

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>	0449-111-23
<b>APPLICANT:</b>	Hi-Grade Materials
<b>COMMUNITY:</b>	Lucerne Valley/3 <sup>rd</sup> Supervisorial District
<b>LOCATION:</b>	Emerald Road, North Side, Meridian Road, Both Sides (Figure 1).
<b>PROJECT NO:</b>	AP20120009
<b>STAFF:</b>	Reuben J. Arceo
<b>REP(S):</b>	Webber & Webber Mining Consultants, Inc.
<b>PROPOSAL:</b>	Revision to Mining & Reclamation Plan by expanding 215-acre site to 328 acres over 25 years.

**USGS Quad:** Lucerne Valley  
**T, R, Section:** T: 4N R:1W,1E **Sec:** SE1/4,SW1/4,NE1/4, NW1/4 Section 30

**Thomas Bros.:** Page 4571, Grid: C-1

**Planning Area:** Lucerne Valley  
**Land Use Zoning:** LV/RL-20 & LV/IR

**Overlays:** Fire Safety (FS 1 and 2) Airport Safety Review (AR4)

**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 J. Arceo  
**Phone No:** (909) 677-9907 Fax No.: 909 387-3223  
**E-mail:** rarceo56@gmail.com

**Project Sponsor:** Webber & Webber Mining Consultants, Inc.  
101 E. Redlands Blvd. Suite 240  
Redlands, CA 92373  
**Phone No:** (909) 793-3416

**BACKGROUND:**

The Lucerne Valley Pit, which is located southeast of Lucerne Valley approximately one mile south of Highway 18 in the vicinity of the intersection of Emerald Road and Meridian Road. (See Exhibit 1).

Existing East Pit

The existing project site currently consists of the Existing East Pit Area and a small incursion into land owned by the State Lands Commission. (See Exhibit 1-A). Mining activities at the existing East Pit have been occurring for over 50 years under various County permits. Currently Lucerne Valley Pit operations are performed pursuant to San Bernardino County Mining/ Reclamation Permit #006M-001. Under this permit, approximately 90 acres have been disturbed with a recent annual production rate of 250,000 to 600,000 tons per year. Sand and gravel is mined at the site in direct support of concrete and aggregate sales in the region. An existing concrete batch plant on the site generates up to 1,200 cubic yards of concrete per day. The remaining sand and gravel that is mined is processed to various sizes and stockpiled for sale as general aggregate products. Periodically, a contract crusher moves onsite to crush asphalt and concrete, producing a recycled base material. This occurs three (3) to four (4) times per year and lasts one (1) to two (2) weeks per visit.

Existing West Pit Expansion Area: The West Pit Expansion Area is situated on private property totaling approximately 120 acres owned by Hi-Grade Materials Company. (See Exhibit 2). It is proposed to use the

entire 120 acres for phased expansion, except for the areas required for mining setbacks. This area is currently part of the existing Lucerne Valley Pit that is under San Bernardino County Mining/ Reclamation Permit #006M-001 but has not been subject to mining activities. The West Pit Expansion Area will be excavated down approximately 200 feet utilizing 2:1 slopes.

The total disturbance area approved for the existing East Pit and phased expansion of the West Pit area total is approximately 215 acres.

### **PROJECT DESCRIPTION:**

The Amended Plan proposes the expansion of the Existing East Pit Area through mining southward into land owned by the State Lands Commission which would be opened for excavations to supplement sand and gravel production when warranted by market conditions. The proposed State Lands Expansion Area is situated entirely on land that is owned/managed by the State Lands Commission. It is proposed to expand into this area adding 113 to the 215 acre Lucerne Valley Pit. This area will be excavated down approximately 200 feet utilizing 2:1 slopes. The project also proposes the addition of an asphalt batch plant and revisions to the on-site drainage system.

#### Mining Activities

Mining will continue to utilize standard open pit sand and gravel techniques to accomplish mineral extraction. Mining will be accomplished via a dozer and front-end loader, or hydraulic excavator depositing the material directly into haul trucks or onto a conveyor system. A conveyor system will be constructed to transport material from the West Pit Expansion Area, under Meridian Road, to the processing plant. The conveyor tunnel under Meridian Road will be constructed prior to any excavations on the West Pit Expansion Area. Upon introduction to the processing plant, material is crushed, screened, washed, and then stockpiled for sale as aggregate, or diverted to either the concrete batch plant or the proposed asphalt batch plant.

Potentially, the project could operate up to seven (7) days per week, twelve (12) months per year, and twenty-four (24) hours per day. Currently fifteen (15) people are employed with the possibility of increasing to twenty (20) people at full production levels.

The Project proposes to include installation of an asphalt batch plant, which is a standard portable plant capable of producing up to 800 tons per day during normal operating hours.

Mining activities at the site produce "processing fines" (wet and dry), waste oils/solvents, and domestic garbage. "Processing fines" total approximately 250,000 tons per year. Waste oils/solvents generated by equipment are collected and transferred to a County approved hazardous waste handler for disposal. Domestic garbage is collected by the local trash hauler. Blasting, or storage of explosives, is not proposed throughout the life of the project.

#### Reclamation

Backfilling, recontouring, and revegetation activities shall be performed in clearly defined phases to the engineering and geologic standards required for the end use of the site as conditioned in the approved reclamation plan. All fills and fill slopes shall be designed to protect groundwater quality, to prevent surface water ponding, to facilitate revegetation, to convey runoff in a non-erosive manner, and to account for long term settlement.

In the West Pit Expansion Area and State Lands Expansion Area, topsoil and other suitable materials will be salvaged and stockpiled for eventual use as growth media in the reclamation process. This material will only be removed as mining progresses into undisturbed areas. Reclamation will be undertaken concurrently with the mining operations. Final reclamation will occur within five (5) years of the termination of the excavation activities which are anticipated to end in 2038 provided the performance standards for backfilling, recontouring,

drainage diversion and revegetation of the disturbed areas are in accordance with California Code of Regulations 3700 et seq. have been attained. All mobile equipment not required to complete final reclamation activities and maintain drainage systems will be removed from the site. Proposed final use of the reclaimed site will be vacant open space.

Mining Operations and Reclamation Phasing

Project phasing is described in Table 2.

**Table 1. Phasing.**

Phase No.	Activities
I	<ul style="list-style-type: none"> <li>• Mining in existing pit to excavate any limited remaining sand and gravel materials</li> <li>• Continue construction of Meridian Road slope to 2:1.</li> <li>• Remove dike located south of existing pit and install engineered diversions on State Land to direct any water flows into the existing pit area.</li> </ul>
II	<ul style="list-style-type: none"> <li>• Mining at south end of existing pit progresses southward into State Lands Expansion Area.</li> <li>• Continue construction of Meridian Road slope to 2:1.</li> <li>• Mining continues southward further into State Lands Expansion Area. Berms are relocated/reconfigured.</li> <li>• Construct natural drainage system in the northern forty (40) acres of the West Pit Expansion Area.</li> <li>• Commence construction of conveyor/tunnel system under Meridian Road in preparation of mining excavations into the West Pit Expansion Area.</li> <li>• Complete reclamation requirements on any disturbed areas of the Existing East Pit Area where any slope exceeds 2:1.</li> <li>• Complete reclamation requirements on any disturbed areas of the Existing East Pit Area where any disturbed areas will not be continued to be utilized for ongoing mining operations.</li> </ul>
III	<ul style="list-style-type: none"> <li>• Continue excavations south and east into the State Lands Expansion Area. When excavations approach the southern boundary of the State Lands Expansion Area, a permanent engineered dike/channel system will be installed to collect and direct flows to the central portion of the southern project boundary.</li> <li>• Construct a permanent 60-foot wide armored downdrain in the central portion of the southern extent of the State Lands Expansion Area to transition the collected flows into the excavation area.</li> <li>• Complete construction of the conveyor/tunnel system under Meridian Road.</li> <li>• Mining commences into north forty (40) acres of the West Pit Expansion Area concurrent with mining any remaining reserves in the Existing East Pit Area or State Lands Expansion Area.</li> <li>• Mining advances into the southern eighty (80) acres of the West Pit Expansion Area.</li> </ul>
<p><i>Note: Time frames for reclamation are dependent on the fluctuation of product demand, aggregate reserves, and maximum equipment output.</i></p>	

**ENVIRONMENTAL/EXISTING SITE CONDITIONS:**

AREA	EXISTING LAND USE	LAND USE/OVERLAY DISTRICT
Site	Sand & Gravel Mine/Vacant	LV/RL-20 (1 du/20ac) and LV/RC (Resource Conservation)
North	Vacant	LV/RL-20 (1 du/20ac)
South	Vacant	LV/RL-20 (1 du/20ac)
East	Vacant	LV/RL-20 (1 du/20ac) and LV/RC (Resource Conservation)
West	Vacant	LV/RL-20 (1 du/20ac) and LV/IR (Regional Industrial)

The Existing East Pit Area is situated within a gently sloping alluvial fan deposit composed of cobbles, sand, gravel, and silt. Presently the Existing East Pit Area is mined-out in the south end where sedimentation ponds exist to accept “processing fines” from the sand washing operations. In the other areas of the Existing East Pit Area, the remaining quality sand and gravel reserves are very limited.

Both the West Pit Expansion Area and the State Lands Expansion Area are currently undisturbed. These areas are relatively flat with a slight gradient slope to the north and are located at elevations ranging from 3,260 to 3,700 MSL. Soils in these areas consist of gravelly/sandy loam. Numerous drainage channels are located in these areas. The primary plant community is “Cresote Bush Community” (i.e. woody shrubs).

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

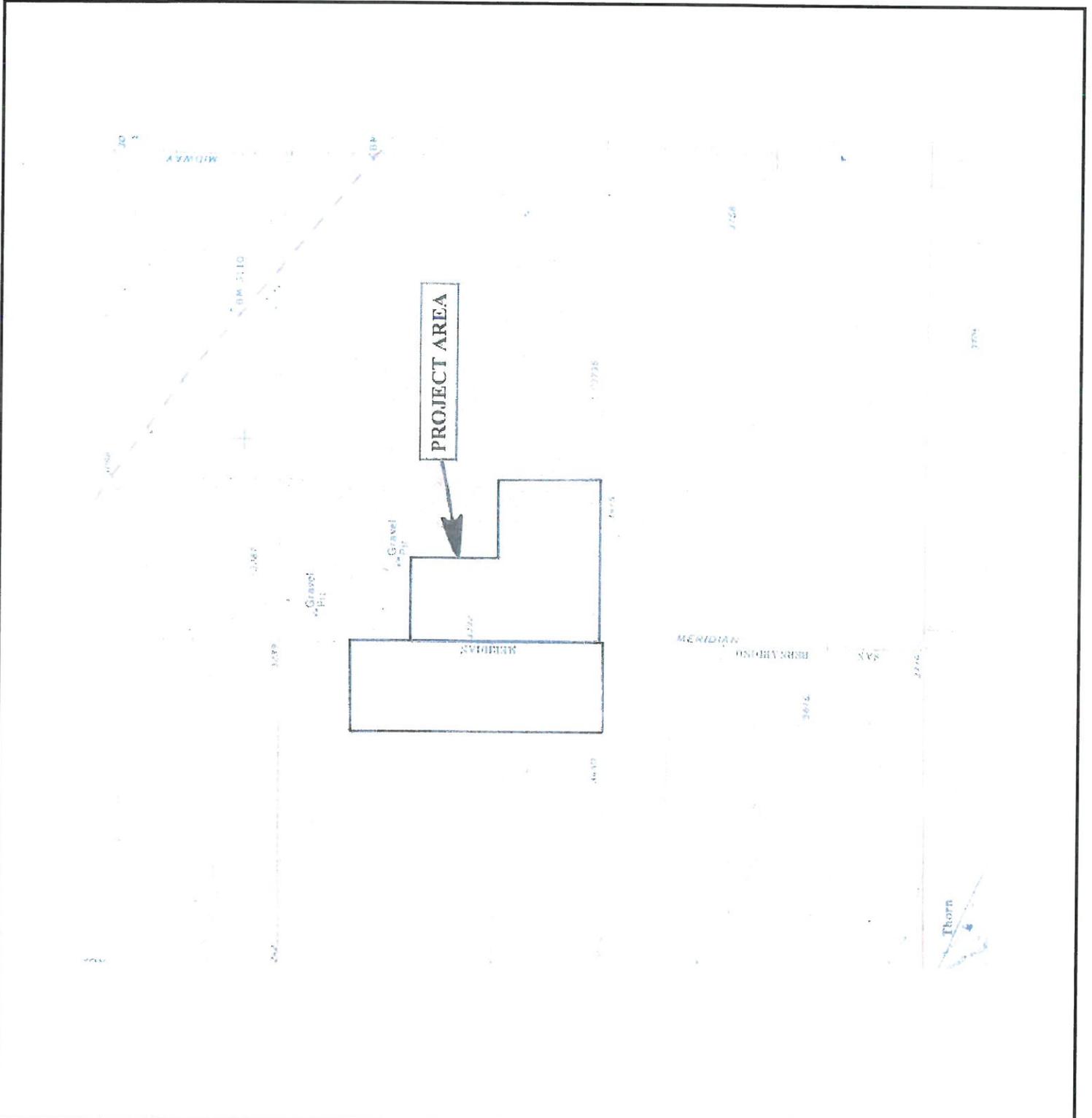
Federal: None.

State of California: State Lands Commission. California Department of Fish and Wildlife

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

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

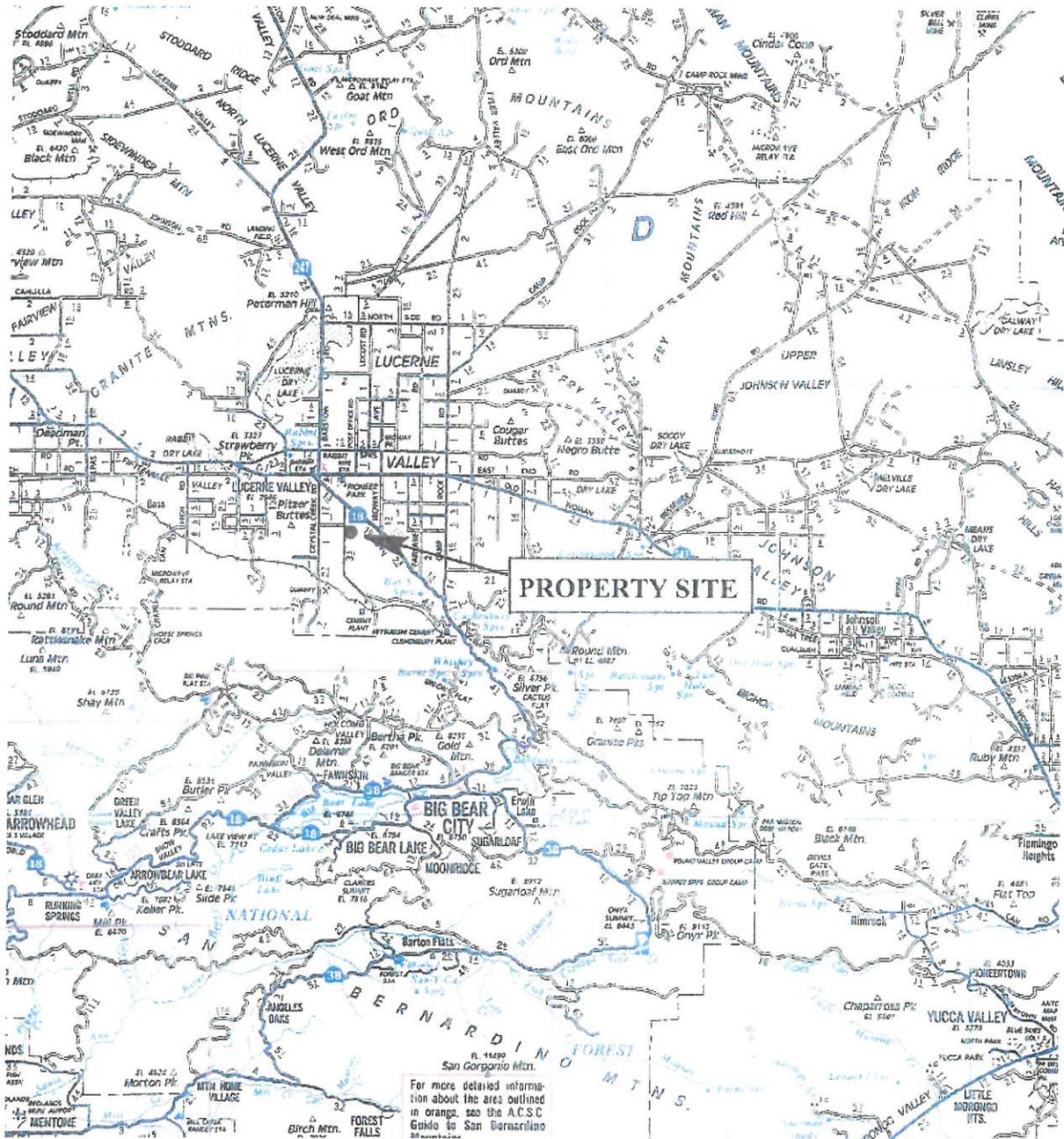
Local: None



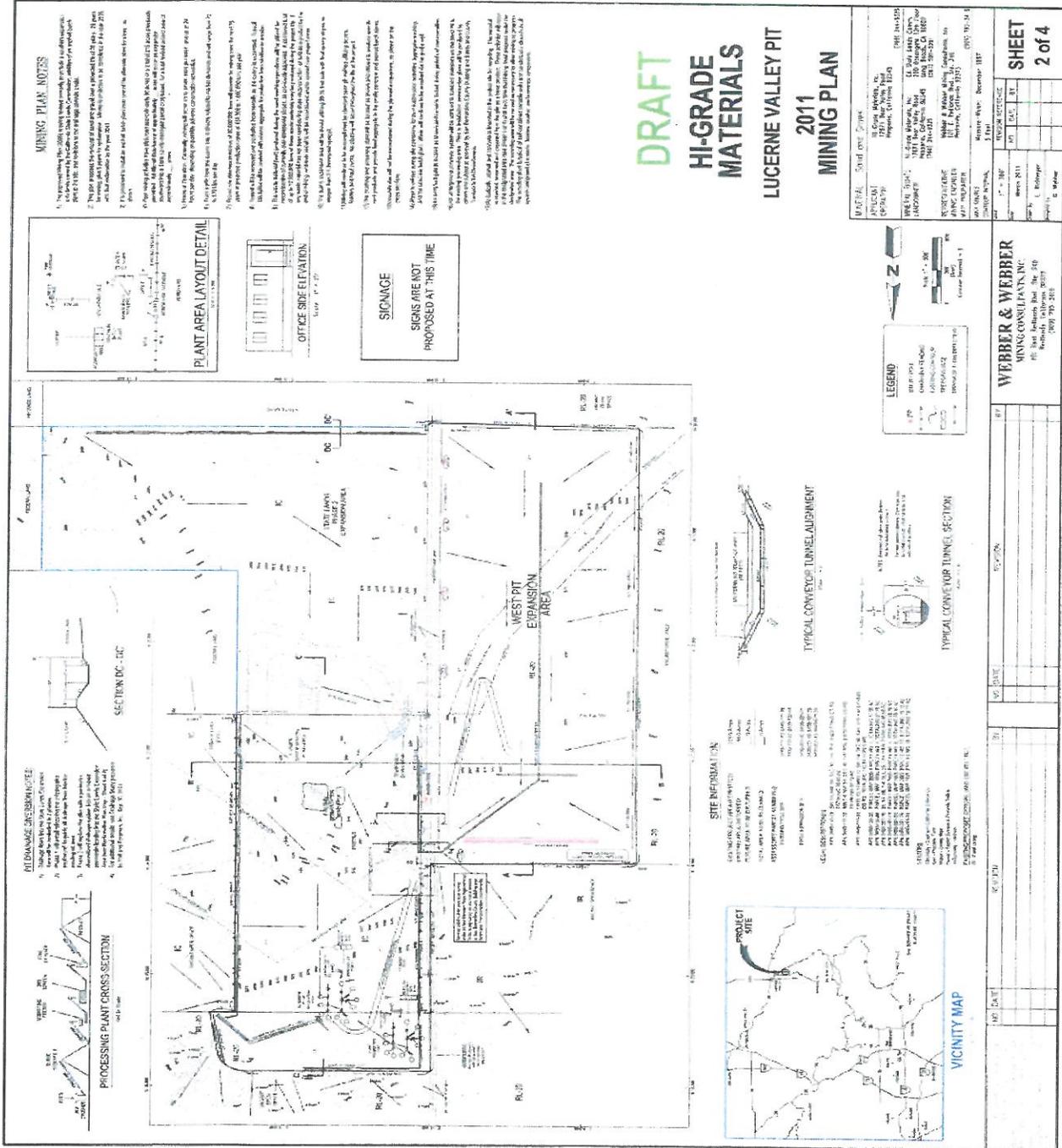
Lucerne Valley Pit

Project Location

Exhibit 1



**Exhibit 1-A**  
**Vicinity Map**



**DRAFT**  
**HI-GRADE MATERIALS**  
**LUCERNE VALLEY PIT**  
**2011**  
**MINING PLAN**

PROJECT	Lucerne Valley Pit	DATE	08/14/11
CLIENT	Lucerne Valley Pit	DRAWN BY	WJW
DESIGNER	Lucerne Valley Pit	CHECKED BY	WJW
APPROVED BY	Lucerne Valley Pit	DATE	08/14/11
SCALE	AS SHOWN	SHEET	2 of 4

**WEBBER & WEBBER**  
 MINING CONSULTANTS, INC.  
 1111 West 10th Street  
 Reno, NV 89502  
 (775) 785-2811

**RELEASED INFORMATION:**  
 1. This plan is for informational purposes only.  
 2. It is not to be used for any other purpose.  
 3. It is not to be used for any other purpose.  
 4. It is not to be used for any other purpose.

**SITE INFORMATION:**  
 1. This plan is for informational purposes only.  
 2. It is not to be used for any other purpose.  
 3. It is not to be used for any other purpose.  
 4. It is not to be used for any other purpose.

Lucerne Valley Pit

Mining & Reclamation Site Plan

Exhibit 2

**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.

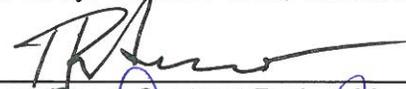
- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources                 | <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 <b>NEGATIVE DECLARATION</b> 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 <b>MITIGATED NEGATIVE DECLARATION</b> shall be prepared.
<input type="checkbox"/>	The proposed project MAY have a significant effect on the environment, and an <b>ENVIRONMENTAL IMPACT REPORT</b> 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 <b>ENVIRONMENTAL IMPACT REPORT</b> 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 <b>NEGATIVE DECLARATION</b> pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or <b>NEGATIVE DECLARATION</b> , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Prepared by: Ernest Perea, Contract Planner

  
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 Reuben Arceo, Contract Project Manager

11/27/2013  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Dave Prusch, Planning Supervisor

11/27/2013  
 \_\_\_\_\_  
 Date

**Appendices: (On Compact Disk)**

- A. General Biological Resources Assessment – Lucerne Valley Pit, May 24, 2012 by RCA Associates
- B. Jurisdictional Waters Delineation for Lucerne Valley Pit, December 15, 2011 by Agcon 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 type="checkbox"/>	<input checked="" type="checkbox"/>

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

- 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 Existing East Pit Area is being actively mined. Both the West Pit Expansion Area and the State Lands Expansion Area are currently undisturbed. These areas are relatively flat with a slight slope to the north and are located at elevations ranging from 3,260 to 3,700 MSL. 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. 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. 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) **No 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. No new light sources are proposed and therefore no impacts are anticipated.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<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):

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

- II e) **No Impact.** The proposed project will not have any direct or indirect impacts to agricultural resources in the County including the conversion of Farmland to non-agricultural uses because no such lands exist in the vicinity of the project site.

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 type="checkbox"/>	<input checked="" 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 thresholds applicable.

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 generated 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 for the State Lands Commission Expansion Area will continue to utilize standard open pit sand and gravel techniques to accomplish mineral extraction via dozers and front-end loaders, or hydraulic excavator depositing the material directly into haul trucks or onto the conveyor system. Upon introduction to the processing plant, material is crushed, screened, washed, and then stockpiled for sale as aggregate, or diverted to either the existing concrete batch plant or the proposed asphalt batch plant. The proposed asphalt batch plant is a standard portable plant capable of producing up to 800 tons per day during normal operating hours.

Emissions associated with the project are primarily a result of material mining and transport of materials to and from the existing concrete batch and/or proposed asphalt batch plant were screened for emissions generation using MDAQMD guidelines, and Off-Road Mobile Source Emissions Factors (2012 based on the following equipment as shown in Table 2 below.

**Table 2. Estimated Typical Equipment List**

Quantity	Equipment Type
3	Loaders
1	Dozer
1	Dump Truck (40 ton)
1	Water Truck (2000 gallons)
1	Bobcat
2	Pick-Up Trucks (1/2 ton)

As shown in Table 3, Project emissions would not exceed MDAQMD thresholds for the types of emissions associated with mineral extraction and the transport of materials to and from the existing concrete batch and/or proposed asphalt batch plant.

**Table 3. State Lands Commission Expansion Area Emissions  
(Pounds per Day)**

Source <sup>1</sup>	ROG	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Water Truck	1.74	14.29	5.09	0.51	0.19
Rubber Tire Loader	3.02	29.10	8.84	1.00	0.12
Dozer	1.34	10.02	5.96	0.57	0.01
Dump	0.08	0.48	0.26	0.51	0.24
Bobcat	0.71	2.31	2.95	0.19	0.07
<b>Totals (lbs/day)</b>	<b>6.89</b>	<b>56.20</b>	<b>23.10</b>	<b>2.78</b>	<b>0.63</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>

<sup>1</sup> Off-Road Mobile Source Emissions Factors (2012)

Emissions from the operation of the proposed asphalt batch plant would occur as a result of generators used to power the batch plant and the processing of the materials but given the size and capacity of the batch plant (292,000 tons annually) emissions are not anticipated to be significant. However, in order to ensure that impacts are less than significant, the following mitigation measures are required:

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

***AQ-2: 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.***

***AQ-3: The Project proponent shall ensure that all disturbed areas are treated to prevent erosion.***

***AQ-4: The Project proponent shall ensure that all mining and processing activities are suspended when winds exceed 25 miles per hour.***

***AQ-5: During operation, street sweeping will be conducted at least daily, and as needed, along site access roadways to remove dirt dropped by vehicles. Site access driveways and adjacent streets will be washed if there are visible signs of any dirt track-out at the conclusion of any work day.***

***AQ-6: All equipment used for mining and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.***

***AQ-7: The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site haul trucks in order to minimize exhaust emissions from truck idling.***

***AQ-8: The operator shall comply with all existing and future CARB and MDAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.***

***AQ-9: The aggregate crusher must obtain permits to construct and annually renew permits to operate from the MDAQMD and be in compliance with such permits.***

***AQ-10: This facility must handle all material (raw, byproducts, and finish materials) so as not to cause a Nuisance (odors) per District Rule 402.***

***AQ-11: A Blue Smoke Control filter cartridge will be used in this project to mitigate for the blue smoke.***

- III c) **Less than Significant.** 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 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) **No Impact.** The Proposed Project is located in a remote desert area of San Bernardino County. No sensitive receptors are located within the project vicinity. Therefore, no impacts are anticipated.
- III e) **No Impact.** The generation of objectionable odors is typically not associated with surface mining operations and there are no sensitive receptors within the project vicinity. 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 Game 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc...) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input 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"/>

**SUBSTANTIATION** (Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database):

The following analysis is based in part on the *General Biological Resources Assessment – Lucerne Valley Pit, May 24, 2012* by RCA Associates, LLC and *Jurisdictional Waters Delineation for Lucerne Valley Pit, December 15, 2011* by Agcon, Inc.

IV a) **Less Than Significant with Mitigation Incorporated.** Based on a literature review, a search of the USDWS and CDFW data bases, and a search of the California Natural Diversity Database, it was determined that there are three (3) sensitive wildlife and three (3) sensitive plant species that have been documented within 5 miles of the project site. These species include: *desert tortoise*, *Mohave ground squirrel*, *LeConte’s thrasher*, *alkali mariposa lily*, *Parish’s alkali grass*, and *salt*

*spring checkerbloom*. Based on field surveys, no sensitive wildlife or plant species were observed on the project site and no sensitive wildlife or plant species have occurred on the site since the surveys were conducted.

With respect to the *desert tortoise*, given the absence of *desert tortoise* in the area, the likelihood of encounters with *desert tortoise* is not expected. However, the mine operator shall implement the following Mitigation Measure in order to avoid potential impacts to the *desert tortoise*.

**BIO-1-Desert Tortoise. The following measures shall be implemented:**

- a. **The Applicant shall provide an information sheet to all persons who will work on-site during mining activities. The program shall consist of a brief presentation from a person knowledgeable about the biology of the Desert Tortoise, Federal Endangered Species Act (FESA), and California Endangered Species Act (CESA).**
- b. **A litter control program shall be instituted. The program includes the direction to all workers to eliminate food scraps, paper wrappers, food containers, cans, bottles, and other trash from the project area and to maintain covered trash containers that are regularly removed from the project site. All trash and food items should be promptly enclosed in raven proof containers (i.e. metal or solid plastic trash cans) and disposed of in a licensed disposal facility on a regular basis.**
- c. **Any desert tortoises observed during any phase of the project should be left to move out of the way on its own. Handling of desert tortoises is not authorized.**
- d. **Workers should inspect for desert tortoises under vehicles and equipment prior to moving them. If a desert tortoise is present, the worker should carefully move the vehicle or equipment only when necessary or should wait for the desert tortoise to move out from under the vehicle or equipment.**
- e. **Only an Authorized Biologist(s) shall be allowed to handle tortoises. The Authorized Biologist(s) shall have a Memorandum of Understanding (MOU) with the CDFW for handling tortoises.**
- f. **Upon discovery of a Desert Tortoise in a work area, all work in that area shall stop until the Desert Tortoise is relocated. An Authorized Biologist shall be on site or on call to relocate any desert tortoise found during work activities. The desert tortoise shall be monitored until the Authorized Biologist arrives.**

**BIO-2-Burrowing Owl. Utilizing accepted protocols, within 30 days prior to initiating mining activities, a pre-construction survey must be conducted for the Burrowing Owl by a qualified biologist.**

- IV b-c) **Less Than Significant with Mitigation Incorporated.** The project will result in a permanent impact to 21.5 acres of riparian/wetlands under the jurisdiction of the Army Corps of Engineers (USACOE), the California Department of Fish & Wildlife (CDFW), and the Colorado River Regional Water Quality Control Board (RWQCB). Mitigation Measure BIO-3 is required.

**BIO-3- Riparian Habitat/Wetlands: Prior to commencing mining activities or earth disturbing activities within the area depicted in Figure 5 of the Jurisdictional Delineation for the Lucerne Valley Pit dated December 11, 2011 prepared by Agcon Inc., the project applicant shall obtain a Section 404 Permit from the USACE, a Section 1602 Streambed Alteration**

***Agreement from the CDFW, and a Section 401 Water Quality Certification from the RWQCB for permanent impacts 21.5 acres of jurisdictional area that are regulated by the USACE, CDFW, and the RWQCB. Impacts shall be mitigated at a 2:1 ratio through an off-site mitigation bank or the contribution of in-lieu fee program acceptable to the County of San Bernardino and the USACE, CDFW, and RWQCB.***

IV d) **No Impact.** Based on the *General Biological Resources Assessment*, the project will substantially 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:** The San Bernardino County Native Plant Protection policy (1989) provides protection for all trees greater than 6 inches diameter at breast height (dbh), smoke trees, mesquite, creosote rings, and all plants in the agave family, including Joshua trees. The project may impact Joshua Trees. Mitigation Measure BIO-4 is required.

***BIO-4- Joshua Trees: Plant species protected by state law and County ordinance; yucca, agave (Joshua tree) and cactus, 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.** 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

V a-d **Less Than Significant Impact with Mitigation Incorporated.** The project is not expected to have an impact on cultural or paleontological resources. However, the following Mitigation Measure shall be implemented in the event that potentially sensitive cultural resources are uncovered during earthmoving.

**CR-1: The developer/property owner shall submit a letter to County Planning agreeing to adhere to the following requirements and shall include a note on the grading plans and in all construction contracts/subcontracts a provision that the project contractors shall also adhere to the following requirements:**

- In the event archaeological, paleontological and/or historical resources, including pottery, middens or human remains, are uncovered during earthmoving activities, all work in that area shall cease immediately and a qualified archeologist shall be retained to access the findings, and if necessary provide appropriate disposition of the resources. Earthmoving shall be diverted temporarily around the deposits until they have been evaluated, recorded, excavated, and/or recovered as necessary. Earthmoving shall be allowed to proceed on the site when the archeologist, in consultation with the appropriate Native American Tribe(s) and the County of San Bernardino Museum, determines the resources are recovered to their satisfaction.***
- If possible human remains are encountered during any earthmoving activities, all work shall stop in the area in which the find(s) are present, and the San Bernardino County Coroner must be notified. State law dictates that the Native American Heritage Commission (NAHC) shall be notified in the event that remains are determined to be human and of Native American decent, in accordance with California Public Resources Code Section 5097.98.***

ISSUES	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<b>VI. GEOLOGY AND SOILS - Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 181-B of the California Building Code (2001) creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The following analysis is based in part on the *Geologic Hazards Letter – Lucerne Valley Pit, December 6, 2012* by CHJ Consultants and the *Drainage Study for HI-Grade Materials Lucerne Valley Pit Expansion, January 10, 2013* by Hall and Foreman Inc.

VI a) ai) **Less Than Significant Impact.** The northeast portion of the quarry is traversed by the active trace of the Helendale fault (Existing East Pit Area) but does not encroach into the State Lands Expansion Area according to information obtained from the County's GIS system and the USGS Fault Maps. 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) iii) **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 State Lands Commission Expansion Area Is located in the vicinity of an earthquake fault and the project site is to be used for a mining operation are seismic ground shaking is not generally considered to be hazardous to open-pit aggregate mines.

a) **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) **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 proposed project would involve excavation to depths no greater than 200 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.** Run-off resulting from direct precipitation and uncontrolled run-off from surrounding areas have the potential to cause minor erosion and deposition. All storm water discharge is regulated by the Colorado River Basin Regional Water Quality Control Board pursuant to site specific Storm Water Pollution Prevention Plans to manage soil erosion.

Control of surface drainage, erosion, and sedimentation of planned operations involves the following typical components:

- Limiting surface disturbance to the minimum area required for active operations.
- Diverting run-off from undisturbed areas around the active mining area as necessary.
- Using berms, ditches, sediment basins, and localized control and maintenance measures to intercept and control disturbed area drainage as necessary.
- Stabilizing disturbed areas through grading or revegetation.

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.** Due to the structure and the coarse-grained lithologies, these materials have a very low susceptibility to deep-seated slope failure. No landslides were mapped on C.H.J.'s geologic map, and landsliding is not anticipated. Mudflows are uncommon in the desert environment and are not anticipated.
- VI d) **No Impact.** The Project Site is not located in an area which has been identified by the County Building and Safety Geologist as having the potential for expansive soils. The coarse-grained alluvial 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 1,791.67 metric tons of carbon dioxide equivalent (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.

The following Performance Standards apply to all Projects, including those that 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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. 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) **Less Than Significant Impact.** The Proposed Project involves the use of materials common to the mining industry and includes the transport, storage and use of fuels, and lubricants. The operator would continue to comply with all applicable federal and state safety rules and regulations regarding hazardous materials. 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, less than significant 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, 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 Proposed 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 Proposed Project would not impede existing emergency response plans for the Project Site and/or other land uses in the project vicinity. All vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Therefore, implementation of the Proposed Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. No impact is anticipated.
- VIII h) **No Impact.** As shown on San Bernardino County General Plan, Hazards Overlay Map, the Project Site is located within Fire Safety Overlay Districts 1 and 2. Fire Safety Area 1 (FS1) includes areas within the mountains and valley foothills. It includes all the land generally within the San Bernardino National Forest boundary and is characterized by areas with moderate and steep terrain and moderate to heavy fuel loading contributing to high fire hazard conditions. Fire Safety Area 2 (FS2). Fire Safety Area 2 (FS2) includes those lands just to the north and east of the mountain FS1 area in the mountain-desert interface. These areas have gentle to moderate sloping terrain and contain light to moderate fuel loading. These areas are periodically subject to high wind conditions that have the potential of dramatically spreading wildland fires. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>SUBSTANTIATION</b>				

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The following analysis is based in part on the *Drainage Study for HI-Grade Materials Lucerne Valley Pit Expansion, January 10, 2013* by Hall and Foreman Inc. and the *Ground Water Resources Evaluation for the Proposed Pit Expansion 8701 Meridian Road, Lucerne Valley Area, May 31, 2013* by Ron Barto Ground Water Consultant.

- IX a) **Less Than Significant Impact.** Run-off resulting from direct precipitation and uncontrolled run-off from surrounding areas have the potential to cause minor erosion and deposition. All storm water discharge is regulated by the Colorado River Basin Regional Water Quality Control Board pursuant to site specific Storm Water Pollution Prevention Plans to manage soil erosion.

Control of surface drainage, erosion, and sedimentation of planned operations involves the following typical components:

- Limiting surface disturbance to the minimum area required for active operations.
- Diverting run-off from undisturbed areas around the active mining area as necessary.
- Using berms, ditches, sediment basins, and localized control and maintenance measures to intercept and control disturbed area drainage as necessary.
- Stabilizing disturbed areas through grading or revegetation.

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.

- IX b) **Less Than Significant Impact.** The site is served by an existing well approximately 200 feet deep. The applicant has a historic water right to pump from the Este Subarea and currently pumps less than 33% of their legally allowed extraction. Because groundwater levels in the vicinity show zero to minimal decline over the past 60 years, the Project is not forecast to substantially deplete groundwater supplies.

- IX c-f) **Less Than Significant Impact.** Drainage entering the site from the proposed State Lands Commission Expansion Area will be controlled and directed into the bottom of the excavation area by the construction of a permanent 60-foot wide armored downdrain in the central portion of the southern extent of the State Lands Expansion Area to transition the collected flows into the excavation area. The drainage control system will remain after reclamation of the site. All water will be retained within the boundaries of the project site and will not impact local roadways or downstream properties.

All storm water discharge is regulated by the Colorado River Basin Regional Water Quality Control Board pursuant to site specific Storm Water Pollution Prevention Plans. The County will approve the on-site drainage control system. Therefore, less than significant impact is anticipated.

- IX g/h) **No Impact.** The Proposed Project does not occur 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 Proposed Project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, as no levee or dam is proposed as part of the 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. As the Project Site is not located adjacent to any body of water that has the potential of seiche or tsunami, no impacts are anticipated.

ISSUES	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION**

X a) **No Impact.** The Project Site is surrounded by vacant desert land. The Proposed Project is consistent with the County General Plan 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 following:

Biological Resources (*desert tortoise and burrowing owl*) and Jurisdictional Waters under the jurisdiction of the ACOE, CDFW, and RWQCB. Mitigation Measures BIO-1 through BIO-4 are required to ensure that the Project impacts to these biological resources are less than significant.

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

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

XI a-b) **No Impact.** The California Department of Conservation Division of Mines and Geology has mapped the site as MRZ-1 and MRZ-2. MRZ-1 are areas where adequate information indicates that no significant mineral deposits are present or where it is judged that little likelihood exists for their presence. MRZ-2 are areas where adequate information indicates significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence. Classification is based on geologic and economic factors without regard to existing land use and land ownership. Within the classifications, "MRZ-2" is defined as areas that contain identified mineral resources. The Proposed Project would supply aggregate to the region. Therefore, the Proposed 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 proposed 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION** (Check if the project is located in the Noise Hazard Overlay District  or is subject to severe noise levels according to the General Plan Noise Element ):

XII a,c,d) **No Impact.** Approval of the Project would require operations to conform to all applicable noise control regulations. There are no nearby noise sensitive land uses within the vicinity of the Project Site. Therefore, no impacts are anticipated.

XII b) **Less Than Significant.** Approval of the Project would require operations to conform to all applicable noise control regulations. There are no nearby noise sensitive land uses within the vicinity of the Project Site. Mining activities would not expose persons to or generation of excessive groundborne vibration or groundborne noise levels. Therefore, 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"/>

**SUBSTANTIATION**

- XIII a) **No Impact.** The Proposed Project would not induce substantial population growth in the area either directly or indirectly because the proposed project consists of a mining operation that will operate with an estimated 15 employees. In addition, the duration of the operation is approximately 25 years after which time the site will be reclaimed and returned to open space use. No impacts are anticipated.
- XIII b) **No Impact.** The proposed use would not displace substantial numbers of existing housing units, or require the construction of replacement housing, as no housing units exist on the site.
- XIII c) **No Impact.** Implementation of the Proposed Project would not displace substantial numbers of people necessitating the construction of replacement housing elsewhere, as no housing exists on the Project Site.

<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>
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**XIV. PUBLIC SERVICES**

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 Proposed Project would not result substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, or hinder acceptable service ratios, response times or other performance objectives for any of the public services, including fire and police protection, schools, parks or other public facilities because the Project consists of a mining operation with no permanent improvements proposed other than a drainage structure. 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.** Approval of the Proposed Project would not generate the need off 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.

<i>ISSUES</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorp.</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XVI. TRANSPORTATION/TRAFFIC - Would the project:</b>				
a) 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.** Currently fifteen (15) people are employed with the possibility of increasing to twenty (20) people at full production levels. Truck traffic from the project site is directly related to market demand and will range from 72 to 170 trips per day. 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.
- 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 Meridian Road, therefore, less than significant impact is anticipated.
- XVIe/g) **No Impact.** Activities associated with the Proposed Project would not impede existing emergency response plans for the Project Site and/or other land uses in the project vicinity. All vehicles and

stationary equipment would be staged off public roads and would not block emergency access routes. In addition, no road closures would be required. The Proposed Project would not involve any long-term increase in traffic that would conflict with adopted policies, plans, or programs supporting alternative transportation. No impacts would result.

ISSUES	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
<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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION**

The following analysis is based in part on the *Ground Water Resources Evaluation for the Proposed Pit Expansion 8701 Meridian Road, Lucerne Valley Area, May 31, 2013* by Ron Barto Ground Water Consultant.

- XVII a/e) **No Impact.** The Proposed Project would not require sewer collection or treatment services and therefore no off-site discharge of treated wastewater would occur. No impacts related to wastewater treatment 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.** Drainage entering the site from the proposed State Lands Commission Expansion Area will be controlled and directed into the bottom of the excavation area by the construction of a permanent 60-foot wide armored downdrain in the central portion of the southern extent of the State Lands Expansion Area to transition the collected flows into the

- excavation area. The drainage control system will remain after reclamation of the site. The drainage system cause significant environmental effects as shown in the analysis in this Initial Study Checklist.
- XVII d) **Less Than Significant Impact.** The site is served by an existing well approximately 200 feet deep. The applicant has a historic water right to pump from the Este Subarea and currently pumps less than 33% of their legally allowed extraction. Because groundwater levels in the vicinity show zero to minimal decline over the past 60 years and based on historic usage, there is adequate water to serve the Project site.
- 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.

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

**SUBSTANTIATION**

a) **Less Than Significant Impact With Mitigation Incorporated.** Based on the analysis contained in this Initial Study, impacts to Aesthetics, Agriculture and Forestry Resources, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Transportation and Traffic, are considered as having a less than significant or no impact on the environment.

The results of the Initial Study show that there are potentially significant impacts to Biological Resources and Cultural Resources. These impacts will be reduced to less than significant after incorporation of mitigation measures.

Therefore the Project will not degrade the quality of the environment and no habitat, wildlife populations, or plant and animal communities would be impacted.

b) **Less Than Significant Impact.** The analysis in this Initial Study Checklist demonstrated that the Project is in compliance with all applicable regional plans including but not limited to, water quality control plan, air quality maintenance plan, and plans or regulations for the reduction of greenhouse gas emissions. Compliance with these regional plans serves to reduce impacts on a regional basis so that the Project would not produce impacts, that considered with the effects of other past, present, and probable future projects, would be cumulatively considerable.

c) **Less Than Significant Impact With Mitigation Incorporated.** As discussed this Initial Study Checklist, the Project would not expose persons to adverse impacts related to Air Quality, Greenhouse Gas

Emissions, Hazards and Hazardous Materials, Land Use and Planning, Population and Housing, or Transportation/Traffic hazards. These impacts were identified to have no impact or a less than significant impact.

The implementation of the 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: 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: 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.***

***AQ-3: The Project proponent shall ensure that all disturbed areas are treated to prevent erosion.***

***AQ-4: The Project proponent shall ensure that all mining and processing activities are suspended when winds exceed 25 miles per hour.***

***AQ-5: During operation, street sweeping will be conducted at least daily, and as needed, along site access roadways to remove dirt dropped by vehicles. Site access driveways and adjacent streets will be washed if there are visible signs of any dirt track-out at the conclusion of any work day.***

***AQ-6: All equipment used for mining and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.***

***AQ-7: The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site haul trucks in order to minimize exhaust emissions from truck idling.***

***AQ-8: AQ-8: The operator shall comply with all existing and future CARB and MDAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.***

***AQ-9: The aggregate crusher must obtain permits to construct and annually renew permits to operate from the MDAQMD and be in compliance with such permits.***

***AQ-10: This facility must handle all material (raw, byproducts, and finish materials) so as not to cause a Nuisance (odors) per District Rule 402.***

***AQ-11: A Blue Smoke Control filter cartridge will be used in this project to mitigate for the blue smoke.***

**BIO-1 Desert Tortoise:** *The following measures shall be implemented:*

- g. The Applicant shall provide an information sheet to all persons who will work on-site during mining activities. The program shall consist of a brief presentation from a person knowledgeable about the biology of the Desert Tortoise, Federal Endangered Species Act (FESA), and California Endangered Species Act (CESA).*
- h. A litter control program shall be instituted. The program includes the direction to all workers to eliminate food scraps, paper wrappers, food containers, cans, bottles, and other trash from the project area and to maintain covered trash containers that are regularly removed from the project site. All trash and food items should be promptly enclosed in raven proof containers (i.e. metal or solid plastic trash cans) and disposed of in a licensed disposal facility on a regular basis.*
- i. Any desert tortoises observed during any phase of the project should be left to move out of the way on its own. Handling of desert tortoises is not authorized.*
- j. Workers should inspect for desert tortoises under vehicles and equipment prior to moving them. If a desert tortoise is present, the worker should carefully move the vehicle or equipment only when necessary or should wait for the desert tortoise to move out from under the vehicle or equipment.*
- k. Only an Authorized Biologist(s) shall be allowed to handle tortoises. The Authorized Biologist(s) shall have a Memorandum of Understanding (MOU) with the CDFW for handling tortoises.*

*Upon discovery of a Desert Tortoise in a work area, all work in that area shall stop until the Desert Tortoise is relocated. An Authorized Biologist shall be on site or on call to relocate any desert tortoise found during work activities. The desert tortoise shall be monitored until the Authorized Biologist arrives.*

**BIO-2 Burrowing Owl:** *Utilizing accepted protocols, within 30 days prior to initiating mining activities, a pre-construction survey must be conducted for the Burrowing Owl by a qualified biologist.*

**BIO-3 Riparian Habitat/Wetlands:** *Prior to commencing mining activities or earth disturbing activities within the area depicted in Figure 5 of the Jurisdictional Delineation for the Lucerne Valley Pit dated December 11, 2011 prepared by Agcon Inc., the project applicant shall obtain a Section 404 Permit from the USACE, a Section 1602 Streambed Alteration Agreement from the CDFW, and a Section 401 Water Quality Certification from the RWQCB for permanent impacts 21.5 acres of jurisdictional area that are regulated by the USACE, CDFW, and the RWQCB. Impacts shall be mitigated at a 2:1 ratio through an off-site mitigation bank or the contribution of in-lieu fee program acceptable to the County of San Bernardino and the USACE, CDFW, and RWQCB.*

**BIO- 4 Joshua Trees:** *Plant species protected by state law and County ordinance; yucca, agave (Joshua tree) and cactus, will be transplanted during growth media salvage to areas which remain undisturbed until they are used in revegetation of the site.*

**CR-1 Cultural Resources:** *The developer/property owner shall submit a letter to County Planning agreeing to adhere to the following requirements and shall include a note on the grading plans and in all construction contracts/subcontracts a provision that the project contractors shall also adhere to the following requirements:*

- In the event archaeological, paleontological and/or historical resources, including pottery, middens or human remains, are uncovered during earthmoving activities, all work in that area shall cease immediately and a qualified archeologist shall be retained to access the findings, and if necessary provide appropriate disposition of the resources. Earthmoving shall be diverted temporarily around the deposits until they have*

*been evaluated, recorded, excavated, and/or recovered as necessary. Earthmoving shall be allowed to proceed on the site when the archaeologist, in consultation with the appropriate Native American Tribe(s) and the County of San Bernardino Museum, determines the resources are recovered to their satisfaction.*

- *If possible human remains are encountered during any earthmoving activities, all work shall stop in the area in which the find(s) are present, and the San Bernardino County Coroner must be notified. State law dictates that the Native American Heritage Commission (NAHC) shall be notified in the event that remains are determined to be human and of Native American decent, in accordance with California Public Resources Code Section 5097.98.*

### **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**

- C. *General Biological Resources Assessment – Lucerne Valley Pit, May 24, 2012 by RCA Associates, LLC*
- D. *Jurisdictional Waters Delineation for Lucerne Valley Pit, December 15, 2011 by Agcon Inc.*