SAN BERNARDINO COUNTY
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
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:

APNs:	0463-131-03, -04, -05, -06, -07 & 08 0463-141-01, -02, -03, -07, -08, -09, -10, -11 & 12; 0463-151-01 & -03	***USGS Quad:***	Turtle Valley, Apple Valley North, Stoddard Wells, Fairview Valley Quadrangles
Applicant:	CEMEX Construction Materials Pacific, LLC (CEMEX)	***T, R, Section:***	T6N, R2W, Sections 5, 6, 7, 8, 8, 17 & 18, SBB&M
Location	10 miles Northeast of Apple Valley; adjacent to Victorville Cement Plant	***Community Plan:***	None
Project No:	PRAA-2021-00033 84M-010	***Land Use Category (LUC)***	General Industrial (GI)
Rep	Christine Jones - CEMEX	***ZONING DISTRICT:***	Regional Industrial (IR)
Proposal:	Amended Reclamation Plan for the Black Mountain Quarry to incorporate the adjacent White Mountain Quarry and the new Ballast Quarry.	***Overlays:***	NR-4: Mineral Resource Zone – MRZ-2a

PROJECT CONTACT INFORMATION:

Lead agency: County of San Bernardino
Land Use Services Department
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PROJECT DESCRIPTION:

CEMEX Construction Materials Pacific, LLC (CEMEX) submitted an application for an Amended Reclamation Plan (Amended Plan) for the Black Mountain Quarry (Reclamation Plan #84-010, CA Mine ID #91-36-0019). The Amended Plan will incorporate the adjacent White Mountain Quarry currently operated under a separate Reclamation Plan (#84-011, CA Mine ID #91-36-0106). The new overall quarry(ies) will retain the name of the Black Mountain Quarry. In addition, a new rock quarry will be developed to the southeast of the Black and White Quarries to be named the Ballast Quarry. Since these mine areas are adjacent to one another, one reclamation plan is proposed per California Code of Regulations Section 3502(d).

The Black Mountain and White Mountain Quarries have been mined historically since the 1940s. Limestone ore from these quarries are the current and long-term source of cement-grade limestone used for the production of cement at the adjacent Victorville Cement Plant for CEMEX's

cement manufacturing operations. The sites are privately-owned vested mining operations with a County Land Use Category of General Industrial and zoning of Regional Industrial. The quarries are located approximately 10 miles northeast of the Town of Apple Valley within portions of Sections 5, 6, 7, 8, 9, 17, and 18, Township 6 North, Range 2 West, San Bernardino Base and Meridian. The quarries are located within all or portions of Assessor Parcel Numbers (APNs) as listed in Table 1. The site is accessed from Interstate 15 (I-15) via Stoddard Wells Road to Quarry Road (paved public road) through the CEMEX 24-hour guarded security gate on the western portion of the CEMEX property. Refer to Figures 1 and 2 for a Regional Location Map and Vicinity Map.

Table 1
CEMEX's Privately-Held Land Holdings
Black Mountain Quarry

Parcel Number	Area (acres)	Sections within T6N, R2W
0463-131-03	6.48	5
0463-131-04	19.6	5
0463-131-05	12.6	5
0463-131-06	19.8	5
0463-131-07	40	5
0463-131-08	160	6
0463-141-01	440	7
0463-141-02	64.91	7
0463-141-03	120	8
0463-141-07	40	8
0463-141-08	40	8
0463-141-09	22.26	8
0463-141-10	116.16	7, 8
0463-141-11	35.84	8
0463-141-12	115.17	8
0463-151-01	346.55	17
0463-151-03	157.57	18
Total Parcel Areas	**1,756.94**	---
Total Reclamation Plan	**865 acres**	

Sources: San Bernardino County APN information, CEMEX 2021

Surrounding land uses include the CEMEX Victorville Cement Plant and the Alvic & Alumina Quarry to the east operated under a separate reclamation plan (Reclamation Plan #84M-012 amended August 2021, CA Mine ID #91-36-0105), the White Mountain Aggregate and Rail Loadout Facility operated under a separate Conditional Use Permit (CUP #AP20150105) to the

south and southwest, the Black Mountain access road and rail line to the south and southeast, and vacant public lands administered by the Bureau of Land Management (BLM) to the west, south, and north.

The existing Reclamation Plan for the Black Mountain Quarry was approved by the County in 1984 and covers approximately 188 acres; mostly disturbed by mining activities. A revision to Reclamation Plan #84M-010 was approved by the County in 2009 for an increase in production to 6 million tons per year (Mtpy). The existing Reclamation Plan for the White Mountain Quarry was approved by the County in 1984 and covers approximately 133 acres; mostly disturbed by mining activities. The County ~~conditionally~~conditionally-approved both Reclamation Plans with an expiration date of February 23, 2034. Under the proposed Amended Reclamation Plan, the White Mountain Quarry mine ID number and Reclamation Plan will be terminated and will be incorporated into this Black Mountain Quarries Reclamation Plan.

The existing quarries consist of approximately 321 disturbed acres. The proposed revision will include an additional 303 acres for the overall Black Mountain Quarry and 117 acres for the new Ballast Quarry. Buffer areas around the quarries and soil overburden stockpiles make up an additional 155 acres for a total plan area of approximately 896 acres.

The proposed Amended Plan was prepared with the following objectives:

- To continue development of an existing cement-grade limestone ore resource that meets the State's and County's SMARA requirements;
- To provide adequate limestone ore from an adjacent source to meet CEMEX's cement production needs and cement demand throughout the region;
- To continue to provide well-paying jobs and economic benefits in the high desert;
- To utilize overburden and non-spec limestone to produce construction aggregates at the adjacent White Mountain Aggregates Rail Loadout Facility thereby utilizing a formerly-characterized "waste" product for beneficial construction uses and reducing overburden stockpiles and conserving mineral, biological, visual, and land resources;
- To maintain the short distance conveying limestone ore to the adjacent cement plant rather than importing material from a distant resource location, resulting in decreased truck mileage and related decreases in diesel fuel consumption and air pollutant emissions;
- To design the quarries and implement current reclamation and revegetation standards to reduce visual, biological, and safety impacts; and
- To reclaim the site for a open space habitat end use.

Black Mountain and White Mountain Quarries

The existing Black Mountain Quarry consists of approximately 188 acres and has been mined to the current pit floor elevation depth at 3,650 feet above mean sea level (amsl), about 200 to 250 feet below ground surface (bgs). It will be expanded by about 64 acres and mined to an elevation depth at 2,700 feet amsl over the next 100 years. The Black Mountain Quarry is a steeply dipping syncline estimated to contain approximately 120 million cubic yards or 270 million short tons of limestone (at 2.25 short tons/cubic yard); approximately 78% cement-grade limestone or 212 million tons and 22% or 58 million tons of overburden or non-spec limestone that will be conserved as feed for the White Mountain Aggregate Facility.

The remainder of the Black Mountain Quarry's expansion of approximately 303 acres to the west and southwest will be mined to an elevation depth at approximately 3,000 feet amsl. This area has an estimated volume of approximately 420 million cubic yards with a mixture of limestone and other rock types to feed the cement plant and the White Mountain Aggregate Facility. This area also includes the 133 disturbed acres within the existing White Mountain Quarry Reclamation Plan. The entire amended Black Mountain Quarries will consist of 896 acres. Refer to Table 2 below. Existing elevations at the Black Mountain Quarries range from 3,500 feet above mean sea level (amsl) on the southwest to 4,160 feet amsl for the Black Mountain ridges in the center of the site, to 4,210 feet amsl on a northwest side of the site.

Table 2
Existing and Planned Operational Areas
Black Mountain Quarries

Quarry Areas	Existing Quarries (acres)	Planned Reclamation Plan Areas (acres)	Total Project Areas (acres)	Estimated Resource Volumes & Short Tons
Black Mountain Quarry (Phase 1)	188	64	252	120M cy 212M tons Ls ore 58M tons OB
Black Mtn Quarry (Phase 2 expansion includes existing White Mtn. Quarry)	133 (former White Mtn. Quarry)	239	372	421M cy 946M tons (undefined mix of Ls ore and OB)
Black Mtn. Quarry (subtotal)	**321**	**303**	**624**	**541M cy**
Ballast Quarry	0	117	117	21.4M cy 48M tons (rock)
Black Mtn Quarries (subtotal)	**321**	**420**	**741**	**---**
Soil Stockpiles	undefined	17	17	---
Buffer Areas	undefined	138	138	---
Total Reclamation Plan Area	**321**	**575**	**896**	---
Overburden Stockpiles (OB)	Currently within White Mtn. Quarry footprint. A 38-acre stockpile will be developed on a pad in the southwest portion of the overall quarry; most overburden to be transported to the adjacent White Mountain Aggregate Facility. OB not suitable for aggregate will be stockpiled within quarry and used for backfilling, slope management, and revegetation.			
Operations Areas	No permanent operations areas within the quarry areas. Ls trucked to cement plant feeder/crushing facility to east and OB trucked to adjacent White Mountain Aggregate Facility to south under separate permit. Portable crushing/screening plants may be utilized for specialized contracted aggregate production as needed and within the Ballast Quarry.			

Sources: CEMEX, Lilburn 2021
[1] Within overall quarry area. Tons based on 2.25 short tons/cy.
Ls – cement-grade limestone to feed adjacent CEMEX Victorville Cement Plant.
OB – Overburden mostly to be used for construction aggregate processed through adjacent White Mountain Ag. Facility.
M cy – million cubic yards; M tons – million short tons
Note: Totals may be slightly different due to rounding to whole numbers and are approximate.

Ballast Quarry

The Ballast Quarry is planned to be developed on 117 acres east of the White Mountain Aggregate Facility to provide up to 1.5M tpy of rock for railroad ballast and for construction aggregates for the White Mountain Aggregate Facility. Mining is planned to a pit floor elevation at approximately 3,400 feet amsl; daylighting on the southwest with a quarry rim elevation increasing to the northeast to approximately 3,850 feet amsl for a maximum depth of approximately 450 feet. The rock will be removed at the quarry face with a front-end loader and/or excavator, loaded into a portable crushing/screening plant that will move with operations or into 100-ton (typical) capacity off-road haul trucks for transporting to the White Mountain Aggregate Facility for processing into various aggregate products for rail and truck shipments.

Mining Operations

The mining operations for the quarries consist of drilling and blasting the quarry benches with resultant faces that are approximately 50 feet high with an inter bench slope of 79°. The 79° inter bench creates a bench off-set of approximately 10 feet with a 40-foot wide horizontal bench sloped slightly towards the slope to retain precipitation and growth media. Bench heights and widths may slightly vary with deposit geometry as determined in the field. The overall slope for operations and reclamation is approximately 1H:1V.

The limestone ore is removed at the quarry face after blasting with a front-end loader and/or excavator, loaded from muck piles into 100-ton (typical) capacity off-road haul trucks for transporting to the primary crusher feeder on the east rim of the Black Mountain Quarry. The crushing/screening plant and conveyors are part of and within the Victorville Cement Plant facility. The crushed/screened and stockpiled ore is then utilized for cement production.

Overburden and non-spec limestone is trucked to the White Mountain Aggregate Facility for processing into various aggregate products for rail and truck shipments.

Mining on-site produces approximately 13,300 to 16,700 tons/day for 4 to 5M tpy, 6 days/week, 300 days/year. This requires approximately 133 to 167 100-ton capacity off-road ore truck trips/day and approximately 33 to 42 overburden truck trips/day to the White Mountain Aggregate Facility. No change in production is proposed.

The Black Mountain operations are unique in that the overburden resulting from excavating cement-grade limestone is and will continue to be utilized in the adjacent White Mountain Aggregate Plant and Rail Loadout Facility to the site to the south. This facility, approved and operating under a separate permit, crushes and screens the overburden and non-spec limestone to produce construction aggregates transported by rail to supply CEMEX concrete plants and other customers in the Los Angeles Basin. The beneficial use of the overburden and non-spec limestone reduces the amount of overburden usually deposited into large permanent and highly visible stockpiles typical of rock quarries, reduces the need to mine rock exclusively for aggregates, and supplies a rail operation that reduces truck traffic and air pollutant emissions throughout the region.

Mobile Equipment

Approximately 16 pieces of heavy off-road construction-type equipment including five loaders and excavators and six 100-ton haul trucks are currently utilized for mining, hauling, and road maintenance activities on-site. As operations progress over time, replacement equipment may be required to optimize operations and to meet equipment emissions' standards. The replacement equipment types would not substantively change over time. Haul trucks, diesel equipment, and a portable processing plant contracted and/or brought onsite when needed will meet all requirements of the MDAQMD and CARB off-road diesel vehicles regulations to reduce diesel pollutants.

Scheduled equipment maintenance and fueling take place at the adjacent Victorville Cement Plant. Minor or emergency repairs and re-fueling with portable maintenance/fuel trucks may be conducted at the quarries with appropriate safeguards.

Water

Water is used for dust control measures only and is sprayed on the working mine and operations areas and roads. The portable plants will also utilize water for dust control. Water will be hauled with a 15,000-gallon water truck from wells and storage tanks at the adjacent CEMEX cement plant. The estimated water usage is two truckloads or 30,000 gallons/day; about 27.6 acre-feet per year based on 300 operational days per year. Water use is expected to increase with production by another truck load per day for a total of 45,000 gallons; about 41.4 acre-feet per year.

The Black Mountain Quarries are located in the Upper Mojave River Valley groundwater basin; the Alto Subarea. The area is adjudicated and the watermaster is the Mojave Water Agency (MWA). CEMEX has approximately 20 active and inactive wells in the Alto Subarea. Several of these wells provide water for dust control at the Quarry; estimated to average about 41.4 acre-feet per year; an increase over existing usage of about 14 acre-feet. CEMEX is a stipulated party in the adjudication and has a verified base annual production of 1,499 acre-feet. Water use is monitored annually by CEMEX and reported to the MWA. The expected increase of water usage for the Amended Plan is about 14 acre-feet, which is not a substantial increase.

Dust Control

Existing dust control measures must be in compliance with MDAQMD Rules 401 (limiting visible emissions); 402 (avoid nuisance emissions to people or businesses or property); and 403 (prohibits visible dust from crossing property lines) (as updated October 2020). The dust control measures are monitored periodically by MDAQMD and CEMEX personnel to ensure measures are being implemented. Dust control measures include water spraying active mining areas, roads, and the processing plant area if onsite. A 15,000-gallon water truck is used for dust control. Water for dust control will continue to be obtained from existing wells and storage tanks located at the adjacent CEMEX cement plant. At least once per year, CEMEX treats its active haul roads with dust palliatives, typically calcium chloride.

Hazardous Materials and Waste

No hazardous materials are used on-site with the exception of fuel and oil for mobile equipment. CEMEX has prepared a Hazardous Materials Business Plan (HMBP) for the cement plant including the mine site that addresses the hazardous materials stored and used at these facilities. The HMBP describes methods and procedures to minimize the potential for hazardous material

and waste releases including an emergency response, contingency, and spill response procedures.

CEMEX has prepared a Storm Water Pollution Protection Plan (SWPPP WDID#: 6 B36I019598, April 2020) and a SPCC Plan for the cement plant and the Black Mountain Quarry site. The SPCC is designed to minimize the potential for spills or releases of oil and fuel and outlines procedures to be followed in the event of a spill. New areas of disturbance will be added to the SWPPP and the SPCC.

Site Access and Public Safety

Access onto the CEMEX Black Mountain operations area via Quarry Road is secured by a 24-hour security office and gate with access limited to employees, authorized personnel, and shipping and deliveries. The Quarries are located to the west and southwest of the cement plant and are surrounded by rugged vacant mountains with no public access. Quarry areas will have No Trespassing and warning signs, roads not used will be blocked or closed, and safety berms six feet in height will be constructed along the quarry rims as needed. Any unauthorized roads will be blocked or closed at the property boundary.

Erosion and Sedimentation Control

Due to the hard bedrock material, lack of fine surface material, and low rainfall (less than 4 inches/year) the site has low potential for erosion and sedimentation. Control of surface drainage, erosion, and sedimentation of the operations involves the following primary components:

- Limiting surface disturbance only to the areas required for active operations;
- Diverting runoff from flowing down quarry and stockpile slopes; and
- Stabilizing disturbed areas through regrading, replacement of soils, revegetation, and erosion control practices by using rip rap and other common sediment controls

All operations on-site will comply with the SWPPP to be updated periodically with mine development and implementation of storm water BMPs. The quarries will be cut into bedrock and precipitation falling within the quarry will be allowed to flow into the quarries and percolate or evaporate.

Blasting

Blasting operations involve drilling along the mining face, placement of common explosive charges, and detonation of the charges by a blaster licensed through the Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATF&E) for handling explosive materials. The transporting, handling, storage, and use of explosive materials, blasting agents, and blasting equipment shall be directed and supervised by a qualified blasting contractor licensed in accordance with all Federal, State, and local agencies and regulations.

Blasting shall only be conducted by a licensed blaster under the Office of Surface Mining (OSM) Blasting Performance standards (30 CFR Section 816.61-68). A blast design is required if

conducted within 1,000 feet of any building used as a dwelling, public building, school, church, or community or institutional building outside the permit area and pre-blasting surveys are required for all residents or owners of dwellings or other structures located within 1/2 mile of the permit area. No such dwellings or residents exist within these distances to blasting operations.

Drilling is currently conducted up to 6 days a week, 10 hours/day with depths of approximately 55 feet. A second drill rig will be required during new quarry development. Blasting typically occurs twice per week. Blasting would likely increase by approximately 30 blasts/year with additional quarry development. Blasting activities take place between the hours of 10:00 a.m. and 4:00 p.m. on weekdays (Monday through Friday). No blasting shall be allowed after dark or on weekends unless there is an unplanned situation. There will also be no blasting on National holidays. No explosives will be stored onsite; they will be transported on-site the day of the blast by the contract blaster.

Reclamation

CEMEX proposes to reclaim the site to minimize impacts to the surrounding environment and provide public safety (see Figure 4). Because of the phased nature of the mining development, reclamation concurrent with mining only can occur to a limited degree for safety and logistical reasons. Reclamation starts with the initiation of mining and development of new quarry areas and roads and includes the following:

- Pre-development plant surveys to mark specific plants and cacti for salvaging and/or seed collection;
- Salvaging seeds and re-locatable plants and cuttings for re-planting to available reclamation areas during clearing of areas;
- Stockpile available surface material for future revegetation in separate identified stockpiles seeded with an erosion control ground cover, water sprayed to create a crust, and/or covered with a larger rock material to limit wind and water erosion;
- Use portions of the quarry for overburden placement;
- Sloping and grading of completed quarry slopes for safety, slope stability, and erosion control as needed;
- Ripping of compacted areas and roads prior to revegetation;
- Covering disturbed areas with salvaged soil and overburden to aid in revegetation;
- Revegetation – imprinting seeds and broadcast seeding followed by covering seed with layer of soil or alluvium by pulling chains or screens over the area;
- Upon completion of mining, remaining equipment, any structures, and internal roads not needed for site access will be reclaimed, and
- Monitoring and remediation until success criteria achieved.

Final reclamation will include the removal of all equipment, any structures, and debris from the site. Any remaining overburden or ore/rock stockpiles will be graded into the quarry benches or floor. Compacted surface material in operations areas and roads to be reclaimed will be loosened by mechanical means. The quarry benches in the ultimate Black Mountain Quarry will be ripped and seeded down four benches or 200 feet in depth. The Ballast Quarry benches and pit floor will

be ripped, covered with surface material and seeded with native plant species. Specific roads needed to maintain access to the property and cement plant for revegetation and site maintenance will remain in-place.

The finished quarry benches shall be inclined to approximately 1H:1V (45° to 51°). The 40-foot wide horizontal benches shall be inclined approximately 2 percent toward the faces to capture precipitation and falling rock material. Bench heights also may vary with material encountered during excavations. A protective berm will be maintained around the quarry rims and accessible benches and shall be posted with warning signs of steep slope hazard. The ends of the benches will be blocked with large rock (larger than ¼ ton) to prevent access.

The access roads will be left on-site for use during revegetation and monitoring activities and for overall future site access and public safety as shown on the Reclamation Plan. Roads not needed for site and quarry access will have any road base material removed, surface ripped and covered with available soil and revegetated.

Revegetation

A detailed description of the planned revegetation is included in the Amended Plan in Section 2.6 and Appendix D. The following procedures will be implemented for revegetation:

- Remove trash, equipment, and debris;
- Remove non-native invasive plant species;
- Rip or scarify compacted areas including closed roads to a 0.5-foot minimum depth (if possible due to rock benches in quarries), with surface rills and furrows left to aid in water and seed collection;
- Place soils that have been stockpiled on level areas, benches and 2H:1V or less steep slopes and partially mixed with underlying scarified material;
- Shape or contour final slopes and benches for natural appearing slopes and landforms;
- Imprint (preferrable) and broadcast seed between October 1 and January 31 depending on rain with locally native species either collected or purchased commercially as needed and revegetate per methods described in the Reclamation Plan;
- Stake or flag reclaimed areas to eliminate additional disturbance;
- Monitoring and maintenance; and
- Application of remedial activities, if necessary, including but not limited to additional seeding and planting, plant protection and change of seed mix.

Surrounding Land Uses and Setting

The Project Site is in unincorporated San Bernardino County. The Countywide Policy Plan Land Use Map (November 2020) shows that the Project Site is within Land Use Category (LUC) General Industrial (GI) and within Regional Industrial (IR) zoning. Surrounding land uses include the CEMEX Victorville Cement Plant and the Alvic & Alumina Quarry to the east, the White Mountain Aggregate Rail Loadout facility to the southwest, the Black Mountain access road and rail line to the south and southeast, and vacant public lands administered by the Bureau of Land Management (BLM) to the west, south, and north. Table 3 lists the existing land uses, land use categories, and zoning designations per the Countywide Policy Plan (November 2020).

In addition, the California Division of Mines and Geology (CDMG) has designated the Black and White Mountain Quarries as Mineral Resource Zone 2 status (MRZ-2a) for the limestone deposits (*Mineral Land Classification of a Part of Southwestern San Bernardino County: Barstow-Victorville Area, California*, Stephen P. Bezore and Dinah O. Shumway, Open-File Report 94-04, CDMG 1994). MRZs are important planning designations as they recognize the significance and importance of mineral resources and mining in land use planning. An MRZ-2a rating indicates it is recognized as a valuable and proven or known mineral resource.

Table 3
Existing Land Use Category and Zoning (Countywide Policy Plan November 2020)

Location	Existing Land Use	Land Use Category	Land Use Zoning
Project Site	Black and White Mountain Quarries	General Industrial (GI)	Regional Industrial (IR)
North	Vacant, BLM	Resource/Land Management (RLM)	Resource Conservation (RC)
South	Vacant, BLM, White Mountain Aggregate Rail Loadout facility	General Industrial (GI); Resource/Land Management (RLM); Rural Living (RL)	IR (Regional Industrial); Resource Conservation (RC); Rural Living (RL)
East	CEMEX Victorville Cement Plant and the Alvic & Alumina Quarry	General Industrial (GI)	Regional Industrial (IR)
West	White Mountain Aggregate Rail Loadout facility; Vacant, BLM	General Industrial (GI); Resource/Land Management (RLM); Rural Living (RL)	IR (Regional Industrial); Resource Conservation (RC); Rural Living (RL)

Project Site Location, Existing Site Land Uses and Conditions

The Project Site is located approximately 10 miles northeast of the Town of Apple Valley within portions of Sections 5, 6, 7, 8, 9, 17, and 18, Township 6 North, Range 2 West, San Bernardino Base and Meridian. It is located west of and adjacent to the CEMEX Victorville Cement Plant. The site is accessed from Interstate 15 (I-15) via Stoddard Wells Road to Quarry Road (paved public road) through the CEMEX guarded security gate on the western portion of the CEMEX property. The Project Site occurs within the General Industrial (GI) LUC and the Regional Industrial (IR) zoning.

ADDITIONAL APPROVALS POTENTIALLY REQUIRED BY OTHER PUBLIC AGENCIES

Federal: U. S. Fish and Wildlife (FWS) – compliance with the Federal Endangered Species Act as applicable.

State of California: California Department of Fish and Wildlife (CDFW) - 1602 Streambed Alteration Agreement and compliance with the California Endangered Species Act; and Regional Water Quality Control Board (RWQCB) Dredge and Fill Waste Discharge Permit (as applicable).

County of San Bernardino: None

Regional: MDAQMD for any new processing plants

Local: None

Site Photographs

Mine Quarries and Aggregate Plant

Photo 1
Black Mountain Quarry

Photos 2
White Mountain Quarry

Photos 3

White Mountain Quarry and Aggregate Facility

Photo 4
Ballast Quarry

Figure 1 Regional Location Map

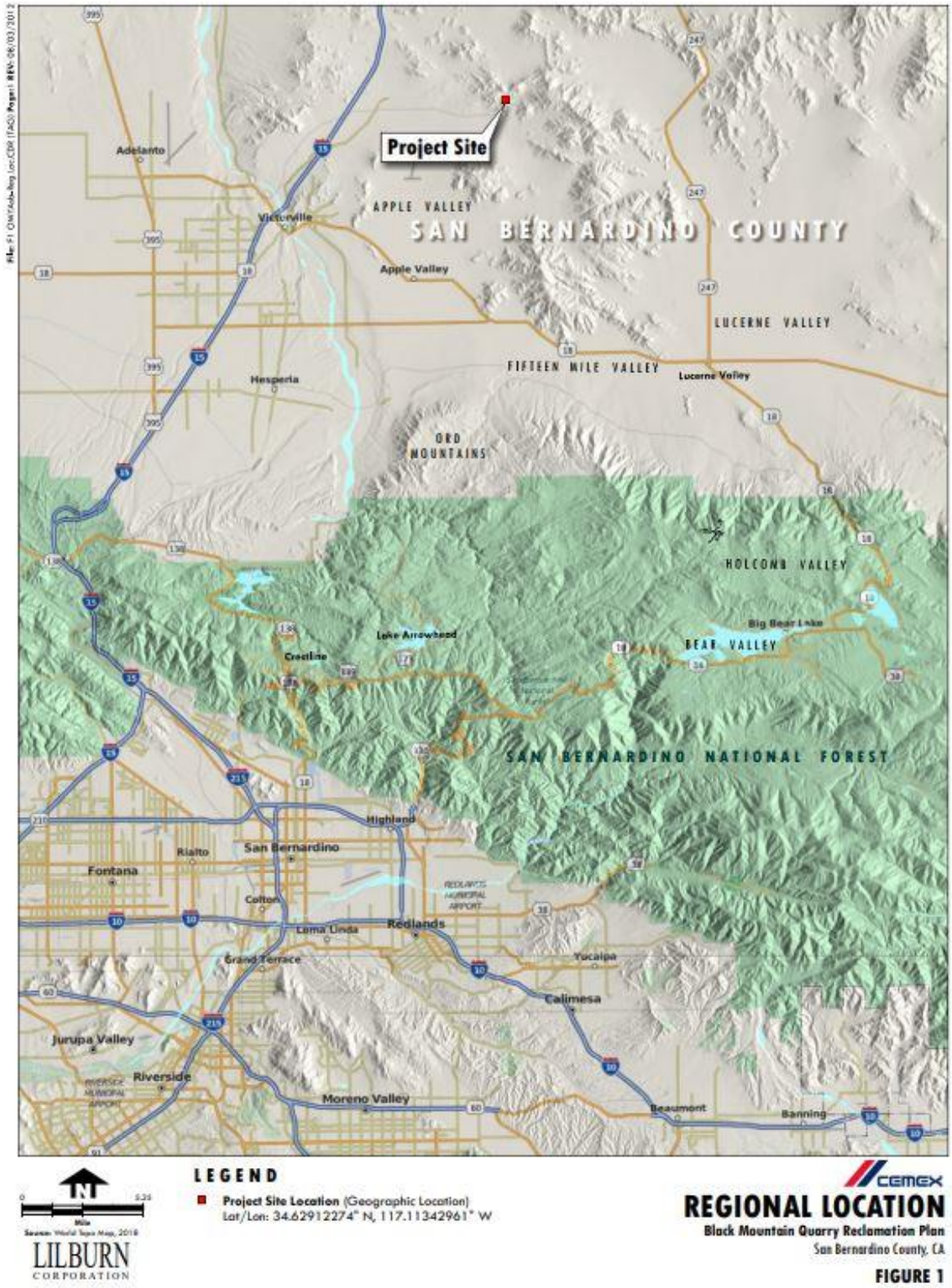


Figure 2 Project Vicinity Map

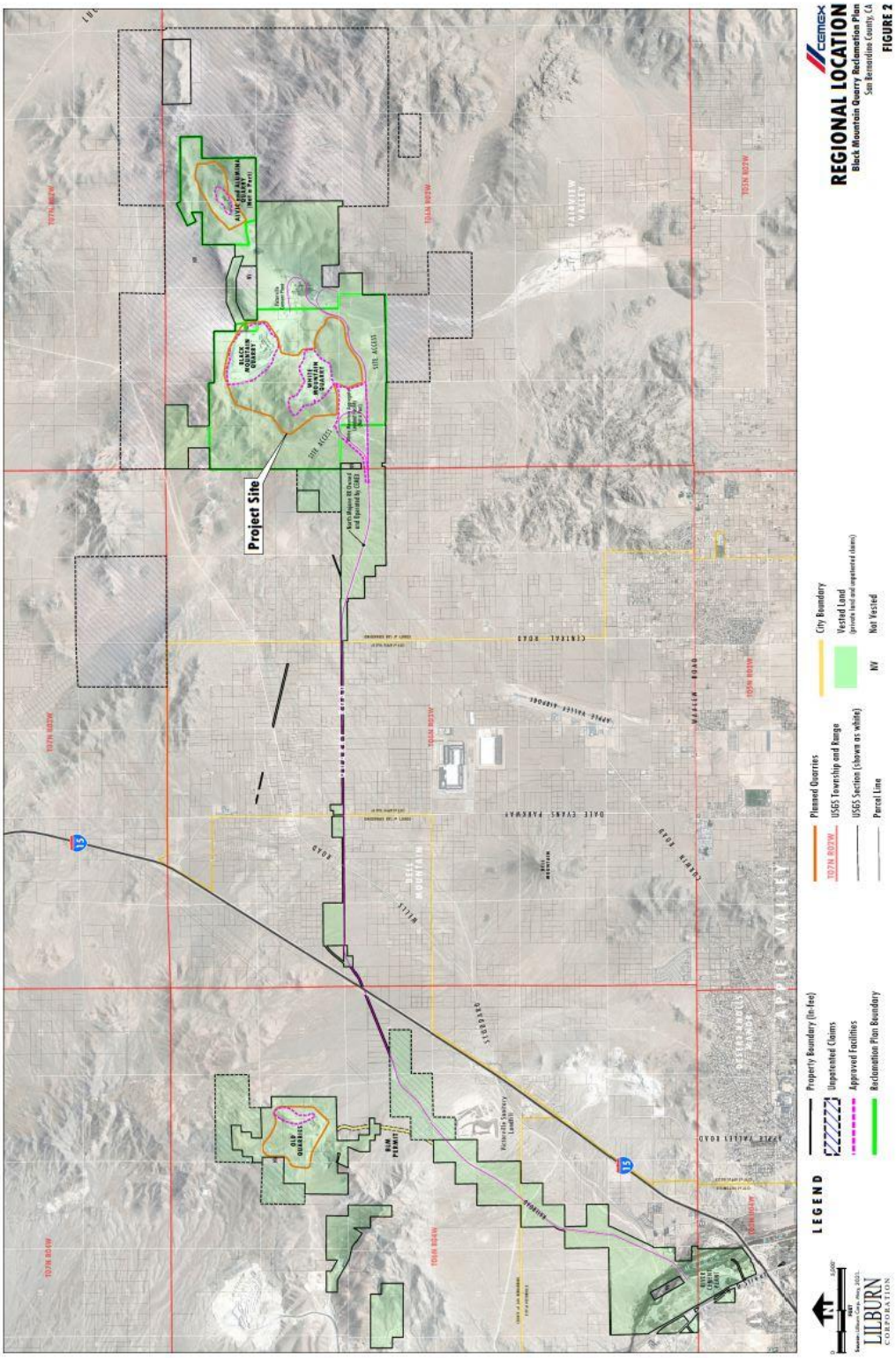


Figure 3 Site Plan

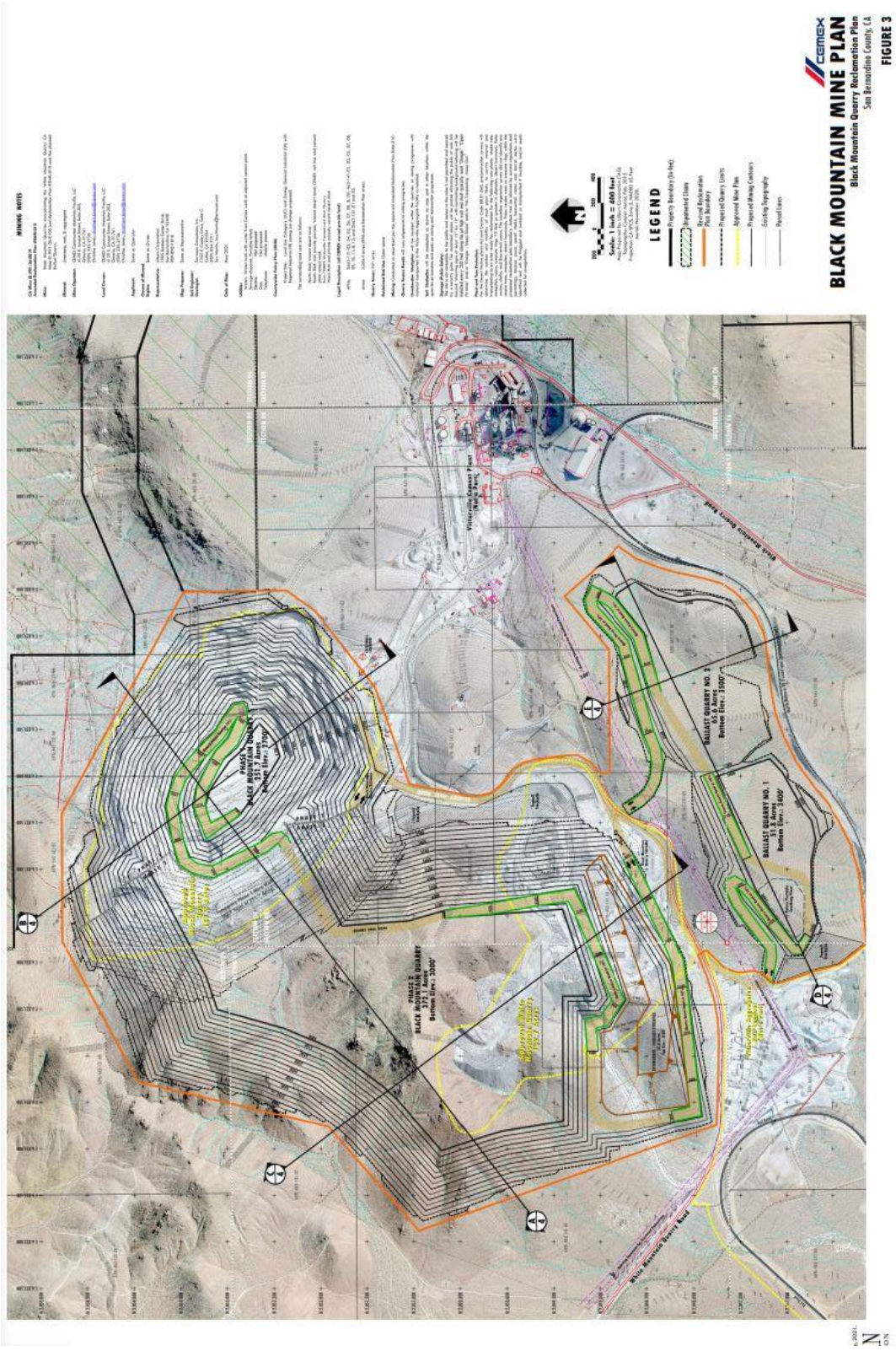
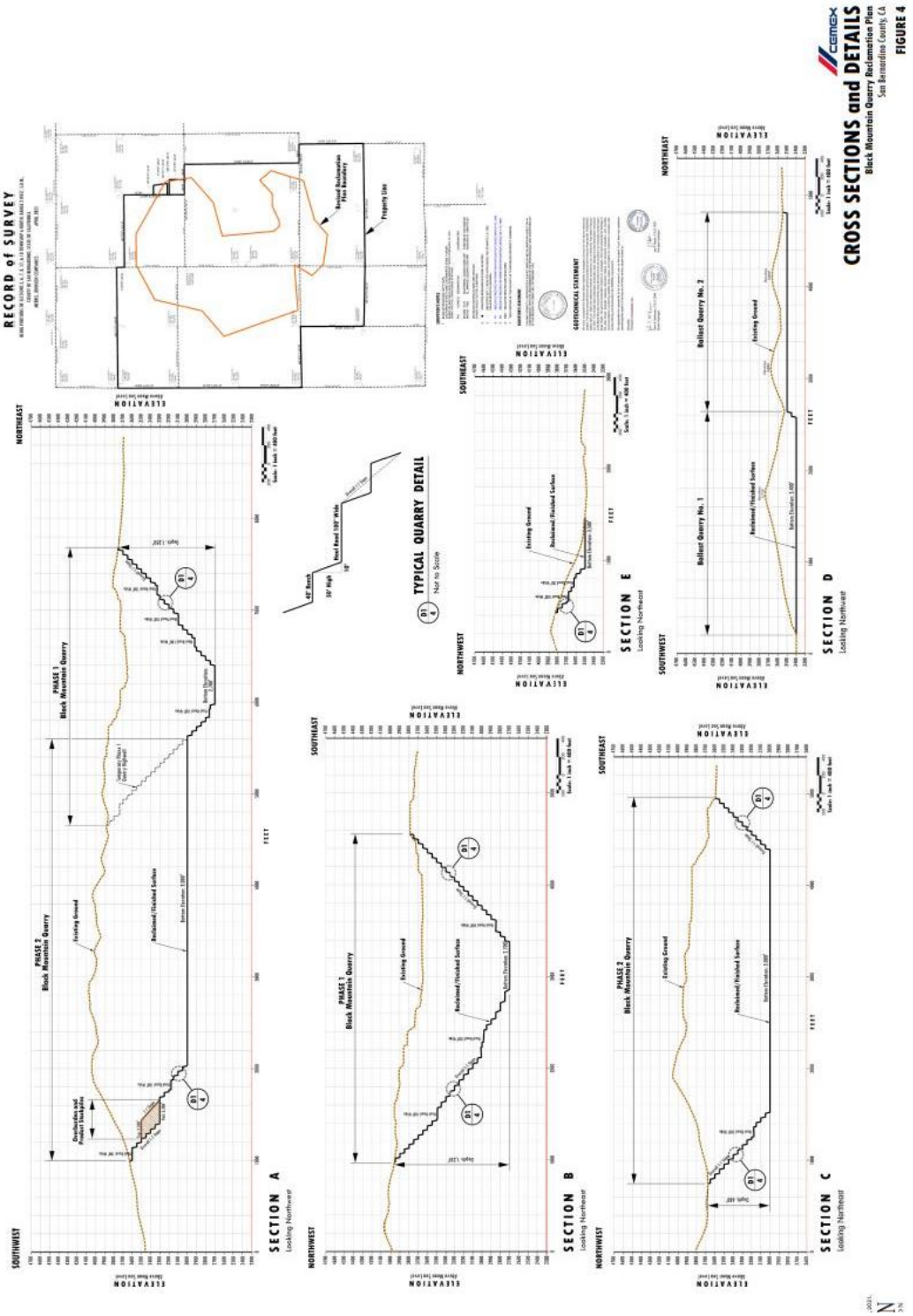


Figure 4


CROSS SECTIONS and DETAILS
Black Mountain Quarry Reclamation Plan
San Bernardino County, CA
FIGURE 4
RECORD of SURVEY
TYPICAL QUARRY DETAIL
Not to Scale
SECTION A
Looking Northwest
SECTION B
Looking Northwest
SECTION C
Looking Northwest
SECTION D
Looking Northeast
SECTION E
Looking Northeast
PHASE 1
Black Mountain Quarry
PHASE 2
Black Mountain Quarry
Ballast Quarry No. 1
Ballast Quarry No. 2
Existing Ground
Reclaimed/Finished Surface
Overburden and Product Stockpiles
ELEVATION
NORTHEAST
SOUTHWEST
NORTHWEST
SOUTHEAST

CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentially, etc.?

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

On October 22, 2021, the County of San Bernardino mailed notification pursuant to Assembly Bill 52 (AB-52) to the following six Tribes:

- ~~Gabrieleño~~Gabrieliño Band of Mission Indians; Colorado River Indian Tribes
- Morongo Band of Mission Indians
- San Gabriel Band of Mission Indians
- San Manuel Band of Mission Indians (SMBMI)
- Soboba Band of ~~Luiseño~~Luisenos Indians
- Twenty-Nine Palms Band of Mission Indians

Requests for consultations were due to the County by or around November 22, 2021. The County received the following comments from the Tribes.

- ~~Gabrieleño~~Gabrieleno Band of Mission Indians; Colorado River Indian Tribes – Per email dated October 22, 2021, deferred consultation to the SMBMI.
- Morongo Band of Mission Indians – No comment received.
- San Gabriel Band of Mission Indians – No comment received.
- San Manuel Band of Mission Indians – Per several emails, requested additional information and agreed with recommendations in the Cultural Report.
- Soboba Band of ~~Luiseño~~Luiseno Indians - No comment received.
- Twenty-Nine Palms Band of Mission Indians - No comment received.

In addition, McKenna et al., the cultural resource consultant, contacted the Native American Heritage Commission (NAHC) and inquired into the presence or absence of known religious or sacred Native American sites within or near the project site prior to conducting field surveys. On February 20, 2020, McKenna et al. obtained response and a listing of local Native American representatives wishing to consult with respect to projects in the area associated with the project site. Letters were sent to these individuals (also on February 20, 2020) requesting comments or issues they would want addressed in the technical study. No responses were received.

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 on its effect on 20 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

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 will 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.

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

DETERMINATION: Based on this initial evaluation, the following finding is made:

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

_____ _____
Signature: (Reuben Arceo, Planner) Date

David Prusch 12/20/2021
Signature (David Prusch, Supervising Planner) Date

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

SUBSTANTIATION: *(Check ☐ if project is located within the view-shed of any Scenic Route listed in the Countywide Policy Plan):* ***San Bernardino Countywide Policy Plan 2020*; *Amended Reclamation Plan for the Black Mountain Quarries***

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

The Project Site is located within the North Desert Region of the County. The North Desert Region contains vast stretches of undeveloped desert landscapes that, due to a general lack of development, trees, and other visual obstructions, feature countless panoramic long-range views.[1]

The Proposed Project is an amendment to the existing vested Black and White Mountain Quarries located within a General Industrial area as designated by the Countywide Plan. The quarries have been mined historically since the ~~1940s~~1970s. The Project Site is surrounded by disturbed industrial uses including the CEMEX Victorville Cement Plant and the Alvic & Alumina Quarry to the east, the White Mountain Aggregate Rail Loadout facility to the southwest, and the Black Mountain access road and rail line to the south and southeast. Adjacent land uses are mostly vacant desert lands managed by the BLM with no residences. The mine areas are and have been designed below existing ridgelines. Views from isolated residences to the southwest, I-15 and SR-247 are blocked by intervening ridge lines.

[1] San Bernardino County. San Bernardino Countywide Policy Plan Draft EIR: Aesthetics.

The Amended Plan will not degrade or substantially change the existing visual character of the area. In addition, CEMEX proposes to reclaim the Project Site to meet SMARA requirements implemented by the County that will minimize impacts to the surrounding environment by reshaping mining features and revegetating disturbed areas. Therefore, the Proposed Project would not have a substantial adverse effect on a scenic vista. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Project Site is not located on or within proximity to a state scenic highway.[2] The nearest scenic highway to the Project Site is SR-247, approximately 7 miles to the east of the site. The site would not be visible from SR-247 due to intervening hills. Therefore, no substantial damage to scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway would occur. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

c) *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

The Project Site is surrounded by disturbed land and industrial land uses as listed under (a) above. Vacant public lands administered by the BLM are located to the west, south, and north. The mine site is not viewed by significant numbers of viewers or visible from any prominent viewpoints as the site is very remote. The site is within an industrial use area that has been utilized for mining and cement production for over 70 years.

The Black Mountain Quarry will mostly be blocked from views from the south and west by the Black Mountain ridges. The existing and future mining is designed to be developed to the east side of the ridge line to reduce potential distant views of the quarries from the west. The Ballast Quarry will be open to the south but there are no receptors to the south within 4 to 5 miles. In general, there are no surrounding residences within 3 to 4 miles to the west and southwest. The Proposed Project is an acceptable use within the General Industrial (GI) Land Use Category and Regional Industrial (IR) Zoning designations. Furthermore, following the completion of mining, reclamation shall take place in order to reshape mining features and revegetate disturbed areas to minimize aesthetic impacts. With implementation of the proposed Reclamation Plan and adherence to the County Development Code, impacts are considered less than significant. Less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

[2] San Bernardino County. San Bernardino Countywide Policy Plan Draft EIR. Figure 5.1-1 "County Designated Scenic Routes"

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

The Black Mountain and White Mountain Quarries have been mined historically since the ~~1940s~~1950s. The Proposed Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area as any light sources shall comply with the requirements outlined by County Development Code Section 83.07.040, Glare and Outdoor Lighting – Mountain & Desert Regions as amended. This includes fully shielding lights as required to preclude light pollution or light trespass on adjacent property, other property (directly or reflected), and members of the public on adjacent roads. With adherence to existing regulations, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

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

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

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

San Bernardino Countywide Policy Plan 2020

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No prime farmland, unique farmland, or farmland of statewide importance occurs at the Project Site or within the immediate vicinity. The Proposed Project would not convert farmland to a non-agricultural use. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Project Site is not under or adjacent to any lands under a Williamson Contract.[3] It has a current zoning of Regional Industrial. The Proposed Project would be consistent with the Countywide Plan and would not conflict with existing zoning for agricultural uses or a Williamson Contract. Therefore, no impacts are identified or anticipated, and no mitigation measures are required. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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))?

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

No Impact

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

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

[3] San Bernardino County. San Bernardino Countywide Plan Draft EIR. Figure 5.2-1 “Agricultural Resources.”.

No Impact

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?

The Project Site contains no agricultural resources or farmland that would be converted as a result of the Proposed Project. The Project Site is not zoned for agriculture or considered Farmland. Therefore, no impacts involving other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agriculture use would occur. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
III.	**AIR QUALITY -** Where available, the significance criteria established by the applicable air quality management district or air pollution control district might be relied upon to make the following determinations. Would the project:				
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☐	☒

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

San Bernardino Countywide Policy Plan 2020*; *Submitted Project Materials

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

The Project site falls under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD) and is located in the Mojave Desert Air Basin (~~MDAB~~MAD). The Air Quality Management Plan (AQMP) provides a program for obtaining attainment status for key monitored air pollution standards, based on existing and future air pollution emissions resulting from employment and residential growth projections. The AQMP is developed using input from various agencies'

General Plans and other projections for population and employment growth. The Project site is designated within the Mojave Desert Planning Area for nonattainment of PM_{10}. The ~~MDAB~~Moab is also a designated nonattainment basin for ozone. Equipment usage would result in emissions of PM_{10} and ozone precursors, including NO_x and volatile organic compounds (VOC).

A project may be inconsistent with the AQMP or attainment plan if it could generate population, housing, or employment growth exceeding the forecasts used in the development of the AQMP. The Countywide Policy Plan Land Use Map shows that the project site is within Land Use Category General Industrial (GI) and within Regional Industrial (IR) zoning. A Policy Plan amendment or zone change is not required. The Proposed Project is within an industrial area utilized for the extraction of minerals and the production of cement. No changes or amendments to land use, land use categories, or zoning are proposed; only the continuation of activities previously approved and ongoing on-site and in the surrounding area consistent with the Countywide Policy Plan. The Proposed Project is a revision to an approved Reclamation Plan to continue mining on historical and vested mining areas. Criteria emission increases over existing conditions are estimated below and the MDAQMD CEQA thresholds will not be exceeded.

Therefore, the emissions associated with the Proposed Project have already been taken into account in the AQMP and approval of the Proposed Project would not conflict with the AQMP. Applicable MDAQMD rules and regulations will be complied with. Less than significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Proposed Project's emissions were estimated for this Initial Study by Lilburn Corporation (*Air Quality and Greenhouse Gas Emissions Inventory and Energy Usage For Amended Reclamation Plan Black Mountain Complex & Ballast Quarry, Lilburn Corp. November 2021)*. The operations at the existing and future Black/ White Mountain Quarries are vested and will not substantially change as production will remain within its current limits of 6.25M tpy. Over time, emissions from the mobile equipment utilized for operations will decrease with ongoing implementation of more strict emission standards, goals to achieve zero GHG emissions, and limits at the Federal and state levels.

The planned Ballast Quarry within the site area is considered a "new" quarry and emissions for the planned operations at this quarry are estimated below. Emissions were estimated using the latest emission factors from the following sources:

- MDAQMD's "Emissions Inventory Guidance for Mineral Handling and Processing Industries" (April 2000);
- CARB EMFAC2017 Emission Rates;
- SCAQMD "Air Quality Handbook" as updated (2021);

- SCAQMD and the California Emissions Estimator Model (CalEEMOD) Off-Road Mobile Source Emissions Factors as applicable;
- CEMEX's existing and future equipment inventory and Tier levels;
- EPA's AP-42 Section 13.2.2 unpaved roads (November 2006);
- SCAQMD Particulate Matter Emission Factors (July 2010); and
- CARB Carl Moyer Program Guidelines for In-Use Off-Road Diesel-Fueled Emissions (2017) and CARB Fleet's Regulations.

Stationary Emission Sources

There are no permanent stationary processing plants or facilities on the project site. The portable processing plants currently utilized onsite is permitted under the Statewide Portable Equipment Registration with CARB, through a contractor, or by CEMEX with the MDAQMD. Future plants used onsite will comply with applicable air quality rules. The small diesel generators that may be used to power the portable plant and dust emissions are assessed below and included in Tables 4 and 5 below.

Mobile Equipment Exhaust Emissions

Planned Operations

As discussed above, the operations, the production rates, and hauling plans listed below for the existing baseline and future conditions with the exception of the Ballast Quarry will not substantially change as production will remain within its current production limits of 6.25M tpy. The planned Ballast Quarry operations are listed below.

- Rock/aggregate/OB Production – Up to 5,000 tons/day, 1,500,000 tons/year (depending on demand).
- Hours of Operation – 1 to 2 shifts per day; 10 - 20 hours/day, 300 days/year; equipment hours vary depending on demand).
- Approximately 50% of the rock/aggregate will be transported by off-road 100-ton capacity haul trucks directly to the White Mountain Aggregate Plant 2 miles to the northwest of the quarry – 300 days/year; 25 truck trips/day. Approximately half of the production will be loaded directly into an onsite crushing/screening plant.
- Overburden – approx. 10% of rock that varies annually depending on quarry excavation location; transported 100-ton capacity trucks directly to the overburden stockpile areas within the quarry; 300 days/year; about 5 trucks/day.
- Portable aggregate plant with one or two crushers, two to four screens, and up to 10 conveyors (typical) to be permitted through with MDAQMD either by CEMEX or an outside contractor.
- Haul trucks and diesel equipment must meet requirements of CARB off-road diesel vehicles regulation and fleet averaging requirements to reduce diesel pollutants and be maintained per manufacturer's specifications.

Typical equipment to be used onsite and typical hours of operations are shown in Table 4.

Table 4
Typical Quarry Equipment for Ballast Quarry (at Black Mtn. Complex)

Equipment	Typical No.	Planned [1] Hours/Day	Planned[2] Hours/Year	Purpose
Excavation & Production Amounts	**---**	5,500 tpd; Rock, aggregate, & OB	1.5M tpy rock, aggregate, & OB	Production of rock and aggregate mainly supplying the White Mtn. Aggregate Facility.
Front-End Loaders (CAT 992)	2	16 (total)	4,800	Mining and loading of excavated materials into process plant or haul trucks at quarry.
Excavator (CAT 330)	1	2	600	Loading of processed materials into off-road haul trucks.
Dozer (CAT D10 typ.)	1	2	600	Mining and stockpiling of material. Construction and maintenance of roads and quarry benches.
Grader (CAT 14H typ.)	1	2	600	Road construction and maintenance.
Drill Rig (varies)	1	4	1,200	Drill holes for placement of explosives.
Off-Road Haul Trucks (CAT 777) (100-ton)	2	16 (total)	4,800	Transportation of excavated material to the White Mtn. Aggregate Facility and overburden to stockpiles.
Water Truck (15,000 gal. typ.)	1	2	600	Water spray haul roads, active quarry areas, overburden stockpiles, and general dust control.
Processing plant (vibrating grizzly, crusher, screen, and conveyors)	1	10	3,000 (Will vary per product demand)	Portable crushing/screening plant on-site as needed to process rock for aggregate products. Plant shall comply with applicable air quality rules.
Ancillary Equip.	Varies		Varies	Maintenance vehicles, pick-ups, SUVs, etc.

Sources: Amended Reclamation Plan, CEMEX & Lilburn Corp. 2021. Air Quality and Greenhouse Gas Emissions Inventory and Energy Usage For Amended Reclamation Plan Black Mountain Complex & Ballast Quarry, Lilburn Corp. November 2021

1 - List above is current equipment used on-site to be used for Ballast Quarry based on approx. 1.65 tpy of rock, aggregate, & OB to be excavated; approx. 5,500 tpd; 300 days/year.
2 - Planned hours/year based on 1.65 mtpy of material excavated 300 days/year.
Equipment types are not expected to vary. The number and hours will increase with production increases. Specific equipment will change during the life of the project due to replacement of aging equipment and updated equipment and fleet emission standards.

Mining will typically occur with a loader, excavator, and a dozer to break, move, and load material directly into a portable screening plant on-site and into off-road trucks for transport to the White Mountain Aggregate Plant with capacities of up to approximately 100 tons. Additionally, a water truck will be utilized for dust control on mining areas, haul roads, and stockpiles**.** A grader and a drill rig are also used as needed. Exhaust or criteria pollutants will be produced from the mobile equipment.

Fugitive dust is generated by other activities onsite including drilling, blasting, dozing, loading, screening, and dumping material, and wind erosion of active mine areas and rock and overburden stockpiles. Water spraying will be used at the active quarrying and loading areas, active ore and overburden stockpiles, roads, and at the portable crushing/screening plant area when operational. CEMEX also utilizes approved dust suppressant agents on quarry haul and access roads. The plant will also utilize water sprays to control fugitive dust.

Operations are required to comply with the existing MDAQMD regulations for mobile equipment and fugitive dust control including the following: MDAQMD Rules 401 (limiting visible emissions); 402 (avoid nuisance emissions to people or businesses or property); and 403 (updated October 2020), which requires the owner/operator of a mining facility to implement measures to reduce PM_{10} entrained in the ambient air and to meet air quality standards. The dust control requirements for mining facilities are listed in Rule 403 (C)(8) and are required to be in place and operative with approval and periodic monitoring by MDAQMD and CEMEX personnel ensuring that the regulatory standards are met. Rule 403 requires that the Facility obtain and implement a District-approved Dust Control Plan which includes control measures to prevent, mitigate, or reduce Fugitive Dust. The principal dust control measure is the water spraying at the processing plant and roads, operational quarry areas, and active overburden stockpiles. A 15,000-gallon water truck is used for dust control. Water for dust control will be obtained from the existing wells and storage tanks located at the adjacent CEMEX cement plant.

Operational and fugitive dust emissions from the planned operations and road dust are estimated and summarized in Table 5 below. As shown below, the anticipated operational emissions are less than the MDAQMD thresholds and would be considered less than significant. However, compliance with MDAQMD rules and CARB's Off-Road Diesel Vehicle regulations would maintain limitations and further reduce future emissions.

Table 5
Ballast Quarry
Estimated Annual Air Pollutant Emissions (tons/year)

	ROG	NO_x	CO	PM_{10}	$PM_{2.5}$
EMISSIONS SOURCES					
Drilling & Blasting	---	3.63	14.31	0.72	0.15
Mobile Equip. & Haul Trucks (Exhaust), drill rig & Generator Set	0.37	10.70	5.85	0.14	0.13
Processing Plant Fugitive Dust	---	---	---	0.77	0.15
Fugitive Dust (Loading, dozing, wind erosion)	---	---	---	7.50	1.33
Unpaved roads	---	---	---	4.725	0.945
Emission Totals (tons/year)	**0.37**	**14.33**	**20.16**	**13.855**	**2.71**
MDAQMD CEQA Thresholds	25	25	100	15	15
Significant	**No**	**No**	**No**	**No**	**No**

Source: Lilburn Corporation Air Emissions Inventory November 2021.
Emission Sources: CARB Carl Moyer Program Guidelines 2017 Revisions; EMFAC2017.
Note: SOX Threshold is 25 tons per year. Operational emissions from SOX is negligible. Values are rounded and columns may not add up exactly.

Less Than Significant Impact

c) Expose sensitive receptors to substantial pollutant concentrations?

The proposed project is an Amendment to an approved Reclamation Plan and operations and uses are not anticipated to change substantially from existing conditions. The area's LUC and zoning are for industrial uses. The MDAQMD CEQA and Federal Conformity Guidelines (August 2016) describes sensitive receptors as being residences, schools, daycare centers, playgrounds and medical facilities. There are no adjacent or nearby sensitive receptors or residences within 5 miles.

In addition, the emissions modeling results (as shown in Table 5) indicate that approval of the Proposed Project is not anticipated to exceed MDAQMD emissions thresholds. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

Surrounding land uses include the CEMEX Victorville Cement Plant and the Alvic & Alumina Quarry to the east, the White Mountain Aggregate Rail Loadout facility to the southwest, the Black Mountain access road and rail line to the south and southeast, and vacant public lands administered by the BLM to the west, south, and north. There are no adjacent or nearby sensitive receptors or residences with a substantial number of people within 5 miles.

The area's Land Use Category and zoning are for industrial uses. Potential odor sources associated with the Proposed Project may result from construction equipment diesel exhaust; however, there are no uses with substantial number of people in the surrounding area. The Proposed Project would also be required to comply with MDAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

Therefore, less than significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
IV.	**BIOLOGICAL RESOURCES -** Would the project:				
a)	Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☐	☒
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
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?	☐	☐	☒	☐

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

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

Habitat and Jurisdictional Assessment, May 2021, ELMT Consulting, Inc.

a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

A *Habitat and Jurisdictional Assessment* (HJA) was prepared by ELMT Consulting Inc. (ELMT) in May 2021. The habitat and jurisdictional assessment was conducted to characterize existing site conditions and assess the probability of occurrence for special-status plant and wildlife species that could pose a constraint to implementation of the Proposed Project. The habitat assessment evaluated the conditions of the habitats within the boundaries of the Project Site to determine if the existing plant communities at the time of the survey have the potential to provide suitable habitats for special-status plant and wildlife species identified by the California Natural Diversity Data Base (CNDDB) and other electronic databases as potentially occurring in the vicinity of the Project Site.

The Project Site is depicted on the *Turtle Valley*, *Stoddard Well*, *Apple Valley North*, and *Fairview Valley* quadrangles of the United States Geological Survey's (USGS) 7.5-minute topographic map series

<u>Plant Communities</u>

The creosote bush scrub plant community occurs on approximately 555 acres throughout the undeveloped/undisturbed portions on, generally on the perimeter of the survey area and is the dominant plant community within the surrounding landscape. This plant community is found in the middle, northwestern, and southern portions of the project site boundaries, outside of the areas that have been subject to existing mining activities and is dominated by creosote (Larrea tridentata).

Approximately 340 acres of existing mining operations are located primarily in the northeast corner and the south portion of the middle of the project site. These disturbed areas include existing mining pits, dirt access roads, and stockpiles. Plant species occurring within these disturbed areas include red brome, short-podded mustard (*Hirschfeldia incana*), and Mediterranean grass.

Special-Status Plants

According to the CNDDB and California Native Plant Society (CNPS), six special-status plant species have been recorded in the *Turtle Valley*, *Stoddard Well*, *Apple Valley North*, and *Fairview Valley* quadrangles. Western Joshua tree (*Yucca brevifolia*) was the only special-status plant species observed onsite during the field investigation. In addition, based on habitat requirements for the identified special-status species and known distributions, it was determined that the undeveloped portions of the Project Site that support the creosote bush scrub plant community do not have the potential to support any of the other special-status species documented as occurring within the vicinity of the Project Site. The Project Site is located at the maximum elevation range from most of the special-status species. With the exception of Joshua tree, no impacts to special-status species are expected to occur.

Joshua Trees

The California Fish and Game Commission determined per notice dated September 24, 2020 that the listing of the western Joshua tree (*Yucca brevifolia)* as threatened or endangered under the California Endangered Species Act (CESA) may be warranted. This commenced a one-year status review of the species (since extended for 18 months) and the Commission will make a final decision at a future meeting. During the status review, the western Joshua tree is protected under CESA as a candidate species.

During the field investigation, western Joshua trees (*Yucca brevifolia)* were observed mainly in the upper elevations to the west and southwest of the current Black Mountain Quarry. No Joshua trees were located in the Ballast Quarry area and only isolated trees were found in the southern areas or the current White Mountain Quarry area. Impacts to Joshua trees will be avoided to the maximum extent possible. However, if any Joshua trees will be impacted during the status review or if formally listed, compliance with California Endangered Species Act (CESA) will be required and an Individual Take Permit (ITP) with CDFW will need to be prepared and processed per Mitigation Measure BIO-1 below.

> **Mitigation Measure BIO-1:** *If any western Joshua trees (Yucca brevifolia) will be impacted by future mining activities during the status review or if formally listed, compliance with California Endangered Species Act (CESA) will be required and an Individual Take Permit (ITP) with CDFW will need to be prepared and processed with applicable mitigation and compensation implemented*.

Special-Status Wildlife

According to the CNDDB, 15 special-status wildlife species have been reported in the surrounding quadrangles. No special-status wildlife species were observed on-site during the habitat assessment. No desert tortoise, suitable burrows, or sign were observed during the field investigation due mainly to steep terrain and rocky conditions.

Based on habitat requirements for specific species and the availability and quality of on-site habitats, it was determined that the Project Site has a moderate potential to provide suitable habitat for loggerhead shrike (*Lanius ludocivianus*), and low potential to provide suitable habitat for Cooper's hawk (*Accipiter cooperii*), golden eagle (*Aquila chysaetos*),

and prairie falcon (*Falco mexicanus*). Furthermore, it was determined that the Project Site does not provide suitable habitat for any of the other special-status wildlife species known to occur in the area.

The Project Site is not located within federally designated Critical Habitat. Moreover, the closest Critical Habitat designation is located approximately 10 miles east of the Project Site for Mojave desert tortoise and 13 miles southwest of the Project Site for southwestern willow flycatcher (*Empidonax traillii extimus*). Therefore, no impacts to federally designated Critical Habitat will occur from implementation of the Proposed Project.

In order to ensure impacts to the aforementioned species do not occur from implementation of the Proposed Project, Mitigation Measure BIO-2 shall be implemented.

> **Mitigation Measure BIO-2:** *Construction activities and/or the removal of any trees, shrubs, or any other potential nesting habitat should be conducted outside the avian nesting season. If construction occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds shall be conducted within three (3) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For listed and raptor species, this buffer shall be expanded to 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and monitor the active nest to ensure that nesting behavior is not adversely affected by construction activities. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.*

With implementation of Mitigation Measures BIO-1 and BIO-2, the Proposed Project is not anticipated to have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.

Less than Significant with Mitigation

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?

There are no riparian habitats and no other sensitive natural communities located on the Project site. Implementation of the Proposed Project would not result in impacts to riparian habitat or to other sensitive natural communities in the vicinity. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

There are three key agencies that regulate activities within inland streams, wetlands, and riparian areas in California. The Corps Regulatory Branch regulates activities pursuant to Section 404 of the Federal Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Of the State agencies, the CDFG regulates activities under the Fish and Game Code Section 1600-1616, and the Regional Board regulates activities pursuant to Section 401 of the CWA and the California Porter-Cologne Water Quality Control Act.

The USFWS National Wetlands Inventory (NWI) and the USGS National Hydrography Dataset were reviewed to determine if any blueline streams or riverine resources have been documented within or immediate surrounding the Project Site. Based on this review and field investigation, four (4) riverine resources were identified within the boundaries of the Project Site. These features are ephemeral features that follow topography within the canyon bottoms of the rolling hills. Surface flows within with these features are only provided by direct precipitation from storm events. No surface water was observed during the field investigation.

The onsite drainage features exhibit characteristics consistent with the Regional Board's methodology and would be considered jurisdictional waters of the State. Likewise, even though there will be no impact to existing fish and wildlife resources, the onsite drainage features exhibit characteristics consistent with CDFW's methodology and could be considered CDFW streambed.

Mining expansion activities are expected to be designed to avoid the riverine resources on-site to the extent possible. However, proposed mining expansion activities will potentially encroach into the riverine features. Potential impacts to on-site Regional Board waters of the State and CDFW jurisdiction streambed may require a Regional Board Report of Waste Discharge permit prior to project implementation and a CDFW Section 1602 Streambed Alteration Agreement.

Therefore, the following mitigation measure shall be implemented to ensure that less than significant impacts occur:

Mitigation Measure BIO-3:

A formal jurisdictional delineation shall be prepared and forwarded to the Regional Board and CDFW for their review, and if onsite drainages are determined to be Regional Board waters of the State and/or CDFW jurisdictional streambed, regulatory permits will need to be obtained through the Regional Board and/or CDFW prior to initiating new mining within a jurisdictional area and appropriate protective measures implemented and compensation provided.

The following are general protective measures that may be required to be determined by the agencies:

- *Worker environmental awareness program;*

- *Avoidance of waters of the State and jurisdictional streambeds as possible;*
- *Demarcation of jurisdictional streambeds to prevent unnecessary impacts;*
- *Avoiding impacts to undisturbed areas and to wildlife and sensitive species through pre-clearance surveys, establishing buffer areas, and temporary fencing;*
- *Implementation of BMPs to prevent erosion and sediment discharge;*
- *Invasive weed control;*
- *Maintaining areas free of trash, debris, hazardous materials, and spills; and*
- *Compensation as applicable to be determined which may include a combination of on-site and/or off-site compensation and/or re-habitation.*

With adherence to the regulatory permitting requirements including mitigation and compensation as applicable, the Proposed Project is not anticipated to have a significant effect on any waters of the State. Therefore, less than significant impacts with mitigation are identified or anticipated.

Less than Significant with Mitigation

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?*

Habitat linkages provide connections between larger habitat areas that are separated by development. Wildlife corridors are similar to linkages but provide specific opportunities for animals to disperse or migrate between areas. A corridor can be defined as a linear landscape feature of sufficient width to allow animal movement between two comparatively undisturbed habitat fragments. Adequate cover is essential for a corridor to function as a wildlife movement area. It is possible for a habitat corridor to be adequate for one species yet still inadequate for others. Wildlife corridors are features that allow for the dispersal, seasonal migration, breeding, and foraging of a variety of wildlife species. Additionally, open space can provide a buffer against both human disturbance and natural fluctuations in resources.

The Project Site has not been identified as occurring within a Wildlife Corridor or Linkage. Although partially constrained by existing mining facilities to the east and southwest, the open and natural habitats on and surrounding the Project Site allow for local wildlife to move from the Project Site into the undeveloped areas surrounding the Project Site in search of food, shelter, or nesting habitat. Major open space areas documented in the vicinity of the Project Site include the Mojave River located approximately 13 miles west of the Project Site, and designated wilderness areas and Areas of Critical Environmental Concern located approximately 17 miles northeast of the Project Site.

The Project Site is separated from these identified regional wildlife corridors and linkages by existing development and roadways, and undeveloped land; however, there are no riparian corridors or creeks connecting the Project Site to these areas. The undeveloped land in the immediate vicinity of the Project Site provides local wildlife movement opportunities for wildlife species moving through the immediate area. The Project Site does not function as a major wildlife movement corridor or linkage. As such, implementation of the Proposed Project is not expected to have a significant impact to

wildlife movement opportunities or prevent local wildlife movement through the area since there is ample habitat adjacent to the Project Site to support wildlife movement opportunities.

The Project Site is situated within a Desert Tortoise Linkage area as identified in the Desert Renewable Energy Conservation Plan (DRECP) that overlays federal lands. However, the steep terrain on the project site and existing conditions do not provide suitable habitat for desert tortoise, and no suitable burrows were observed.

Therefore, less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Joshua trees and Mojave yuccas are regulated pursuant to Section 88.01.060 of the San Bernardino County Development Code and Section 80073 of the California Desert Native Plant Act. Therefore, impacts to these species should be avoided in all instances. In the event that avoidance is not feasible, the Project Applicant will be required to obtain a Tree or Plant Removal Permit from the County of San Bernardino, in addition to a possible ITP for Joshua tree (Mitigation Measure BIO-1), prior to removal of any regulated tree or plant. Less than significant impacts with mitigation are identified.

Less than Significant with Mitigation

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?

The Project Site is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Therefore, potentially significant impacts are identified or anticipated, and mitigation measures are required to reduce impacts to less than significant.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
V.	**CULTURAL RESOURCES** - Would the project:				
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☒	☐	☐

b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c)	Disturb any human remains, including those outside of formal cemeteries?	☐	☒	☐	☐

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

San Bernardino Countywide Policy Plan, 2020; McKenna et al. "A Cultural Resources Investigation and Paleontological Overview"; submitted Project Materials

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

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

A Cultural Resources Investigation and Paleontological Overview, dated November 2020, was prepared for the Proposed Project by McKenna et al. (this report is on file with the County of San Bernardino and is not available to the general public). McKenna conducted the following:

- Archaeological Records Search;
- Project understanding and location;
- Native American Consultation;
- Paleontological Overview;
- Historic Background Research;
- Field Studies; and
- Analysis and Report Preparation

Historic period cultural resources were identified in two forms: archaeological resources and standing structures (built environments). For reference, the State (and County) define resources as being at least 50 years old. For planning purposes, resources older than 45 years of age are assessed. As such, resources pre-dating 1975 are considered "historic" but not necessarily significant and those post-dating 1975 are considered modern and not historically significant.

Historic archaeological resources have been identified and recorded as the "Black/White Mountain Quarry Site" (resource/site). The resource/site is eligible for listing in the California Register of Historical Resources under Criteria 2 (association with persons important in history) and 4 (potential to yield scientific data). This qualification is based on a local/regional association and not a state or federal level of recognition. While Criterion 2 has been used to identify the mine site as a historical resource, it is also noted the site is represented primarily by modern improvements. The proposed mining expansion is not designed to impact any of these earlier components. McKenna et al. has recorded the resource/site on the appropriate DPR-523 forms with the conclusion that any subsequent changes or use of the area (as a quarry or otherwise) will not result in any adverse environmental impacts.

The survey of the Black and White Mountain aggregate quarries resulted in the identification of a single prehistoric archaeological resource (defined as a lithic scatter). There was no evidence of depth to the scatter/deposit, however there is still a potential for artifacts to be present in a buried context. Not far from this scatter, an isolated rhyolite core was identified. These two resource sites are located approximately 1,500 feet southwest of the project boundary and south of the White Mountain Quarry Road. This area is not part of the proposed project therefore, no additional archaeological testing is recommended. These resources were left in situ.

Based on the findings, no significant historical or archaeological resources will be impacted by the Proposed Project. However, there is a relative level of sensitivity for additional resources to be present in the area and, as yet, unidentified and the possibility of discovering an unanticipated find remains. Mitigation Measure CR-1, defined below, shall be implemented to ensure that less than significant impacts to historical and/or archaeological resources occur.

> **Mitigation Measure CR-1:** *Per the cultural resources report and consultation with the San Manuel Band of Mission Indians, a prehistoric and historic archaeological monitoring program shall be conducted in undisturbed areas that will be subjected to direct impacts. The prehistoric archaeological monitoring program must be overseen by a professional meeting the Secretary of the Interior's standards for archaeological proficiency and have knowledge of the prehistory of the western Mojave Desert region. The monitoring program shall include the presence of a Native American representative(s), working with the archaeological consultant to insure professional and respectful treatment of any identified resources.*
>
> *The extent of the prehistoric archaeological monitoring program will be determined by the schedule and extent of earthmoving related to the proposed mining expansion.*
>
> *If historical or archaeological resources are encountered during ground-disturbing activities, work in the immediate area shall cease and a qualified archaeologist shall immediately contact the County and the SMBMI to evaluate the find(s). If the discovery proves to be significant under CEQA, additional work such as data recovery excavation may be warranted and will be reported to the County of San Bernardino.*

With implementation of this Mitigation Measure, the Proposed Project is not anticipated to cause a substantial adverse change in the significance of a historical or archaeological resource.

Less than Significant with Mitigation

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

Mining activities could potentially disturb human remains outside of a formal cemetery. Thus, the potential exists that human remains may be unearthed during implementation of the Proposed Project. Therefore, Mitigation Measure CR-2, defined below, shall be

implemented to ensure that less than significant impacts regarding human remains occur.

Mitigation Measure CR-2: *Should human remains and/or cremations be encountered during any earthmoving activities, all work shall stop immediately in the area in which the find(s) are present (suggested 100-ft radius area around the remains and project personnel will be excluded from the area and no photographs will be permitted), and the County of San Bernardino Coroner will be notified. The County of San Bernardino and the Project Proponent shall also be informed of the discovery. The Coroner will determine if the bones are historic/archaeological or a modern legal case. The Coroner will immediately contact the Native American Heritage Commission (NAHC) in the event that remains are determined to be human and of Native American origin, in accordance with California Public Resources Code Section § 5097.98.*

All discovered human remains shall be treated with respect and dignity. California state law (California Health & Safety Code § 7050.5) and federal law and regulations ([Archaeological Resources Protection Act (ARPA) 16 USC 470 & 43 CFR 7], [Native American Graves Protection & Repatriation Act (NAGPRA) 25 USC 3001 & 43 CFR 10] and [Public Lands, Interior 43 CFR 8365.1-7]) require a defined protocol if human remains are discovered in the State of California regardless if the remains are modern or archaeological.

Less than Significant with Mitigation

Therefore, potentially significant impacts are identified or anticipated, and mitigation measures are required to reduce impacts to less than significant.

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

SUBSTANTIATION: San Bernardino Countywide Policy Plan 2020; Submitted Project Materials

California is one of the lowest per capita energy users in the United States, ranked 48th in the nation, due to its energy efficiency programs and mild climate (United States Energy Information Administration [EIA] 2018). California consumed 292,039 gigawatt-hours (GWh) of electricity and 2,110,829 million cubic feet of natural gas in 2017

(California Energy Commission [CEC] 2019; EIA 2018). In addition, Californians consume approximately 18.9 billion gallons of motor vehicle fuels per year (Federal Highway Administration 2019). The single largest end-use sector for energy consumption in California is transportation (39.8 percent), followed by industry (23.7 percent), commercial (18.9 percent), and residential (17.7 percent) (EIA 2018).

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

To reduce statewide vehicle emissions, California requires that all motorists use California Reformulated Gasoline, which is sourced almost exclusively from in-state refineries. Gasoline is the most used transportation fuel in California with 15.4 billion gallons sold in 2019 and is used by light-duty cars, pickup trucks, and sport utility vehicles (CEC 2020 & California Department of Tax and Fee Administration 2018). Diesel is the second most used fuel in California with 3.1 billion gallons sold in 2019 and is used primarily by heavy duty-trucks, delivery vehicles, buses, trains, ships, boats and barges, farm equipment, and heavy-duty construction and military vehicles (CEC 2016). Both gasoline and diesel are primarily petroleum-based, and their consumption releases greenhouse gas (GHG) emissions, including CO2 and NOX. The transportation sector is the single largest source of GHG emissions in California, accounting for 41 percent of all inventoried emissions in 2016 (California Air Resources Board [CARB] 2018).

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

Energy use would primarily be fuel consumption to operate heavy equipment, trucks, and small generators during mining, crushing, screening, loading, and trucking operations. There is expected to be no change in equipment use for the ongoing operations at the Black/White Mountain Quarries. However, the Ballast Quarry is a new operation and the estimated new energy consumption from equipment and vehicles, including truck trips to and from the White Mountain Aggregate Plant is approximately 132,097 gallons of diesel fuel per year. Gasoline usage for employees is expected to be approximately 6,250 gallons per year (Air Quality and Greenhouse Gas Emissions Inventory and Energy Usage for Amended Reclamation Plan Black Mountain Complex & Ballast Quarry, Lilburn Corp. November 2021). No electricity or natural gas consumption is proposed onsite.

Diesel fuel use for a 200-day timeframe for reclamation is expected to be about 79,403 gallons with 4,167 gallons of gasoline.

In comparison, County retail sales of diesel fuel was about 159 million gallons in 2019 with a state-wide total of taxable diesel fuel usage of over 3 billion gallons in 2019 (California Energy Commission 2010-2020 Annual Report (CEC-A15; August 2020).

Energy use would be typical of similar-sized long-term construction-type and mining projects in the region. In the interest of cost efficiency, operations are not anticipated to utilize fuel in a manner that is wasteful or unnecessary. Therefore, project impacts would not result in a potential impact due to wasteful, inefficient, or unnecessary consumption of energy resources, and no operational-related energy impact would occur.

Less Than Significant Impact

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

As stated, the Proposed Project would not require implementation of new or expanded electric power or natural gas facilities as it will not be using electricity, natural gas, or any other energy resources nor utilize substantial fuel volumes. Therefore, the Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
VII.	**GEOLOGY AND SOILS** - Would the project:				
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☒	☐	☐
	ii. Strong seismic ground shaking?	☐	☒	☐	☐
	iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
	iv. Landslides?	☐	☐	☐	☒
b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐

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?	☐	☐	☒	☐
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

SUBSTANTIATION: *(Check ☐ if project is located in the Geologic Hazards Overlay District):* ***San Bernardino Countywide Policy Plan, 2020; Submitted Project Materials; Revised Slope Stability Investigation Report, March 24, 2021, Terracon Consultants, Inc.***

a) 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.

The Project Site is not located within an Alquist-Priolo Earthquake Fault zone but is within about 0.25 mile northeast of an Alquist Priolo Earthquake Fault Zone[4] related to the Helendale Fault. *A Revised Slope Stability Investigation Report,* dated March 2021, was prepared for the Proposed Project by Terracon Consultants, Inc. (Terracon). The Proposed Project includes most of Black Mountain, a series of bedrock hilltops along the northeast side of the Helendale fault. The ground-shaking hazard at the site was evaluated from a deterministic standpoint for use as a guide to formulate an appropriate seismic coefficient for use in slope stability analysis for the existing and proposed slopes for the quarries.

For the Helendale fault with a magnitude of 7.4 at a distance of 0.5 kilometer, the estimated peak ground acceleration (PGA) is 0.58g. The North Frontal fault, with a magnitude of 7.2 at a distance of 19 kilometers, yields a PGA of 0.22g. Static factors of safety calculated for representative walls of 45 to 51 degrees over 1,100 feet in height were 1.52 to 2.43 respectively, with seismic factor of safety ranging from 1.13 to 1.79. These factors of safety are in excess with Division of Mine Reclamation (DMR) criteria of static factors of safety (FS) in excess of 1.5 and seismic factors of safety at or greater than 1.1. Therefore, the proposed rock slope configurations are considered stable under

[4] County of San Bernardino. Policy Plan web maps. HZ-1 “Earthquake Fault Zones”

static and seismic conditions. However, Mitigation Measure GEO-1 shall be implemented to limit the potential effects due to nearby fault zones on the slope stability.

Mitigation Measure GEO-1: *The following design/monitoring measures for slope stability during operations and reclamation shall be implemented:*

- *Inclusion of horizontal safety benches in final slope design per the Mine Reclamation Plan which will be an effective protection from rockfall, reduces tensional forces in surface rock, and reduces surface erosion rates.*
- *Quarry rims will be protected with berms as necessary to prevent slope erosion in areas where overland flow is toward slopes and also for public safety.*
- *Overall final cut slopes in the rock materials shall be no steeper than the slopes designed in the Reclamation Plan.*
- *Localized structures at the bench scale may form zones that require scaling and/or excavation to flatten or steepen face angles to achieve suitable reclamation conditions. At such time and locations as reclamation slopes are excavated, a qualified geotech professional should examine the slope conditions to determine conformance with the reclamation plan.*
- *Continued inspection and monitoring of mine benches and slope conditions for indications of potential instability and failure warning signs shall be implemented.*

The Proposed Project does not include construction of habitable structures or permanent facilities; therefore, implementation would not expose people or structures to substantial risks due to expansive soils. With implementation of Mitigation Measure GEO-1, the Proposed Project would not result in substantial adverse effects due to rupture of an earthquake fault.

Less than Significant with Mitigation

ii) Strong seismic ground shaking?

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. Moderate seismic shaking of the site can be expected to occur during the lifetime of the proposed mining and reclamation as discussed above. However, with implementation of Mitigation Measure GEO-1, less than significant impacts are expected.

Less than Significant with Mitigation

iii) Seismic-related ground failure, including liquefaction?

The Project Site is not located in an area susceptible to liquefaction.[5] The current depth to static groundwater is not known. Based on the arid site conditions and site geology, Terracon considers it unlikely that a static water table exists at or above elevation 2,700 (proposed maximum depth of reclaimed pit bottom elevation) at the site. Groundwater conditions at completion of mining (reclamation stage) may include water seepage and

[5] San Bernardino Countywide Policy Plan Map HZ-2 “Liquefaction and Landslide Hazards”

ponding of limited extent; however, groundwater is not anticipated to significantly affect the stability of the proposed reclamation slopes. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

iv) Landslides?

The Project Site is not located in an area susceptible to landslides.[5] Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

Due to the hard bedrock material, lack of fine surface material, and low rainfall (less than 4 inches/year) the site has little potential for erosion and sedimentation. Control of surface drainage, erosion, and sedimentation of the operations involves the following primary components:

- Limiting surface disturbance to the minimum area required for active operations;
- Diverting runoff from flowing down quarry and stockpile slopes; and
- Stabilizing disturbed areas through regrading, replacement of soils, revegetation, and erosion control practices.

All operations on-site will comply with the Storm Water Pollution Protection Plan (SWPPP) to be updated periodically with mine site development and implementation of storm water best management practices (BMPs). The quarries will be cut into bedrock and precipitation falling within the quarries will be allowed to flow into the quarries and percolate or evaporate. Final revegetation will be used for the long-term control of erosion. Furthermore, access and haul routes, and mined surfaces will be water sprayed as necessary to reduce wind erosion during operations. With implementation of a SWPPP and associated BMPs, less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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?

The Project Site is not located in an area susceptible to landslides or liquefaction.[6] Although the Project Site's susceptibility to lateral spreading and subsidence is unknown at this time, reclamation of the mine will be undertaken at the completion of mining operations. Furthermore, the Proposed Project does not include construction of habitable structures or permanent facilities; therefore, implementation would not expose

[6] San Bernardino Countywide Policy Plan Map HZ-2 "Liquefaction and Landslide Hazards."

people or structures to substantial risks due to unstable soil. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

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

No Impact

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?

The Proposed Project is an amendment to the existing Reclamation Plan for the Black Mountain Quarry. The Amended Plan will incorporate the adjacent White Mountain Quarry and the Ballast Quarry will be developed to the southeast of the Black and White Quarries. Portable toilets will be supplied for use by employees and will be located on-site at the operations area. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Paleontological review was completed by the Natural History Museum of Los Angeles County and its letter report is included as Appendix D in the Cultural Resources Investigation and Paleontological Overview by McKenna et al. (November 2020).

The Project Site has a relatively low to moderate level of sensitivity for yielding evidence of paleontological specimens. This sensitivity is not applicable to the entire area, but primarily along the southern and southwestern portions of the project area, where the terrain is gentler and more conducive to the presence of older Quaternary alluvial deposits, below the current mining operations and exposed bedrock.

Despite intensive surveying of the sensitive areas, no surficial evidence of paleontological resources was identified, no specimens were identified, and no specific areas of exposed Older Quaternary alluvial deposits were identified. There is still a potential for buried resources and, therefore, McKenna et al. has concluded the area is still sensitive for the presence of paleontological specimens. Depending on the nature of the proposed land uses in the sensitive areas, the Lead Agency may conclude a paleontological monitoring program is justified. Therefore, Mitigation Measure GEO-2 is recommended to reduce potential significant impacts to a less than significant level.

Mitigation Measure GEO-2: A paleontological monitoring program is recommended for those areas below 3,600 feet and/or in any areas where older Quaternary

alluvium (or older) deposits are identified. This program should be conducted in a manner consistent with the policies and guidelines of the San Bernardino County Museum, Redlands, and include the following:

- Preparation of a PRIMP (methodological approach);
- On site paleontological monitoring in areas of identified sensitivity;
- Adjustment to the monitoring locations as additional data becomes available;
- Conduct periodic sampling of the soils for small flora and fauna specimens;
- Complete the analysis of any collected specimens;
- Prepare a technical report summarizing the findings; and
- Arrange for the curation of any collected specimens.

Less than Significant with Mitigation

Therefore, potentially significant impacts are identified or anticipated, and mitigation measures are required to reduce impacts to less than significant.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
VIII.	**GREENHOUSE GAS EMISSIONS –** Would the project:				
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b)	Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

SUBSTANTIATION:
San Bernardino Countywide Policy Plan, 2020; Submitted Project Materials

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

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

a & b) Gases that trap heat in the atmosphere are often called Greenhouse Gases (GHGs); analogous to a greenhouse. GHGs are emitted by natural processes and human activities. The accumulation of GHGs in the atmosphere regulates the earth's temperature. Without these natural GHGs, the Earth's surface would be approximately 61°F cooler (CA 2007). Emissions from human activities such as electricity production and vehicles have elevated the concentration of these gases in the atmosphere.

GHGs have varying global warming potential (GWP). The GWP is the potential of a gas or aerosol to trap heat in the atmosphere; it is the "cumulative radiative forcing effects of a gas over a specified time horizon resulting from the emission of a unit mass of gas relative to a reference gas" (EPA 2006a). The reference gas for GWP is carbon dioxide;

carbon dioxide has a GWP of one (1). For example, methane has a GWP of 25, which means that it has a greater global warming effect than carbon dioxide on a molecule per molecule basis. The carbon dioxide equivalent is an accepted method to assess emissions because it gives weight to the GWP of the gas. It is typically defined as metric tons of carbon dioxide equivalent (MTCO2e). Other GHGs include methane, nitrous oxide, chlorofluorocarbons, and aerosols.

Water vapor is the most abundant, important, and variable GHG in the atmosphere. It is not considered a pollutant; in the atmosphere it maintains a climate necessary for life. The main source of water vapor is evaporation from the oceans (approximately 85 percent). Other sources include evaporation from other water bodies, sublimation (change from solid to gas) from ice and snow, and transpiration from plant leaves.

Carbon dioxide (CO_2) is an odorless, colorless natural GHG. Natural sources include the following: decomposition of dead organic matter; respiration of bacteria, plants, animals including humans, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic (man-made) sources of carbon dioxide are from burning coal, oil, natural gas, and wood. Methane (CH_4) is a flammable gas and is the main component of natural gas. There are no health effects from methane. A natural source of methane is from the anaerobic decay of organic matter. Nitrous oxide (N_2O) is a colorless GHG produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen.

Many other gases make up the group of pollutants that are believed to contribute to global climate change. However, three gases are currently evaluated due to typical combustion and operational sources; carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). Nitrous oxide is not of concern due its very low emissions from this type of operation and methane is included but is also a very minor contributor.

San Bernardino County GHG Reduction Plan

In September 2011, San Bernardino County adopted the Emissions Reduction Plan (GHG Plan), which outlined a strategy to use energy more efficiently, harness renewable energy to power buildings, enhance access to sustainable transportation modes, and recycle waste. The 2015 update of the GHG Emissions Development Review Process updates the language the performance standard bringing it up to date with current code. It improves upon the menu of options within the screening tables proportioning point values to more accurately account for expected GHG reductions and revised the descriptions of the energy efficiency related options. The GHG Plan has the following specific goals:

- Reduce emissions from activities over which the County has jurisdictional and operational control toto meet state mandates.
- Provide estimated GHG reductions associated with the County's existing sustainability efforts and integrate the County's sustainability efforts into the discrete actions of the Emissions Reduction Plan.
- Provide a list of discrete actions that would reduce GHG emissions.

- Approve a GHG reduction plan that satisfies the requirements of Section 15183.5 of the CEQA Guidelines, so that compliance with the GHG reduction plan can be used in appropriate situations to determine the significance of a project's effects related to GHG emissions, thus providing streamlined CEQA analysis of future projects that are consistent with the approved GHG reduction plan.

Per CEQA guidelines, new project emissions are treated as standard emissions, and air quality impacts are evaluated for significance on an air basin. Greenhouse gas emissions are treated differently, in that the perspective is global, not local. The effects of GHG on global climate change are cumulative and extremely long-term, not short-term or local.

The following performance standards are recommended by the GHG Reduction Plan and how the mine project complies with these goals are discussed below.

- Waste Stream Reduction: recycling at least 75% of waste normally sent to landfills. The Black Mountain operations are unique in that the overburden and waste rock resulting from excavating cement-grade limestone is and will continue to be utilized in the adjacent White Mountain Aggregate Plant and Rail Loadout Facility to the site to the south. This facility crushes and screens the non-spec limestone to produce construction aggregates transported by rail to supply CEMEX concrete plants and other customers in the Los Angeles Basin. The beneficial use of the overburden and non-spec limestone reduces the amount of overburden reduces the need to mine rock exclusively for aggregates and supplies a rail operation that reduces truck traffic and air pollutant and GHG emissions throughout the region.
- Vehicle Trip Reduction: The project provides limestone to the adjacent cement plant eliminating the need to transport limestone from more distant sources. In addition, non-spec material supplies the adjacent aggregate facility that processes material for rail shipment to the L.A. Basin greatly reducing truck trips.
- Water Conservation: The project utilizes water under the jurisdiction of the MWA which regulates usage within the basin for dust control
- Providing Education Materials: Provide employees and staff educational materials about reducing waste, water conservation, and ride sharing available to employees.

San Bernardino County Greenhouse Gas Emissions Development Review Processes (March 2015).

GHG is inherently a cumulative issue, because no single project would be expected to result in a measurable change in global climate. The cumulative nature of GHG is considered by agencies in adopting significance thresholds and adopted significance thresholds represents levels at which a project is considered cumulatively significant.

The Proposed Project's GHG emissions were estimated within the *Air Quality and Greenhouse Gas Emissions Inventory and Energy Usage For Amended Reclamation*

Plan Black Mountain Complex & Ballast Quarry, Lilburn Corp. November 2021. The GHG emissions were calculated and compared to the MDAQMD's 100,000 $MTCO_2e$ screening threshold to determine if potentially significant to anticipated global warming. GHG emissions were estimated using the following models: CARB - SCAQMD's Off-road Model – Mobile Source Emission Factors (http://www.aqmd.gov/cega/handbook/offroad/offroad.html); Emission Factors for On-Road Heavy-Heavy Duty Diesel Trucks (CARB EMFAC 2017); and U.S. EPA Office of Transportation and Air Quality. These factors are state-wide factors and are appropriate for the Proposed Amended Project.

Annual planned operational GHG emissions amount to approximately 2,500 $MTCO_2e$. Reclamation activities would take approximately 9 months and GHG emissions would be about 75% of operational GHG emissions (within one year only). Table 6 shows that GHG emissions associated with operation of the Proposed Project are not anticipated to exceed the quantitative significance CEQA thresholds of either 100,000 $MTCO_2e$ (MDAQMD threshold) or 10,000 $MTCO_2e$ (SCAQMD threshold). Therefore, the Proposed Project would not generate GHG emissions that may have a cumulative considerable or significant effect on the environment. Additionally, the Proposed Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Table 6
Greenhouse Gases Annual Emissions ($MTCO_2e$/year)
Planned Ballast Quarry Operations

	Planned Future Operations	
Sources	**CO_2**	**CH_4**
On-site Diesel Equipment, Trucks & Portable Generators	2,496	3.65
Total $MTCO_2e$	**2,500**	
MDAQMD GHG Screening Threshold ($MTCO_2e$)	100,000	
Exceeds Threshold?	No	
SCAQMD Industrial GHG Screening Thresholds ($MTCO_2e$)	**10,000**	
Exceeds Threshold?	No	

Source: Lilburn Corporation Air Quality/GHG Emissions Inventory, November 2021
CO_2e factors: CH_4 x 25

Less Than Significant Impact

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

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
IX.	**HAZARDS AND HAZARDOUS MATERIALS –** Would the project:				
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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 or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

SUBSTANTIATION:

San Bernardino Countywide Policy Plan 2020; Submitted Project Materials; Amended Reclamation Plan for the Black Mountain Quarries

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

No hazardous materials will be used onsite with the exception of fuels and oils for mobile equipment and for generators if used onsite. No change in the current routine delivery of fuels onsite is expected. Scheduled equipment maintenance takes place at the adjacent Black Mountain facilities. Minor or emergency repairs and re-fueling with portable maintenance/fuel trucks and/or from portable fuel tanks may be conducted at the quarry

with appropriate safeguards. Any used oil generated at the mine site will be collected and transported for off-site recycling or disposal by approved methods and by properly trained and licensed personnel.

CEMEX has prepared a Hazardous Materials Business Plan (HMBP) for the cement plant and the mine site that addresses the hazardous materials stored and used at these facilities. The HMBP describes methods and procedures to minimize the potential for hazardous material and waste releases including an emergency response and contingency and spill response procedures.

CEMEX has prepared a Storm Water Pollution Protection Plan (SWPPP WDID#: 6 B36I019598, April 2020) and a Spill Prevention Control, and Counter-measure (SPCC) Plan for the cement plant and the Black Mountain Quarry site. The SPCC is designed to minimize the potential for spills or releases of oil and fuel and outlines procedures to be followed in the event of a spill. New areas of disturbance will be added to the SWPPP and the SPCC.

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

Less Than Significant Impact

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?

Mining operations consist of drilling and blasting, excavating by excavators and loaders, and loading ore and overburden onto 100-ton capacity off-road haul trucks. These trucks transport ore to the Black Mountain crushing plant located on the east side of the quarry. Overburden will be transported to the White Mountain Aggregate Facility if deemed suitable to produce constructions aggregates. Overburden not suitable for construction aggregates will be placed in overburden stockpiles and used to stabilize slopes, fill cuts, and as soil for revegetation. There is no change in planned future operations.

No hazardous materials will be used on-site with the exception of fuels and oils for mobile equipment and for the portable processing equipment. Maintenance and fueling safeguards are discussed above.

Blasting operations involve drilling along the mining face, placement of charges, and detonation of the charges by a blaster licensed through the Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATF&E) for handling explosive materials. The transporting, handling, storage, and use of explosive materials, blasting agents, and blasting equipment shall be directed and supervised by a qualified blasting contractor. The blasting contractor and the explosive delivery company must be licensed in accordance with all Federal, State, and local agencies and regulations, U.S. Department of Transportation hazardous materials (HAZMAT) Certificate of Registration, California HAZMAT Transportation License, and general liability insurance policy for explosive transportation and permitted under the San Bernardino County Fire Department pursuant to Uniform Fire Code adopted by the Department.

All blasters shall possess a current blasting license issued by CAL-OSHA and be experienced in quarry blasting and hold applicable insurance. The blasting contractor's employees must be trained in accordance with CAL-OSHA and MSHA requirements and possess certification of such training. Basic safety requirements are practiced during blasting for on-site employees, equipment, and structures. No explosives will be stored onsite. Implementation of blasting for Quarry operations would not 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. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

No schools are located or proposed within one-quarter mile of the Project Site. The school located nearest to the Project Site is Sycamore Rocks Elementary School, which is located approximately 4.5 miles southwest of the Project Site in the Town of Apple Valley on the far side of an intervening range of hills. Therefore, the Proposed Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within on-quarter mile of an existing or proposed school. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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?*

The Project Site was not found on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system as reviewed on April 26, 2021. The operator would comply with all applicable federal and State safety rules and regulations regarding hazardous materials. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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 or excessive noise for people residing or working in the project area?*

The Project Site is not within an airport safety review area or Airport Runaway Protection Zone.[7] The nearest public airport is the Apple Valley Airport, located approximately 4 to 5 miles southwest of the Project Site. Therefore, implementation of the Proposed Project would not result in a safety hazard related to airport land uses for people residing or

[7] San Bernardino Countywide Plan Map HZ-9 "Airport Safety & Planning Areas."

working in the area. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

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. The site is not located near an evacuation route.[8] Vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Therefore, implementation of the Proposed Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. No impacts are identified or anticipated, and no mitigation measures would occur.

No Impact

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

The Project Site is not located within a High or Very High Fire Hazard Severity Zone.[9] Therefore, the Proposed Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
X.	**HYDROLOGY AND WATER QUALITY -** Would the project:				
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☒	☐	☐
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐

[8] San Bernardino Countywide Policy Plan Map PP-2 “Evacuation Routes”

[9] San Bernardino Countywide Policy Plan Map HZ-5 ”Fire Hazards Severity Zones”

c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
	i. result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
	ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	☐	☐	☒	☐
	iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or	☐	☐	☒	☐
	iv. impede or redirect flood flows?	☐	☐	☒	☐
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

SUBSTANTIATION:

San Bernardino Countywide Policy Plan 2020; Submitted Project Materials; Amended Reclamation Plan for the Black Mountain Quarries

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

All operations onsite will comply with the existing SWPPP to be updated periodically with mine site development. The SWPPP 1) identifies and evaluates all sources of pollutants that may affect the quality of industrial storm water discharges and authorized non-storm water discharges; 2) identifies and describes the minimum and advanced BMPs implemented to reduce or prevent pollutants in industrial storm water discharges; and 3) describes the storm water monitoring plan. The SWPPP includes BMPs and procedures for good housekeeping, preventive maintenance, spill and leak prevention and response, material and waste management, employee training, and monitoring implementation. Mandatory compliance with the Proposed Project's SWPPP would ensure that all potential pollutants of concern are minimized or otherwise appropriately treated prior to being discharged from the Project Site.

Per the discussion under Biological Resources, Section IV(c) above, the onsite drainage features exhibit characteristics consistent with the Regional Board's methodology and may be considered jurisdictional waters of the State. Potential impacts to on-site waters of the State will require a Regional Board Report of Waste Discharge permit prior to disturbance of those areas. Therefore, the following mitigation measure copied here, applies as included in Section IV and shall be implemented to ensure that less than significant impacts occur:

Mitigation Measure BIO-3:

A formal jurisdictional delineation shall be prepared and forwarded to the Regional Board and CDFW for their review, and if onsite drainages are determined to be Regional Board waters of the State and/or CDFW jurisdictional streambed, regulatory permits may need to be obtained through the Regional Board and/or CDFW prior to initiating new mining within a jurisdictional area and appropriate protective measures implemented and compensation provided.

The following are general protective measures that may be required to be determined by the Regional Board:

- *Worker environmental awareness program;*
- *Avoidance of waters of the State and jurisdictional streambeds as possible;*
- *Demarcation of jurisdictional streambeds to prevent unnecessary impacts;*
- *Avoiding impacts to undisturbed areas and to wildlife and sensitive species through pre-clearance surveys, establishing buffer areas, and temporary fencing;*
- *Implementation of BMPs to prevent erosion and sediment discharge;*
- *Invasive weed control;*
- *Maintaining areas free of trash, debris, hazardous materials, and spills; and*
- *Compensation as applicable to be determined which may include a combination of on-site and/or off-site compensation and/or re-habitation.*

With adherence to the regulatory permitting requirements including mitigation and compensation as applicable, the Proposed Project is not anticipated to have a significant effect on any waters of the State. Therefore, implementation of the Proposed Project would not violate any water quality standards or waste discharge requirements or otherwise degrade surface or ground water quality. Less than significant impacts with mitigation are identified or are anticipated.

Less than Significant with Mitigation

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

Water will be used for dust control measures only. Water will be applied to the working mine and operations areas and roads. The portable plants will also utilize water for dust control. Water will be hauled via a 15,000-gallon water truck from wells and storage tanks at the adjacent CEMEX cement plant. The estimated water usage is two truckloads or 30,000 gallons/day; about 27.6 acre-feet per year based on 300 operational days per year. Water use is expected to increase with production by another truck load per day for a total of 45,000 gallons; about 41.4 acre-feet per year. Water used for dust control will evaporate and therefore, the project will not produce any run-off water. There is no surface water within the project vicinity.

The Black Mountain Quarries are located in the Upper Mojave River Valley groundwater basin; the Alto Subarea. The area is adjudicated and the watermaster is the Mojave Water Agency (MWA). CEMEX has approximately 20 active and inactive wells in the

Alto Subarea. Several of these wells provide water for dust control at the Quarry; estimated to average about 41.4 acre-feet per year; an increase over existing usage of about 14 acre-feet. CEMEX has a verified base annual production of 1,499 acre-feet and its use is monitored annually by CEMEX and reported to the MWA. The expected increase of water usage for the Amended Plan of about 14 acre-feet is not a substantial increase. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

i) Result in substantial erosion or siltation on- or off-site;

Due to the hard bedrock material, lack of fine surface material, and low rainfall (less than 4 inches/year) the site has little potential for erosion and sedimentation. Control of surface drainage, erosion, and sedimentation of the operations involves the following primary components:

- Limiting surface disturbance to the minimum area required for active operations;
- Diverting runoff from flowing down quarry and stockpile slopes; and
- Stabilizing disturbed areas through regrading, replacement of soils, revegetation, and erosion control practices.

All operations and reclamation on-site will comply with the SWPPP to be updated periodically with mine site development and implementation of storm water BMPs. The quarry will be cut into bedrock and precipitation falling within the quarry will be allowed to flow into the quarry and percolate or evaporate. With implementation of a SWPPP and associated BMPs, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;

The Proposed Project will not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site.

The Black Mountain Quarry occupies the northeastern area with any precipitation being collected internally. It does not intersect any major drainages. The White Mountain Quarry has been developed in the southern area north of the access road. The undisturbed area in the center of the planned expansion area has drainages originating in the higher ridges and eventually flowing west to a larger wash along the planned quarry's western boundary. This larger western wash has been avoided and a 100-foot setback is planned. The Ballast Quarry is situated on a ridgeline that slopes north to south. Several ephemeral drainages drain the slope from the north to south into a drainage on the northside

of the rail line that flows west. All of these drainages were cut off by the rail line in the past.

Drainages are ephemeral features that follow topography within the canyon bottoms of the rolling ridges and hills. Surface flows within with these features are only provided by direct precipitation from storm events. No surface water was observed during the field investigation. Water used for dust control will evaporate and therefore, the project will not produce any run-off water.

Following reclamation, surface runoff from quarry areas will be retained in the quarry limits where it will either infiltrate or evaporate. No off-site run-off is expected.

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

Less Than Significant Impact

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff;

As stated above, the Proposed Project will not produce any run-off water. The quarry will be cut into bedrock and precipitation falling within the quarry will be allowed to flow into the quarry and percolate or evaporate. Therefore, the Proposed Project is not anticipated to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

iv) Impede or redirect flood flows?

The Project Site is not within a 100-Year Federal Emergency Management Agency (FEMA) flood zone, 100-year Department of Water Resources Awareness Zone, or a 500-year FEMA flood zone.[10] As previously stated, the drainages that intersect the Project Site are ephemeral features that follow topography within the canyon bottoms of the rolling ridges and hills. Surface flows within with these features are only provided by direct precipitation from storm events. No surface water was observed during the field investigation. Therefore, less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project Site is not within a 100-Year Federal Emergency Management Agency (FEMA) flood zone, 100-year Department of Water Resources Awareness Zone, or a 500-year FEMA flood zone.[11] Tsunamis are large waves generated in open bodies of

[10] San Bernardino Countywide Policy Plan Map HZ-4 “Flood Hazards”
[11] San Bernardino Countywide Policy Plan Map HZ-4 “Flood Hazards”

water by fault displacement of major ground movement. Due to the inland location of the Project Site, tsunamis are not considered to be a risk. Seiches are standing waves generated in enclosed bodies of water in response to ground shaking. The Project Site is not located in the immediate vicinity of a known large body of water or water storage facility and therefore impacts from potential seiches are not anticipated. Therefore, the Proposed Project is not anticipated to risk release of pollutants due to project inundation. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

e) *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

The Proposed Project will adhere to BMPs, regional and local water quality control and sustainable groundwater management plans. Existing mine operations are being expanded and no conflict with or obstruction of any plans are expected. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Therefore, potentially significant impacts are identified or anticipated, and mitigation measures are required to reduce impacts to less than significant.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XI.	**LAND USE AND PLANNING** - Would the project:				
a)	Physically divide an established community?	☐	☐	☐	☒
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

SUBSTANTIATION:

San Bernardino Countywide Policy Plan, 2020; Submitted Project Materials

a), b) Physically divide an established community? or

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

The Project Site is in unincorporated San Bernardino County. It is within Land Use Category of General Industrial (GI) and within Regional Industrial (IR) zoning. Surrounding land uses include the CEMEX Victorville Cement Plant and the Alvic & Alumina Quarry to the east, the White Mountain Aggregate Rail Loadout facility to the southwest, the Black Mountain access road and rail line to the south and southeast, and vacant public lands administered by the BLM to the west, south, and north. There are no adjacent or nearby uses or residences within approximately 3 miles.

The Proposed Project is within an industrial area utilized for the extraction of minerals and the production of cement. No changes or amendments to land use categories, or zoning are proposed; only the continuation of activities previously approved and development of a new quarry with mining activities consistent with the Countywide Policy Plan. The Proposed Project will not physically divide an established community nor cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XII.	**MINERAL RESOURCES** - Would the project:				
a)	Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	☐	☐	☐	☒
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?	☐	☐	☐	☒

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

San Bernardino Countywide Policy Plan, 2020; Submitted Project Materials; Amended Reclamation Plan for the Black Mountain Quarries

a) *Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?*

The Proposed Project is an Amended Reclamation Plan for the Black Mountain Quarry. The Amended Reclamation Plan will incorporate the adjacent White Mountain Quarry currently operated under a separate Reclamation Plan, and the proposed Ballast Quarry. The CDMG has designated the Black and White Mountain Quarries as Mineral Resource Zone 2 status (MRZ-2a) for the limestone deposits (*Mineral Land Classification of a Part of Southwestern San Bernardino County: Barstow-Victorville Area, California*, Stephen P. Bezore and Dinah O. Shumway, Open-File Report 94-04, CDMG 1994). MRZs are important planning designations as they recognize the significance and importance of mineral resources and mining in land use planning. An MRZ-2a rating indicates it is recognized as a valuable proven or known mineral resource.

Thus, implementation of the Proposed Project would result in a beneficial effect regarding availability of mineral resource that is of value to the region and the residents

of the state. No adverse impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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?*

The Project Site is designated by the CDMG and is listed in the Countywide Policy Plan to be within a Mineral Resource Zone – 2a (MRZ-2a) for industrial minerals. Therefore, implementation of the Proposed Project would result in a beneficial effect regarding availability of mineral resources. As such, no adverse impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

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

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

San Bernardino Countywide Policy Plan 2020; Submitted Project Materials; Amended Reclamation Plan for the Black Mountain Quarries

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

The Project Site is an existing operating mine in an area with a LUC of General Industrial and zoning of Regional Industrial. Surrounding land uses include the CEMEX Victorville Cement Plant and the Alvic & Alumina Quarry to the east, the White Mountain Aggregate Rail Loadout facility to the southwest, the Black Mountain access road and rail line to the south and southeast, and vacant public lands administered by the BLM to the west, south, and north. There are no adjacent or nearby uses or residences within approximately 3 miles.

The Black Mountain Quarry will mostly be blocked from the north, west, and east by the mountain ridges. The existing and future mining is designed to be developed to the east side of the ridge line. The Ballast Quarry will be open to the south but there are no receptors to the south within 4 to 5 miles.

Noise is produced from the on-site equipment and trucks and operations are required to conform to applicable noise control regulations as outlined in Section 83.01.080, Noise, of the San Bernardino County Development Code. Operations are conducted day-time hours only, 6 days a week, and 300 days per year. Drilling is currently conducted up to 6 days a week, 10 hours/day with depths of approximately 55 feet. A second drill rig will be required during new quarry development. Blasting typically occurs twice per week.

Blasting will only be conducted by a licensed blaster. Blasting would likely increase by approximately 30 blasts/year with additional quarry development. Blasting activities take place between the hours of 10:00 a.m. and 4:00 p.m. on weekdays (Monday through Friday). No blasting shall be allowed after dark.

A blast design is required if conducted within 1,000 feet of any receptor (such as a dwelling, public building, or school) and pre-blasting surveys are required for dwellings located within 1/2 mile of the permit area. No such dwellings or residents exist within these distances to blasting operations.

Therefore, with adherence to the Development Code, less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

As stated, the Project Site is within a primarily industrial area consisting of vacant lands with no sensitive receptors within 3 miles. Groundborne vibration from typical operations (excluding blasting) is required to conform to applicable vibration control regulations as outlined in Section 83.01.090, Vibration, of the San Bernardino County Development Code. There is no known record of any complaints being filed during or as a result of prior operations. Therefore, with adherence to the Development Code, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project Site is not within an airport safety review area or Airport Runaway Protection Zone.[12] The Project Site is not within two miles of public airport or public use airport, or within the vicinity of a private airstrip as the airport nearest to the site is Apple Valley Airport, which is approximately 4 to 5 miles southwest of the Project Site. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XIV.	**POPULATION AND HOUSING** - Would the project:				
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

SUBSTANTIATION:

San Bernardino Countywide Policy Plan 2020; Submitted Project Materials; Amended Reclamation Plan for the Black Mountain Quarries

a) *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

The Black and White Mountain Quarries have been mined historically since the 1940s. The Proposed Project is a continuation of said mining into the future with no substantial changes proposed. The existing mining and plant operations provide employment opportunities for the surrounding community and the Proposed Project would provide more employment opportunities. Based on the availability of a local work force, it is anticipated that the ongoing employment generated by the Proposed Project would be filled from the local area and would not result in substantial growth that was not already anticipated in the Countywide Policy Plan. Therefore, implementation of the Proposed

[12] San Bernardino Countywide Policy Plan Map HZ-9 "Airport Safety & Planning Areas."

Project would not induce substantial growth in the area. Less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project Site consist of two existing quarries and one planned new quarry; there is no housing on-site. The Proposed Project would not displace any substantial numbers of existing people or housing units or require the construction of replacement housing. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XV. 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?	☐	☐	☐	☒
Police Protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other Public Facilities?	☐	☐	☐	☒

SUBSTANTIATION:

San Bernardino Countywide Policy Plan 2020; Submitted Project Materials

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?

The nearest Fire Station to the Project Site is the County of San Bernardino's Apple Valley Fire Station 332 approximately 8.8 miles southwest of the site. The existing quarries are currently served by the San Bernardino County Fire Department. The

proposed revision will not change nor require additional Fire facilities or services. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Police Protection?

The nearest Police Station to the Project Site is the Apple Valley Police Station, approximately 7.6 miles southwest of the site. Access onto the CEMEX Black Mountain operations area via Quarry Road is secured by a 24-hour security office and gate with access limited to employees, authorized personnel, and shipping and deliveries. The Quarry is located to the west and southwest of the cement plant and is surrounded by rugged vacant mountains with no public access. Quarry areas will have warning signs, roads not used will be blocked or closed, and safety berms six feet in height will be constructed along the quarry rims. Any unauthorized roads will be blocked or closed at the property boundary.

Implementation of the Proposed Project would not require additional police facilities or services. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Schools?

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

No Impact

Parks?

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

No Impact

Other Public Facilities?

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

No Impact

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

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XVI.	**RECREATION**				
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 will occur or be accelerated?	☐	☐	☐	☒
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?	☐	☐	☐	☒

SUBSTANTIATION:

San Bernardino Countywide Policy Plan 2020; Submitted Project Materials

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 will occur or be accelerated?*

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

No Impact

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?*

The Proposed Project does not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

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

SUBSTANTIATION:

San Bernardino Countywide Policy Plan 2020; Submitted Project Materials; Amended Reclamation Plan for the Black Mountain Quarries

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

The Project Site is located in a remote, industrial area with minimal off-site traffic associated with mining products. The Proposed Project is located within the Victor Valley Transit Authority, however there are no proposed bus routes for the area.[13] There are no planned bicycle and pedestrian facilities for the area of the Project Site.[14] Mining operations will consist of drilling and blasting, excavating by excavators and loaders, and loading ore and overburden onto off-road haul trucks. These trucks transport ore to the Black Mountain crushing plant located on the east side of the quarry. Overburden will be transported to the White Mountain Aggregate Facility if deemed suitable to produce constructions aggregates. Rock from the Ballast Quarry will also be supplied to the White Mountain Aggregate Facility. All truck movement is by off-road haul trucks within CEMEX property. No material is transported off-site directly from the quarries. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

[13] San Bernardino Countywide Policy Plan Map TM-2 “Transit Network.”
[14] San Bernardino Countywide Policy Plan Map TM-4 “Bicycle & Pedestrian Planning”

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

As discussed previously, all truck movement is by off-road haul trucks within CEMEX property. No material is directly transported off-site from the quarries; but is supplied to the adjacent cement plant and aggregate rail facility. No change in off-site traffic is expected from the Proposed Project. No significant impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Proposed Project does not involve any changes to road design features that could substantially increase hazards due to a geometric design feature or incompatible uses. All truck movement is by off-road haul trucks within CEMEX property using existing internal roads. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

d) *Result in inadequate emergency access?*

Activities associated with the Proposed Project would not impede existing emergency response plans for the Project Site and/or other land uses in the project vicinity. Vehicles and equipment used in excavation and transporting materials would continue to be utilized within CEMEX properties and would not block emergency access routes. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XVIII. TRIBAL CULTURAL RESOURCES				
a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☒	☐	☐

ii)	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☐	☐	☒	☐

SUBSTANTIATION:

San Bernardino Countywide Policy Plan, 2020; McKenna et al. "A Cultural Resources Investigation and Paleontological Overview"; Submitted Project Materials

California Assembly Bill (AB-52) related to Tribal Cultural Resources (TCRs), requires the Lead Agency to notify California Native American tribes to conduct consultation for all projects. On October 22, 2021, the County of San Bernardino mailed notification pursuant to Assembly Bill 52 (AB-52) to the following six Tribes:

- Gabrieleńo Band of Mission Indians; Colorado River Indian Tribes
- Morongo Band of Mission Indians
- San Gabriel Band of Mission Indians
- San Manuel Band of Mission Indians (SMBMI)
- Soboba Band of Luiseńo Indians
- Twenty-Nine Palms Band of Mission Indians

Requests for consultations were due to the County by or around November 22, 2021. The County received the following comments from the Tribes.

- Gabrieleńo Band of Mission Indians; Colorado River Indian Tribes – Per email dated October 22, 2021, deferred consultation to the SMBMI.
- San Manuel Band of Mission Indians – Per several emails, requested additional information and agreed with recommendations in the Cultural Report.

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

As concluded in Cultural Resources, Section V (a/b) above, the Cultural Resources Report concluded that no significant historical resources will be impacted by the Proposed Project. However, there is a relative level of sensitivity for additional resources to be present in the area and, as yet, unidentified and the possibility of discovering an unanticipated find remains. Mitigation Measure CR-1 shall be implemented to ensure that less than significant impacts to historical and/or archaeological resources occur.

Mitigation Measure CR-1: *Per the cultural resources report and consultation with the San Manuel Band of Mission Indians, a prehistoric and historic archaeological monitoring program shall be conducted in undisturbed areas that will be subjected*

to direct impacts. The prehistoric archaeological monitoring program must be overseen by a professional meeting the Secretary of the Interior's standards for archaeological proficiency and have knowledge of the prehistory of the western Mojave Desert region. The monitoring program shall include the presence of a Native American representative(s), working with the archaeological consultant to insure professional and respectful treatment of any identified resources.

The extent of the prehistoric archaeological monitoring program will be determined by the schedule and extent of earthmoving related to the proposed mining expansion.

If historical or archaeological resources are encountered during ground-disturbing activities, work in the immediate area shall cease and a qualified archaeologist shall immediately contact the County and the SMBMI to evaluate the find(s). If the discovery proves to be significant under CEQA, additional work such as data recovery excavation may be warranted and will be reported to the County of San Bernardino.

Less than Significant with Mitigation

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

As concluded in Cultural Resources, Section V (a/b) above, the Cultural Resources Report concluded that no significant archaeological resources will be impacted by the Proposed Project. However, there is a relative level of sensitivity for additional resources to be present in the area and, as yet, unidentified and the possibility of discovering an unanticipated find remains. Mitigation Measure CR-1 listed above shall be implemented to ensure that less than significant impacts to archaeological resources occur.

In addition, mining activities could potentially disturb human remains outside of a formal cemetery. Thus, the potential exists that human remains may be unearthed during implementation of the Proposed Project. Therefore, Mitigation Measure CR-2, copied below from Section V, shall be implemented to ensure that less than significant impacts regarding human remains occur.

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

human and of Native American origin, in accordance with California Public Resources Code Section § 5097.98.

All discovered human remains shall be treated with respect and dignity. California state law (California Health & Safety Code § 7050.5) and federal law and regulations ([Archaeological Resources Protection Act (ARPA) 16 USC 470 & 43 CFR 7], [Native American Graves Protection & Repatriation Act (NAGPRA) 25 USC 3001 & 43 CFR 10] and [Public Lands, Interior 43 CFR 8365.1-7]) require a defined protocol if human remains are discovered in the State of California regardless if the remains are modern or archaeological.

With implementation of the above mitigation measures, the Proposed Project is not anticipated to cause a substantial adverse change in the significance of a historical or archaeological resource.

Less than Significant with Mitigation

Therefore, potentially significant impacts are identified or anticipated, and mitigation measures are required to reduce impacts to less than significant.

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

SUBSTANTIATION:

San Bernardino Countywide Policy Plan 2020; Submitted Project Materials; Amended Reclamation Plan for the Black Mountain Quarries

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

The Black Mountain Quarries are located in the Upper Mojave River Valley groundwater basin; the Alto Subarea. The area is adjudicated and the watermaster is the Mojave Water Agency. CEMEX has approximately 20 active and inactive wells in the Alto Subarea. Several of these wells provide water for dust control at the Quarries. The Quarries will be cut into bedrock and precipitation falling within the quarry will be allowed to flow into the quarry and percolate or evaporate.

No water is used in ore processing or for washing except for dust control. Therefore, no wastewater is produced, and no ponds are needed. Portable toilets will be supplied for use by employees and will be located on-site at the operations area.

Mobile equipment will run on diesel fuel and the minimal power for the plant will be produced by diesel fueled generators. Diesel fuel will be supplied from portable fuel tanks moved to near mining areas with applicable safeguards. Currently, the Black Mountain Quarry has a 15k diesel tank and a 10k unleaded gasoline tank on-site.

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

No Impact

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

Water will be used for dust control measures only. Water strictly for dust control is supplied to the site by water truck from wells located at the adjacent CEMEX cement plant. There will be no substantial change in the amount of water used. Water will be applied to the working mine and operations areas and roads. The portable plants will also utilize water for dust control. Water will be hauled via a 15,000-gallon water truck from wells and storage tanks at the adjacent CEMEX cement plant. The estimated water usage is two truckloads or 30,000 gallons/day; about 27.6 acre-feet per year based on 300 operational days per year. Water use is expected to increase with production by another truck load per day for a total of 45,000 gallons; about 41.4 acre-feet per year.

CEMEX has approximately 20 active and inactive wells in the Alto Subarea. Several of these wells provide water for dust control at the Quarry; estimated to average about 41.4 acre-feet per year; an increase over existing usage of about 14 acre-feet. CEMEX

has a verified base annual production of 1,499 acre-feet and its use is monitored annually by CEMEX and reported to the MWA. The expected increase of water usage for the Amended Plan of about 14 acre-feet is not a substantial increase. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

There is no public wastewater treatment provider that serves or is needed at the Project Site. For existing and proposed operations, portable toilets are used on-site and serviced by a commercial vendor. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

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

All refuse shall be disposed of in approved trash bins and removed by the County or a commercial vendor as necessary. Monitoring will include both site monitoring to assess trash dumping and other forms of human disturbances. Site monitoring of human use includes monthly inspection by CEMEX personal to check access control and signs and to schedule removal of illegal dumping. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XX.	**WILDFIRE:** If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐

c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

SUBSTANTIATION:
San Bernardino Countywide Policy Plan 2020; Submitted Project Materials

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

Activities associated with the Proposed Project would not impede existing emergency response plans or routes near the Project Site and/or other land uses in the project vicinity.[15] Vehicles and stationary equipment used for material excavation and trucking operations would continue to utilize existing access roads within CEMEX properties and would not block emergency access routes. Therefore, implementation of the Proposed Project would not substantially impair an adopted emergency response plan or emergency evacuation plan. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

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

The Project Site is not located within a High or Very High Fire Hazard Severity Zone.[16] Therefore, risks associated with exposing project employees to pollutant concentrations from wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors, are unlikely. Furthermore, the Proposed Project does not include construction of habitable structures or permanent facilities.

The Project Site is not located in an area susceptible to landslides.[17] The Project Site is not within a 100-Year Federal Emergency Management Agency (FEMA) flood zone, 100-year Department of Water Resources Awareness Zone, or a 500-year FEMA flood zone.[18] As previously stated, the drainages that intersect the Project Site are

[15] San Bernardino Countywide Policy Plan Map PP-2 “Evacuation Routes”

[16] San Bernardino Countywide Policy Plan Map HZ-5 ”Fire Hazard Severity Zones”
[17] San Bernardino Countywide Policy Plan Map HZ-2 “Liquefaction and Landslide Hazards”
[18] San Bernardino Countywide Policy Plan Map HZ-4 “Flood Hazards”

ephemeral features that follow topography within the canyon bottoms of the rolling ridges and hills. Surface flows within with these features are only provided by direct precipitation from storm events.

Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

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

No Impact

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

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XXI.	**MANDATORY FINDINGS OF SIGNIFICANCE:**				
a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
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)?	☐	☐	☒	☐

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

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

The results of the Initial Study show that there are potentially significant impacts to Biological and Cultural / Paleontological Resources including jurisdictional waters of the State. These potential impacts will be reduced to less than significant levels after incorporation of mitigation measures and compliance with existing rules and regulations. Therefore, the Proposed Project will not substantially degrade the quality of the environment and impacts to habitat, wildlife populations, plant and animal communities, rare and endangered species, jurisdictional waters of the State; no additional mitigation is warranted. The County contacted local Native American Tribal representatives and the San Manuel Band of Mission Indians requested that the recommended mitigation measures in the project's Cultural Resources study be implemented. Mitigation Measures CR-1 and CR-2 are included in Sections V and XVIII. Potentially significant impacts are identified or anticipated, and mitigation measures are required to reduce impacts to less than significant.

Less than Significant with Mitigation

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)?*

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

> (a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.
>
> (b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

Air Quality

Development of the Proposed Project will be conditioned to comply with current MDAQMD rules and regulations to minimize impacts to air quality. Approval of the project does not require a zone change nor a general plan amendment and is consistent with the Countywide Policy Plan. Therefore, cumulative impacts are anticipated to be less than significant.

Greenhouse Gas

Greenhouse gas (GHG) emissions are cumulative in nature, in that, no one single project can measurably contribute to climate change and its affects (global average change in temperature, rising sea levels etc.). The direct or indirect GHG impacts are therefore not evaluated on a local level, but whether or not the GHG emissions resulting from the project are cumulative; that is, they add considerably to an increase in GHGs as compared to the existing environmental setting based on: 1) an established significance threshold(s); or 2) the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.

The project's total new operational GHG emissions of approximately 2,500 MTCO2e per year do not exceed the MDAQMD's CEQA threshold of 100,000 MTCO2e per year nor the SCAQMD's industrial threshold of 10,000 MTCO2e . Therefore, the Proposed Project's incremental contribution to greenhouse gas emissions and their effects on climate change would not be cumulatively considerable.

Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

All potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable in terms of any adverse effects upon the region, the local community or its inhabitants. At a minimum, the project will be required to meet the conditions of approval for the project to be implemented. It is anticipated that all such conditions of approval will further ensure that no potential for adverse impacts will be introduced by mining activities, initial or future land uses authorized by the project approval. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less than Significant with Mitigation

Therefore, potentially significant impacts are identified or anticipated, and mitigation measures are required to reduce impacts to less than significant.

XXII. MITIGATION MEASURES

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

BIOLOGICAL RESOURCES

IV. Mitigation Measure BIO-1: If any western Joshua trees (Yucca brevifolia) will be impacted by future mining activities during the status review or if formally listed, compliance with California Endangered Species Act (CESA) will be required and an Individual Take Permit (ITP) with CDFW will need to be prepared and processed with applicable mitigation and compensation implemented.

Mitigation Measure BIO-2: Construction activities and/or the removal of any trees, shrubs, or any other potential nesting habitat should be conducted outside the avian nesting season. If construction occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds shall be conducted within three (3) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For listed and raptor species, this buffer shall be expanded to 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and monitor the active nest to ensure that nesting behavior is not adversely affected by construction activities. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.

Mitigation Measure BIO-3:

A formal jurisdictional delineation shall be prepared and forwarded to the Regional Board and CDFW for their review, and if onsite drainages are determined to be Regional Board waters of the State and/or CDFW jurisdictional streambed, regulatory permits will need to be obtained through the Regional Board and/or CDFW prior to initiating new mining within a jurisdictional area and appropriate protective measures implemented and compensation provided.

The following are general protective measures that may be required to be determined by the agencies:

- ***Worker environmental awareness program;***
- ***Avoidance of waters of the State and jurisdictional streambeds as possible;***
- ***Demarcation of jurisdictional streambeds to prevent unnecessary impacts;***
- ***Avoiding impacts to undisturbed areas and to wildlife and sensitive species through pre-clearance surveys, establishing buffer areas, and temporary fencing;***
- ***Implementation of BMPs to prevent erosion and sediment discharge;***
- ***Invasive weed control;***
- ***Maintaining areas free of trash, debris, hazardous materials, and spills; and***

- ***Compensation as applicable to be determined which may include a combination of on-site and/or off-site compensation and/or re-habitation.***

V. CULTURAL RESOURCES

Mitigation Measure CR-1: Per the cultural resources report and consultation with the San Manuel Band of Mission Indians, a prehistoric and historic archaeological monitoring program shall be conducted in undisturbed areas that will be subjected to direct impacts. The prehistoric archaeological monitoring program must be overseen by a professional meeting the Secretary of the Interior's standards for archaeological proficiency and have knowledge of the prehistory of the western Mojave Desert region. The monitoring program shall include the presence of a Native American representative(s), working with the archaeological consultant to insure professional and respectful treatment of any identified resources.

The extent of the prehistoric archaeological monitoring program will be determined by the schedule and extent of earthmoving related to the proposed mining expansion.

If historical or archaeological resources are encountered during ground-disturbing activities, work in the immediate area shall cease and a qualified archaeologist shall immediately contact the County and the SMBMI to evaluate the find(s). If the discovery proves to be significant under CEQA, additional work such as data recovery excavation may be warranted and will be reported to the County of San Bernardino.

Mitigation Measure CR-2: Should human remains and/or cremations be encountered during any earthmoving activities, all work shall stop immediately in the area in which the find(s) are present (suggested 100-ft radius area around the remains and project personnel will be excluded from the area and no photographs will be permitted), and the County of San Bernardino Coroner will be notified. The County of San Bernardino and the Project Proponent shall also be informed of the discovery. The Coroner will determine if the bones are historic/archaeological or a modern legal case. The Coroner will immediately contact the Native American Heritage Commission (NAHC) in the event that remains are determined to be human and of Native American origin, in accordance with California Public Resources Code Section § 5097.98.

All discovered human remains shall be treated with respect and dignity. California state law (California Health & Safety Code § 7050.5) and federal law and regulations ([Archaeological Resources Protection Act (ARPA) 16 USC 470 & 43 CFR 7], [Native American Graves Protection & Repatriation Act (NAGPRA) 25 USC 3001 & 43 CFR 10] and [Public Lands, Interior 43 CFR 8365.1-7]) require a defined protocol if human remains are discovered in the State of California regardless if the remains are modern or archaeological.

VII. GEOLOGY AND SOILS

Mitigation Measure GEO-1: The following design/monitoring measures for slope stability during operations and reclamation shall be implemented:

- ***Inclusion of horizontal safety benches in final slope design per the Mine Reclamation Plan which will be an effective protection from rockfall, reduces tensional forces in surface rock, and reduces surface erosion rates.***
- ***Quarry rims will be protected with berms as necessary to prevent slope erosion in areas where overland flow is toward slopes and also for public safety.***
- ***Overall final cut slopes in the rock materials shall be no steeper than the slopes designed in the Reclamation Plan.***
- ***Localized structures at the bench scale may form zones that require scaling and/or excavation to flatten or steepen face angles to achieve suitable reclamation conditions. At such time and locations as reclamation slopes are excavated, a qualified geotech professional should examine the slope conditions to determine conformance with the reclamation plan.***
- ***Continued inspection and monitoring of mine benches and slope conditions for indications of potential instability and failure warning signs shall be implemented.***

The Proposed Project does not include construction of habitable structures or permanent facilities; therefore, implementation would not expose people or structures to substantial risks due to expansive soils. With implementation of Mitigation Measure GEO-1, the Proposed Project would not result in substantial adverse effects due to rupture of an earthquake fault.

Mitigation Measure GEO-2: A paleontological monitoring program is recommended for those areas below 3,600 feet and/or in any areas where older Quaternary alluvium (or older) deposits are identified. This program should be conducted in a manner consistent with the policies and guidelines of the San Bernardino County Museum, Redlands, and include the following:

- ***Preparation of a PRIMP (methodological approach);***
- ***On site paleontological monitoring in areas of identified sensitivity;***
- ***Adjustment to the monitoring locations as additional data becomes available;***
- ***Conduct periodic sampling of the soils for small flora and fauna specimens;***
- ***Complete the analysis of any collected specimens;***
- ***Prepare a technical report summarizing the findings; and***
- ***Arrange for the curation of any collected specimens.***

X. HYDROLOGY AND WATER QUALITY

Mitigation Measure BIO-3:

A formal jurisdictional delineation shall be prepared and forwarded to the Regional Board and CDFW for their review, and if onsite drainages are determined to be Regional Board waters of the State and/or CDFW jurisdictional streambed, regulatory permits may need to be obtained through the Regional Board and/or CDFW prior to initiating new mining within a jurisdictional area and appropriate protective measures implemented and compensation provided.

The following are general protective measures that may be required to be determined by the Regional Board:

- ***Worker environmental awareness program;***
- ***Avoidance of waters of the State and jurisdictional streambeds as possible;***
- ***Demarcation of jurisdictional streambeds to prevent unnecessary impacts;***
- ***Avoiding impacts to undisturbed areas and to wildlife and sensitive species through pre-clearance surveys, establishing buffer areas, and temporary fencing;***
- ***Implementation of BMPs to prevent erosion and sediment discharge;***
- ***Invasive weed control;***
- ***Maintaining areas free of trash, debris, hazardous materials, and spills; and***
- ***Compensation as applicable to be determined which may include a combination of on-site and/or off-site compensation and/or re-habitation.***

XVIII. TRIBAL CULTURAL RESOURCES

As concluded in Cultural Resources, Section V (a/b) above, the Cultural Resources Report concluded that no significant historical resources will be impacted by the Proposed Project. However, there is a relative level of sensitivity for additional resources to be present in the area and, as yet, unidentified and the possibility of discovering an unanticipated find remains. Mitigation Measure CR-1 shall be implemented to ensure that less than significant impacts to historical and/or archaeological resources occur.

Mitigation Measure CR-1: Per the cultural resources report and consultation with the San Manuel Band of Mission Indians, a prehistoric and historic archaeological monitoring program shall be conducted in undisturbed areas that will be subjected to direct impacts. The prehistoric archaeological monitoring program must be overseen by a professional meeting the Secretary of the Interior's standards for archaeological proficiency and have knowledge of the prehistory of the western Mojave Desert region. The monitoring program shall include the presence of a Native American representative(s), working with the archaeological consultant to insure professional and respectful treatment of any identified resources.

The extent of the prehistoric archaeological monitoring program will be determined by the schedule and extent of earthmoving related to the proposed mining expansion.

If historical or archaeological resources are encountered during ground-disturbing activities, work in the immediate area shall cease and a qualified archaeologist shall immediately contact the County and the SMBMI to evaluate the find(s). If the discovery proves to be significant under CEQA, additional work such as data recovery excavation may be warranted and will be reported to the County of San Bernardino.

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

that remains are determined to be human and of Native American origin, in accordance with California Public Resources Code Section § 5097.98.

All discovered human remains shall be treated with respect and dignity. California state law (California Health & Safety Code § 7050.5) and federal law and regulations ([Archaeological Resources Protection Act (ARPA) 16 USC 470 & 43 CFR 7], [Native American Graves Protection & Repatriation Act (NAGPRA) 25 USC 3001 & 43 CFR 10] and [Public Lands, Interior 43 CFR 8365.1-7]) require a defined protocol if human remains are discovered in the State of California regardless if the remains are modern or archaeological.

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