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## 3.9 ENVIRONMENTAL EFFECTS DETERMINED NOT TO BE SIGNIFICANT

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As discussed in Chapter 1.0, Introduction, the County prepared a Notice of Preparation (NOP) for the proposed project on June 10, 2013. As part of the NOP, an Initial Study (IS) was prepared providing a preliminary analysis of the proposed project's potential environmental effects. The IS concluded that the proposed project would have no impact or a less than significant impact on numerous issue areas and these issues would not require further evaluation in the EIR. The following is a summary of these issue areas and the analysis contained in the IS. While there were issue areas resulting in less than significant impacts on biological resources and cultural resources, these issues were further discussed in this DEIR and therefore are not included in the summary below. The complete NOP and responses by interested parties are presented in **EIR Appendix A**.

### 3.9.1 AESTHETICS

The reader is referred to Section 3.1, Aesthetics, for a discussion of the project's potentially significant impacts on aesthetics that were identified in the IS for the proposed project. The IS for the project identified the following issue areas as having no impact on aesthetics:

**Issue Area b) Damage Scenic Resources Within a State Scenic Highway.** The proposed project would not be located in an area with a designated state scenic highway. This would result in **no impact**.

In San Bernardino County, several state highways (State Routes 2, 18, 40, 58, 91, 142, 138, 173, 189, 247, and 330) and one interstate highway (I-15) are listed as eligible state scenic highways (Caltrans 2013). However, these highways have not been officially designated as scenic highways at this time. One section of State Route (SR) 38, below Big Bear Lake, is a designated state scenic highway. This section of highway is approximately 14 miles from the proposed project site, and because of the intervening mountains, the project site cannot be seen from SR 38. The proposed project would not be visible from highways designated by the State of California as a scenic route. SR 18 is located approximately 6 miles north and east of the project site; however, it is not designated as a scenic route. There would be no impact.

**Issue Area d) Create Light or Glare.** The proposed project would not create new sources of nighttime light or daytime glare. The project would have **no impact** in this area.

The proposed project is an expansion of an existing use. This expansion does not propose the construction of new buildings or increase the operating hours of the existing site beyond those already in use. All lighting sources would be similar to existing uses, and no new light sources are proposed. As such, the proposed project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. There would be no impact.

### 3.9.2 AGRICULTURE AND FORESTRY RESOURCES

The IS for the project identified the following issue areas as having no impact on agriculture and forestry resources:

**Issue Area a, e) Conversion of Farmland to Nonagricultural Uses.** The proposed project would not be located in an area with existing agricultural uses or in an area identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, the project would have **no impact** in this area.

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The California Resources Agency, Department of Conservation, defines Prime Farmland, Unique Farmland, and Farmland of Statewide Importance for San Bernardino County as farmlands that include dryland grains of wheat, barley, and oats, and dryland pasture. The project site does not meet these characteristics.

The project site is located on the steep northern slopes of the San Bernardino Mountains, where both the topography and the soils are unsuitable for agriculture. The project site is not zoned for agricultural use and is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the Department of Conservation (DOC 2013). The proposed project would have no impact on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, the project would have no impact in this area.

**Issue Area b) Conflict with Agricultural Zoning or a Williamson Act Contract.** The project site is not located on or adjacent to areas under Williamson Act contracts or identified as agriculture in the County's Zoning Ordinance. Therefore, the project would have **no impact** in this area.

The project site is located on land zoned as RC (Resource Conservation) with the overlay zones of BR (Biotic Resources), FS-1 (Fire Safety Overlay), AR-4 (Airport Safety Overlay), and GH (Geologic Hazard Overlay – Earthquake Fault Zone). The project site is not zoned for agricultural use and is not subject to a Williamson Act contract. The proposed project would not result in conflicts with agricultural zoning or Williamson Act lands. Therefore, the project would result in no impact in this area.

**Issue Area c, d) Convert Forestland or Conflict with Forest or Timber Land Zoning.** The project site is in the semi-desert of the Mojave Desert ecological region, not within an area considered "forested." The project site is not located on or adjacent to areas identified as forest or timber land in the County's Zoning Ordinance. Therefore, the project would have **no impact** in this area.

The project site is located within the Mojave Desert ecological section of the American Semi-Desert and Desert ecological province. The site comprises a mix of urban/barren land uses, along with natural community types. Uses associated with the urban/barren areas include roads and areas affected by the mining operation. The remainder of the site consists of a mix of desert scrub, juniper, mixed chaparral, montane chaparral, pinyon-juniper community types, and desert wash. The project site does not contain any forested land. As previously stated, the zoning on the site is RC, and the site is not zoned as forestland or timberland. As such, the proposed project would have no impact.

#### 3.9.3 AIR QUALITY

The reader is referred to Section 3.2, Air Quality, for a discussion of the project's potentially significant impacts on air quality that were identified in the IS for the proposed project. The IS for the project identified the following air quality issue area as having no impact:

**Issue Area e) Create Objectionable Odors Affecting a Substantial Number of People.** The project uses diesel trucks, which may produce objectionable odors. However, the site is over 2 miles from the nearest residence and is not surrounded by a substantial number of persons. Therefore, the project would have **no impact** in this issue area.

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The nearest residence to the project site is located approximately 2 miles northeast of the site and approximately 0.5 mile north of the haul road. The closest residential community is approximately 3 miles from the site and 1.25 miles from the off-site haul road. While the project would continue to use diesel trucks and other equipment to process and haul the material, because of the distances to the residences, persons would not be impacted by the odor of diesel fumes. The proposed project would not produce any objectionable odors that would affect a substantial number of people.

#### 3.9.4 GEOLOGY AND SOILS

The reader is referred to Section 3.5, Geology and Soils, for a discussion of geologic and soils-related potentially significant impacts that were identified in the IS for the proposed project. The IS for the project identified the following geology and soils issue areas as having no impact:

**Issue Area d) Expansive Soils.** The project site is not located in an area that has been identified by the County Building and Safety Geologist as having the potential for expansive soils. There would be **no impact**.

Expansive soils, or those soils with high expandable clay contents, can, over time, misalign some foundation structures or warp asphalt and concrete pavement. The project site is underlain by rocky and gravelly soils with a low shrink-swell potential. The final reclamation would result in the dismantling, removal, and off-site transport of all structures in the mine area. Thus, risks to life or property with respect to expansive soil, if present, would remain unchanged from baseline conditions for as long as existing structures remain on-site, and would be eliminated following final reclamation when structures are removed. For this reason, the presence of expansive soil is not considered an issue for the project, and no impact would result.

**Issue Area e) Soils Incapable of Adequately Supporting Septic Tanks or Wastewater Disposal Systems.** The proposed project would not use septic tanks or alternative wastewater systems. Therefore, there would be **no impact** in this issue area.

The proposed project does not include the construction of septic tanks and/or alternative wastewater disposal systems. All existing wastewater disposal systems would remain as they currently exist.

#### 3.9.5 HAZARDS AND HAZARDOUS MATERIALS

The IS for the project identified the following issue areas as having a less than significant or no impact resulting from the use of hazards or hazardous materials:

**Issue Area a, b) Create Public Hazard Through Transport, Use, Disposal, or Release of Hazardous Materials.** The project would continue to comply with all applicable federal and state safety rules and regulations regarding hazardous materials. Therefore, this is considered a **less than significant** impact.

The potential for the proposed project to create a hazard to the public or the environment does exist, as the project would involve the transport, storage, and use of fuels, lubricants, and explosives. However, as required, the operator would continue to comply with all applicable federal and state safety rules and regulations regarding hazardous materials.

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Waste oil generated at the mine site is collected and transported for off-site disposal by approved methods and by properly trained and licensed personnel. No processing chemicals are used and no wastewater is produced from the mining and crushing operations. Blasting occurs approximately once every other month and would not be increased with the proposed project. However, blasting would occur for the extended life of the mine through 2055. Blasting operations would continue to be conducted by licensed individuals in such a manner as to meet or exceed Mine Safety and Health Administration (MSHA) and California Division of Occupational Safety and Health (Cal-OSHA) requirements. Further, the closest residence is located over 2 miles north of the project site, and one or more major mountain ridges are present between the quarries and residences to the south. Blasting has occurred for over 25 years with no adverse impact on people, structures, or wildlife. Based on the current measures in place, it is anticipated that impacts would be less than significant.

**Issue Area c) Emit or Handle Hazardous Materials Near a School.** There are no existing schools located near the project site. There would be **no impact** in this issue area.

The project site is located in an area with no urban-type development. No existing school facilities or proposed school facilities are located within a quarter-mile radius of the project site. The closest schools include North Shore Elementary, located approximately 6 miles southeast of the project site in Big Bear Lake, and Lucerne Valley Middle School located approximately 6 miles northeast of the project site. There would be no impact on nearby schools.

**Issue Area d) Located on a Site That Is Listed as a Hazardous Materials Site.** The project site is not identified on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. There would be **no impact**.

The State of California Hazardous Waste and Substances Site List (also known as the Cortese List) is a planning document used by state and local agencies and by private developers to comply with California Environmental Quality Act (CEQA) requirements in providing information about the location of hazardous materials sites. Under Government Code Section 65962.5, both the Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board (SWRCB) are required to maintain lists of sites known to have hazardous substances present in the environment. Both agencies maintain up-to-date lists on their websites. A search of the DTSC and SWRCB lists identifies no hazardous waste violations in the project area and does not identify any hazardous material sites at or within 6 miles of the project site. Therefore, the project site is not on a parcel included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (DTSC 2013; SWRCB 2013).

**Issue Area e, f) Create Public Hazard Related to Public or Private Airport Operations.** The proposed project does not include the construction of new buildings, merely the expansion of existing quarry areas. Therefore, the project would have **no impact** in this issue area.

As shown on San Bernardino County General Plan Hazards Overlay Maps FI09B and FH16B, the project site occurs within Airport Safety Review Area 4 (AR4). According to County Development Code Section 82.09.030, Airport Safety, AR4 includes the low-altitude/high-speed corridors designated for military aircraft use. The closest public/private airports include Big Bear City Airport, located approximately 8 miles southeast of the site, and Rabbit Ranch Airport in Lucerne Valley, approximately 4 miles north of the site. As no new human-occupied structures are proposed, potentially significant impacts are not anticipated. In addition, existing and proposed operations do not exceed height limits that could potentially impact military aircraft flight

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patterns. No impact would occur. The project site is not in the vicinity or approach/departure flight path of a private airstrip. No impacts related to a private airstrip would occur.

**Issue Area g) Interfere with an Adopted Emergency Response or Evacuation Plan.** The project site is not located in an area that would interfere with an emergency response or evacuation plan. The proposed project is the expansion of an existing limestone quarry and would have **no impact** on an emergency response or evacuation plan.

The Office of Emergency Services (County OES) is a Division of the San Bernardino County Fire Department. County OES is responsible for disaster planning and emergency management coordination throughout the San Bernardino County Operational Area) by functioning as the lead agency for the Operational Area. County OES is also responsible for development and implementation of the Operational Area Emergency Operations Plan (EOP). The EOP identifies hazards and response, roles and responsibilities, and other key activities of government during a disaster.

The project is located in a remote part of San Bernardino County with no urban areas within 3 miles of the project site. The project site is reached by a roadway that only serves the project and is not used by the public. The roadway would not be used as a public evacuation roadway in the event of a disaster. Therefore, the proposed project would have no impact in this issue area.

**Issue Area h) Expose People or Structures to a Significant Risk of Loss, Injury, or Death Involving Wildland Fires.** The proposed project is the expansion of an existing quarry, which has been in operation since 1986. Expansion of the quarry would not expose person or structures to wildland fires over existing conditions. Therefore, the project would have a **less than significant** impact in this issue area.

According to San Bernardino County General Plan Maps FI09B and FH16B, the project site is located in Fire Safety Review Area (FS-1), which includes areas in the mountains and the valley foothills. It also includes all the land generally within the San Bernardino National Forest boundary and is characterized by areas with moderate and steep terrain and moderate to heavy fuel loading contributing to high fire hazard conditions. The project site includes internal haul/access roads to allow for emergency egress and safety zones in the event of a wildfire. The proposed project would not contribute to or be impacted by surrounding fuel loads, and a fuel modification zone would not be required. Further, no new human-occupied structures are proposed as part of the project. Therefore, this impact would be less than significant.

#### 3.9.6 HYDROLOGY AND WATER QUALITY

The reader is referred to Section 3.7, Hydrology and Water Quality, for a discussion of the project's potentially significant impacts on hydrology and water quality. The IS for the project identified the following hydrology or water quality issue areas as having a less than significant or no impact as a result of implementation of the project:

**Issue Area b) Deplete Groundwater Supplies or Interfere with Recharge.** The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. This would result in a **less than significant** impact.

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The existing quarry operation utilizes a relatively small amount of water during operations. Approximately 2.75 acre-feet of water is used annually for dust suppression in the quarries, overburden placement areas, haul/access roads, and at the crusher site. With implementation of the proposed project, water usage is expected to increase to approximately 5 acre-feet per year. All water utilized for quarry operations is obtained from two previously permitted sources: (1) a well located at the plant site in Lucerne Valley and (2) a well located in Crystal Creek Canyon near Turnout 5 on the Crystal Creek Haul Road. These water sources would be used to meet water demands of the proposed operations. Bottled drinking water for mine employees is brought to the site as necessary.

The project site is not within the service area of a public water supplier, but it is within the boundaries of the Mojave Water Agency (MWA). The MWA is a State Water Project contractor, a regional groundwater management agency, and serves as Watermaster for the adjudicated Mojave Basin. The MWA published its Eighteenth Annual Report for the 2012–11 Water Year on May 1, 2012. The report summarizes information required by the judgment and includes a summary of the Watermaster's activities and water supply conditions for the water year. Omya has a verified base annual production allocation of 23 acre-feet per year for its two wells, and water usage over the past five years (2007 through 2011) has been 19, 14, 14, and 14 acre-feet per year (respectively).<sup>1</sup> Approximately 2.75 acre-feet of this annual water usage is used for dust suppression at the project site. The expected increase of water usage for the proposed project of 2.25 acre-feet per year would not exceed Omya's base allocation, even considering the higher usage amount in 2007 of 10 acre-feet per year and other planned projects in the area. Therefore, this impact would be less than significant.

**Issue Area g, h) Place Housing Within a Flood Hazard Area or Impede or Redirect Flood Flows.** The proposed project is not located in an area subject to flooding. There would be **no impact** in this issue area.

The project site is located on FEMA Map Panel 06071C7275H. The project site is not within a 100-year flood hazard area. The project does not include the construction of housing nor would it place housing within a floodplain. There would be no impact.

**Issue Area i) Create a Public Hazard Related to Flooding from Dam or Levee Failure.** The project site is not located in an area identified as a potential dam inundation area. There would be **no impact** in this issue area.

The project site is at an elevation of approximately 5,350 feet amsl, while the valley floor is at an elevation of approximately 4,050 feet (Google Earth 2013). In order for flooding due to dam failure to occur at the project site, the water would have to rise approximately 1,300 feet. There are no large water bodies in the vicinity that could potentially flood the project site due to dam failure. The project site and surrounding area are not located inside a designated dam failure inundation area. Further, there are no levees in the project area, and no levees are proposed as part of the project. There would be no impact.

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<sup>1</sup> Subsequent to completion of the WSA in June 2013 and after the NOP/IS was released for public review in June 2013, the MWA published its Twentieth Annual Report of the Mojave Basin for Water Year 2012-2013, dated May 1, 2014 (MWA 2014). The Twentieth Annual Report presents the most current available information about conditions in the Este Subarea as of the publication date of this EIR. A review of the data in the Twentieth Annual Report indicates similar conditions to those in the Nineteenth Annual Report for the Este Subarea, including Omya's water use, and no substantial differences were identified that would affect the IS's conclusions regarding groundwater supplies.

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**Issue Area j) Create a Public Hazard Related to Inundation by Seiche, Tsunami, or Mudflow.** The project site is not located in an area identified as having the potential for tsunami or seiche. While theoretically mudflows could occur at the site, the possibility is remote that these mudflows would create a public hazard. There would be **no impact** in this issue area.

A seiche is an oscillating surface wave in a restricted or enclosed body of water generated by ground motion, usually during an earthquake. Inundation from a seiche can occur if the wave overflows a containment wall or the banks of a water body. A tsunami is a large, often destructive, sea wave produced by a submarine earthquake, subsidence, or volcanic eruption. Mudflow is a downhill movement of soft wet earth and debris, made fluid by rain or melted snow and often building up great speed. The project site is not located adjacent to a body of water that has the potential for seiche or tsunami. Mudflow has the potential to occur at the site; however, the average precipitation in the wettest months (January and February) is only 2.53 and 2.55 inches (WRCC 2006) making this potential remote. Additionally, the site is not open to the public, which removes the possibility as a public hazard. There would be no impact.

#### 3.9.7 LAND USE AND PLANNING

The potential for the project to conflict with Carbonate Habitat Management Strategy, a habitat conservation plan for carbonate soil types, is discussed in Section 3.3, Biological Resources, of this DEIR. The IS for the project identified the following land use and planning issue areas as having no impact as a result of implementation of the project:

**Issue Area a) Physically Divide an Established Community.** The site is not located in an established community. There would be **no impact** in this issue area.

The project site is surrounded by vacant open space, with the closest community, Lucerne Valley, located approximately 6 miles to the north. Further, the proposed project is an expansion of an existing use and would be consistent with the County General Plan land use designation for the site. Therefore, the proposed project would not result in the division of an established community. There would be no impact.

**Issue Area b) Conflict with Land Use Plan, Policy, or Regulation.** The proposed project would not conflict with any land use plan, policy, or regulation. **No impact** would result in this issue area with implementation of the project.

The project site is located on land zoned as RC (Resource Conservation) with the overlay zones of BR (Biotic Resources), FS-1 (Fire Safety Overlay), AR-4 (Airport Safety Overlay), and GH (Geologic Hazard Overlay – Earthquake Fault Zone). The proposed project is an expansion in size of an existing, previously approved use. The proposed project would be consistent with all applicable land use designation policies and regulations of the County of San Bernardino General Plan. No other land use plans, policies or regulations are applicable. There would be no impact.

#### 3.9.8 MINERAL RESOURCES

The IS for the project identified the following mineral resource areas as having no impact as a result of implementation of the project:

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**Issue Area a, b) Result in the Loss of Availability of a Mineral Resource or Mineral Resource Recovery Site.** The proposed project is the expansion in size of an existing project for the extraction of a mineral resource. There would not be a loss of availability of this resource due to implementation of the proposed project. Therefore, the proposed project would have **no impact** on mineral resources.

A mineral resource or mineral resource recovery site is considered lost if development of the land by urban uses prohibits the ability to extract that resource. The primary goal in evaluating a land use that does not include mineral extraction activities is to ensure that the mineral potential of land is recognized and that decision-makers do not preclude the conservation, potential for development, and use of the valuable mineral resource. Regulation and reclamation of the project site as required by SMARA would permit the continued availability of the mineral resources and provide for the protection and subsequent beneficial use of those mineral resources while minimizing impacts on the public and the environment. There would be no impact.

#### 3.9.9 NOISE

The IS for the project identified the following noise issue areas as having a less than significant impact or no impact as a result of implementation of the project:

**Issue Area a, c, d) Generate Excessive Noise Levels/Temporarily or Permanently Increase Ambient Noise Levels.** The proposed project is the expansion in size and time of an existing use. This expansion would not decrease distances to the closest population centers. The project would result in a **less than significant** impact related to noise levels.

County Code Section 83.01.080 discusses San Bernardino County's performance standards related to noise. The proposed project operations are required to comply with all applicable County noise control regulations. The active quarry is located near the base of the range in the central portion of the San Bernardino Mountains. The closest residence is located over 2 miles north of the quarries, and one or more major mountain ridges are present between the quarries and residences to the south. Blasting occurs on the project site once per week and is restricted to daylight hours. Operations and blasting are not currently audible to any residential areas and have occurred for over 25 years with no adverse impact on people, structures, or wildlife. No changes are proposed from the existing permitted arrangements. These impacts would be less than significant.

**Issue Area b) Generate Excessive Groundborne Vibration or Noise.** The proposed project is the expansion in size and extended duration of an existing use. This expansion would not decrease distances to the closest population centers. The project would result in a **less than significant** impact related to excessive groundborne vibration or noise levels.

Blasting occurs on the project site once per week and is restricted to daylight hours. Further, blasts in the Omya quarries are relatively small to maximize selectivity. The site is located near the base of the range in the central portion of San Bernardino Mountains. There are no residences or other sensitive receptors within 2 miles of the site, and one or more major mountain ridges are present between the quarries and residences to the south. Operations and blasting cannot be seen, heard, or felt in any residential areas or by other sensitive receptors. No changes are proposed from the existing permitted operations. This impact would be less than significant. The potential effects of blasting noise and vibration on wildlife are discussed further in Section 3.3, Biological Resources, of this DEIR.



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**Issue Area e, f) Expose People to Excessive Noise Levels Associated with Public or Private Airport Operations.** There is not a public or private airport within 2 miles of the project site. Implementation of the proposed project would not expose persons to excessive airport noise. Therefore, the project would have **no impact** in this issue area.

As shown on San Bernardino County General Plan Hazards Overlay Maps FI09B and FH16B, the project site occurs within Airport Safety Review Area 4 (AR4). According to County Development Code Section 82.09.030, Airport Safety, AR4 includes the low-altitude/high-speed corridors designated for military aircraft use. However, the proposed project does not include the development of residential uses that would be affected by low-flying military aircraft. The nearest public/private airports include Big Bear City Airport, located approximately 8 miles southeast of the site, and Rabbit Ranch Airport in Lucerne Valley, approximately 4 miles north of the site. The project site is well outside of the airport overfly zones and the airport 65 CNEL noise contours. This impact would be less than significant.

#### 3.9.10 POPULATION AND HOUSING

The IS for the project identified the following population and housing issue areas as having no impact as a result of implementation of the project:

**Issue Area a) Directly or Indirectly Induce Substantial Population Growth.** The proposed project would not increase the number of residential units in the area nor does it propose a large increase in employment. Additionally, the project would not expand public utilities to the project site. Therefore, implementation of the project would have **no impact** in this issue area.

The proposed project would not directly stimulate population growth (e.g., it would not add housing or create a new business) nor would it indirectly stimulate growth (e.g., through the construction of new infrastructure). There would be no impact.

**Issue Area b, c) Displace Housing or People.** There are no existing residential units in the proposed expansion area. The project would have **no impact** in this issue area.

The proposed project would not displace substantial numbers of existing housing units or people or require the construction of replacement housing elsewhere because there are no residential units in the proposed expansion area and no housing units are proposed to be demolished. There would be no impact.

#### 3.9.11 PUBLIC SERVICES

The IS for the project identified the following public services issue areas as having no impact as a result of implementation of the project:

**Issue Area a) Increase Demand for Public Services or Facilities.** The proposed project would not involve the increase of demand for fire, police, schools, parks, or other public services. Implementation of the project would have **no impact** in this issue area.

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The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities. Generally, an increase in demand for public services is based on population growth. Proposed operations would not result in a substantial change in employment or increased population, and therefore demand for services would not increase significantly. There would be no impact.

#### 3.9.12 RECREATION

The IS for the project identified the following recreation issue areas as having no impact as a result of implementation of the project:

**Issue Area a, b) Increase Use of Existing Parks or Include Construction of New Parks.** The proposed project would not result in an increase in population or the demand for additional recreation facilities. The proposed project would have no impact in this issue area.

The proposed project does not include housing that could induce population growth in an adjacent area. Therefore, use of existing parks would not increase. Further, no new or expanded park facilities are proposed as part of the project. There would be no impact.

#### 3.9.13 TRANSPORTATION AND TRAFFIC

The IS for the project identified the following transportation and traffic issue areas as having a less than significant or no impact as a result of implementation of the project:

**Issue Area a, b) Conflict with Circulation System Measures of Performance.** The proposed project operations would not substantially increase traffic on public roadways. This is considered a **less than significant** impact.

Existing and proposed operations include transporting crushed ore in off-road haul trucks approximately 5 miles northeast to the existing processing plant on a haul road that is not open to the public. Implementation of the proposed project would not increase haul truck trips to and from the project site, and the trips would continue to occur on public roadways and would not affect area traffic conditions. The proposed project would not increase worker trips to and from the project site. Trips are expected to be minimal and would not have a significant effect on area traffic conditions. These impacts would be less than significant.

**Issue Area c) Change Air Traffic Patterns.** The proposed project is not within a public or private airport overfly zone. The proposed project is the expansion of an existing facility and does not propose any new buildings. Therefore, implementation of the proposed project would have **no impact** in this issue area.

Implementation of the proposed project would not affect air traffic patterns at any airport or airstrip because there are none in the immediate vicinity and because the project does not involve the construction of any tall structures or other obstacles to air traffic and navigation.

**Issue Area d) Increase Hazards Due to a Design Feature or Incompatible Uses.** The project does not propose the construction of new public roadways. Therefore, implementation of the proposed project would have **no impact** in this issue area.

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Existing and proposed operations at the project site would not affect public streets. The proposed project would not involve any road development or design features that could substantially increase hazards on a public road, or changes in the transportation of rock or other materials on public roads. The project site is surrounded by vacant Bureau of Land Management (BLM) land, and the proposed project is an expansion of an existing use. Therefore, no incompatible uses would occur. There would be no impact.

**Issue Area e) Result in Inadequate Emergency Access.** The proposed project would not involve the construction barriers that would impede the ability for emergency response. Therefore, implementation of the proposed project would have **no impact** in this issue area.

Activities associated with the proposed project would not impede existing emergency response plans for the project site and/or other land uses in the vicinity. All vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. In addition, no road closures would be required with implementation of the project. There would be no impact.

**Issue Area f) Decrease Performance or Safety of Public Transit, Bicycle, or Pedestrian Facilities.** Implementation of the proposed project would not involve construction that would not involve any long-term increase of traffic that would interfere with alternative transportation. Therefore, implementation of the proposed project would have **no impact** in this issue area.

The proposed project is the expansion of an existing use. However, this expansion is not expected to substantially increase employment in the area or increase traffic to the project site. The proposed project would not involve any long-term increases in traffic that would conflict with adopted policies, plans, or programs supporting alternative transportation. There would be no impact.

#### 3.9.14 UTILITIES AND SERVICE SYSTEMS

The IS for the project identified the following utilities and service systems issue areas as having no impact as a result of implementation of the project:

**Issue Area a) Exceed Wastewater Treatment Requirements.** The proposed project would not increase the amount of wastewater produced under existing conditions. Therefore, implementation of the proposed project would have **no impact** in this issue area.

No additional wastewater is or would be discharged from the on-site operations. Water applied to roads and active mining areas to reduce fugitive dust would evaporate. Control of surface drainage, erosion, and sedimentation from operations and the haul road are included in Omya's Stormwater Pollution Prevention Plan (SWPPP), which has been filed with the State Water Resources Control Board. Further, all operations on-site would comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges associated with industrial activities and employ stormwater best management practices (BMPs). Because the project would not generate any wastewater and all surface drainage would be managed in compliance with an approved SWPPP, this impact would be less than significant.

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**Issue Area b) Require New or Expanded Water or Wastewater Treatment Facilities.** The proposed project would not require the expansion or construction of new wastewater or water facilities. Therefore, implementation of the proposed project would have **no impact** in this issue area.

The proposed project's water demands would be met with the use of groundwater pumped from existing wells that serve the current mine operation, and no expansion of water treatment systems would be required. Further, the project would not generate any additional wastewater, and no new or expanded treatment facilities would be required. Water applied for dust abatement would evaporate and employees use on-site portable toilets.

**Issue Area d) Require New or Expanded Water Supply Entitlements.** The proposed project would use groundwater to minimize fugitive dust on the haul road. However, expansion of the site would not increase the use of this groundwater beyond the current allocation for the site. Therefore, implementation of the proposed project would have a **less than significant** impact in this issue area.

The project site is not within the service area of a public water supplier, but it is within the boundaries of the Mojave Water Agency (MWA). The MWA is a State Water Project contractor, a regional groundwater management agency, and serves as Watermaster for the adjudicated Mojave Basin. The MWA published its Eighteenth Annual Report for the 2012–11 Water Year on May 1, 2012. The report summarizes information required by the judgment and includes a summary of the Watermaster's activities and water supply conditions for the water year. Omya has a verified base annual production allocation of 23 acre-feet per year for its two wells, and water usage over the past five years (2007 through 2011) has been 19, 14, 14, and 14 acre-feet per year (respectively).<sup>2</sup> Approximately 2.75 acre-feet of this annual water usage is used for dust suppression at the project site. The expected increase of water usage for the proposed project of 2.25 acre-feet per year would not exceed Omya's base allocation, even considering the higher usage amount in 2007 of 10 acre-feet per year and other planned projects in the area. Therefore, this impact would be less than significant.

Water is obtained from two previously permitted sources: a well located at the plant site in Lucerne Valley and a well located in Crystal Creek Canyon near Turn 5 on the Crystal Creek haul road. No surface water is used in the operation. There are no planned additional diversions or storage for water supply. No treatment facilities would be needed. Water would be hauled in a water truck and sprayed on the haul roads and active mining and overburden areas to minimize fugitive dust. The water truck would work during active quarry operations as needed to control visible dust.

The proposed project would not substantially deplete water supplies or require new entitlements. Therefore, this impact would be less than significant.

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<sup>2</sup> Subsequent to completion of the WSA in June 2013 and after the NOP/IS was released for public review in June 2013, the MWA published its Twentieth Annual Report of the Mojave Basin for Water Year 2012-2013, dated May 1, 2014 (MWA 2014). The Twentieth Annual Report presents the most current available information about conditions in the Este Subarea as of the publication date of this EIR. A review of the data in the Twentieth Annual Report indicates similar conditions to those in the Nineteenth Annual Report for the Este Subarea, including Omya's water use, and no substantial differences were identified that would affect the IS's conclusion regarding water supply.

### 3.9 ENVIRONMENTAL EFFECTS DETERMINED NOT TO BE SIGNIFICANT

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**Issue Area e) Exceed Capacity of Wastewater Treatment Provider.** All wastewater produced as a result of implementation of the proposed project would be treated by existing resources. The project is not expected to increase the amount of wastewater. Therefore, implementation of the proposed project would have **no impact** in this issue area.

The project site is not served by a public sewer system, and the proposed project would not require sewer collection or treatment services. Therefore, no off-site discharge of treated wastewater would occur. No impacts related to wastewater treatment would occur.

**Issue Area f, g) Exceed Permitted Capacity of Landfill or Conflict with Solid Waste Regulations.** The proposed project would not increase the amount of solid waste coming from the project above existing conditions. Therefore, implementation of the proposed project would have **no impact** in this issue area.

The proposed project would not require any additional solid waste services, as no office operations would be expanded over existing levels. Waste rock would be stockpiled on-site. No impact would occur.