



COUNTY OF SAN BERNARDINO  
NOTICE OF AVAILABILITY (NOA) / NOTICE OF INTENT (NOI) TO ADOPT  
AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
FOR A REVISED MINING AND RECLAMATION PLAN TO INCREASE  
GRAVEL SURFACE MINING AREA AND EXTEND THE MINING TERMINATION DATE

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, County Staff prepared a Draft Initial Study/Mitigated Negative Declaration (IS/MND) that identify and evaluate the environmental impacts of the proposed revision to the Fort Irwin Mining and Reclamation Plan.

**Project Title:** Fort Irwin

**Project No.:** AP20130116

**Project Location:** APPROXIMATELY TWENTY-TWO (22) MILES NORTH-EAST OF BARSTOW AND IS ACCESSED VIA FORT IRWIN ROAD AND PARADISE VIEW ROAD. ASSESSORS PARCEL NUMBER: 0518-181-13

**Project Description:**

- 1) Revision to the Fort Irwin Mining Conditional Use Permit and Reclamation Plan to increase the acreage for a sand and gravel surface mining operation from 12.2 acres to 14.5 acres on a portion of the 38.43 acre site, to a depth up to 50 feet, and, extend the mining operation's termination date from 2014 to 2044.

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

<http://cms.sbcounty.gov/lus/Planning/Environmental/Desert.aspx> and the following physical location:

**Land Use Services Department - Current Planning Division**  
**385 North Arrowhead Avenue, First Floor**  
**San Bernardino, CA 92415-0182**

If unavailable on the web site, you may obtain the document in electronic format by telephoning the Land Use Services Department at either (760) 995-8152, or by emailing the Planner at [reuben.arceo@lus.sbcounty.gov](mailto:reuben.arceo@lus.sbcounty.gov) to request a PDF version of the document from the Land Use Services Department database, please reference the project number above.

The comment period begins on **Friday, December 25, 2015**. All comments must be received no later than **January 15, 2016 at 5:00 PM**. Please submit comments to [reuben.arceo@lus.sbcounty.gov](mailto:reuben.arceo@lus.sbcounty.gov) or to:

Reuben J. Arceo, Contract Planner  
County of San Bernardino  
Land Use Services Department - Planning Division  
385 North Arrowhead Avenue, First Floor  
San Bernardino, CA 92415-0182

SAN BERNARDINO COUNTY

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

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

PROJECT LABEL:

<b>APN:</b>	0518-181-13
<b>APPLICANT:</b>	Daily Transmit Mix LLC
<b>COMMUNITY:</b>	Barstow/3 <sup>rd</sup> Supervisorial District
<b>LOCATION:</b>	Approximately twenty-two (22) miles north-east of Barstow and is accessed via Fort Irwin Road and Paradise View Road (Exhibit 1).
<b>PROJECT NO:</b>	AP20130116 (R. Hove Fort Irwin Pit)
<b>STAFF:</b>	Reuben Arceo, Contract Planner
<b>REP(S):</b>	Kjelstrom & Associates, Inc.
<b>PROPOSAL:</b>	Revision to Mining & Reclamation Plan by expanding the operation from 12.2 acres to 14.5 acres and extending the termination date from 2014 to 2044

**USGS Quad:** Paradise Range  
**T, R, Section:** T: 12N R:2E Sec: 16  
**Thomas Bros.:** Page 349, Grid: G-4

**Planning Area:** Barstow  
**Land Use Zoning:** Resource Conservation (RC)

**Overlays:** Airport Safety Review 4 (AR-4)

PROJECT CONTACT INFORMATION:

**Lead agency:** County of San Bernardino  
Land Use Services Department - Current Planning  
385 North Arrowhead Avenue  
San Bernardino, CA 92415-0182

**Contact person:** Reuben Arceo, Contract Planner  
**Phone No:** (909) 387-4015 Fax No.: (909) 387-3223  
**E-mail:** reuben.arceo@lus.sbcounty.gov

**Project Sponsor:** Daily Transmit Mix LLC  
40901 Paradise View Road  
Barstow, CA 92311  
**Phone No:** (760) 386-2193

BACKGROUND:

The R. Hove Fort Irwin Pit ("Site") is located approximately twenty-two (22) miles northeast of Barstow and is accessed via Fort Irwin Road and Paradise View Road. (See Exhibit 2).

The site was formerly known as the Gordon Lint Mine. The historic use of the site has been extracting sand and gravel, aggregate production, batch concrete production, and activities associated with uses and sales of these products, since 2001. Other uses for land in this area have been sand and gravel mining, vacant desert/open space, rural living, and off road vehicles use and recreation. The site is currently operating under County-approved Mining and Reclamation Plan 2001M-05 (California Mine ID# 91-36-0161) on a 38.43 acre parcel.

## **PROJECT DESCRIPTION:**

The Revised Mining and Reclamation Plan ("Plan") proposes to increase the acreage for a sand and gravel surface mining from 12.2 acres to 14.5 acres on a portion of the 38.43-acre site to a depth up to 50 feet (lowest reclaimed elevation at 2072 AMSL), and to extend the mining termination date from 2014 to 2044.

### *Mining Activities*

The project consists of extraction of sand and gravel, a screening and crushing plant, a ready-mix concrete batching plant, a future asphaltic concrete batch plant, and a future recycle plant. The operation will include ancillary uses commonly found in conjunction with the mineral extraction and plant operations, such as equipment service area, fueling station, office and construction materials storage area.

Mining will proceed as one phase, which consists of mining the southern 10.3-acre portion of the site to the full depth of 50 feet and will continue until the pit has been exhausted of its resources (by approximately 2044). The maximum anticipated depth will be 50 feet below (Elev. 2166 ft. AMSL) the northeast corner of the project site.

The northern 4.2-acre portion of the disturbed area will be used for the aggregate processing, ready mix concrete plant, asphalt concrete plant, recycle plant, and for stockpiling material.

The applicant is proposing to continue mining up to 65,000 tons per year of rock, gravel, and sand intended for use on construction projects in San Bernardino County over a total 30-year life span.

Upon receiving approval for operating the mine and processing equipment, the operator will clear off the mine area and prepare the sand and rock processing plant area. Further clearing of the vegetation shall be performed by scraping the existing vegetation and topsoil off the area and stockpiling the remains of the cleared vegetation and topsoil outside the excavation area and outside of potential drainage courses. The scraped material will be used to create a berm along the sides of the excavation and utilized later for final reclamation.

Mining of the pit may be done at 2:1 slopes or may be mined vertically with 20' benches, at 40' horizontal spacings. This will help facilitate reaching the bottom of the pit quickly. As the pit nears the end of mining, the finish slopes will be laid back to 2:1 final slopes (horizontal: vertical). Over-excavation will be avoided and any over-excavation will be backfilled at 2:1 slopes (horizontal: vertical). Any backfill will be engineered to prevent settlement and erosion. Although the operator's overall goal is to mine to finished slope inclinations at 2:1 gradient, it is more efficient to mine with vertical faces within the active extraction area. Therefore, interior mining slopes will be vertical; but finish slopes shall be left at 2:1. A California licensed engineer or geologist shall determine the stability of all slopes following mining to determine whether the slopes require additional slope treatment at that time. Survey markers will be set, to help avoid over-excavation to clearly delineate the excavation limits and take into account the vertical mining method and subsequent final grading of the slopes. The overburden at R. Hove Fort Irwin Pit is primarily in the form of topsoil and will be pushed over into berms on the perimeter of the mine and saved for re-spreading during reclamation.

A 25-foot minimum protective setback shall be maintained along all property lines. The setback is planned for security and safety of the mine site, reclamation of the site, and to provide a

significant mitigation from all possible erosion and head cutting concerns.

Bulldozers and front-end loaders will perform the excavation of the quarry and slopes. Conveyors and haul trucks will transfer the aggregate from the mine to the sand and gravel processing plant.

The unpaved roads shall be maintained with loaders and motor graders.

Water trucks will be utilized to control dust within the mine and on the haul roads. Crusher-fed conveyors will be equipped with spray racks and water reservoirs to lower dust emissions from the materials conveyed by these belts.

Blasting is not proposed for this operation.

The applicant is proposing to continue mining and other operations typically six days a week, Monday to Saturday, from 5:00 am to 5:00 pm, with maintenance occurring in the evening hours, prior to 10:00 pm. Occasionally, construction projects demand night-time operations, especially in the hot summer months and with the military as one of our primary customers. During these demand periods, the operator will continue processing and batching operations through the night.

### Reclamation

After mining activities cease, the ready-mix concrete plant, asphaltic concrete batch plant, recycle plant, mobile equipment (dozers, loaders, etc.), and support equipment and structures (office, trailers) will be removed.

Reclamation shall follow mining in areas no longer subject to further disturbance. As the mining limits are reached and slopes are contoured to their final inclination, revegetation will begin immediately. Reclamation is expected to conclude within 3 year of final mining, or 2047.

As the surface mining operation progresses and ultimate slope grades are achieved along with installation of appropriate erosion protection (slope walking-stabilizing, seeding etc.), revegetation of the slopes and the mine floor shall commence on an incremental basis. An effort will be made not to re-disturb reclaimed area of the mine, which has been reseeded during any prior reclamation periods.

Final reclamation shall be ongoing with respect to grading and shaping the mine area. Reseeding the disturbed areas and spreading any remaining sand all of the salvaged growth media over the site, and applying the saved vegetative matter from prior clearing processes, will commence at the conclusion of mining.

Test plot areas for revegetation will be located within an area of previous disturbance as shown on the reclamation plan. Test plots will allow observation of the revegetation program's effectiveness, whereby modifications can be made if necessary. After Reclamation, the reclaimed mine site will become vacant open space.

**ENVIRONMENTAL/EXISTING SITE CONDITIONS:**

**Table 1. Existing Land Use/Zoning**

<b>AREA</b>	<b>EXISTING LAND USE</b>	<b>LAND USE/OVERLAY DISTRICT</b>
<b>Site</b>	Sand & Gravel Mine/Vacant	RC (Resource Conservation)
<b>North</b>	Vacant	RC (Resource Conservation)
<b>South</b>	Single-Family Residence/Vacant	RC (Resource Conservation)
<b>East</b>	Vacant	RC (Resource Conservation)
<b>West</b>	Scattered Single-Family Residences/Vacant	RC (Resource Conservation)

As noted under the Project Description, the total site area consists of 38.43-acres. Only the eastern portion (approximately 14.2 acres) will be disturbed during Mining and Reclamation. The northeast 4.2-acre portion of the site is currently being used for the aggregate processing, ready mix concrete plant, asphalt concrete plant, recycle plant, and for stockpiling material. The central-eastern portion of the site contains the excavation area, and the remainder of the site consists of primarily vacant land that has experienced past disturbance. Within portions of the area subject to the Mining and Reclamation Plan there are several structures such as a mobile home, ancillary structures, and some outdoor storage. Soil type consists primarily of sandy loam. According to the operator, there are no water courses or sensitive habitat for wildlife on the site. (See Exhibit 3, *Aerial Photo*)

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

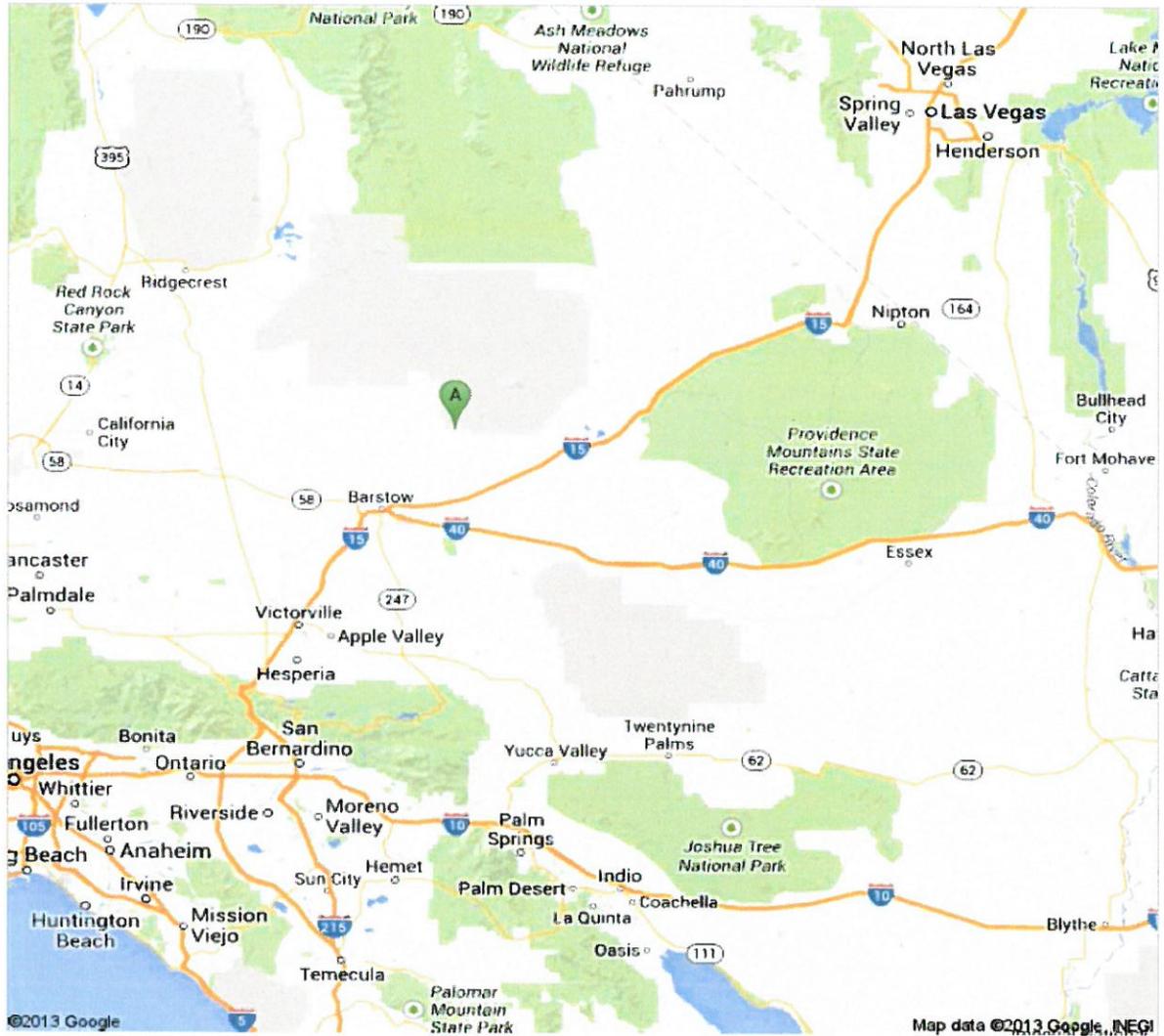
Federal: None.

State of California: None.

County of San Bernardino: Land Use Services Department-Planning,

Regional: Mojave Desert Air Quality Management District (MDAQMD).

Local: None

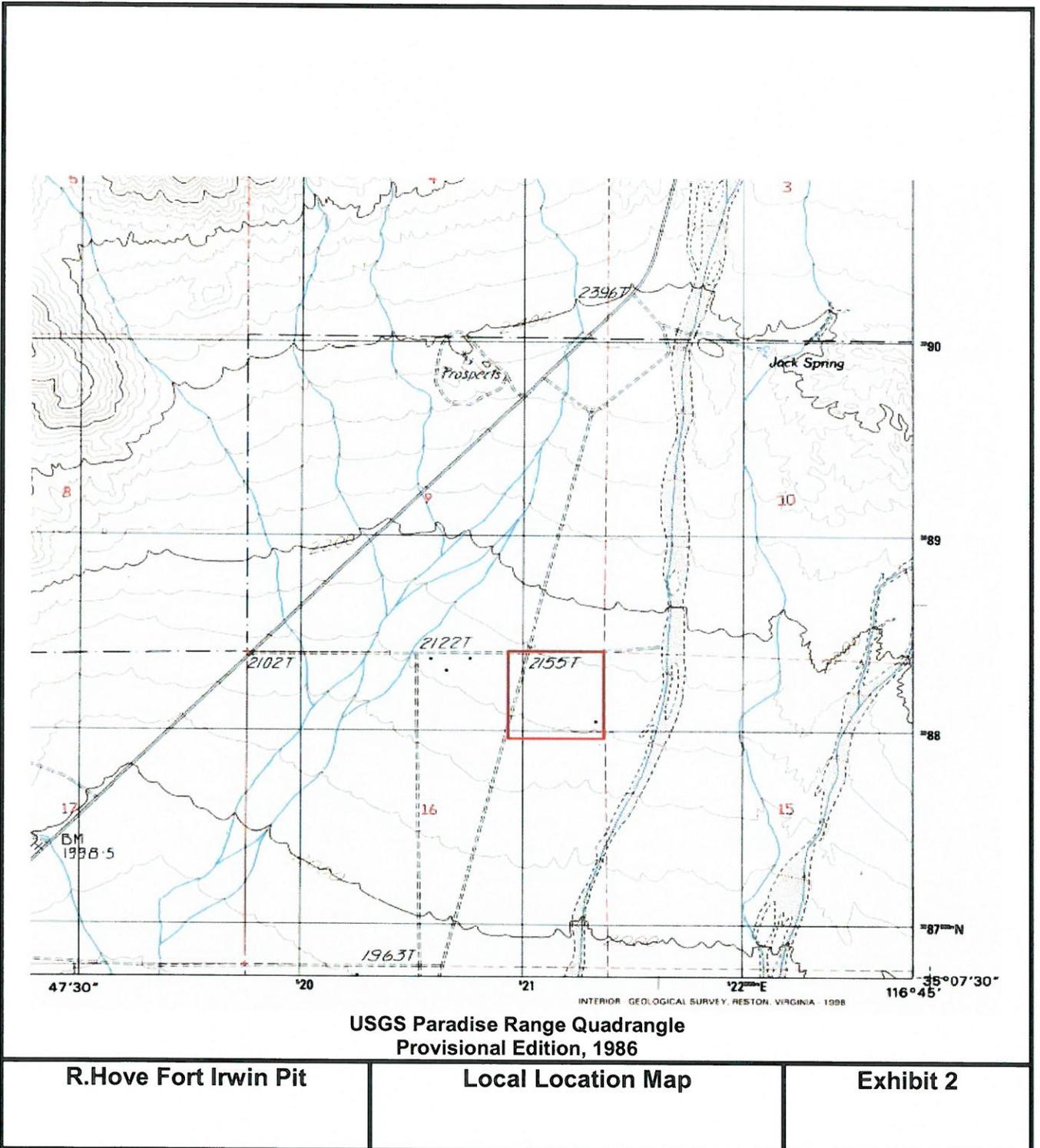


 **Project Location**

**R.Hove Fort Irwin Pit**

**Regional Location Map**

**Exhibit 1**

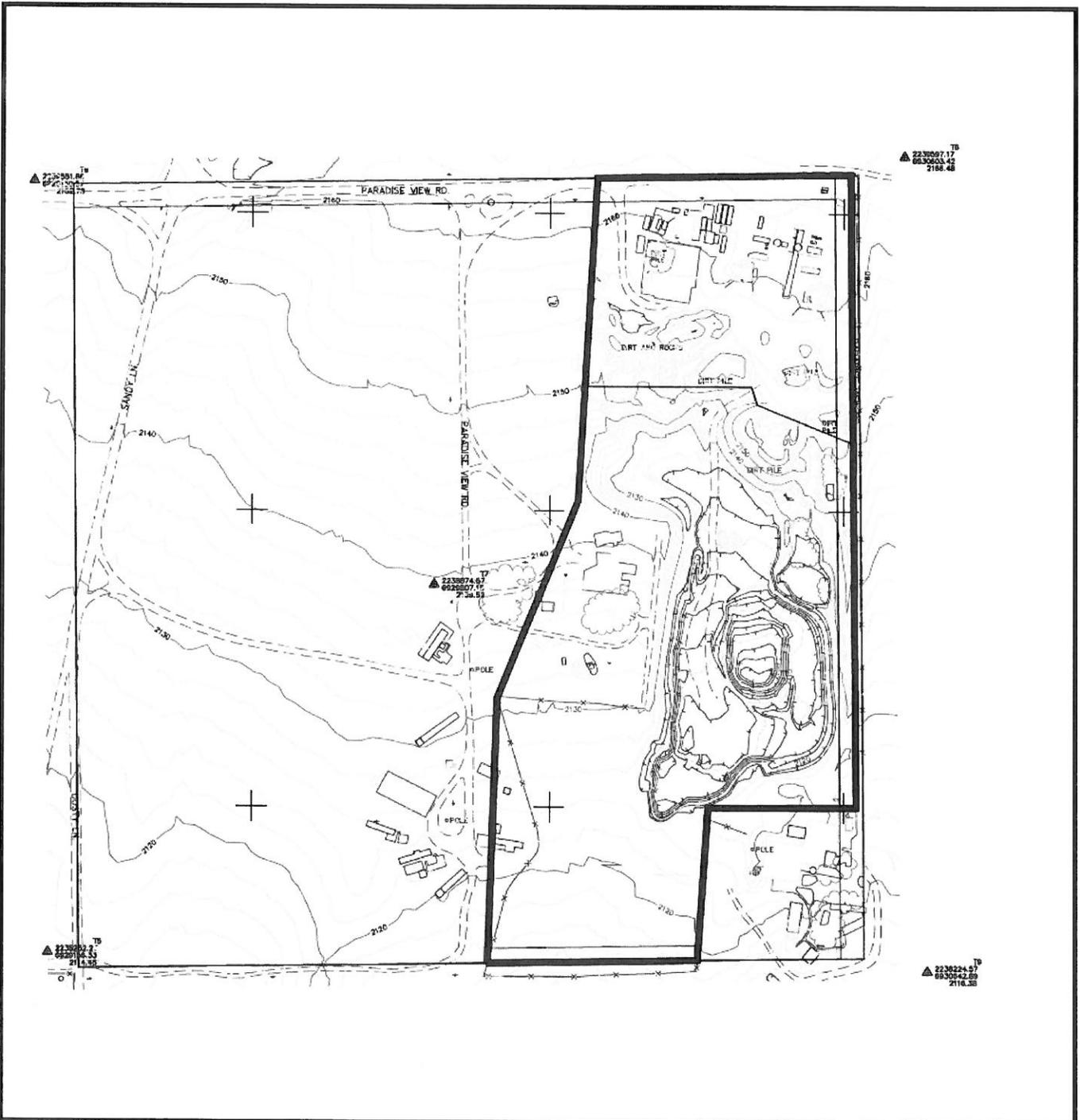




**R.Hove Fort Irwin Pit**

**Aerial Photo  
14.2 Acre  
Mining & Reclamation Plan  
Boundary**

**Exhibit 3**



<p><b>R.Hove Fort Irwin Pit</b></p>	<p><b>14.2 Acre Mining &amp; Reclamation Plan Boundary</b></p>	<p><b>Exhibit 4</b></p>
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## EVALUATION FORMAT

This initial study is prepared in compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of an Initial Study is guided by Section 15063 of the State CEQA Guidelines. This format of the study is presented as follows. The project is evaluated based upon its effect on seventeen (17) major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study Checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant	No Impact
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Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

1. **No Impact:** No impacts are identified or anticipated and no mitigation measures are required.
2. **Less than Significant Impact:** No significant adverse impacts are identified or anticipated and no mitigation measures are required.
3. **Less than Significant Impact with Mitigation Incorporated:** Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List of mitigation measures)
4. **Potentially Significant Impact:** Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are (List of the impacts requiring analysis within the EIR).

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

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

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

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

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

Prepared by Ernest Perea, Contract Planner

  
 Reuben Arceo, Contract Planner

  
 Dave Prusch, Planning Supervisor

12/22/15  
 Date

12/22/2015  
 Date

**Appendices: (On Compact Disk)**

- A. Habitat Assessment and Focused Burrowing Owl Survey, RCA Associates LLC
- B. Focused Desert Tortoise Survey, RCA Associates LLC
- C. Amended Mining & Reclamation Plan, Kjelstrom & Associates, Inc.

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

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

Source: County General Plan Open Space Element

- I a) **No Impact.** The County General Plan Open Space Element, Policy OS 5.1. states that a feature or vista can be considered scenic if it:
- Provides a vista of undisturbed natural areas;
  - Includes a unique or unusual feature that comprises an important or dominant portion of the viewshed; or,
  - Offers a distant vista that provides relief from less attractive views of nearby features such as views of mountain backdrops from urban areas.

The site is being actively mined. The overall project site does not meet the criterion for a scenic vista pursuant to County General Plan Open Space Element Policy OS 5.1 above. Therefore, the project will have no impact on a scenic vista.

- I b) **No Impact.** According to The San Bernardino County General Plan the project site is not within a scenic route (Ref. General Plan Pg. IV-16). Therefore, no impact is anticipated.
- I c) **Less than Significant.** The visual character of the site and surroundings is that of an existing mining operation surrounded by vacant desert land with some single-family residences nearby and adjacent to the site. The proposed use is an allowable use within the Resources Conservation Land Use Zoning District. The continued operation and expansion of mining activities will not significantly impact the existing visual character of the area. Therefore, a less than significant impact is anticipated.
- I d) **Less Than Significant Impact.** The Proposed Project would not create a new source of

substantial light or glare which would adversely affect day or nighttime views in the area. In addition, Section 83.07.040(a) (2) of the County Development Code requires that outdoor lighting be shielded in order to preclude light pollution or light trespass.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>II. AGRICULTURE and FORESTRY RESOURCES</b> - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

*Source: California Department of Conservation, Farmland Mapping and Monitoring Program.*

- II a) **No Impact.** The site does not contain any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as mapped by the State Department of Conservation Farmland Mapping and Monitoring Program. As such, the Project has no potential to convert such lands to a non-agricultural use and no impact would occur.

- II b) **No Impact.** Generally, a conflict with existing zoning for agriculture use would occur if a project would intrude into agricultural areas and create conflicts between agriculture uses and non-agriculture uses. The project site is zoned RC (Resource Conservation). The RC land use zoning district allows mining as a conditional use. There are no agricultural uses on the project site or in the vicinity of the project site.

Pursuant to the California Land Conservation Act of 1965, a Williamson Act Contract enables private landowners to voluntarily enter into contracts with local governments for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive lower property tax assessments based upon farming and open space uses as opposed to full market value. The project site is not under a Williamson Act Contract. As such, there is no impact with respect to a Williamson Act Contract.

- II c) **No Impact.** The project site is zoned RC (Resource Conservation), The project site does not contain any forest lands, timberland, or timberland zoned as Timberland Production, nor are any forest lands or timberlands located on or nearby the project site. Because no lands on the project site are zoned for forestland or timberland, the project has no potential to impact such zoning.
- II d) **No Impact.** The project site and surrounding properties do not contain forest lands, are not zoned for forest lands, nor are they identified as containing forest resources by the General Plan. Because forest land is not present on the project site or in the immediate vicinity of the project site, the proposed project has no potential to result in the loss of forest land or the conversion of forest land to non-forest use.
- II e) **No Impact.** The project site is approximately 14.2 gross acres in size and is located in an area largely characterized by vacant land, mining activities, and sparsely developed residential land. No land is being used for agricultural purposes in the vicinity of the project site. As such, the project would not result in conversion of Farmland to non-agricultural use and no impacts would occur.

ISSUES	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>III. AIR QUALITY</b> - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The project Site is located in the Mojave Desert Air Basin (MDAB). The Mojave Desert Air Quality Management District (MDAQMD) has jurisdiction over air quality issues and regulations within the MDAB. To assist local agencies to determine if a project's emissions could pose a significant threat to air quality, the MDAQMD has prepared *the California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, August 2011*. The air and dust emissions from the operational use of the project were evaluated and compared to the MDAQMD standards and evaluated against the most recent applicable thresholds.

- III a) **Less than Significant.** The project site is within the MDAB and under the jurisdiction of the MDAQMD. The MDAQMD is responsible for updating the Air Quality Management Plan (AQMP). The AQMP was developed for the primary purpose of controlling emissions to maintain all federal and state ambient air standards for the district. A project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project is conforming if it complies with all applicable District rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan). Conformity with growth forecasts can be established by demonstrating that the project is consistent with the land use plan that was used to generate the growth forecast.

The project is consistent with the zoning and land use classifications that were used to prepare the Mojave Desert AQMP (Resource Conservation/RC). In addition, based on Table 2, Project-generated emissions will not exceed emission thresholds. Therefore, the project's emissions are in compliance with the thresholds established by the Mojave Desert Air Quality Management District. The project would not significantly increase local air emissions and therefore would not conflict with or obstruct implementation of the plan. Therefore, no impact is anticipated.

- III b) **Less than Significant With Mitigation Incorporated.** Mining activities consists of bulldozers and front-end loader performing the excavation of the quarry and slopes. Conveyors and haul trucks will transfer the aggregate from the mine to the on-site sand and gravel processing plant area.

To control fugitive dust generated during removal of fill-dirt from the deposit, wind-blown dust from storage piles, dust from traffic on haul roads, dust during material dumping from front-end loaders, the roads and mine will be wetted regularly and more frequently as needed during windy conditions by a tank truck(s).

The project emissions were estimated by using the *California Emissions Estimator Model* (Model). The Model, is a statewide land use emissions computer model designed to provide a uniform platform for government agencies to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. The model can be used for a variety of situations where an air quality analysis is necessary or desirable such as California Environmental Quality Act (CEQA) documents and is authorized for use by the Mojave Desert Air Quality Management District ("District").

Operational emissions are based on the following equipment assumptions as shown in Table 2 below.

**Table 2. Estimated Typical Equipment List**

Equipment Type	Number of Units	Hours/Day	Horse Power
Rubber Tired Dozer	2	6	255
Crawler Tractor	1	8	361
Crushing/Proc. Equipment	1	8	97
Hauling Trucks	20	8	--
(1) Equipment estimates based on project description (Fort Irwin Mining & Reclamation Plan). Water truck emissions are included in off-road equipment emissions as a default for grading operations by CalEEMod, hauling truck emissions are included in export calculations by CalEEMod.  (2) Estimated output of material 65,000 tons (48,000 cubic yards), Worker trips 4/day per Fort Irwin Mining & Reclamation Plan.			

A project is considered to have significant impacts if it generates total emissions (direct and indirect) in excess of the thresholds established by the District. The project is evaluated in comparison to the District's daily thresholds as shown in Table 3.

**Table 3.  
 Fort Irwin Mine Operations  
 (Mitigated Pounds per Day)**

Source	ROG	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Mining Operations (Loaders, Dozer, & Water Truck)	2.61	29.19	15.69	26.53	3.68
Hauling Trucks	0.089	0.035	0.424	24.76	2.48
Worker Trips	0.005	0.013	0.017	0.470	0.047
<b>Totals (lbs/day)</b>	<b>2.704</b>	<b>29.24</b>	<b>16.13</b>	<b>51.76</b>	<b>6.207</b>
MDAQMD Threshold (lbs/day)	137	137	548	82	82
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
Source: Emissions Data from CalEEMod 2013.2.2					

As shown in Table 3, Project emissions would not exceed District thresholds. However, in order to ensure that impacts are reduced to the maximum extent feasible, the following mitigation measures are required:

**AQ-1: Pre-watering.** The project proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.

**AQ-2: Watering and Soil Stabilization.** The project proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading and mining activity on the site. Portions of the site that are actively being mined shall be watered to ensure that a crust is formed on the ground surface, and shall be watered at the end of each workday.

- III c) **Less Than Significant Impact.** The project is located in a region that has been identified as being in Non-Attainment for Ozone and PM10 (State) according to the California Air Resources Board Area Designation Maps. This means that the background concentration of these pollutants have historically been over the Federal and/or State Ambient Air Quality Standards. With respect to air quality, no individual project would by itself result in Non-Attainment of the Federal or State Ambient Air Quality Standards. However, a project's air pollution emissions although individually limited, may be cumulatively considerable when taken in combination with past, present, and future development projects. In order to be considered significant, a project's air pollutant emissions must exceed the emission thresholds established by the regional Mojave Desert Air Quality Management District.

As shown in Table 3, the thresholds for the above referenced criteria pollutants would not be exceeded by the project. Therefore, impacts from the project are not cumulatively considerable when included with other past, present, and future probable projects.

- III d) **Less Than Significant Impact.** According to the *Mojave Desert Air Quality Management District CEQA and Federal Conformity Guidelines*, February 2009, residences, schools, daycare centers, playgrounds and medical facilities are considered sensitive receptor land

uses. The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor land use must be evaluated against the District's significance threshold criteria:

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

The project is considered an "industrial project" and is located within 1,000 feet of several residential homes. As shown on Table 3 above, the project will not exceed the significance thresholds of the District. Therefore, impacts are less than significant.

- III e) **No Impact.** The generation of objectionable odors is typically not associated with surface mining operations. Therefore, no impact is anticipated.

ISSUES	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>IV. BIOLOGICAL RESOURCES - Would the project:</b>				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc...) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>SUBSTANTIATION</b>	(Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database):			
	<input type="checkbox"/>			

The following analysis is based in part on the *Habitat Assessment and Focused Burrowing Owl Survey, November 5, 2013* by RCA Associates, LLC, *Focused Desert Tortoise Survey, November 6, 2013* by RCA

Associates, LLC, and Amended Mining and Reclamation Plan for R. Hove Fort Irwin Pit Supplemental Data: Revegetation and Monitoring for the R. Hove Fort Irwin Pit #2015-3 by RCA Associates LLC.

IV a) **Less Than Significant with Mitigation Incorporated.**

Sensitive Plant Species

Perennials observed during the field March 5, 2015 investigations included burrow bush (*Ambrosia dumosa*), creosote bush (*Larrea tridentata*), ephedra (*Ephedra nevadensis*), cheesebush (*Hymenoclea salsola*), senna (*Senna armata*), and lycium (*Lycium cooperi*). These perennials were observed along each of the 15 step-point transects and the data for each species is provided in the table below.

**Table 4. Plant Data for the R. Hove Fort Irwin Pit Project Site.**

SPECIES	COVER (%)	DENSITY (Number per sq. meter)	SPECIES COMPOSITION	FREQUENCY
Burrow Bush ( <i>Ambrosia dumosa</i> )	39.8	1.2	44	44.9
Creosote Bush ( <i>Larrea tridentata</i> )	22.8	1.3	7.9	8.1
Cheesebush ( <i>Hymenoclera salsola</i> )	14.2	2.6	11.9	12.2
Senna ( <i>Senna armata</i> )	5.9	2.9	11.7	11.8
Lycium ( <i>Lycium cooperi</i> )	1.8	0.9	4.5	4.6
Ephedra ( <i>Ephedra nevadensis</i> )	16.7	1.1	20	20.4

Source: Data from field investigations conducted on March 5, 2015.

Twenty-seven beavertail cactus (*Opuntia basilaris*) and three silver cholla (*O. echinocarpa*) plants were identified on the project site. The Amended Mining and Reclamation Plan for R. Hove Fort Irwin Pit Supplemental Data: Revegetation and Monitoring for the R. Hove Fort Irwin Pit #2015-3 by RCA Associates LLC identified these plants as being eligible for protection by the County. Each plant was flagged and the GPS coordinates were recorded. These plants will be relocated in the manner outlined in the Revegetation and Monitoring Plan. The cactus plants will be collected in such a manner as to minimize stress to the plant, and will be transplanted to an area of the project site where the cactus will be protected from any disturbance. Once mining activities have been completed, the cacti will be transplanted back to their original locations per Mitigation Measure BIO-5 below.

Sensitive Wildlife Species

The site has been disturbed by past activities and on-going mining activities. Only a few wildlife species were observed during the field investigations. Birds observed were limited to mourning doves (*Zenaida macroura*), ravens (*Corvus corax*), and song sparrows (*Melospiza melodia*). A

few side-blotched lizards (*Uta stansburniana*), were observed and western whiptail lizards (*Cnemidophorus tigris*) are relatively common in the area and may occur on the property. In addition, Jackrabbits (*Lepus californicus*) were seen on the project site and other mammals known to occur in the area include desert cottontail rabbits (*Sylvilagus auduboni*), Merriam's kangaroo rats (*Dipodomys merriami*), and antelope ground squirrels (*Ammospermophilus leucurus*).

The Biological Reports prepared for the project did not identify any of the above wildlife species as "sensitive species" (i.e. 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.

#### *Burrowing Owl*

The Burrowing Owl is a *Bird Species of Special Concern*. The site supports marginal habitat for burrowing owls based on the results of the *Habitat Assessment and Focused Burrowing Owl Survey*. However, the survey did not identify any owls or occupiable burrows within the boundaries of the proposed mine expansion area and no additional surveys were recommended.

However, the following mitigation measure is required to reduce impacts to the maximum extent feasible:

***BIO-1-Burrowing Owl.*** Utilizing accepted protocols, within 30 days prior to initiating mining activities on the areas not currently being mined, a pre-construction survey shall be conducted for the Burrowing Owl by a qualified biologist and submit a report of finding to the County of San Bernardino Land Use Services Department-Mining Division.

#### *Desert Tortoise*

The site does not support prime suitable habitat for the desert tortoise based on past human activities. In addition, the *Focused Desert Tortoise Survey*, November 6, 2013 by RCA Associates, LLC, found no tortoises or tortoise sign (burrows, scats, carcasses, etc.) on the project site or within the zone of influence. There is a low probability that the species will move onto the site. In order to reduce impacts to the desert tortoise to the maximum extent feasible, the following mitigation measures are required:

***BIO-2 Worker Environmental Awareness Program.*** Prior to any construction activities on the project site the Applicant will implement a Worker Environmental Awareness Program (WEAP) to educate on-site workers about sensitive environmental issues associated with the Project. The program will be administered to all on-site personnel, including the Applicant's personnel, contractors, and all subcontractors, on the first day of work prior to the employee's commencing work on the site. The WEAP will place special emphasis on the protected species that have potential to occur within the site, including the Mojave desert tortoise.

The program will include the following elements:

- A presentation, developed by or in consultation with a qualified biologist, discussing the sensitive biological resources with potential to occur on-site, and explaining the reasons

*for protecting these resources and penalties for non-compliance;*

- *Brochures or booklets, containing written descriptions and photographs of protected species as well as a list of site rules pertaining to biological resources, to be provided to all WEAP participants;*
- *Contact information for the project biological monitor, and instructions to contact the monitor with any questions regarding the WEAP presentation or booklets;*
- *An acknowledgement form, to be signed by each worker indicating that they received WEAP training and will abide by the site rules protecting biological resources; and,*
- *A training log, to be signed by all on-site personnel immediately following WEAP training, will be maintained on the project site during construction to document compliance with this measure.*

**BIO-3 Pre-construction Desert Tortoise Surveys.** *Within 14 days prior to mining activities on the areas not currently being mined, the Applicant shall retain a qualified biologist to conduct clearance level surveys per USFWS and/or CDFW protocols for signs to ensure that the desert tortoise have not occupied the site since the Focused Desert Tortoise Survey, November 6, 2013 by RCA Associates, LLC. The results of the pre-construction clearance survey shall be submitted to the USFWS, CDFW, and the County of San Bernardino Land Use Services Department-Mining Division within 14 days of completion of the pre-construction surveys to document compliance with applicable federal and state laws pertaining to the protection of desert tortoise.*

**BIO-4 Mojave Desert Tortoise Exclusion Fencing.** *Prior to initiation of mining activities along within the areas not currently being mined a desert tortoise exclusion fence shall be installed surrounding the disturbance area. The exclusion fence shall be installed in accordance with the specifications set forth in Chapter 8 of the USFWS' Desert Tortoise Field Manual (USFWS 2009), and installation of the fence shall be overseen by a biologist familiar with the installation of tortoise exclusion fencing. If tortoise exclusion fences are left in place for a period exceeding one week at any location, the fences will be inspected weekly for any signs of damage or wear that could potentially compromise the integrity of the exclusion perimeter. If damage or excessive wear is observed, the exclusion fence will be repaired immediately. Results of any necessary fence inspections will be maintained to document compliance with this provision.*

**BIO-5 Summary Report.** *Within 30 days of completion of Mitigation Measures BIO-1 through Bio-3 above, the Applicant shall submit a summary report to the County of San Bernardino Land Use Services Department-Mining Division which summarizes compliance with these mitigation measures.*

- IV b) **No Impact.** Based on the *Habitat Assessment*, no riparian habitat or other sensitive natural community was identified on the Project site.
- IV c) **No Impact.** Based on the *Habitat Assessment*, no wetlands were identified on the Project site.
- IV d) **No Impact.** Based on the *Habitat Assessment*, the project will not interfere with the movement

of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites as none exist on the site.

- IV e) **Less Than Significant Impact with Mitigation Incorporated:** Twenty-seven beavertail cactus (*Opuntia basilaris*) and three silver cholla (*O. echinocarpa*) plants were identified on the project site. Each plant was flagged and the GPS coordinates were recorded. These plants will be relocated in the manner outlined in the Revegetation and Monitoring Plan. The cactus plants will be collected in such a manner as to minimize stress to the plant, and will be transplanted to an area of the project site where the cactus will be protected from any disturbance. Once mining activities have been completed, the cacti will be transplanted back to their original locations.

Mitigation Measure BIO-5 is required:

***BIO-5. Transplanting of Native Plants.*** *Prior to Project approval, the Revegetation Plan shall demonstrate how the twenty-seven beavertail cactus (*Opuntia basilaris*) and three silver cholla (*O. echinocarpa*) plants will be transplanted during growth media salvage to areas which remain undisturbed until they are used in revegetation of the site.*

- IV f) **Less Than Significant Impact with Mitigation Incorporated.** The project area is located in the Northern and Eastern Mojave planning area of the California Desert Conservation Area (CDCA). Compliance with Mitigation Measures BIO-1 through BIO-4 ensures that the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

ISSUES	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>V. CULTURAL RESOURCES - Would the project</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

V a) **Less Than Significant Impact.** Historic resources generally consist of buildings, structures, improvements, and remnants associated with a significant historic event or person(s) and/or have a historically significant style, design, or achievement. Damaging or demolition of historic resources is typically considered to be a significant impact. Impacts to historic resources can occur through direct impacts, such as destruction or removal, and indirect impacts, such as a change in the setting of a historic resource.

CEQA Guidelines §15064.5(a) clarifies that historical resources include the following:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources.
2. A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements [of] section 5024.1(g) of the Public Resources Code.
3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.

A portion of the site is actively been mined. Given the overall disturbed nature of the site it is not likely that above historic resources are located on the site.

- V b) **Less Than Significant Impact with Mitigation Incorporated.** Archaeological sites are locations that contain resources associated with former human activities, and may contain such resources as human skeletal remains, waste from tool manufacture, tool concentrations, and/or discoloration or accumulation of soil or food remains.

A portion of the site is actively being mined and is highly disturbed by mining activities. Sub-surface archaeological resources are not likely to be encountered in this area, However, there is a potential that archaeological resources not previously identified may be uncovered during earth moving activities in the undisturbed areas of the site planned for future mining activities. The following Mitigation Measure is required:

**CR-1: Archaeological Resource Discovery.** *The developer/property owner shall submit a letter to County Planning agreeing to adhere to the following requirements:*

*In the event archaeological resources are uncovered during earthmoving activities, all work in that area shall cease immediately the County and the Bureau of Land Management shall be notified. A qualified archeologist shall be retained to access the findings, and if necessary provide appropriate disposition of the resources. Earthmoving shall be diverted temporarily around the deposits until they have been evaluated, recorded, excavated, and/or recovered as necessary. Earthmoving shall be allowed to proceed on the site when the archaeologist, in consultation with the appropriate Native American Tribe(s) and the County of San Bernardino Museum, determines the resources are recovered to their satisfaction.*

- V c) **Less Than Significant Impact with Mitigation Incorporated.** Paleontological resources are the preserved fossilized remains of plants and animals. Fossils and traces of fossils are preserved in sedimentary rock units, particularly fine- to medium grained marine, lake, and stream deposits, such as limestone, siltstone, sandstone, or shale, and in ancient soils. They are also found in coarse-grained sediments, such as conglomerates or coarse alluvium sediments. Fossils are rarely preserved in igneous or metamorphic rock units. Fossils may occur throughout a sedimentary unit and, in fact, are more likely to be preserved subsurface, where they have not been damaged or destroyed by previous ground disturbance, amateur collecting, or natural causes such as erosion.

A portion of the site is actively being mined and is highly disturbed by mining activities. Paleontological resources are not likely to be encountered in this area, However, there is a potential that paleontological resources not previously identified may be uncovered during earth moving activities in the undisturbed areas of the site planned for future mining activities. The following Mitigation Measure is required:

**CR-2: Paleontological Resource Discovery.** *The developer/property owner shall submit a letter to County Planning agreeing to adhere to the following requirements:*

*In the event paleontological resources are uncovered during earthmoving activities, all work in that area shall cease immediately the County and the Bureau of Land Management shall be notified. A qualified paleontologist shall be retained to access the findings, and if necessary provide appropriate disposition of the resources. Earthmoving shall be diverted temporarily around the deposits until they have been evaluated, recorded, excavated, and/or recovered as necessary. In consultation with the Project proponent, the County, and the Bureau of Land Management, the qualified paleontologist shall develop a plan of mitigation which shall include salvage excavation and removal of the find, removal of sediment from around the specimen (in*

*the laboratory), research to identify and categorize the find, curation of the find in a local qualified repository, and preparation of a report summarizing the find.*

- V d) **Less Than Significant Impact.** The project site does not contain a cemetery and no known formal cemeteries are located within the immediate site vicinity. In the event that human remains are discovered during project grading or other ground disturbing activities, the project would be required to comply with the applicable provisions of California Health and Safety Code §7050.5 as well as Public Resources Code §5097 et. seq. California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner.

If the Coroner determines the remains to be Native American, the California Native American Heritage Commission (NAHC) must be contacted and the NAHC must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

ISSUES	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>VI. GEOLOGY AND SOILS - Would the project:</b>				
VIa) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VIb) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VIc) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VI d) Be located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001) creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VIe) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The following analysis is based in part on the *Amended Mining & Reclamation Plan*, Kjelstrom & Associates, Inc., April 2015

VI a) ai) **No Impact.** The site is located within the Mojave Desert Geomorphic Province. The Mojave Desert is bounded on the southwest by the San Andreas Fault and the Transverse Ranges, and on the northeast by the Garlock faults. The Mojave Desert is an ancient feature

in response to movements related to the San Andreas and Garlock faults. The region is characterized by broad alleviated basins receiving non-marine continental deposits from ancient uplands that are burying the old topography, which was previously more mountainous (Norris and Webb, 1990).

The site is situated on alluvial fans. The site is not situated on an Alquist-Priolo Earthquake Fault. The nearest major fault is the Coyote Lake Fault located within 1 mile of the project site to the north and to the west (California Geological Survey, Geologic Atlas of California Map No. 023, 1962).

Fault rupture can be a potential hazard to structures and infrastructure but are not generally considered to be hazardous to open-pit aggregate mines.

a ii) **Less Than Significant Impact.** Seismic ground shaking is influenced by the proximity of the site to an earthquake fault, the intensity of the seismic event, and the underlying soil composition. Although the Coyote Lake Fault is located within 1 mile of the project site to the north and to the, the project site is to be used for a mining operation and seismic ground shaking is not generally considered to be hazardous to open-pit aggregate mines.

a iii) **Less Than Significant Impact.** According to the County General Plan Hazards Overlay Map the site is not located in an area susceptible to liquefaction. As noted, the proposed project would not build permanent structures or construct facilities with foundations that could fail as a result of liquefaction during an earthquake. Therefore, this impact is considered less than significant.

a iv) **Less Than Significant Impact.** According to the County General Plan Hazards Overlay Map the site is not located in an area susceptible to landslides. The project would involve excavation to depths no greater than 50 feet below the existing ground elevation. In addition, the side slopes of the excavated area would not be steeper than 2:1 (H:V). Therefore, the project site would not be exposed to landslide hazard, and this impact would be less than significant.

VI b) **Less Than Significant Impact.** The climatic conditions (specifically the lack of rainfall, 2" to 5" annually), the mine design, the existing sloping topography, and the chosen mine location within the 38.43-acre subject property holdings, all combine to reduce erosion and the sediment erosion from the site. All storm water discharge is regulated by the Lahontan Regional Water Quality Control Board pursuant to site specific Storm Water Pollution Prevention Plans to manage soil erosion.

Specifically, the following design criteria were implemented for erosion control and for drainage control.

- Set back from property lines of 25' and greater.
- Finished slopes designed at 2:1.
- Install energy dissipation devices if deemed necessary.
- Implementation of erosion control measures in accordance with the SWPPP.

- Excavation (mining) area is outside of wash and area(s) determined to be subject to high storm water drainage patterns.
- Slopes are to be stabilized, if needed, by walking the unstabilized area with a dozer “cat-walk” to create compaction, and at the same time creating seed traps or “pockets” to hold seed and help promote plant re-establishment.

In addition, due to the low precipitation, flat gradient of the topography, and sandy nature of the soil, drainage control does not present a significant impact. The revegetation program is designed to reestablish a self-sustaining native plant community upon the conclusion of mining. As excavations are finished they will be revegetated with a combination of transplanted plants, growth media and native plant seeds collected from adjacent areas or purchased from commercial suppliers. All disturbed area drainage would be retained within the basins and low-lying areas; therefore, impacts are anticipated to be less than significant.

- VI c) **Less Than Significant Impact.** The site is situated on alluvial fans and the primary soil type is sandy loam. Loamy soils are usually a very stable soil that shows little change with the increase or decrease of moisture temperature. The project is an open-pit mining operation. There are no structures on the site nor are any proposed. The project would involve excavation to depths no greater than 50 feet below the existing ground elevation. All quarry slopes shall be designed such that they do not exceed a 50-foot vertical height. All finished quarry slopes shall have no less than a 2:1 slope ratio, horizontal to vertical. Existing slopes where re-vegetation is established will be left at 2:1 or gentler in conformance with SMARA stipulations. Therefore, impacts related to landslide, lateral spreading, subsidence, liquefaction or collapse are considered less than significant.
- VI d) **No Impact.** The site is not located in an area which has been identified by the County as having the potential for expansive soils. The sandy loam soil materials are expected to have a very low to non-existent potential for collapse or hydroconsolidation. They are considered to be non-expansive. No impact is anticipated.
- VI e) **No Impact.** Septic tanks and/or alternative water supply systems are not proposed as part of the proposed project. Therefore, no impacts are anticipated.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>VII GREENHOUSE GAS EMISSIONS - Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION**

VII a) **Less Than Significant Impact.** In December September 2011, the County of San Bernardino adopted the "Greenhouse Gas Emissions Reduction Plan" ("GHG Plan"). The purpose of the GHG Plan is to reduce the County's internal and external GHG emissions by 15 percent below current (2011) levels by year 2020 in consistency with State climate change goals pursuant to AB32. The GHG Plan has been designed in accordance with Section 15183.5 of the State CEQA Guidelines which provides for streamline review of climate change issues related to development projects when found consistent with an applicable greenhouse gas emissions reduction plan.

Section 5.6 of the GHG Plan identifies the procedures for reviewing development projects for consistency with the GHG Plan. The GHG Plan includes a two-tiered development review procedure to determine if a project could result in a significant impact related greenhouse gas emissions or otherwise comply with the Plan pursuant to Section 15183.5 of the State CEQA Guidelines. The initial screening procedure is to determine if a project will emit 3,000 metric tons of carbon dioxide equivalent (MTCO<sub>2</sub>E) per year or more. Projects that do not exceed this threshold require no further climate change analysis but are required to implement mandatory reducing measures in the project's conditions of approval.

Projects exceeding this threshold must meet a minimum 31 percent emissions reduction in order to garner a less than significant determination. This can be met by either (1) achieving 100 points from a menu of mitigation options provided in the GHG Plan or (2) quantifying proposed reduction measures. Projects failing to meet the 31 percent reduction threshold would have a potentially significant impact related to climate change and greenhouse gas emissions.

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

A GHG emissions inventory was conducted for the project utilizing the California Emissions Estimator Model (CalEEMod) based on the equipment mix and number of haul trips associated with mining activities. GHG emissions will be released by equipment used for loading, grading, and compacting activities. CalEEMod estimates that the estimated annual emissions from mining activities would be 850.30 metric tons of carbon dioxide equivalent (MTCO<sub>2</sub>E) per as shown on Table 5.

**Table 5. Project Greenhouse Gas (GHG) Emissions**

Source	GHG Emissions MT/yr			
	N2O	CO2	CH4	CO2e
Mining Operations	0.00025	447.10	0.144	450.22
<b>TOTAL</b>				<b>450.22</b>
<b>MDAQMD Threshold</b>				<b>3,000</b>
<b>Exceed Threshold?</b>				<b>NO</b>

As shown on Table 5, the project’s GHG emissions are 450.22 MTCO<sub>2</sub>E per year which is less than the initial screening threshold of 3,000 MTCO<sub>2</sub>E per year. Projects that do not exceed this threshold require no further climate change analysis.

However, the following Performance Standards apply to all projects, including those that are emit less than 3,000 MTCO<sub>2</sub>E/YR, and will be included as Conditions of Approval for the project.

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

1. *The developer shall implement the following as greenhouse gas (GHG) mitigation during the operation of the approved project:*
  - a) *Waste Stream Reduction. The “developer” shall provide to all project employees County-approved informational materials about methods and need to reduce the solid waste stream and listing available recycling services.*
  - b) *Vehicle Trip Reduction. The “developer” shall provide to all project employees County approved informational materials about the need to reduce vehicle trips and the program elements this project is implementing. Such elements may include: participation in established ride-sharing programs, creating a new ride-share employee vanpool, designating preferred parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles with benches in waiting areas, and/or providing a web site or message board for coordinating rides.*
  - c) *Select construction equipment based on low-emissions factors and high-energy efficiency. All diesel/gasoline-powered construction equipment shall be replaced, where possible, with equivalent electric or CNG equipment.*
  - d) *All construction equipment engines shall be properly tuned and maintained in accordance with the manufacturers specifications prior to arriving on site and throughout construction duration.*

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

ISSUES	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:</b>				
a) Create a significant hazard to the public or the Environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION**

VII a-b) **Less Than Significant Impact with Mitigation Incorporated.** Mining and reclamation activities for the proposed project would involve the use of heavy equipment and vehicles containing fuel,

oil, and grease. These fluids could leak from construction vehicles or be inadvertently released in the event of an accident, potentially releasing petroleum compounds and metals. Unless properly managed, such releases could result in adverse health effects, present an increased risk of fire or explosion or contaminate exposed soil. This analysis assumes the routine use, storage, and disposal of hazardous materials during mining and reclamation would be in compliance with applicable regulations and codes.

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

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

- VIII c) **No Impact.** The project involves the use of materials common to the mining industry and includes the transport, storage and use of fuels, and lubricants. The operator would continue to comply with all applicable federal and state safety rules and regulations regarding hazardous materials. During operation, diesel exhaust would be generated by heavy construction equipment; however, no school facilities or proposed school facilities are located within one-quarter mile radius of the project Site. Therefore, no impact is anticipated.
- VIII d) **Less than Significant impact.** The project site is not identified on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The operator would comply with all applicable federal and state safety rules and regulations regarding hazardous materials. Therefore, a less than significant impact is anticipated.
- VIII e/f) **No Impact.** As shown on *San Bernardino County General Plan, Hazards Overlay Map* the project Site is located within Airport Safety Review Area 4 (AR4). AR4 includes the low-altitude/high speed corridors designated for military aircraft use. Because the site is proposed for surface mining and will not contain structures in excess of FAA requirements, the project would not result in safety hazard impacts to or from aircraft-related uses. No impact is anticipated.
- VIII g) **No Impact.** Activities associated with the project would not impede existing emergency response plans for the project Site and/or other land uses in the project vicinity. All vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Therefore, implementation of the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. No impact is anticipated.
- VIII h) **No Impact.** As shown on *San Bernardino County General Plan, Hazards Overlay Map*, the Project site is not located within Fire Safety Overlay District. Because the site is proposed for surface mining and will not contain permanent habitable structures, it would not result in any safety hazard impacts from wild fires. No impact is anticipated.

ISSUES	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>IX. HYDROLOGY AND WATER QUALITY - Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structure that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including				

flooding as a result of the failure of a levee or dam?

j) Inundation by seiche, tsunami, or mudflow?

**SUBSTANTIATION**

The following analysis is based in part on the *Amended Mining & Reclamation Plan*, Kjelstrom & Associates, Inc., April 2015

IX a) **Less Than Significant Impact.** Mining waste discharges are regulated under Article 7 of Chapter 15 (Cal. Code of Regs.). Further regulations for mines are contained in the California Water Code, Section 13260. All mining operations are subject to the Surface Mining and Reclamation Act (SMARA, CA Public Resources Code, Title 14, Division 2, Chapter 9). The Project's *Mining and Reclamation Plan* contains the following measures and design features to meet waste discharge requirements:

- Set back from property lines of 25' and greater.
- Finished slopes designed at 2:1.
- Install energy dissipation devices if deemed necessary.
- Implementation of erosion control measures in accordance with the SWPPP.
- Excavation (mining) area is outside of wash and area(s) determined to be subject to high storm water drainage patterns.
- Slopes are to be stabilized, if needed, by walking the unstabilized area with a dozer "cat-walk" to create compaction, and at the same time creating seed traps or "pockets" to hold seed and help promote plant re-establishment.

IX b) **Less Than Significant Impact.** Groundwater in this area is adjudicated and managed by the Mojave Basin Area Watermaster. Water consumption could be estimated as high as 8,000 gallons per day. Using an average calendar year having approximately 300 working days, the annual water consumption can be estimated at 2,400,000 gal per year (= 7.37 acre feet per year). Water will be pumped to the processing site through pipes from an on-site well. As an alternative, the mine operator can haul the water to the processing site by way of a 20,000 gallon water truck. Based on the above, the project is not forecast to substantially deplete groundwater supplies. (See Section XVIIId for further details).

IX c-f) **Less Than Significant Impact.** The climatic conditions (specifically the lack of rainfall, 2" to 5" annually), the mine design, the existing sloping topography, and the chosen mine location within the 38.43-acre subject property holdings, all combine to reduce surface runoff. All storm water discharge is regulated by the Lahontan Regional Water Quality Control Board pursuant to site specific Storm Water Pollution Prevention Plans to manage soil erosion.

Specifically, the following design criteria was implemented for drainage control.

- Set back from property lines of 25' and greater

- Finished slopes designed at 2:1
- Install energy dissipation devices if deemed necessary
- Excavation (mining) area is outside of wash and area(s) determined to be subject to high storm water drainage patterns.

Therefore, a less than significant impact is anticipated.

IX g/h) **No Impact.** The project site is not located within a 100-year flood plain, nor does it include the construction of housing or would place housing within a flood plain. No impacts are anticipated.

IX i) **No Impact.** The project site and surrounding area is located outside of any designated dam inundation area. The project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, as no levee or dam is proposed as part of the this project. Therefore, no impacts are anticipated.

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

<i>ISSUES</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>X. LAND USE AND PLANNING - Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION**

X a) **No Impact.** The project site is primarily surrounded by vacant desert land and sparsely developed residences. The project is consistent with the County's Resource Conservation (RC) land use district and would not physically divide an established community. No impact is anticipated.

X b) **Less Than Significant Impact with Mitigation Incorporated.** The analysis contained in this Initial Study Checklist addressed the potential conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. Based on this analysis, it was determined that the project could potentially have significant impacts on the California Desert Conservation Area described as follows:

- Biological Resources: (*Desert tortoise, burrowing owl, native plants*). Mitigation Measures BIO-1 through BIO-5 are required to ensure that the project impacts to these resources are less than significant and consistent with the California Desert Conservation Area.

Based on the above, it can be determined that the project is not in conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.

X c) **Less Than Significant Impact with Mitigation Incorporated.** The project area is located in the Northern and Eastern Mojave planning area of the California Desert Conservation Area (CDCA). Compliance with Mitigation Measures BIO-1 through BIO-5, ensures that the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

<i>ISSUES</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XI.</b>	<b>MINERAL RESOURCES - Would the project:</b>				
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION** (Check  if project is located within the Mineral Resource Zone Overlay):

XI a-b) **No Impact.** The project would supply sand and gravel aggregate materials to the region. Therefore, the project would not result in the loss of availability of a mineral resource that would be of value to the region and the residents of the State. Therefore, no impacts are anticipated.

Once mined, a measurement of this resource will be depleted; however, the project is consistent with the County's policy that protects the current and future availability of mineral resources. 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 resources including water. Regulation and reclamation of the proposed project site as required by the Surface Mining and Reclamation Act of 1975 (SMARA) will 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.

ISSUES	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>XII. NOISE - Would the project:</b>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>SUBSTANTIATION</b> (Check if the project is located in the Noise Hazard Overlay District <input type="checkbox"/> or is subject to severe noise levels according to the General Plan Noise Element <input type="checkbox"/> ):				

XII a,c,d) **Less Than Significant Impact.** The project is required to conform to all applicable noise control regulations. Therefore, impacts are anticipated to be less than significant.

XII b) **Less Than Significant Impact.** The project does not employ any rock blasting which is a primary source of ground-borne noise and vibration during mining activities. Therefore, a less than significant impact is anticipated.

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

<i>ISSUES</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XIII. POPULATION AND HOUSING - Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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**SUBSTANTIATION**

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- XIII a) **No Impact.** The project would not induce substantial population growth in the area either directly or indirectly because the project consists of a mining operation that will operate with a minimal number of employees. In addition, the duration of the operation is approximately 30 years after which time the site will be reclaimed and returned to open space use. No impacts are anticipated.
- XIII b) **No Impact.** The project would not displace substantial numbers of existing housing units, or require the construction of replacement housing, as no housing units will be removed as a result of the mining activities.
- XIII c) **No Impact.** Implementation of the project would not displace substantial numbers of people necessitating the construction of replacement housing elsewhere, as no housing exists on the project Site.

ISSUES	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XIV. PUBLIC SERVICES</b>				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION**

XIV a) **No Impact.** The project would not result substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, or hinder acceptable service ratios, response times or other performance objectives for any of the public services, including fire and police protection, schools, parks or other public facilities because the project consists of a mining operation with no permanent improvements proposed. After mining operations, the site would consist of vacant land. Therefore, no impacts are anticipated.

<i>ISSUES</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XV. RECREATION</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION**

XVa/b) **No Impact.** The project is an existing use. As such, it does not generate the need for new jobs or housing which would induce population growth in adjacent areas, and ultimately increase the use of park facilities or other recreational facilities in the region. No impacts are anticipated.

ISSUES	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XVI. TRANSPORTATION/TRAFFIC - Would the project:</b>				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION**

XVI a-b) **Less Than Significant Impact.** The Aggregate Screening and Crushing Plant requires at least 2 individuals to operate the plant and maintain the equipment. In the event none of these employees carpool together, 2 one-way trips to the site each operating day (4 trips per day with return trips) will result. Anticipated truck trips the site at the highest production period for the facility is estimated at 20 trips daily (entering and leaving).

This amount of truck traffic on a daily basis is not substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections), or exceed, either individually or cumulatively, a level of service standard. Impacts would be less

than significant.

- XVI c) **No Impact.** Mining activities would not affect air traffic patterns at any airport or airstrip. No impacts are anticipated. (See Section VIII e/f for further details.
- XVI d) **No Impact.** The project does not involve any road improvements or design features that could substantially increase hazards on public roads. Primary access will remain off Fort Irwin Road, therefore, less than significant impact is anticipated.
- XVI e) **No Impact.** Activities associated with the project would not impede existing emergency response plans for the project site and/or other land uses in the project vicinity. All vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. In addition, no road closures would be required. The project would not involve any long-term increase in traffic that would conflict with adopted policies, plans, or programs supporting alternative transportation. No impacts would result.

ISSUES	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XVII. UTILITIES AND SERVICE SYSTEMS - Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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## SUBSTANTIATION

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The following analysis is based in part on the *Amended Mining & Reclamation Plan*, Kjelstrom & Associates, Inc, April 2015

- XVII a) **Less Than Significant Impact.** Mining waste discharges are regulated under Article 7 of Chapter 15 (Cal. Code of Regs.). Further regulations for mines are contained in the California Water Code, Section 13260. All mining operations are subject to the Surface Mining and Reclamation Act (SMARA, CA Public Resources Code, Title 14, Division 2, Chapter 9).

In addition, SMARA contains a number of provisions addressing drainage diversion structures, waterways (14 California Code of Regulations (CCR) (14 CCR Section 3706) and stream protection, including surface water and groundwater (14 CCR Section 3710). SMARA also requires that erosion control methods be designed for the 20-year/1-hour intensity storm event (14 CCR Section 3706(d)) and control erosion and sedimentation (14 CCR Section 3706(c)). The SMARA regulations also require reclamation plans to include performance standards for drainage and erosion to protect water quality, including streams, surface water, and groundwater. These performance standards must ensure compliance with the Clean Water Act, the Porter-Cologne Act, and other legal requirements (14 CCR Sections 3706, 3710(a)).

The project's *Mining and Reclamation Plan* contains the following measures and design features to meet waste discharge requirements:

- Implementation of erosion control measures in accordance with the SWPPP.
- Excavation (mining) area is outside of wash and area(s) determined to be subject to high storm water drainage patterns.
- Construction of protective berms (topsoil stockpile) on the outside of the excavation area.

Therefore, less than significant impacts are anticipated.

- XVII b) **No Impact.** Water will be used for dust suppression, aggregate washing, and the concrete batch plant. Water will be continued to be acquired from the on-site well. Therefore, no impacts related to expanding a water treatment or distribution system would occur.

- XVII c) **Less Than Significant Impact.** The climatic conditions (specifically the lack of rainfall, 2" to 5" annually), the mine design, the existing sloping topography, and the chosen mine location within the 38.43-acre subject property holdings, all combine to reduce surface runoff. The following design criteria were implemented for drainage control.

- Set back from property lines of 25' and greater
- Finished slopes designed at 2:1
- Install energy dissipation devices if deemed necessary
- Excavation (mining) area is outside of wash and area(s) determined to be subject to high storm water drainage patterns.

The drainage system will not cause significant environmental effects as shown in the analysis in this Initial Study Checklist.

XVII d) **Less Than Significant Impact with Mitigation Incorporated.** The project site is located within the boundaries of the Mojave Water Agency (MWA) and managed within the adjudicated Baja Subarea. MWA is a State Water Project contractor, a regional groundwater management agency, and serves as Watermaster for the adjudicated Mojave Basin. The MWA has four sources of water supply – natural surface water flows, wastewater imports from outside the MWA service area, SWP imports, and return flow from pumped groundwater not consumptively used.

The project site is not located within an area serviced by a public water system and the project is not explicitly defined in the Water Code by project definitions, however the project is best described as an existing industrial/manufacturing activity with a proposed land use that will expand its existing 12.2 acres of disturbance to 14.5 acres. The applicant has indicated the surface mining operation will obtain its principal source of water from an existing on-site well.

The project is estimated to consume up to 8,000 gallons per day with an annual yield of 2,400,000 gallons per year or 7.37 acre feet per year. Bottled water will be provided for employee consumption. Water Code Section 10910(f)(5) does not mandate a detailed “basin-wide” analysis to compare all existing and projected future groundwater pumping against the safe yield of the entire groundwater basin nor specify a particular methodology for a sufficiency analysis. In that respect, this affords the County substantial discretion in determining how to measure groundwater sufficiency. For groundwater basins that have not been adjudicated, information as to whether the California Department of Water Resources (DWR) has identified basins as overdrafted or has projected that the basin will become overdrafted if poor management conditions continue shall be required. A detailed description by the nearest public water system or County is required to comply in part pursuant to Water Code Section 10910(b), and describe efforts being undertaken in the basin or basins to eliminate the potential for a long-term overdraft impacts.

The MWA has been granted authority to regulate groundwater withdrawal and charge for replenishment water. The Adjudication established a “physical solution” for the Mojave Basin Area Judgment, wherein, limits were set on the amount of groundwater production that can occur in each subarea without incurring an obligation to buy imported water.

The applicant is allowed to produce as much water as needed to meet the project’s demand as long as the operation is subjected to compliance with the “Physical Solution” set forth in the Mojave Basin Area Judgment (Final Judgment after trial in the Riverside County Superior Court (Case No. 208568, January 10 1996). The underlying assumption of the Adjudication was that sufficient water will be made available to meet the needs of the Mojave Basin producers in the future from a combination of natural supply, imported water, water conservation, water reuse and transfers of Free Production Allowance (FPA) among parties. If a project applicant stipulates to the Adjudication, the resulting impact of increased pumping to meet the proposed project’s demand is legally considered a “net zero impact” on the available water supplies. The Physical Solution defines individual rights of all water producers with the adjudicated Basin area in a manner which will equitably allocate the natural water supplies and which will provide for equitable sharing of costs for Supplemental Water. The Judgment provided sufficient information and data to formulate a reasonable and just allocation of

existing water supplies as between the individual hydrologic Subareas within the Basin Area and as among the water users within each Subarea to proceed with orderly water resource planning and development.

As noted above, the applicant has indicated a water demand of 8,000 gallons per day with an annual yield of 2,400,000 gallons per year or 7.37 acre feet per year for dust control and operations, which can be supplied by an on-site well for the proposed life of the operation. In addition, the applicant indicated as an alternative, they can haul the water to the processing site by way of a 20,000-gallon water truck.

At maximum production of operations, up to 8,000 gallons of water daily may be utilized for dust suppression and aggregates washing. According to the MWA, (*Final 2010 Urban Water Management Plan*, Kennedy/Jenks Consultants, June 2011), current supplies are sufficient to meet demands through 2044, assuming SWP supplies remain constant at the 2035 availability.

In order to ensure that adequate water supplies are met and that the well is managed properly, the following mitigation measures are required.

**UTL-1. Water Well Verification.** *Water may be supplied through the use of groundwater. Evidence shall be provided that the existing well was constructed to public water supply standards, will provide the quantity of water projected as required for the project, meets quality standards for domestic and industrial use, and the well is properly permitted with the County. Evidence shall be submitted to DEHS/Water Section for approval. For information, call DEHS/Water Section at (909) 387-4666.*

**UTL-2. Abandoned Well.** *Any well, exploratory hole or test hole which is abandoned, out of service, or otherwise left unattended shall have a temporary cover over the well or opening which prevents the introduction of undesirable material into the well or hole, and ensures public and wildlife safety pursuant to Section 115700 of the California Health & Safety Code. Upon final reclamation, evidence shall be provided that all wells, exploration holes or test holes, as defined by DWR Bulletin 74-81 as revised in 1988 or the latest revision are destroyed in accordance with DEHS regulations and in such a manner that will no longer be a hazard to the health and safety of people and wildlife.*

- XVII f,g) **Less Than Significant Impact.** Mining activities would result in waste generation of waste materials. These materials will be used to reconstruct slopes. Any waste material not used will be re-contoured and/or spread over the site as part of the reclamation process. Equipment maintenance will be done onsite. Waste oil, lubricants and solvents will be removed from the site and disposed of at permitted facilities. All solid refuse will be kept in closed containers and removed from the site to permitted facilities as needed. The amount of solid waste is minimal and is not forecast to impact nearby landfills.

<i>ISSUES</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:</b>				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION**

a) **Less Than Significant Impact With Mitigation Incorporated.** All impacts to the environment, including impacts to habitat for fish and wildlife species, fish and wildlife populations, plant and animal communities, rare and endangered plants and animals, and historical and pre-historical resources were evaluated as part of this Initial Study Checklist.

In instances where potentially significant impacts have been identified, Mitigation Measures included in this Initial Study Checklist listed are required to reduce impacts to less than significant levels. Therefore, project would not substantially degrade the quality of the environment and no habitat, wildlife populations, plant and animal communities, or examples of the major periods of California history or prehistory shall be eliminated.

b) **Less Than Significant Impact with Mitigation Incorporated.** In all instances where potentially significant cumulative impacts have been identified, Mitigation Measures included in this initial Study Checklist are required to reduce impacts to less than significant levels. The analysis in this Initial Study Checklist also demonstrated that the project is in compliance with all applicable regional plans including but not limited to, water quality control plan, air quality maintenance plan, and plans or regulations for the reduction of greenhouse gas emissions. Compliance with these

regional plans serves to reduce impacts on a regional basis so that the Project would not produce impacts, that considered with the effects of other past, present, and probable future projects, would be cumulatively considerable.

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

The results of the Initial Study Checklist show that there are potentially significant impacts related to Hazards and Hazardous Materials. These impacts will be reduced to less than significant after incorporation of mitigation measures.

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

### **XVIII MITIGATION MEASURES. Include mitigation measures here.**

(Any mitigation measures which are not 'self-monitoring' shall have a Mitigation Monitoring and Reporting Program prepared and adopted at the time of project approval)

**AQ-1: Pre-watering.** The Project proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.

**AQ-2: Watering and Soil Stabilization.** Project proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading and mining activity on the site. Portions of the site that are actively being mined shall be watered to ensure that a crust is formed on the ground surface, and shall be watered at the end of each workday.

**BIO-1-Burrowing Owl.** Utilizing accepted protocols, within 30 days prior to initiating mining activities on the areas not currently being mined, a pre-construction survey shall be conducted for the Burrowing Owl by a qualified biologist and submit a report of finding to the County of San Bernardino Land Use Services Department-Mining Division.

**BIO-2 Worker Environmental Awareness Program.** Prior to any construction activities on the project site the Applicant will implement a Worker Environmental Awareness Program (WEAP) to educate on-site workers about sensitive environmental issues associated with the Project. The program will be administered to all on-site personnel, including the Applicant's personnel, contractors, and all subcontractors, on the first day of work prior to the employee's commencing work on the site. The WEAP will place special emphasis on the protected species that have potential to occur within the site, including the Mojave desert tortoise.

The program will include the following elements:

- *A presentation, developed by or in consultation with a qualified biologist, discussing the sensitive biological resources with potential to occur on-site, and explaining the reasons for protecting these resources and penalties for non-compliance;*
- *Brochures or booklets, containing written descriptions and photographs of protected species as well as a list of site rules pertaining to biological resources, to be provided to all WEAP participants;*
- *Contact information for the project biological monitor, and instructions to contact the monitor with any questions regarding the WEAP presentation or booklets;*
- *An acknowledgement form, to be signed by each worker indicating that they received WEAP training and will abide by the site rules protecting biological resources; and,*
- *A training log, to be signed by all on-site personnel immediately following WEAP training, will be maintained on the project site during construction to document compliance with this measure.*

**BIO-3 Pre-construction Desert Tortoise Surveys.** *Within 14 days prior to mining activities on the areas not currently being mined, the Applicant shall retain a qualified biologist to conduct clearance level surveys per USFWS and/or CDFW protocols for signs to ensure that the desert tortoise have not occupied the site since the Focused Desert Tortoise Survey, November 6, 2013 by RCA Associates, LLC. The results of the pre-construction clearance survey shall be submitted to the USFWS, CDFW, and the County of San Bernardino Land Use Services Department-Mining Division within 14 days of completion of the pre-construction surveys to document compliance with applicable federal and state laws pertaining to the protection of desert tortoise.*

**BIO-4 Mojave Desert Tortoise Exclusion Fencing.** *Prior to initiation of mining activities along within the areas not currently being mined a desert tortoise exclusion fence shall be installed surrounding the disturbance area. The exclusion fence shall be installed in accordance with the specifications set forth in Chapter 8 of the USFWS' Desert Tortoise Field Manual (USFWS 2009), and installation of the fence shall be overseen by a biologist familiar with the installation of tortoise exclusion fencing. If tortoise exclusion fences are left in place for a period exceeding one week at any location, the fences will be inspected weekly for any signs of damage or wear that could potentially compromise the integrity of the exclusion perimeter. If damage or excessive wear is observed, the exclusion fence will be repaired immediately. Results of any necessary fence inspections will be maintained to document compliance with this provision.*

**BIO-5 Summary Report.** *Within 30 days of completion of Mitigation Measures BIO-1 through Bio-3 above, the Applicant shall submit a summary report to the County of San Bernardino Land Use Services Department-Mining Division which summarizes compliance with these mitigation measures.*

**CR-1: Archaeological Resource Discovery.** *The developer/property owner shall submit a letter to County Planning agreeing to adhere to the following requirements:*

- *In the event archaeological resources are uncovered during earthmoving activities, all work in that area shall cease immediately the County and the Bureau of Land Management shall be notified. A qualified archeologist shall be retained to access the findings, and if necessary provide appropriate disposition of the resources. Earthmoving shall be diverted temporarily around the deposits until they have been evaluated, recorded, excavated, and/or recovered as necessary. Earthmoving shall be*

*allowed to proceed on the site when the archaeologist, in consultation with the appropriate Native American Tribe(s) and the County of San Bernardino Museum, determines the resources are recovered to their satisfaction.*

**CR-2: Paleontological Resource Discovery.** *The developer/property owner shall submit a letter to County Planning agreeing to adhere to the following requirements:*

*In the event paleontological resources are uncovered during earthmoving activities, all work in that area shall cease immediately and the County and the Bureau of Land Management shall be notified. A qualified paleontologist shall be retained to access the findings, and if necessary provide appropriate disposition of the resources. Earthmoving shall be diverted temporarily around the deposits until they have been evaluated, recorded, excavated, and/or recovered as necessary. In consultation with the Project proponent, the County, and the Bureau of Land Management, the qualified paleontologist shall develop a plan of mitigation which shall include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation of the find in a local qualified repository, and preparation of a report summarizing the find.*

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

**UTL-1. Water Well Verification.** *Water may be supplied through the use of groundwater. Evidence shall be provided that the well is constructed to public water supply standards, will provide the quantity of water projected as required for the project, meets quality standards for domestic and industrial use, and the well is properly permitted with the County. Evidence shall be submitted to DEHS/Water Section for approval. For information, call DEHS/Water Section at (909) 387-4666.*

**UTL-2. Abandoned Well.** *Any well, exploratory hole or test hole which is abandoned, out of service, or otherwise left unattended shall have a temporary cover over the well or opening which prevents the introduction of undesirable material into the well or hole, and ensures public and wildlife safety pursuant to Section 115700 of the California Health & Safety Code. Upon final reclamation, evidence shall be provided that all wells, exploration holes or test holes, as defined by DWR Bulletin 74-81 as revised in 1988 or the latest revision are destroyed in accordance with DEHS regulations and in such a manner that will no longer be a hazard to the health and safety of people and wildlife.*

## **GENERAL REFERENCES**

CEQA Guidelines, Appendix G.

County of San Bernardino General Plan, 2007

County of san Bernardino Development Code, 2007

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

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

**PROJECT SPECIFIC REFERENCES**

Habitat Assessment and Focused Burrowing Owl Survey, RCA Associates LLC

Focused Desert Tortoise Survey, RCA Associates LLC

Amended Mining & Reclamation Plan, Kjelstrom & Associates, Inc.