wildfire)
20. Prior to mining, an approximately 10-foot high earthen vegetated berm would be constructed using topsoil/subsoil removed from the site along the southern boundary of the site separating the Project from Devil Creek Diversion Channel and the community of Muscoy. The berm would be landscaped with low-lying vegetation (e.g., shrubs and grasses). Landscaping will be regularly maintained and trimmed so as not to exceed approximately 4-feet in height above the berm. (Aesthetics, Noise, Water Quality, Biology)
21. The approximately 10-foot high earthen vegetated berm would serve as the primary storage location for topsoil and subsoil removed from the Area Q Quarry site. (Aesthetics, Noise)
22. No excavation of material or overburden would take place within twenty-five (25) to fifty (50) feet from the public right-of-way or other property lines. (Aesthetics, Air Quality, Noise)
23. Except for vegetated berms established for the purpose of visual screening and/or noise attenuation, no stockpiles would be placed closer than twenty-five (25) to fifty (50) from a property boundary. (Aesthetics)
24. The berm along the southern boundary of the Project site would be planted with a vegetation cover or would be protected by other equally effective means if necessary, to prevent water and wind erosion. (Water Quality)
25. Operations would occur primarily during daylight hours. Operations during the time of year when daylight hours are shorter, or for any evening/nighttime operations, would require lighting to provide a safe operating environment. For evening/nighttime lighting, high pressure sodium and/or cut-off fixtures (or equivalent International Dark-Sky Association (IDA)-approved fixtures) would be used instead of mercury-vapor fixtures for any required nighttime lighting. The lighting would also be designed to confine illumination to the Project site, and/or to areas that do not include light-sensitive uses. (Aesthetics, Biology)
26. In the unlikely event that an abandoned underground storage tank is discovered, the County would be notified, and the tank would be removed in accordance with applicable regulations and requirements. (Water Quality, Hazardous Material)
27. The Project site would be reclaimed to open space and wildlife habitat. (Biology)
28. Employee training programs would be conducted to educate personnel of sensitivity issues including but not limited to biological resources/habitat and cultural resources. (Biology, Cultural Resources)

29. Topsoil and subsoil would be carefully removed, stored and protected so that it can be used to recover reclaimed areas. (Biology)
30. The mine plan includes a maximum pit depth well above the water table, and therefore mining would not pose a risk to groundwater quality. (Geology and Soils)
31. There would be no off-site on-road haul truck trip leaving or entering the Project site from public roads. (Air Quality, Greenhouse Gases, Transportation, Noise)
32. Excavation/production rate of aggregates and equipment used to excavate would remain the same or decrease from existing conditions, subject to market conditions. (Air Quality, Greenhouse Gases)
33. Existing utility infrastructure and related easements found on Area Q would be vacated and structures removed in accordance with applicable regulations prior to commencement of mining operations. (Hazardous Material)
34. Loading and unloading of materials would take place in designated areas that would be designed to prevent stormwater runoff from leaving the site (Water Quality).
35. Vulcan will ensure fugitive dust emissions are controlled in accordance with SCAQMD Rule 403. If necessary, this would include stopping or limiting mining activities during significant, sustained high wind events, such as strong Santa Ana winds. (Air Quality)

– END OF REVISION –

3.1.2 Draft EIR, Section 3.2.6.3 (pg. 3.2-39)

Explanation

In response to DEIR comments provided by GSEJA, the DEIR air quality analysis of demolition activities has been refined. Specifically, emissions associated with demolition were combined with emissions reductions resulting from cessation of residential operations at the demolished homes. Therefore, the total construction phase emissions quantified in the DEIR Table 3.2-17 have been updated.

– REVISION –

Table 3.2-17. Construction Phase Criteria Pollutant Impacts

	ROG (lb/day)	NO _x (lb/day)	CO (lb/day)	SO _x (lb/day)	PM ₁₀ (lb/day)	PM _{2.5} (lb/day)
<u>Construction Emissions from Demolition of 15 Homes</u>	<u>3.42</u>	<u>34.4</u>	<u>22.6</u>	<u>0.04</u>	<u>2.29</u>	<u>1.67</u>
<u>Operational Emissions from 15 Former Homes</u>	<u>-4.75</u>	<u>-2.59</u>	<u>-13.0</u>	<u>-0.04</u>	<u>-2.26</u>	<u>-1.46</u>
Construction Phase (DEIR Table 3.2-17)	5.09	59.5	35.1	0.062	5.81	3.8

	ROG (lb/day)	NO_x (lb/day)	CO (lb/day)	SO_x (lb/day)	PM₁₀ (lb/day)	PM_{2.5} (lb/day)
<u>Total Construction Phase Emissions</u>	<u>3.76</u>	<u>91.3</u>	<u>44.7</u>	<u>0.1</u>	<u>5.85</u>	<u>4.01</u>
<u>Construction Phase Significance Thresholds</u>	75	100	550	150	150	55
Significant <u>Impact?</u>	No	No	No	No	No	No

– END OF REVISION –

3.2 Corrections

The following corrections are provided for the text of the Area Q Quarry DEIR. Amended text is identified by page number. Corrections to the DEIR text are shown with underlining and text removed from the DEIR is shown with ~~strikethrough~~.

3.2.1 DEIR, Executive Summary & Section 3.9 – Land Use and Planning (pgs. ES-1 and 3.9-6)

Explanation

In response to comments provided by GSEJA, a typographical error has been corrected throughout the DEIR. Specifically, the Project will change the General Plan land use/zoning designation to MS/IC (Muscoy/Community Industrial) rather than IC (Community Industrial) as stated in various places in the DEIR. See Response 3-1 in Section 2.2.3 for more detail.

– CORRECTION –

– DEIR, EXECUTIVE SUMMARY, PAGE ES-1 –

Executive Summary

The County of San Bernardino (County) has prepared this Draft Environmental Impact Report (DEIR) in response to Vulcan Materials Company – Western Division (Vulcan or Applicant) submittal of the following applications:

- Surface Mining and Reclamation Plan (SMRP) for the proposed Area Q Quarry in accordance with the Surface Mining and Reclamation Act (SMARA) and San Bernardino County Development Code.
- Conditional Use Permit (CUP).
- General Plan land use designation/zoning change from MS/RS-1 (Muscoy/Single Residential, 1-acre Minimum Parcel) to MS/IC (Muscoy/Community Industrial).

– DEIR, SECTION 3.9 – LAND USE AND PLANNING, PAGE 3.9-6 –

The County of San Bernardino 2007 General Plan land use/zoning designation for the Project site is MS/RS-1 (Muscoy/Single Residential, 1-acre minimum parcel). The MS/RS-1 designation prohibits natural resources development (i.e., mining/material extraction), and therefore the Project Applicant is seeking a

General Plan land use zoning designation change to Muscoy/Community Industrial (MS/IC). The MS/IC land use zoning designation allows for “Natural resources development (mining/material extraction)” with approval of a CUP.

– END OF CORRECTION –

3.2.2 DEIR, Section 3.9 – Land Use and Planning (pg. 3.9-9)

Explanation

In response to comments provided by GSEJA, a typographical error in DEIR Section 3.9.6.4 has been corrected. As discussed in DEIR 3.9.1 and elsewhere throughout the DEIR, the Project is located within the Muscoy Community Plan area. DEIR Table 3.9-4 further analyzes the Project’s consistency with the Muscoy Community Plan. The DEIR does, in certain places, use the term “residential community of Muscoy,” however, the text is intended to refer to the residential community located south of the Project Site, across the Devil Creek diversion channel. See Response 3-21 in Section 2.2.3 for more detail.

– CORRECTION –

3.9.6.4 Physically Divide an Established Community

Impact Statement

Impact LUP-1: Physically divide an established community? (CEQA Guidelines Threshold Criteria (a))

Impact Analysis

The Project site is ~~not~~ within the community of Muscoy. The existing Project site is currently developed with fifteen single-family residential structures and is divided from most of the Muscoy community to the south by the Devil Creek Diversion Channel. Access to the current Project site is from 5th Avenue, a dirt road that connects to Cajon Boulevard. This street only provides access to existing onsite residents and has no outlet. The County has no plans to expand or extent this existing roadway. The vacation of 5th Street would not physically divide an established community as there are no plans for its extension to the west.

– END OF CORRECTION –

3.2.3 DEIR, Section 3.9 – Land Use and Planning (pgs. 3.9-2, 3.9-9 and 3.9-28)

Explanation

While the “AA, AG Overlay” notation is described in the Muscoy Community Plan (effective 2007), the County’s General Plan land use designation map does not include this overlay. Specifically, County General Plan – Land Use Zoning District Map FH22A (effective 2010), shows the Project site in a MS/RS-1 zone. Therefore, the “AA, AG Overlay” reference has been removed from the DEIR Section 3.9 – Land Use and Planning when describing the Project site. See Response 3-23 in Section 2.2.3 for more detail.

– CORRECTION –

– DEIR, SECTION 3.9 – LAND USE AND PLANNING, PAGE 3.9-2 –

3.9.2.2 Vicinity Setting

The vicinity where the Project is located in an urban area of unincorporated San Bernardino County, with adjacent land uses including residential neighborhoods, existing mining operations along the Cajon Creek Wash, commercial and industrial developments along Cajon Boulevard, the floodway of Lytle Creek, and urban development in the community of Muscoy and the City of San Bernardino.

The existing General Plan and zoning designations in the vicinity of the Project site are described in Table 3.9-2. The Project site is located within the County’s Single Residential (RS-1) zoning district. Additionally, the existing Muscoy Community Plan designation is also Single Residential (MS/RS-1AA, ~~AG Overlay~~). Vulcan’s existing and approved mining activities near the Cajon Creek wash occur adjacent to the Project site; however, these existing Vulcan mining operations are located within the City of San Bernardino.

Table 3.9-2. Site Vicinity General Plan Land Use Designations and Zoning

County General Plan/Community Plan Designation & City of San Bernardino Specific Plan Designation		Zoning
Project Site	Muscoy/Single Residential	MS/RS-1 (Muscoy/Single Residential – 1 acre minimum) MS/RS, Single Residential (RS-1AA, AG Overlay)
North	Specific Plan District (City of S.B.)	Calmat/Cajon Creek – Specific Plan (SP 90-01)
South	Muscoy/Single Residential	MS/FW (Muscoy/Floodway) MS/RS-1-AA (Muscoy/Single Residential – 1 Acre Minimum – Additional Agriculture) MS/RS, Single Residential (RS-1AA, AG Overlay)
East	Industrial Heavy (City of S.B.)	IH (Industrial Heavy)
West	Floodway	FW (Floodway)

Source: San Bernardino County/City General Plans, Muscoy Community Plan, and San Bernardino County/City Geographic Information Systems.

– DEIR, SECTION 3.9 – LAND USE AND PLANNING, PAGE 3.9-6 –

Similarly, the Muscoy Community Plan land use/zoning designation for the Project site is MS/RS-1AA, ~~AG Overlay~~ (MS/RS, Single Residential). ~~Similar to MS/RS-1, t~~The MS/RS-1AA designation prohibits mining/material extraction, and therefore the Project Applicant is seeking to change the Community Plan land use zoning designation.

– DEIR, SECTION 3.9 – LAND USE AND PLANNING, PAGE 3.9-28 –

Table 3.9-4. 2007 County of San Bernardino Muscoy Community Plan – Project Consistency

Policy	Consistency Analysis
GOAL MS/LU 1 Retain the rural residential character of the community.	
<p>MS/LU 1.1 Require strict adherence to the Land Use Policy Map unless proposed changes are clearly demonstrated to be consistent with the community character.</p>	<p>The Project is consistent with this policy. The proposed use of the site for mining operation is consistent with the community character as existing mining currently exists adjacent to the north of the Project site. The Muscoy Community Plan land use/zoning designation for the Project site is MS/RS-1AA, AG Overlay (MS/RS, Single Residential). Similar to MS/RS-1, tThe MS/RS-1AA designation prohibits mining/material extraction, and therefore the Project Applicant is seeking to change the Community Plan land use zoning designation for consistency with this policy.</p>

– END OF CORRECTION –

4.0 MITIGATION MONITORING AND REPORTING PLAN

CEQA Section 21081.6 requires adoption of a Mitigation Monitoring and Reporting Plan (MMRP) for those measures or conditions placed on the Project to mitigate or avoid adverse effects on the environment. The law states that the MMRP shall be designed to ensure compliance during Project implementation. When implemented, environmental effects associated with the Project will be reduced or eliminated.

The MMRP has been prepared as a matrix containing the following elements:

- Measures that would mitigate significant impacts on the environment are recorded with the action and the procedure necessary to ensure compliance.
- A procedure of compliance and verification is outlined for each measure. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
- The MMRP is designed to provide focused, yet flexible guidelines. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the MMRP.

The MMRP will be in place through all phases of the Project. The County planner, assigned to the Project by the County Planning Director, shall coordinate enforcement of the MMRP and oversee it to ensure that proper action is taken on each mitigation measure.

The Project planners or responsible County departments have the authority to stop the work of the operator if compliance with aspects of the MMRP are not occurring after written notification has been issued.

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Table 4-1 Mitigation Monitoring and Condition Compliance Program

Environmental Impact	Mitigation Measures	Compliance/Monitoring Procedure	Responsible Department
BIOLOGICAL RESOURCES			
<p>Impact BIO-1: Would the Project 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?</p>	<p>Mitigation Measure BIO-1: If determined necessary, consult with the California Department of Fish and Wildlife (CDFW) prior to the removal of any raptor nest on the Project site, if found.</p> <p>Mitigation Measure BIO-2: If ground disturbance and vegetation removal cannot occur outside of the nesting season, a preconstruction clearance survey for nesting birds should be conducted within thirty (30) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction.</p> <p>The biologist conducting the clearance survey should document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the preconstruction clearance survey, construction activities should stay outside of a 300-foot buffer around the active nest. For raptor species, this buffer is expanded to 500-feet. It is recommended that a biological monitor be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities can occur.</p>	<p>BIO-1: Per Project Design Feature (PDF) No. 28, Vulcan shall conduct wildlife/plant awareness training programs for employees (including new employee orientation and annual refresher trainings). The program shall also address sightings of occupied raptor nests on or near the facility and how to properly report to the County and CDFW. CDFW shall provide assistance in developing the training program, if needed.</p> <p>If Vulcan employees discover a potential raptors nest on or near the facility, a qualified biologist shall conduct pre-construction surveys for nesting raptors and oversee avoidance of active nests during mining activities.</p> <p>If nests are found within identified ranges, the CDFW shall be contacted. The qualified biologist, in consultation with the CDFW, shall determine the appropriate course of action under applicable State law.</p> <p>BIO-2: Qualified biologist will conduct pre-construction surveys for nesting migratory birds and raptors during the nesting bird season (generally from early February through August) and oversee avoidance of active nests during construction and ground disturbance activities. Nesting bird surveys shall be conducted within thirty (30) days of the start of any vegetation removal or ground disturbing activities.</p> <p>If nests are found within identified ranges, the CDFW shall be contacted. The qualified biologist, in consultation with the CDFW, shall determine the appropriate course of action under applicable State law.</p>	<p>San Bernardino County, Land Use Services Department, Planning Division</p> <p>California Department of Fish and Wildlife</p>
CULTURAL RESOURCES			

Environmental Impact	Mitigation Measures	Compliance/Monitoring Procedure	Responsible Department
<p>Impact CUL-1: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?</p>	<p>Mitigation Measure CUL-1: Prior to the initiation of ground-disturbing activities, field personnel should be alerted to the possibility of buried prehistoric or historic cultural deposits. In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find should cease and a cultural resources professional that meets the U.S. Secretary of the Interior Professional Qualification Standards for Archaeology (a qualified archaeologist) should be retained to assess the significance of the find. The qualified archaeologist would have the authority to stop or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing in the California Register of Historical Resources or the National Register of Historic Places, plans for the treatment, evaluation, and mitigation of impacts to the find would be developed. Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include:</p> <ul style="list-style-type: none"> • historic artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects; • historic structural or building foundations, walkways, cisterns, pipes, privies, and other structural elements; • prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates; • groundstone artifacts, including mortars, pestles, and grinding slabs; • dark, greasy soil that may be associated with charcoal, ash, bone, shell, flaked stone, groundstone, and fire affected rocks. 	<p>CUL-1: Per Project Design Feature (PDF) No. 28, Vulcan shall conduct cultural resource awareness training programs for employees (including new employee orientation and annual refresher trainings). If needed, a qualified archeologist shall provide assistance in developing the training program.</p> <p>In the event field personnel encounter potential buried cultural materials, operations will immediately divert work at a minimum of 150-feet and place an exclusion zone around the discovery location. A qualified archaeologist will be retained to assess the significance and provide direction.</p> <p>If such finds are found the San Bernardino County Land Use Services Department shall be notified.</p>	<p>San Bernardino County, Land Use Services Department, Planning Division</p>
<p>Impact CUL-2: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</p>	<p style="text-align: center;">Mitigation Measure CUL-1</p>	<p style="text-align: center;">See Above</p>	<p style="text-align: center;">See Above</p>

Environmental Impact	Mitigation Measures	Compliance/Monitoring Procedure	Responsible Department
<p>Impact CUL-3: Would the Project disturb any human remains, including those interred outside of dedicated cemeteries?</p>	<p>Mitigation Measure CUL-2: If human remains are encountered during Project operations, per State Health and Safety Code Section 7050.5, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.</p>	<p>CUL-2: Per Project Design Feature (PDF) No. 28, Vulcan shall conduct cultural resource awareness training programs for employees (including new employee orientation and annual refresher trainings).</p> <p>If potential human remains are encountered during Project operations, operations will immediately divert work at a minimum of 150-feet and place an exclusion zone around the discovery location. The San Bernardino County Coroner shall be contacted immediately in order to assess the remains and to determine the correct action.</p> <p>If the coroner has reason to believe that the remains are of Native American origin, he or she will contact the NAHC by telephone within 24 hours.</p> <p>If Native American remains are discovered, an agreement shall be executed between the operator/landowner and NAHC regarding treatment of burial items and unanticipated human remains.</p>	<p>San Bernardino County, Land Use Services Department, Planning Division</p> <p>San Bernardino County Coroner</p> <p>Native American Heritage Commission (NAHC)</p>
<p>GEOLOGY AND SOILS</p>			

Environmental Impact	Mitigation Measures	Compliance/Monitoring Procedure	Responsible Department
<p>Impact GEO-1: Would the Project expose people or structures to potential substantial adverse effects, involving the risk of loss, injury, or death involving:</p> <ul style="list-style-type: none"> I. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zone Map issued by the State Geologist for the area or based on other substantial evidence of known fault; II. Strong seismic ground shaking; III. Seismic-related ground failure, including liquefaction; or IV. Landslides? 	<p>Mitigation Measure GEO-1: Should there be areas along slopes where alluvial materials are loose, and/or there is evidence of dislodgement, the operator will install a soil catchment berm at least 10-feet from the toe of the slope in those areas, as needed, to prevent falling coarse materials from rolling out into the quarry bottom.</p> <p>Mitigation Measure GEO-2: Approximately every 12 to 18 months during active mining, a California Certified Engineering Geologist (CEG) will observe exposed cut faces of the mining operation in Area Q for evidence of the Fault, and if warranted assess the potential for surface rupture and/or slope failure.</p>	<p>GEO-1: In the event there is evidence of dislodgement, Vulcan shall install a soil catchment berm at least 10-feet from the bottom of slopes in areas where there is evidence of loose alluvial materials or clast dislodgement.</p> <p>GEO-2: Approximately every 12 to 18 months during active mining, a California Certified Engineering Geologist (CEG) will be retained by Vulcan to observe exposed cut faces of the mining operation in Area Q for evidence of the Fault, and, if warranted, assess the potential for surface rupture and/or slope failure</p> <p>Reports of seismic events and subsequent geotechnical evaluations, if any were warranted, shall be part of the annual monitoring report prepared and submitted to the County, and/or California Department of Conservation. In addition, documentation demonstrating compliance with the identified seismic slope stability requirements shall be maintained onsite and provided to the County upon request.</p>	<p>San Bernardino County, Land Use Services Department, Planning Division</p>
<p>Impact GEO-4: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>	<p>Mitigation Measure GEO-3: Site workers will be trained and instructed to stop working in the immediate area upon discovery of a vertebrate fossil. A County of San Bernardino Qualified Paleontologist will be contacted to examine the vertebrate remains and recommend and implement appropriate measures to curate the fossil materials, if warranted.</p>	<p>GEO-3: Per Project Design Feature (PDF) No. 28, Vulcan shall conduct paleontological resource awareness training programs for employees (including new employee orientation and annual refresher trainings). If needed, a qualified archaeologist/paleontologist shall provide assistance in developing the training program.</p> <p>In the event field personnel encounter potential buried paleontological materials, earthmoving activities shall cease in the immediate area of the find and a qualified archaeologist/paleontologist will be retained to assess the significance and provide direction.</p> <p>If such finds are found the San Bernardino County Land Use Services Department shall be notified.</p>	<p>San Bernardino County, Land Use Services Department, Planning Division</p>

Environmental Impact	Mitigation Measures	Compliance/Monitoring Procedure	Responsible Department
NOISE AND VIBRATION			
<p>Impact NO-1: 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?</p>	<p>Mitigation Measure NO-1: Topsoil/subsoil removal and berm construction activities shall only occur between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday as defined by Section 83.01.080(g)(3)-Exempt Noise of the San Bernardino County Code of Ordinances.</p>	<p>NO-1: Prior to commencement of normal operations, Vulcan shall install the approximately 10-foot high berm along the southern boundary of the Project site. Berm construction shall occur between the hours of 7:00 a.m. and 7:00 p.m. except Sundays and Federal holidays in accordance with Section 83.01.080(g)(3) of the San Bernardino County Development Standards.</p> <p>Compliance with this mitigation will be verified through annual County Mine Inspections.</p>	<p>San Bernardino County, Land Use Services Department, Planning Division</p>
TRIBAL CULTURAL RESOURCES			

<p>Impact TCR-1: 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, place, 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:</p> <ol style="list-style-type: none"> I. Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, that is 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)? II. Would the Project cause a substantial adverse change in the significance of a tribal cultural 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? 	<p>Mitigation Measure TCR-1: Prior to the initiation of ground-disturbing activities, field personnel should be alerted to the possibility of buried historical or TCR deposits. Consistent with CEQA Guidelines Section 15064.5(f), in the event that field personnel encounter buried TCR materials, work in the immediate vicinity of the find should cease and a tribal consultant and/or a qualified archaeologist that meets the U.S. Secretary of the Interior Professional Qualification Standards for Archaeology will be retained to assess the significance of the find and notify the appropriate Tribes. The qualified archaeologist will have the authority to stop or divert construction excavation as necessary.</p> <p>Mitigation Measure TCR-2: Upon discovery of human remains, the operation will immediately divert work at minimum of 150-feet and place an exclusion zone around the discovery location. The operator shall notify the County coroner pursuant to Public Resources Code (PRC) §5097.98 and State Health and Safety Code §7050.5. Work will continue to be diverted while the coroner determines whether the remains are human and subsequently Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner will notify the Native American Heritage Commission (NAHC) as mandated by state law who will then appoint a Most Likely Descendent (MLD).</p> <p>Mitigation Measure TCR-3: If the Gabrieleño Band of Mission Indians – Kizh Nation is designated MLD, the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects.</p> <p>If the San Manuel Band of Mission Indians is designated MLD in accordance with the legal process noted in Mitigation Measure CUL-2 presented in Section 3.4 – Cultural Resources, the MLD will work with the Coroner, NAHC, landowner, and Lead Agency regarding culturally appropriate practices and recommended next steps.</p> <p>Mitigation Measure TCR-4: Prior to the continuation of ground disturbing activities, the land owner shall confer with the MLD tribe for the respectful reburial of the human remains and/or</p>	<p>TCR-1: Per Project Design Feature (PDF) No. 28, Vulcan shall conduct tribal cultural resource awareness training programs for employees (including new employee orientation and annual refresher trainings).</p> <p>In the event field personnel encounter potential buried tribal cultural materials, earthmoving activities shall cease in the immediate area of the find and a qualified archaeologist will be retained to assess the significance and provide direction.</p> <p>If the qualified archaeologist has reason to believe that the remains are of Native American origin, he or she will contact the NAHC by telephone within 24 hours. The San Bernardino County Land Use Services Department shall also be notified.</p> <p>TCR-2: See Mitigation Measure CUL-2 above. If potential human remains are encountered during Project operations, earthmoving activities shall cease in the immediate area of the find. The San Bernardino County Coroner shall be contacted immediately in order to assess the remains and to determine the correct action.</p> <p>If the coroner has reason to believe that the remains are of Native American origin, he or she will contact the NAHC by telephone within 24 hours.</p> <p>If Native American remains are discovered, an agreement shall be executed between the operator/landowner and NAHC regarding treatment of burial items and unanticipated human remains.</p> <p>TCR-3 through TCR-8: See TCR-1 and TCR2 above.</p>	<p>San Bernardino County, Land Use Services Department, Planning Division</p> <p>San Bernardino County Coroner</p> <p>Native American Heritage Commission (NAHC)</p>
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	<p>ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The MLD tribe will make every effort to recommend diverting the Project and keep the remains in situ and protected, and the landowner/applicant shall make every effort to comply with these recommendations. If the Project cannot be diverted, it may be determined that burials will be removed. The MLD tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically, and respectfully. If data recovery is approved by the MLD tribe, documentation shall be taken that includes, at a minimum, detailed descriptive notes and sketches. Additional types of documentation shall only occur once approved by the MLD tribe for data recovery purposes. Cremations will either be removed in bulk or by any means necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the MLD tribe and the NAHC. The tribes do not authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.</p> <p>Each occurrence of human remains and associated funerary objects that requires data recovery will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects, and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within 6 months of recovery. The landowner shall confer with the MLD tribe regarding the site of reburial/repatriation to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p> <p>Mitigation Measure TCR-5: Upon discovery of any tribal cultural or archaeological resources, construction activities shall cease within the immediate vicinity of the find (60-foot buffer) until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist, by a member of the Gabrieleño Band of Mission Indians – Kizh Nation, and a member of the San Manuel Band of Mission Indians Cultural Resources Department. If the resources are Native American in origin, the Gabrieleño Band of Mission Indians – Kizh Nation and San Manuel Band of Mission Indians shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the tribe will request preservation in place or reburial onsite, though will recommend data recovery for educational purposes if other options are exhausted. Work may continue on other parts of the Project while evaluation and, if necessary, additional protective mitigation takes place (CEQA Guidelines Section 15064.5(f)). If a resource is determined by the</p>		
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Environmental Impact	Mitigation Measures	Compliance/Monitoring Procedure	Responsible Department
	<p>qualified archaeologist to constitute a “historical resource” or “unique archaeological resource”, time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available.</p> <p>Mitigation Measure TCR-6: For unique archaeological resources, preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. All analysis proposals will be reviewed and approved by the consulting Tribes. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials within the County, if such an institution agrees to accept the material. If no institution accepts the archaeological material that is not Native American in origin, they shall be offered to the Gabrieleño Band of Mission Indians – Kizh Nation or a local school or historical society in the area for educational purposes.</p> <p>Mitigation Measure TCR-7: Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC and PRC 5097.98 shall be followed. More details on this process can be found in Mitigation Measure CUL-2 (see Section 3.4 – Cultural Resources).</p> <p>Mitigation Measure TCR-8: Archaeological and Native American consultant’s management of TCRs during the Project excavations will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. The Archaeologist must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California. The qualified archaeologist shall ensure that all other personnel associated with TCRs are appropriately trained and qualified.</p>		

5.0 REPORT PREPARERS

This FEIR was prepared by an interdisciplinary team of specialists from San Bernardino County and many other agencies/organizations. The following section provides the list of preparers and individuals involved in the preparation of this FEIR.

5.1 Final EIR Preparation

Sespe Consulting, Inc.
374 Poli Street, Suite 200
Ventura, California 93001

5.2 Technical Sub-Consultants

BRC Consulting LLC Cultural Resources Assessment

Sespe Consulting, Inc. Noise Impact Assessment
Air Quality, Health Risk, and Climate Change Impact Assessment
Visual Impact Analysis
Drainage Report

ELMT Consulting, Inc. Area Q – Habitat and Jurisdictional Assessment

Chang Consultants Devil Creek Diversion Channel Memorandum

Haley & Aldrich, Inc. Geotechnical Evaluation
Area Q CEQA Geotechnical Memorandum
Addendum to Geotechnical Evaluation Report
Water Supply Assessment

5.3 Organizations and Persons Consulted

Harrison, Temblador, Hungerford & Johnson Mark D. Harrison, Attorney
Adam K. Guernsey, Attorney
Tiffany Michou, Attorney

County of San Bernardino George Kenline, Environmental compliance Manager
Steve Valdez, Senior Planner

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6.0 ACRONYMS FOR DRAFT AND FINAL EIR

AADT	Annual Average Daily Traffic
AAQS	Ambient Air Quality Standards
AASHTO	American Association of State Highway and Transportation Officials
AB	Assembly Bill
AC	Asphaltic Concrete
ACE	Agriculture Conservation Easement
ACM	Asbestos Containing Materials
AERMOD	American Meteorological Society/EPA Regulatory Model
AF	Acre-Foot
AMSL	Above Mean Sea Level
AOA	Air Operations Area
A-P Act	Alquist-Priolo Earthquake Fault Zoning Act
APCO	Air Pollution Control Officer
API	American Petroleum Institute
APN	Assessor Parcel Numbers
APSA	Aboveground Petroleum Storage Act
AQMP	Air Quality Management Plan
ARMR	Archaeological Resource Management Reports
ASF	Age Sensitivity Factors
AST	Aboveground Storage Tank
ATCM	Airborne Toxic Control Measure
ATCP	Air Toxics Control Plan
ATS	American Thoracic Society
BACT	Best Available Control Technology
BAU	Business-as-Usual
BGS	Below Ground Surface
BLM	Bureau of Land Management
BMPs	Best Management Practices
BNSF	Burlington Northern/Santa Fe
BPS	Best Performance Standards
BRE	Biological Resources Evaluation
BSA	Biological Study Area
CA SA	California Special Animal
CAA	Clean Air Act
CAAA	Clean Air Act Amendments
CAAQS	California Ambient Air Quality Standards
CAFÉ	Corporate Average Fuel Economy
CalARP	California Accidental Release Program
CalEMA	California Emergency Management Agency
CalEPA	California Environmental Protection Agency
Cal-IPC	California Invasive Plant Council
CalTrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CAT	Climate Action Team
CBC	California Building Code
CCAA	California Clean Air Act
CCAR	California Climate Action Registry
CCP	Clean Communities Plan

CCR	California Code of Regulations
CDFG	California Department of Fish & Game
CDFW	California Department of Fish & Wildlife
CDPH	California Department of Public Health
CEC	California Energy Commission
CEIDARS	California Emission Inventory Development and Reporting System
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFC	California Fire Code
CFC	Chlorofluorocarbon
CFM	Cubic Feet per Minute
CGS	California Geological Survey
CH ₄	Methane
CHRIS	California Historical Resources Information System's
CMUTCD	California Manual on Uniform Traffic Control Devices for Streets and Highways
CNDDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	Carbon Monoxide
COG	Council of Governments
CPUC	California Public Utilities Commission
CSC	California Species of Special Concern
CUP	Conditional Use Permit
CUPA	Certified Unified Permitting Agencies
CVFPB	Central Valley Flood Protection Board
CWA	Clean Water Act
dba	Decibels, A-weighted
DEIR	Draft Environmental Impact Report
DMG	Division of Mines and Geology
DOC	California Department of Conservation
DOF	California Department of Finance
DOT	Department of Transportation
DPM	Diesel Particulate Matter
DPR	California Department of Parks and Recreation
DSCM	Dry Standard Cubic Meter
DTSC	Department of Toxic Substances Control
DWR	Department of Water Resources
EDB	Ethylene Dibromide (gasoline additive)
EIR	Environmental Impact Report
EMF's	Electromagnetic Fields
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-to-Know Act
ESA	Endangered Species Act
F	Fahrenheit
FAA	Federal Aviation Administration
FACE	Financial Assurance Cost Estimate
FAR	Federal Aviation Regulation
FC	Federal Candidate
FCAA	Federal Clean Air Act
FE	Federally Endangered (Species)

FEIR	Final Environmental Impact Report
FEMA	Federal Emergency Management Agency
FGC	Fish & Game Code
FHWA	Federal Highway Administration
FICON	Federal Interagency Commission of Noise
FIFRA	Federal Insecticide, Fungicide and Rodenticide Act
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
FPE	Federally Proposed Endangered (Species)
FPPA	Farmland Protection Policy Act
FPT	Federally Proposed Threatened (Species)
FSZ	Farmland Security Zone
FT	Federally Threatened (Species)
FTA	Federal Transit Administration
FWS	Fish & Wildlife Service
GAMA	Groundwater Ambient Monitoring and Assessment
GAMAQI	Guide for Assessing and Mitigating Air Quality Impacts
GHG	Greenhouse Gas
GIS	Geographical Information System
GLC	Ground Level Concentration
GPM	Gallons per Minute
GVWR	Gross Vehicle Weight Rating
GWP	Global Warming Potential
HAP	Hazardous Air Pollutants
HARP	Hot Spots Analysis and Reporting Program
HAZWOPER	Hazardous Waste Operations and Emergency Response
HCM	Highway Capacity Manual
HCP	Habitat Conservation Plan
HFC	Hydrofluorocarbon
HHDT	Heavy-Heavy Duty Trucks
HI	Hazard Index
HMA	Hot Mix Asphalt
HMBP	Hazardous Materials Business Plan
Hp	Horse Power
HRA	Health Risk Assessment
HS	Health & Safety
HSC	California Health & Safety Code
HSWA	Hazardous and Solid Waste Amendments
HWCL	Hazardous Waste Control Law
Hz	Hertz
IC	Community Industrial
ICBO	International Conference of Building Officials
IDA	International Dark-Sky Association
IS	Initial Study
ITP	Incidental Take Permit
kW	Kilowatt
LBP	Lead-Based Paint
LCC	Land Capability Classification
LCFS	Low Carbon Fuel Standard
LDA	Light Duty Automobile

LESA	California Agricultural Land Evaluation and Site Assessment
LOS	Level of Service
LRA	Local Responsibility Area
LU	Land Use
MACT	Maximum Achievable Control Technology
MBTA	Migratory Bird Treaty Act
MCL	Maximum Contaminant Levels
MEI	Maximally Exposed Individual
MHDT	Medium-Heavy Duty Trucks
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Program
MMTons	Million Tons
MMTCOe	Million Metric Ton Carbon Dioxide Equivalent
MT	Metric Ton
MMBtu/hr	Million British Thermal Units per Hour
MMtpy	Million Tons per Year
MPG	Mile per Gallons
MPO	Metropolitan Planning Organizations
MRL	Method Reporting Limit
MRZ	Mineral Resource Zone
MS 52	Map Sheet 52
MSHA	Mine Safety and Health Administration
N ₂ O	Nitrous Oxide
NAAQS	National Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Plan
NCDC	National Climate Data Center
NESHAP	National Emissions Standards for Hazardous Air Pollutants
NGO	Non-governmental Organization
NHTSA	National Highway Traffic Safety Administration
NMFSC	National Marine Fisheries Service Species of Concern
NMHC	Non-mehtan hydrocarbons
NO	Nitric Oxide
NO ₂	Nitrogen Dioxide
NOA	Naturally Occurring Asbestos
NOC	Notice of Completion
NOD	Notice of Determination
NOI	Notice of Intent
NOP	Notice of Preparation
NOx	Oxides of Nitrogen
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Services
NSR	New Source Review
O ₃	Ozone (Smog)
OEHHA	California EPA Office of Environmental Health Hazard Assessment
OES	California Office of Emergency Services
OLM	Ozone Limiting Method
OMR	Office of Mine Reclamation
ONAC	Federal Office of Noise Abatement and Control
ONC	Department of Health Services Office of Noise Control

OPR	Governor's Office of Planning & Research
OS	Open Space
OSHA	Occupational Safety and Health Act
OU	Operable Unit
P-C	Production-Consumption
Pb	Lead
PCB	Polychlorinated Biphenyl
PCC	Portland Cement Concrete
PCE	Perchloroethylene
PF	Public Facilities
PFC	Perfluorocarbon
PG&E	Pacific Gas & Electric
PGA	Peak Ground Acceleration
PM	Particulate Matter
PMI	Point of Maximum Impact
PPB	Parts per Billion
PPM	Parts per Million
PPV	Peak Particle Velocity
PRC	Public Resources Code
RAFSS	Riversidean alluvial fan sage scrub
RAP	Recycled Asphalt Product
RCRA	Resource Conservation and Recovery Act
RCS	Respirable Crystalline Silica
REL	Reference Exposure Level
RES	Renewable Electricity Standards
RFS	Renewable Fuel Standards
RMC	Ready-mix Concrete
ROG	Reactive Organic Gases
RPS	Renewal Portfolio Standard
RWQCB	Regional Water Quality Control Board
SARA	Superfund Amendments and Reauthorization Act
SARWQCB	Santa Ana Regional Water Quality Control Board
SCAB	South Coast Air Basin
SB	Senate Bill
SC	State Candidate (Species)
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SE	State Endangered (Species)
SEL	Sound Exposure Level
SF ₆	Sulfur Hexafluoride
SFP	State Fully Protected (Species)
SIL	Significant Impact Level
SIP	State Implementation Plan
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution Control District
SLAMS	State and Local Monitoring Stations
SMARA	Surface Mining Control & Reclamation Act
SMGB	State Mining and Geology Board
SMRP	Surface Mining and Reclamation Plan
SO ₂	Sulfur Dioxide

SOI	Sphere of Influence
SOON	Surplus Off-Road Opt-In for NOx
SPCC	Spill Prevention, Control and Countermeasure Plan
SPRR	Southern Pacific Railroad
ST	State Threatened (Species)
SVOC	Semi-Volatile Organic Compounds
SWL	State Watch List (Species)
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminant
TBACT	Toxic Best Available Control Technology
TCE	Trichloroethylene
TCP	Trichloropropane (solvent)
TI	Traffic Index
TNM	Traffic Noise Model
TOC	Total Organic Compounds
tpy	Tons per Year
TR	Transportation
TVP	True Vapor Pressure
UBC	Uniform Building Code
UMTA	Urban Mass Transit Administration
USACE	US Army Corp of Engineers
USEPA	US Environmental Protection Agency
USFWS	US Fish & Wildlife Service
USGS	United States Geological Survey
UST	Underground Storage Tank
UTM	Universal Transverse Mercator
VDE	Visible Dust Emissions
VELB	Valley Elderberry Longhorn Beetle
VIA	Visual Impact Analysis
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound
VPD	Vehicles Per Day
VRM	Visual Resource Management
WDR	Waste Discharge Requirements
WSA	Water Supply Assessment

7.0 REFERENCES FOR THE DRAFT AND FINAL EIR

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Appendix A

Supplemental Construction Phase Emissions CalEEMod Run Representing Demolition Activities

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Area Q - San Bernardino-South Coast County, Summer

Area Q
San Bernardino-South Coast County, Summer

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Single Family Housing	15.00	Dwelling Unit	3.61	20,000.00	43

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	32
Climate Zone	10			Operational Year	2021
Utility Company	Southern California Edison				
CO2 Intensity (lb/MW hr)	702.44	CH4 Intensity (lb/MW hr)	0.029	N2O Intensity (lb/MW hr)	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - houses are on the smaller side so 20,000 sq. ft. total was assumed for operation and demolition rather than default of 27,000 sqft. lot acreage was scaled by 20/27 from 4.87 to 3.61 acres

Construction Phase -

Demolition -

Construction Off-road Equipment Mitigation -

Table Name	Column Name	Default Value	New Value
tblLandUse	LandUseSquareFeet	27,000.00	20,000.00
tblLandUse	LotAcreage	4.87	3.61

Area Q - San Bernardino-South Coast County, Summer

2.0 Emissions Summary

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2020	3.4223	34.3744	22.5932	0.0441	1.2316	1.6631	2.8948	0.2153	1.5461	1.7614	0.0000	4,296.0997	4,296.0997	1.0836	0.0000	4,323.1890
Maximum	3.4223	34.3744	22.5932	0.0441	1.2316	1.6631	2.8948	0.2153	1.5461	1.7614	0.0000	4,296.0997	4,296.0997	1.0836	0.0000	4,323.1890

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2020	3.4223	34.3744	22.5932	0.0441	0.6312	1.6631	2.2943	0.1244	1.5461	1.6705	0.0000	4,296.0997	4,296.0997	1.0836	0.0000	4,323.1889
Maximum	3.4223	34.3744	22.5932	0.0441	0.6312	1.6631	2.2943	0.1244	1.5461	1.6705	0.0000	4,296.0997	4,296.0997	1.0836	0.0000	4,323.1889

Area Q - San Bernardino-South Coast County, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	48.75	0.00	20.74	42.22	0.00	5.16	0.00	0.00	0.00	0.00	0.00	0.00

Area Q - San Bernardino-South Coast County, Summer

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	4.3984	0.3255	8.8685	0.0195		1.1527	1.1527		1.1527	1.1527	140.5038	272.2283	412.7321	0.4212	9.5400e-003	426.1031
Energy	0.0136	0.1159	0.0493	7.4000e-004		9.3700e-003	9.3700e-003		9.3700e-003	9.3700e-003		147.9266	147.9266	2.8400e-003	2.7100e-003	148.8057
Mobile	0.3376	2.1444	4.0488	0.0150	1.0830	0.0105	1.0935	0.2898	9.8300e-003	0.2997		1,533.4674	1,533.4674	0.0764		1,535.3773
Total	4.7496	2.5859	12.9666	0.0353	1.0830	1.1725	2.2555	0.2898	1.1719	1.4617	140.5038	1,953.6223	2,094.1260	0.5004	0.0123	2,110.2861

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	4.3984	0.3255	8.8685	0.0195		1.1527	1.1527		1.1527	1.1527	140.5038	272.2283	412.7321	0.4212	9.5400e-003	426.1031
Energy	0.0136	0.1159	0.0493	7.4000e-004		9.3700e-003	9.3700e-003		9.3700e-003	9.3700e-003		147.9266	147.9266	2.8400e-003	2.7100e-003	148.8057
Mobile	0.3376	2.1444	4.0488	0.0150	1.0830	0.0105	1.0935	0.2898	9.8300e-003	0.2997		1,533.4674	1,533.4674	0.0764		1,535.3773
Total	4.7496	2.5859	12.9666	0.0353	1.0830	1.1725	2.2555	0.2898	1.1719	1.4617	140.5038	1,953.6223	2,094.1260	0.5004	0.0123	2,110.2861

Area Q - San Bernardino-South Coast County, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	8/18/2020	9/14/2020	5	20	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 0

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Demolition	Excavators	3	8.00	158	0.38
Demolition	Rubber Tired Dozers	2	8.00	247	0.40

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	6	15.00	0.00	91.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT

Area Q - San Bernardino-South Coast County, Summer

3.1 Mitigation Measures Construction

Water Exposed Area

3.2 Demolition - 2020

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.9844	0.0000	0.9844	0.1490	0.0000	0.1490			0.0000			0.0000
Off-Road	3.3121	33.2010	21.7532	0.0388		1.6587	1.6587		1.5419	1.5419		3,747.7049	3,747.7049	1.0580		3,774.1536
Total	3.3121	33.2010	21.7532	0.0388	0.9844	1.6587	2.6431	0.1490	1.5419	1.6909		3,747.7049	3,747.7049	1.0580		3,774.1536

Area Q - San Bernardino-South Coast County, Summer

3.2 Demolition - 2020

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0283	1.1208	0.1654	3.5700e-003	0.0796	3.3400e-003	0.0830	0.0218	3.2000e-003	0.0250		378.8822	378.8822	0.0205		379.3934
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0819	0.0525	0.6746	1.7000e-003	0.1677	1.1000e-003	0.1688	0.0445	1.0100e-003	0.0455		169.5126	169.5126	5.1700e-003		169.6420
Total	0.1101	1.1734	0.8400	5.2700e-003	0.2473	4.4400e-003	0.2517	0.0663	4.2100e-003	0.0705		548.3948	548.3948	0.0256		549.0353

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.3839	0.0000	0.3839	0.0581	0.0000	0.0581			0.0000			0.0000
Off-Road	3.3121	33.2010	21.7532	0.0388		1.6587	1.6587		1.5419	1.5419	0.0000	3,747.7049	3,747.7049	1.0580		3,774.1536
Total	3.3121	33.2010	21.7532	0.0388	0.3839	1.6587	2.0426	0.0581	1.5419	1.6000	0.0000	3,747.7049	3,747.7049	1.0580		3,774.1536

Area Q - San Bernardino-South Coast County, Summer

3.2 Demolition - 2020

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0283	1.1208	0.1654	3.5700e-003	0.0796	3.3400e-003	0.0830	0.0218	3.2000e-003	0.0250		378.8822	378.8822	0.0205		379.3934
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0819	0.0525	0.6746	1.7000e-003	0.1677	1.1000e-003	0.1688	0.0445	1.0100e-003	0.0455		169.5126	169.5126	5.1700e-003		169.6420
Total	0.1101	1.1734	0.8400	5.2700e-003	0.2473	4.4400e-003	0.2517	0.0663	4.2100e-003	0.0705		548.3948	548.3948	0.0256		549.0353

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Area Q - San Bernardino-South Coast County, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.3376	2.1444	4.0488	0.0150	1.0830	0.0105	1.0935	0.2898	9.8300e-003	0.2997		1,533.4674	1,533.4674	0.0764		1,535.3773
Unmitigated	0.3376	2.1444	4.0488	0.0150	1.0830	0.0105	1.0935	0.2898	9.8300e-003	0.2997		1,533.4674	1,533.4674	0.0764		1,535.3773

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Single Family Housing	142.80	148.65	129.30	484,235	484,235
Total	142.80	148.65	129.30	484,235	484,235

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Single Family Housing	14.70	5.90	8.70	40.20	19.20	40.60	86	11	3

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Single Family Housing	0.549952	0.037123	0.179649	0.119457	0.017229	0.005267	0.017877	0.062669	0.001348	0.001607	0.006000	0.000812	0.001010

5.0 Energy Detail

Historical Energy Use: N

Area Q - San Bernardino-South Coast County, Summer

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0136	0.1159	0.0493	7.4000e-004		9.3700e-003	9.3700e-003		9.3700e-003	9.3700e-003		147.9266	147.9266	2.8400e-003	2.7100e-003	148.8057
NaturalGas Unmitigated	0.0136	0.1159	0.0493	7.4000e-004		9.3700e-003	9.3700e-003		9.3700e-003	9.3700e-003		147.9266	147.9266	2.8400e-003	2.7100e-003	148.8057

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Single Family Housing	1257.38	0.0136	0.1159	0.0493	7.4000e-004		9.3700e-003	9.3700e-003		9.3700e-003	9.3700e-003		147.9266	147.9266	2.8400e-003	2.7100e-003	148.8057
Total		0.0136	0.1159	0.0493	7.4000e-004		9.3700e-003	9.3700e-003		9.3700e-003	9.3700e-003		147.9266	147.9266	2.8400e-003	2.7100e-003	148.8057

Area Q - San Bernardino-South Coast County, Summer

5.2 Energy by Land Use - Natural Gas

Mitigated

	Natural Gas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Single Family Housing	1.25738	0.0136	0.1159	0.0493	7.4000e-004		9.3700e-003	9.3700e-003		9.3700e-003	9.3700e-003		147.9266	147.9266	2.8400e-003	2.7100e-003	148.8057
Total		0.0136	0.1159	0.0493	7.4000e-004		9.3700e-003	9.3700e-003		9.3700e-003	9.3700e-003		147.9266	147.9266	2.8400e-003	2.7100e-003	148.8057

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	4.3984	0.3255	8.8685	0.0195		1.1527	1.1527		1.1527	1.1527	140.5038	272.2283	412.7321	0.4212	9.5400e-003	426.1031
Unmitigated	4.3984	0.3255	8.8685	0.0195		1.1527	1.1527		1.1527	1.1527	140.5038	272.2283	412.7321	0.4212	9.5400e-003	426.1031

Area Q - San Bernardino-South Coast County, Summer

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.0343					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	0.3960					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	3.9305	0.3112	7.6283	0.0195		1.1458	1.1458		1.1458	1.1458	140.5038	270.0000	410.5038	0.4190	9.5400e-003	423.8209
Landscaping	0.0376	0.0143	1.2402	7.0000e-005		6.8400e-003	6.8400e-003		6.8400e-003	6.8400e-003		2.2283	2.2283	2.1600e-003		2.2823
Total	4.3984	0.3255	8.8685	0.0195		1.1527	1.1527		1.1527	1.1527	140.5038	272.2283	412.7321	0.4212	9.5400e-003	426.1031

Area Q - San Bernardino-South Coast County, Summer

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.0343					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	0.3960					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	3.9305	0.3112	7.6283	0.0195		1.1458	1.1458		1.1458	1.1458	140.5038	270.0000	410.5038	0.4190	9.5400e-003	423.8209
Landscaping	0.0376	0.0143	1.2402	7.0000e-005		6.8400e-003	6.8400e-003		6.8400e-003	6.8400e-003		2.2283	2.2283	2.1600e-003		2.2823
Total	4.3984	0.3255	8.8685	0.0195		1.1527	1.1527		1.1527	1.1527	140.5038	272.2283	412.7321	0.4212	9.5400e-003	426.1031

7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Stationary Equipment

Area Q - San Bernardino-South Coast County, Summer

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

Equipment Type	Number
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11.0 Vegetation
