

**SAN BERNARDINO COUNTY**  
**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**  
**ENVIRONMENTAL CHECKLIST FORM**

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

**PROJECT LABEL:**

<b>APN(s):</b> 0521-051-08	<b>USGS</b> Minneola, CA
<b>Applicant:</b> BMT Minneola, LLC	<b>Quad:</b>
	<b>Lat/Long:</b> 34°50'48.89" -116°46'11.26"
	<b>T, R,</b>
	<b>Section:</b> S28 T9N R2E

<b>Project No:</b> PROJ-2022-00071	<b>Community</b> Newberry Springs
<b>Staff:</b> Jim Morrissey	<b>Plan:</b>
	<b>LUZD:</b> RL

**Rep** Elevated Entitlements, LLC

**Proposal:** Tentative Parcel Map (TPM) and Conditional Use Permit (CUP) to create a separate 27.2 acre (net) parcel from an existing 91.9-gross acre parcel to construct and operate a 3-megawatt community solar photovoltaic facility, northwest of the intersection of Minneola Road and Larch Street in the Newberry Springs area of San Bernardino County.

**PROJECT CONTACT INFORMATION:**

**Lead agency:** County of San Bernardino  
Land Use Services Department  
385 N. Arrowhead Avenue, 1<sup>st</sup> Floor  
San Bernardino, CA 92415-0182

**Contact person:** Jim Morrissey, Planner

**Phone No:** 951-925-8455      **Fax** 909-387-3223

**E-mail:** [jim.morrissey@lus.sbcounty.gov](mailto:jim.morrissey@lus.sbcounty.gov)

## **PROJECT DESCRIPTION:**

### **Summary**

Request for a Conditional Use Permit (CUP) and Tentative Parcel Map No. 20538 to establish a community photovoltaic (PV) solar facility on a 27.2-acre (net) portion of a 91.9-gross acre site at the northwest corner of the intersection of Minneola Road and Larch Street in the community of Newberry Springs. The proposed Tentative Parcel Map would create one parcel of 62.6 net acres and a separate 27.2-net acre parcel for a proposed community solar project. The property is assigned the Assessor Parcel Number (APN) 052-105-108.

The proposed community solar project would have a capacity of 3 megawatts (MW) and would utilize approximately 7,000 crystalline photovoltaic modules, which would be mounted on single axis trackers, and use twelve (12) 250 kilowatt (kW) inverters. The number of modules and inverters is subject to change depending on the final design and equipment availability. The facility will interconnect with a 12kv distribution circuit that serves loads in the local area, rather than an interconnection to a transmission circuit that would primarily serve users outside of the region.

The project was designed as a Community Oriented Renewable Energy (CORE) project. It meets the general requirements of CORE, in that the project size is under 10 MW-ac, project footprint is less than 60 acres, and nearly 100% of production will serve local off-site uses. The project will directly benefit the community, in part by offering prevailing wages and supporting apprenticeship programs.

### **Operation and Maintenance**

The Project would be operated on an autonomous, unstaffed basis and monitored remotely from an existing off-site facility. It is anticipated that maintenance requirements will be minimal as the proposed Project's PV arrays will operate with limited moving parts. No full-time staffing would be required to operate the facility. However, six to eight employees are expected to visit the site approximately fifteen days per year for routine maintenance. Operational activities are limited to monitoring plant performance, preventative, and unscheduled maintenance. The Project will operate during daylight hours only. No heavy equipment will be used during routine Project operation. Operation and maintenance vehicles will include trucks (pickup, flatbed), forklifts, and loaders for routine and unscheduled maintenance, and water trucks for solar module washing. Large heavy-haul transport equipment may be brought to the site infrequently for equipment repair or replacement.

Any required maintenance will be scheduled to avoid peak electric load periods, with unplanned maintenance activity as needed depending on the event. Preventative maintenance kits and certain critical spare components will be stored at the Project site, while all other necessary maintenance components will be available at an offsite location. On an as-needed basis, Southern California Edison (SCE) will make necessary inspections, maintenance and improvements to their facilities that are on-site connecting the Project to the distribution grid.

Vegetation is sparse with little potential for vegetative fuel buildup. The applicant will prepare a weed abatement plan for the Project in compliance with applicable County regulations. The Project would produce a small amount of waste associated with maintenance activities. Solar PV facility wastes typically include broken and rusted metal, defective or malfunctioning modules, electrical materials, empty containers, and other miscellaneous solid materials including typical household type refuse generated by workers. These materials will be collected and disposed of.

### **Decommissioning**

At the end of the Project's operational term, the applicant may determine that the site should be decommissioned and deconstructed, or it may seek a revision to its Conditional Use Permit (CUP), as applicable. When the solar arrays, panels, fencing, etc. are removed after the Project's lifetime, the land will be largely restored to its pre-project condition. The Project would utilize Best Management Practices (BMP) to ensure the collection and recycling of solar arrays, panels, fencing, etc. to the extent feasible.

All decommissioning and restoration activities would adhere to the requirements of the appropriate governing authorities and in accordance with all applicable federal, State, and County regulations. Following the implementation of a decommissioning plan, all equipment, foundations, and fencing would be removed, and the Project site would be re-vegetated so that the end use and site condition are consistent with the surrounding landscape. End uses would be consistent with the existing zoning.

### **Surrounding Land Uses and Setting**

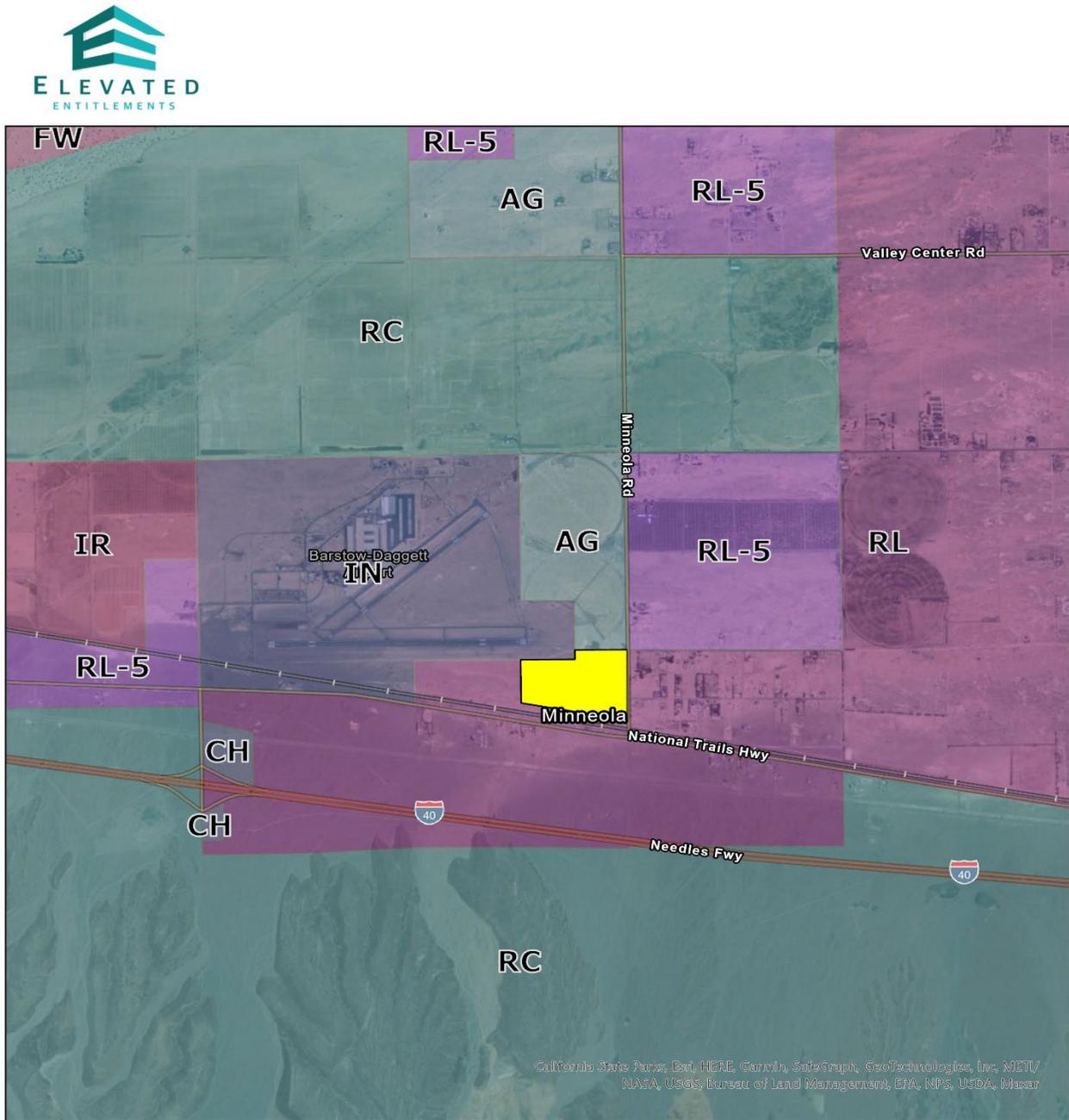
Land uses on the Project study area and surrounding parcels are governed by the San Bernardino Countywide Plan/Development Code. The following table lists the existing land uses and zoning districts. The property is zoned Rural Living (RL). The surrounding properties South, East and West share the same zoning designation (RL). While the two properties to the North are Institutional and Agriculture zoning

<b>Existing Land Use and Land Use Zoning Districts</b>		
<b>Location</b>	<b>Existing Land Use</b>	<b>Land Use Zoning District</b>
<b>Project Study Area</b>	Vacant Land	Rural Living
North	Airport & Solar PV	Institutional & Agriculture
South	Vacant Land & Duplex	Rural Living
East	Single Family Residential	Rural Living
West	Vacant Land	Rural Living

### **Project Site, Existing Site Land Uses and Conditions**

The Minneola Solar project is proposed to be sited on a portion of APN 052-105-108, adjacent to Minneola Road, in the County of San Bernardino California. The 91.9-gross acre parcel is zoned Rural Living (RL) per the County of San Bernardino Development Code. The 27.2-acre Project site is nearly flat with slopes of 1% with minimal native vegetation, and no known animal habitats, or historical features. There are no defined watercourses on the site.

Figure 1: Project Study Area – Land Use Designation



**Legend**

 Site

Author: Moe Farrag  
Date: 09/23/2023

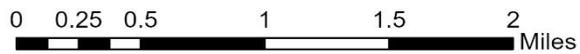
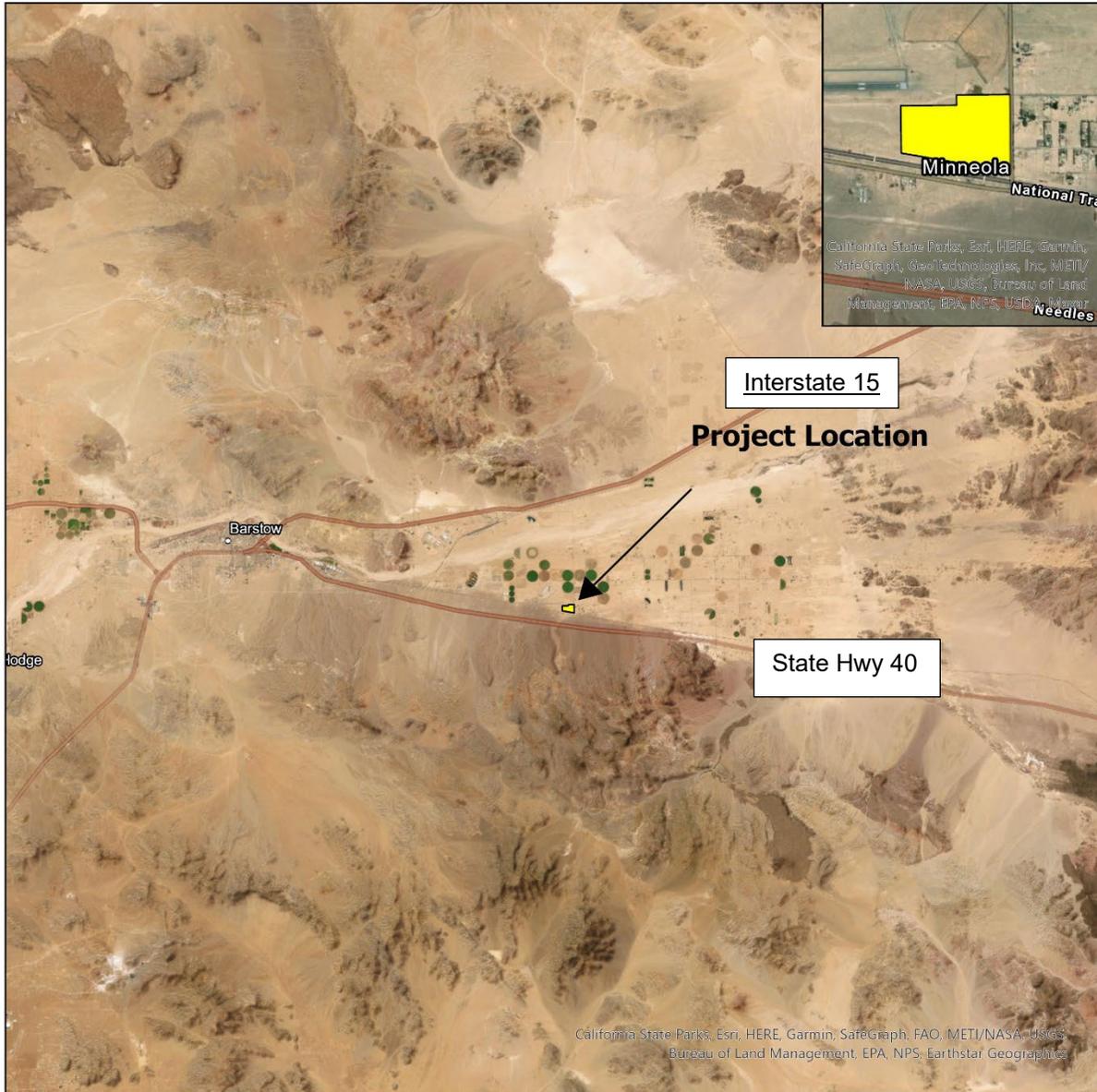


Figure 2: Project Study Area – Regional Location



**Legend**

 Site

Author: Moe Farrag  
Date: 09/23/2023



**Figure 3: Overview of land and vegetation**





### **ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES**

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

- Federal: N/A
- State of California: California Fish & Wildlife, Mojave Desert Air Quality Management District (MDAQMD)
- County of San Bernardino: Land Use Services – Building and Safety, Traffic, Land Development Engineering – Roads/Drainage; Public Health – Environmental Health Services; Public Works, Surveyor; and County Fire
- Local: N/A

### **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, has consultation begun? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Tribal consultation request letters were sent to the San Manuel Band of Mission Indians (SMBMI), Morongo Band of Mission Indians (Morongo), Colorado River Indian Tribes (CRIT), Fort Mohave Indian Tribe (FMIT), and Twenty-Nine Palms Band of Mission Indians. Responses were received from San Manuel and Morongo. On May 26, 2023, the San Manuel Tribe indicated they wished to open consultation and once a Draft copy of the Cultural Resources study was provided to them responded on July 28, 2023, that they would review the report. On May 5, 2023, the Morongo Tribe indicated they wished to open consultation and requested certain documentation, that was provided on May 10, 2023. No further correspondence has been received. The applicant has also contacted the Tribes and based upon correspondence with them has recommended mitigation and monitoring measures that have been added to *Section V Cultural Resources* and *Section XVIII Tribal Cultural Resources* of this document.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

### **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. The format of this Initial Study is presented as follows. The Project is evaluated based on its potential effect on twenty (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
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Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

- 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).
- Less than Significant Impact with Mitigation:** 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)
- Less than Significant Impact:** No significant adverse 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.

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.

<input type="checkbox"/>	<a href="#">Aesthetics</a>	<input type="checkbox"/>	<a href="#">Agriculture and Forestry Resources</a>	<input type="checkbox"/>	<a href="#">Air Quality</a>
<input checked="" type="checkbox"/>	<a href="#">Biological Resources</a>	<input checked="" type="checkbox"/>	<a href="#">Cultural Resources</a>	<input type="checkbox"/>	<a href="#">Energy</a>
<input type="checkbox"/>	<a href="#">Geology/Soils</a>	<input type="checkbox"/>	<a href="#">Greenhouse Gas Emissions</a>	<input type="checkbox"/>	<a href="#">Hazards &amp; Hazardous Materials</a>
<input type="checkbox"/>	<a href="#">Hydrology/Water Quality</a>	<input type="checkbox"/>	<a href="#">Land Use/Planning</a>	<input type="checkbox"/>	<a href="#">Mineral Resources</a>
<input type="checkbox"/>	<a href="#">Noise</a>	<input type="checkbox"/>	<a href="#">Population/Housing</a>	<input type="checkbox"/>	<a href="#">Public Services</a>
<input type="checkbox"/>	<a href="#">Recreation</a>	<input type="checkbox"/>	<a href="#">Transportation</a>	<input checked="" type="checkbox"/>	<a href="#">Tribal Cultural Resources</a>
<input type="checkbox"/>	<a href="#">Utilities/Service Systems</a>	<input type="checkbox"/>	<a href="#">Wildfire</a>	<input type="checkbox"/>	<a href="#">Mandatory Findings of Significance</a>

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

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

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

Chris Warrick  
Signature:(Chris Warrick, Supervising Planner)

November 1, 2023  
Date

Jim Morrissey  
Signature:(Jim Morrissey, Planner)

November 10, 2023  
Date

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>I. AESTHETICS</b> – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:** (Check if project is located within the view-shed of any Scenic Route listed in the General Plan): **San Bernardino Countywide Plan, 2020; Submitted Project Materials**

- a) **Less than Significant Impact.** The proposed Project is located within an area where most of the surrounding parcels are vacant and undeveloped. Barstow-Daggett Airport is at the northwest corner of the subject site. Given the nature and proposed height for each solar panel averaging eight feet, there would be minimal obstruction to the north and west from the surrounding parcels. The Project would have a less than significant impact.
- b) **No Impact.** The site is not adjacent to a state scenic highway. There are no protected trees, rock outcroppings, or historic buildings on the Project site. Therefore, the proposed Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings.
- c) **Less than Significant Impact.** The proposed Project would not substantially degrade the existing visual character of the site and its surroundings. The proposed Project includes eight foot tall solar panels, 10 foot tall switchgear, surrounded by a six foot tall chain link (topped with three strand barbed wire) security fence. The conditions of approval would include requirements for the development to comply with all County Development Codes and ordinances. The proposed Project would have a less than significant impact on the existing visual character and quality of the site and its surroundings.

- d) **Less than Significant Impact.** The Project proposes motion activated shielded lighting only on the electrical transformer pad. All proposed development must comply with San Bernardino County Code (SBCC) Chapter 83.13 Sign Regulations and SBCC§ 83.07.030 “Glare and Outdoor Lighting – Desert Region”, which includes light trespass onto abutting residential properties, shielding, direction, and type. Additionally, solar projects would be required to comply with solar development standards as outlined in Chapter 8 3.07 Light Trespass, which requires all outdoor light fixtures to be shielded and installed in such a manner that the shielding does not permit light trespass in excess amounts to sensitive receptors. The Project site is not located near any sensitive receptors and the location of the electrical transformer pad where the motion activated light fixture is proposed is shielded away from existing residential uses along Minneola Road. Therefore, the impacts would be less than significant.

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

	<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>II.</b>	<b>AGRICULTURE AND FORESTRY RESOURCES</b> - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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- 
- 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?

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**SUBSTANTIATION:** (Check  if project is located in the Important Farmlands Overlay):  
**San Bernardino Countywide Plan 2020; California Department of Conservation Farmland Mapping and Monitoring Program, and; Submitted Project Materials**

- a) **No Impact.** According to the California Department of Conservation, Farmland Mapping and Monitoring Program, the proposed site is not within an area identified as Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance. As proposed the Project would not convert Farmland to non- agricultural use. Therefore, no impacts would occur.
- b) **No Impact.** The proposed Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. According to the California Department of Conservation’s Williamson Act Enrollment Finder Map the proposed Project site is not under a Williamson Act contract. There would be no impact and no further analysis is warranted.
- c) **No Impact.** The proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. The proposed Project area has never been designated as forest land or timberland because the site is within the desert region which does not contain forested lands. Therefore, no impacts would occur.
- d) **No Impact.** The proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. The proposed Project site is within the desert region of the County and does not contain forested lands. Therefore, no impacts would occur.
- e) **No Impact.** The proposed Project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use. The proposed Project site does not contain forested lands. Therefore, no impacts would occur.

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>III. AIR QUALITY</b> - Where available, the significance criteria established by the applicable air quality management 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

***SUBSTANTIATION:*** *(Discuss conformity with the South Coast Air Quality Management Plan, if applicable): Air Quality/Greenhouse Gas Study for Radiant BMT Solar, Elevated Entitlements, January 11, 2023; California Emissions Estimator Model (CalEEMod; Version 2016.3.2); Mojave Desert Air Quality Management District 2017 (MDAQMD); San Bernardino Countywide Plan, 2020, and; Submitted Project Materials*

The Project site falls under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD) and is in the Mojave Desert Air Basin (MDAB). The Mojave Desert Air Quality Management Plan (MDAQMP) 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 was developed, in part, by using input from various agencies' General Plans and other projections for population and employment growth. Emissions with regional effects during Project construction, calculated using the California Emissions Estimator Model (CalEEMod); Version 2020.4.0, would not exceed criteria pollutant thresholds established by the MDAQMD.

The proposed Project is expected to have a minimal impact on the air quality of the area and would produce relatively few emissions during construction (three-month period) and negligible emissions during operation. In addition, the development of renewable energy sources is expected to produce cumulative and regional environmental benefits. Therefore, impacts are considered less than significant. **Table 1** below presents the regional air quality significance thresholds.

<b>Table 1: MDAQMD Air Quality Significance Thresholds &amp; Project Maximum Daily Emissions – Temporary Construction and Operations</b>						
<b>Criteria Pollutants (lbs/day)</b>	<b>VOC<sup>1</sup></b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>	<b>SO<sub>x</sub></b>
<b>Construction</b>						
Construction Emissions	2.10	24.46	35.29	1.88	1.14	negligible
<b>Operation</b>						
<b>Operation Emissions</b>	<b>0.107</b>	<b>9.0000</b>	<b>9.7800</b>	<b>3.0000</b>	<b>3.0000</b>	<b>0.00</b>
		<b>e-005</b>	<b>e-003</b>	<b>e-005</b>	<b>e-005</b>	
MDAQMD Significance Thresholds	137	137	548	82	65	137
<b>Exceeds Threshold</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
1. Volatile Organic Compound (also referred to as ROC or ROG) 2. Source: <a href="https://www.mdaqmd.ca.gov/home/showdocument?id=538">https://www.mdaqmd.ca.gov/home/showdocument?id=538</a>						

- a) **Less than Significant Impact.** As shown in **Table 1**, emissions from construction and operation of the proposed Project would be below MDAQMD air quality significance thresholds for all pollutants. Based on this, the proposed Project would not be expected to conflict with or obstruct implementation of the AQMP. There would be no expected conflict or obstruction of any air quality plans. Most of the polluting emissions would be produced during the construction period where earthmovers, delivery trucks, and personal vehicles would be used during the construction phase. These emissions would be in the form of exhaust and dust.

The proposed Project is located within the MDAQMD which is non-attainment for ozone and PM<sub>10</sub>. The MDAQMD has adopted federal attainment plans (1995 for PM<sub>10</sub> and 2004 for ozone) for these two pollutants. The proposed Project is expected to generate minor particulate and ozone precursors during the approximately three-month construction period. Best Management Practices for the proposed Project shall include use of water trucks as needed, determined by construction activity, humidity, and wind speed to reduce particulate emissions during construction. In addition, a Dust Control Plan shall be developed and submitted to the County and MDAQMD for review and approval prior to issuance of a grading permit and/or land disturbance.

- b) **Less than Significant Impact.** MDAQMD has established daily emissions thresholds for construction and operation of a proposed project in the MDAB. The emissions thresholds were established based on the attainment status of the MDAB regarding air quality standards for specific criteria pollutants. Because the concentration standards were set at a level that protects public health within an adequate margin of safety, these emissions thresholds are regarded as conservative and would overstate an individual project's contribution to health risks.

As shown in **Table 1**, emissions from construction of the proposed Project would be below MDAQMD air quality significance thresholds for all pollutants. Specifically, the proposed Project would not exceed MDAQMD significance thresholds for ozone precursor pollutants, VOC and NO<sub>x</sub>, as well as PM<sub>10</sub> and PM<sub>2.5</sub> for which the MDAB is in non-attainment. Projects in the Basin with construction or operation related emissions that exceed any of their respective emission thresholds would be considered significant under MDAQMD guidelines. These thresholds, which MDAQMD developed and that apply throughout the Basin, apply as both Project and cumulative thresholds. If a project exceeds these standards, it is considered to have a project-specific and cumulative impact. Since emissions do not exceed threshold standards, no cumulative impact analysis is warranted.

- d) **Less than Significant Impact.** Electricity generation via the use of photovoltaic systems does not generate chemical emissions that would negatively contribute to air quality or produce objectionable odors. Potential odor generation associated with the proposed Project would be limited to construction sources such as diesel exhaust, dust, and road improvements. No significant odor impacts related to Project implementation are anticipated due to the nature and short-term extent of potential sources, as well as the intervening distance to sensitive receptors. Therefore, the operation of the Project would have a less than significant impact associated with the creation of objectionable odors affecting a substantial number of people.

Construction: Heavy-duty equipment in the Project area during construction would emit odors, primarily from the equipment exhaust. No other sources of objectionable odors have been identified for the proposed Project, and no mitigation measures are required. MDAQMD Rule 402 regarding nuisances states: “A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.” The proposed Project is not anticipated to emit any objectionable odors during construction. Therefore, objectionable odors posing a health risk to potential on-site and existing off-site uses would not occur as a result of the proposed Project.

Operation and Maintenance: The Project would be operated as an autonomous, unstaffed facility, and monitored remotely from an existing off-site facility. It is anticipated that maintenance requirements would be minimal as the proposed Project’s PV arrays would operate with limited moving parts. No full-time staffing would be required to operate the facility. Operational activities are limited to monitoring facility performance and responding to facility needs for adjustments along with preventative and unscheduled maintenance. The Project would operate 24/7. No heavy equipment would be used during routine Project operation. Operation and maintenance vehicles would include trucks (pickup, flatbed), forklifts, and loaders for routine and unscheduled maintenance, and water trucks for solar module washing. Large heavy-haul transport equipment may be brought to the site infrequently for equipment repair or replacement. Any required maintenance would be scheduled to avoid peak electric load periods, with unplanned maintenance activity as needed depending on the event. The Project would produce a small amount of waste associated with maintenance activities. Solar PV project wastes typically include broken and rusted metal, defective or malfunctioning modules, electrical materials, empty containers, and other miscellaneous solid materials including typical household type refuse generated by workers. These materials would be collected and disposed of to the extent possible.

Decommissioning: At the end of the Project’s operational term, the applicant may determine that the site should be decommissioned and deconstructed, and/or revision to its Conditional Use Permit, as applicable. When the solar arrays, panels, and fencing are removed after the Project’s lifetime, the land would largely be restored to its pre-project condition. The Project would utilize best management practices (BMP) to ensure the collection and recycling of all components to the extent feasible. All decommissioning and restoration activities would adhere to the requirements of the appropriate governing authorities and in accordance with all applicable Federal, State, and County regulations. Following the implementation of a decommissioning plan, all equipment, foundations, and fencing would be removed and the Project site would be re-vegetated so that the end use and site condition are consistent with the surrounding landscape. End uses would be consistent with the existing zoning. The funding requirements for the implementation of the

decommissioning plan would be provided as a bond or other form of security acceptable to the County and estimated by the project proponent on a timeline reviewed and approved by the County.

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

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

**SUBSTANTIATION:** (Check  if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database): **Biological Assessment for Minneola Solar Project, Elevated Entitlements, June 28, 2023; San Bernardino Countywide Plan, 2020; Submitted Project Materials;**

- a) **Less than Significant Impact with Mitigation Incorporated.** Development ordinances may include regulations or policies governing biological resources. For example, policies may include tree preservation, locally designated species survey areas, local species of interest, and significant ecological areas. Adhering to the San Bernardino Development Code 84.29.040, the Project Study Area will not affect any sensitive trees or shrubs. However, the proposed project is expected to impact no more than 27.2 acres of creosote scrub, a potential habitat for common desert wildlife and habitat for sensitive wildlife. Based upon the completion of a Biological Survey of the property, which included a visual survey and trapping sessions performed by W.O.W. Environmental Consultants, no species or habitat were found for Mojave Ground Squirrel and, thus, the Project would not have a significant impact upon this species. W.O.W. Environmental Consultants also conducted field surveys for Burrowing Owl (BUOW) and Desert Tortoise during the Spring of 2023. No BUOW were observed during the survey. The field results were negative for Desert Tortoise as well. Two burrows were observed during the field effort, but the burrows were absent of signs of Desert Tortoise. One burrow appeared to be inactive and the other appeared to be for Mojave Desert kit fox (*Vulpes macrotis arsipus*). Neither Desert Tortoise nor scat were observed during the survey effort.

The areas surrounding the project location predominantly consist of naturalized open desert. Other land uses within the vicinity include residential, agricultural and transportation uses. The nearest habitat or natural resource community are the Newberry Spring Mountain wilderness (Five Miles) and the National Mojave Preserve (25 Miles). No sensitive biological resources were observed during site visits.

Sensitive plant species were not observed during the site visit on April 16th, 2023. The current vegetation type contains suitable habitat for sensitive biological resources, however sensitive plant species Darlington's Blazing star (*Mentzelia puberula*) and Creamy Blazing star (*Mentzelia tridentata*) were not observed during the site visit. The proposed project is not expected to have impacts on any sensitive plants due to the absence of sensitive plants on site.

No sensitive wildlife species were observed within the Biological Survey Area (BSA) during the field visit. The Biological Study Area (BSA) contains suitable habitat for endangered and threatened species and, therefore, the impact area should be surveyed prior to any construction activities including staging of equipment and clearing and grubbing of vegetation. The proposed project is expected to impact no more than 27.2 acres of creosote scrub habitat for common desert wildlife and habitat for sensitive wildlife. However, impacts can be minimized with the proper use avoidance mitigation measures.

**BIO-1: Avoidance and Minimization Efforts/Compensatory Mitigation**

- A certified Biologist must be notified two weeks prior to construction so that preconstruction surveys may be conducted.
- The Biologist must be invited to the pre-construction meeting, with one-week prior notice.

- When vegetation removal is needed, it is recommended that all vegetation removal occur outside of bird nesting season (Bird nesting season is February 1st through September 1st). In the event that nesting birds are observed, the Contractor shall pause work until a qualified biologist has determined that fledglings have left the nest. If this is not possible, the contractor shall coordinate with the Project Biologist to minimize the risk of violating the Migratory Bird Treaty Act (MBTA). If nesting bird(s) are discovered, then the Project Biologist will recommend a buffer of 150 ft. for songbirds and a buffer of 500 ft. for raptors during all phases of construction. Nesting birds are protected under the MBTA and cannot be impacted by construction activities, including but not limited to noise, dust pollution, and habitat disturbance.
- No work should commence until the vegetation to be removed has been surveyed for nesting birds, desert tortoise, desert wildlife and has been cleared by the Project Biologist.
- If any species of concern are observed during construction activities, all work shall immediately cease, and the Project Biologist shall be immediately notified. Work shall not resume until clearance is given by the Project Biologist.
- This project must employ all appropriate Stormwater and Erosion Control Best Management Practices (BMPs) during construction, and these must be incorporated into the project specifications. Prior to the start of construction all drain inlets must be protected with BMPs to prevent construction materials and debris from entering drainages. Therefore, this project has very little potential to create water quality impacts. Temporary construction BMPs that may be required include wind erosion control, sediment tracking control, street sweeping and vacuuming, stabilized construction roadway, spill prevention control, solid waste management, hazardous waste management, sanitary/septic waste management, material delivery and storage, material use, vehicle and equipment cleaning, vehicle and equipment fueling, and vehicle maintenance.
- All pollution and litter laws and regulations shall be followed by the Contractor and all personnel on site.
- If the project scope should change for any reason, the Project Biologist shall be notified to determine whether current environmental documentation is adequate.

#### **BIO-2: Avoidance and Minimization Efforts/Compensatory Mitigation**

- Pre-construction surveys must be conducted between fourteen (14) and thirty (30) days prior to vegetation clearing, earthwork and ground disturbing activities.
- Biological monitors are present during vegetation clearing, earthwork and ground disturbing activities.
- Installation of desert tortoise exclusionary fencing around the construction site shall occur to prevent the entrance of surrounding wildlife present.
- Operators are to check under motorized equipment & vehicles that have been parked over night or stationary for some length of time before moving the vehicle.
- Check around material stacks & units that have been stored in the open before moving them.
- Visually check around the work area for the presence of live tortoises that may have wandered into the disturbance zone. It is not intended to divert your attention from your work tasks and create a hazard for you or others on the job, but it is good practice to utilize a few seconds and visually scan the area around you when it is safe to do so.
- If a tortoise is present, all work and any activities that could harm the tortoise is to stop and the Lead Engineer or other designated person, is to be contacted to have the tortoise safely removed.

- b) **No Impact.** This Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or United States Fish and Wildlife Service, because no such habitat has been identified or is known to exist on the Project site. There are no defined watercourses on the site. Therefore, no impacts would occur.
- c) **No Impact.** This Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or United States Fish and Wildlife Service, because no such habitat has been identified or is known to exist on the Project site. There are no defined watercourses on the site. Therefore, no impacts would occur.
- d) **No Impact.** Due to the absence of sensitive biological species as described in the biological reports prepared by W.O.W. Environmental Consultants the Project would not 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, because there are no such corridors or nursery sites within or near the Project site. Therefore, no impacts would occur.
- e) **Less than Significant Impact.** The proposed Project will impact no more than 27.2 acres of creosote scrub. Upon implementation of the proper avoidance measures provided herein there will be minimal effects to sensitive biological and natural resources listed under the Endangered Species Act. Construction occurring outside of the paved roadway will only take place in areas previously disturbed and maintained by Caltrans. Based on literature review and survey results, it has been concluded that the proposed project will result in minimal to no effects to special status species, including state or federal endangered and/or state or federal threatened species. There will be no effects on any sensitive plant communities or designated critical habitat because of this project location. No resource agency permits are anticipated because of this project. Therefore, impacts would be less than significant.
- f) **No Impact.** This Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, because no such plans have been adopted around the Project site. Therefore, no impacts would occur.

**Therefore, upon incorporation of Mitigation Measures BIO-1 and BIO-2 impacts would be reduced to less than significant.**

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>V. CULTURAL RESOURCES - Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:** (Check if the project is located in the Cultural  or Paleontological Resources overlays or cite results of cultural resource review): **Cultural Resources Assessment in Support of the Minneola Solar Project, June 26, 2023, BioCultural LLC; Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton; San Bernardino Countywide Plan, 2020; Submitted Project Materials**

a) **Less than Significant Impact.** BioCultural LLC conducted a cultural resource assessment of the 91.9-acre (APN 052-105-108) Project Study Area included research and review of relevant, historic maps, records search results from the South-Central Coastal Information Center (SCCIC), Sacred Land File (SLF) results from the Native American Heritage Commission (NAHC), and an intense pedestrian survey of the Project Study Area. The result of this assessment concluded that two previously recorded historical sites are located within the Project Area. The historical sites were found and updated. BioCultural LLC archaeologists recorded, evaluated, and provided recommendations for one large historic archaeological refuse scatter P-36-026512 (CA-SBR-16781H) and two new concentrations part of site P-36-010627 (CA-SBR-10627H) were recorded. No resources were collected. The historic archaeological refuse scatter site P-36-026512 (CA-SBR-16781H) was evaluated using CRHR eligibility criteria to determine whether it constitutes eligible historical resources under CRHR as required under CEQA. Based on the surficial review of archaeological materials present, this site is recommended not eligible for CRHR under any criteria. Historic Concentrations 1 and 2 are part of site P-36-010627 (CA-SBR-10627H) which is already recommended eligible for CRHR under Status Code 3D. BioCultural LLC also concluded the concentrations part of site P-36-010627 (CA-SBR-10627H) are non-contributing components to the significance of the historic district and have lost any direct historic integrity. However, concentrations 1 and 2 do have integrity of association and setting as they are directly related to the Barstow-Daggett Airport Historic District. Should additional information be identified during subsurface excavation for the Project, such findings would require additional review and consideration for CRHR eligibility. Mitigation Measures have been recommended to reduce any potential disruption to cultural resources. According to the completed research there will be no historical loss at this site. Therefore, less than significant impacts would occur.

- b) **Less than Significant Impact with Mitigation.** The cultural resources assessment resulted in the identification of two previously recorded historic archaeological sites P-36-026512 (CA-SBR-16781H) and P-36-010627 (CA-SBR-10627H) within the Project Study Area during the CHRIS in-person records search at SCCIC. Both sites P-36-026512 (CASBR-16781H) and P-36-010627 (CA-SBR-10627H) were relocated during the pedestrian survey activities. Site P-36-026512 (CA-SBR-16781H) was found to extend to a large historical refuse scatter composed of five large continuing material concentrations from 1914 to Post-1945 lumped together as no clear gaps between materials were observed. The extended and updated site P-36-026512 (CA-SBR-16781H) was evaluated using CRHR eligibility criteria to determine whether the site constitutes an historical site under CEQA. The archeological site lacks potential for significant subsurface deposits and was determined to retain no further research potential beyond recording its location and attributes, which has been completed. However, the potential to encounter buried cultural materials during the grading in the Project site is feasible. Site P-36-010627 (CA-SBR-10627H) was found to have new 1940's WWII perimeter fencing materials which were recorded as Concentration 1 and Concentration 2. Site P-36-010627 (CA-SBR-10627H) has been previously recommended eligible as a whole under Status Code 3D, but the newly recorded Concentration materials have non-contributing components to the significance of the historic district and have lost any direct historic integrity. Both Concentrations have integrity of association and setting as they are directly related to the Barstow-Daggett Airport Historic District.

BioCultural LLC recommends the following mitigation measures (**CUL-1-5**) to be adopted and implemented by the Project proponent and the lead agency to reduce any potential disruption to cultural resources.

- c) **Less than Significant Impact with Mitigation.** The Project area is located in the vicinity of Native American ancestral lands. Therefore, sensitivity for undocumented subsurface resources related to Native American Tribal cultural heritage within the Project area may be inferred. Compliance with mitigation measures described below, and site monitoring would reduce impacts to the inadvertent discovery of human remains to less than significant.

### **Mitigation Measures:**

**CUL-1:** Prior to construction of the proposed Project, a qualified archaeological monitor with relevant San Bernardino County experience and who will work directly under the direction of a Secretary of the Interior's (SOI) professional archaeologist, shall be retained by the Project proponent. If resources cannot be avoided, an Archaeological Management Plan shall be prepared to establish procedures for monitoring.

**CUL-2:** Initial construction-related ground disturbances activities associated with the development of the Project shall be monitored by an archaeologist.

**CUL-3:** The Project archaeologist may, at their discretion, terminate monitoring if no subsurface cultural resources have been detected. If buried cultural resource artifacts are uncovered during ground disturbance activities the archaeological monitor will have the authority to re-direct grading activities to other location within the Project to examine the resources and possibly conduct subsurface testing (Phase II), as indicated in the Archaeological Management Plan. A research design associated with such work must be written before any subsurface fieldwork begins. The Plan shall include a description of how and where artifacts will be curated. Impacts to the resource must take place either through avoidance or a Phase 3 excavation. Should any prehistoric or tribal cultural resources be identified

within the Project Area, Native American consulting parties shall be contacted regarding the disposition and treatment of the resource(s).

**CUL-4:** In the event unanticipated human remains, work in the immediate vicinity of the find shall stop and no further disturbance shall occur until the San Bernardino County Coroner has made a determination of origin and disposition pursuant to CEQA, Section 15064.5(e), State of California Health and Safety Code Section 7050.5 and PRC Section 5097.98. The County Coroner shall be notified of the find immediately. If the Coroner determines that the human remains are of Native American in origin, then the Coroner shall notify the NAHC, who is responsible for identifying and notifying the Native American most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and make recommendations regarding the treatment and disposition of human remains and items associated with Native American burials. If an agreement regarding disposition of human remains between the MLD and the Landowner or a MLD cannot be identified the landowner shall comply with the disposition and documentation required as defined by PCR 5097.98 Section (e).

**CUL-5:** In the event human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be Native American, the County Coroner shall notify the NAHC, which would determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD would have the opportunity to offer recommendations for the disposition of the remains.

**Therefore, upon incorporation of Mitigation Measures CUL-1 through CUL-5 impacts would be reduced to less than significant.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>VI. ENERGY – Would the project:</b>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

***SUBSTANTIATION: San Bernardino Countywide Plan 2020; Renewable Energy and Conservation Element of the General Plan 2020; California Energy Commission Title 24***

- a) **Less than Significant Impact.** Construction shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the County of San Bernardino Development Code standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays per the County of San Bernardino. The proposed Project would rely on outside energy sources during construction in the form of diesel and gasoline.

**Construction:**

Grading	1.8 Gallons/hour	50 Hours	90 gallons of diesel
Pile Driver	2.0 Gallons/hour	100 hours	200 gallons of diesel
<b>Total</b>		<b>150 hours</b>	<b>290 Gallons</b>

Vendor Trucks	2,000 miles	9 MPG	223 Gallons of Diesel
Worker Vehicles	5,000 miles	18 MPG	278 Gallons of Gasoline
<b>Total</b>	<b>7,000 miles</b>	<b>223 Diesel</b>	<b>278 Gasoline</b>

Construction of the Project would result in fuel consumption from the use of construction tools and equipment, vendor and haul truck trips, and vehicle trips generated from construction workers traveling to and from the site. There are no unusual Project characteristics that would cause the use of construction equipment that would be less energy efficient compared with other similar construction sites within the County of San Bernardino. Therefore, construction-related fuel consumption by the Project would not result in inefficient, wasteful, or unnecessary energy use compared with other construction sites in the region, and impacts would be less than significant.

**Operational Yearly Values:**

Vendor Trucks	750 miles	9 MPG	84 Gallons of Diesel
Maintenance Worker Vehicles	4,500 miles	18 MPG	250 Gallons of Gasoline
<b>Total</b>	<b>1,500 miles</b>	<b>84 Diesel</b>	<b>250 Gasoline</b>

Site operation is minimal, calculations above include six maintenance workers visiting the site about 15 times a year averaging 50 miles roundtrip and water trucks visiting the site about 15 times a year averaging a 50-mile round trip. Therefore, operational-related fuel consumption by the Project would not result in inefficient, wasteful, or unnecessary energy use compared with other solar sites in the region, and impacts would be less than significant.

- b) **Less than Significant Impact.** The County of San Bernardino adopted a Renewable Energy and Conservation Element (RECE) as part of the County's General Plan dated October 27, 2020. The proposed Project would be required to meet Title 24 Energy Efficiency requirements. Adherence would ensure that the Project would not conflict with or obstruct the recently adopted RECE or any other state or local plan for renewable energy or energy efficiency.

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

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<i>Issue</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>VII. GEOLOGY AND SOILS - Would the project:</b>				
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION:** (Check  if project is located in the Geologic Hazards Overlay District): **San Bernardino Countywide Plan 2020, Hazards Policy Map: HZ-1 Earthquake Fault Zones, Map: HZ-2 Liquefaction and Landslides, Map: HZ-11 Wind Erosion Hazards; California Department of Conservation Earthquake Zones of Required Investigation Submitted Project Materials; California Building Code; Public Resources Code.**

- a) i) **Less than Significant Impact.** The Project site is not located within an official earthquake fault zone, based on the County of San Bernardino General Plan Hazards Policy Map, HZ-1 *Earthquake Fault Zones*, the Calico-Hidalgo fault zone is the closest to the site at 3.7 miles. However, all of Southern California is subject to major earthquake activity. In terms of proximity to an active fault the impact would be considered less than significant.
- ii) **Less than Significant Impact.** The subject property is within an area that is subject to severe ground shaking due to various faults in the region, as is most of Southern California. There would be a less than significant impact on the unmanned facility as no buildings are proposed. It is acknowledged that solar arrays could sustain damage from a moderate earthquake and would be replaced.
- iii) **No Impact.** According to desktop GIS analysis the Project site is not located in an area of high liquefaction susceptibility, based upon a review of the County's Hazard Mapping program, Parcels & Permits. However, compliance with California Building Code Seismic Design Standards, Chapter 16: *Structural Design* and the fact the facility is unmanned, would minimize potential effects, and assure no impact would occur due to liquefaction.
- iv) **No Impact.** The Project site is generally level and is not close to any hillsides, foothills or mountains that could have the potential to slide during a ground disturbing event such as an earthquake. Therefore, no impacts are identified or anticipated.
- b) **Less than Significant Impact.** The proposed Project is within a High Erodibility zone according to the County of San Bernardino General Plan Hazards Policy Map: HZ-11 *Wind Erosion Hazards*. Near surface sandy soils may be subject to water erosion. Drainage should be provided around the perimeter of all structures and all foundations to guide water away from support posts or transformers and toward streets or approved drainage devices to minimize water infiltrating into the underlying natural and engineered fill soils. During grading, water will be used for dust control and in effect aid in controlling wind erosion. Erosion control plans and grading plans would be required to be submitted, approved, and implemented for the proposed development. Therefore, a less than significant impact would occur.
- c) **Less than Significant Impact.** The Project is not located on a geologic unit or soil that has been identified as being unstable or having the potential to result in on- or off- site landslide, lateral spreading, subsidence, liquefaction, or collapse, based on the Project location and San Bernardino General Plan Hazards Policy Map, HZ-2 *Liquefaction and Landslides*. Therefore, a less than significant impact would occur.

- d) **Less than Significant Impact.** The Project site is not located in an area that has been identified by the County Building and Safety Geologist as having the potential for expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property. According to the Natural Resources Conservation Service, the soils present are Cajon Sand 72.5%, Cajon Loamy Sand 3.4%, and Kimberlina Loamy Fine Sand 24.1%, which have a minimal amount of clay and would not be considered expansive. Therefore, a less than significant impact would occur.
- e) **No Impact.** As an unmanned facility no septic or alternative wastewater treatment systems are proposed. Therefore, no further study of onsite soils for this purpose is necessary and no impact would occur.

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

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

**SUBSTANTIATION:** *Air Quality/Greenhouse Gas Study for Minneola Solar Project, Elevated Entitlements, July 14, 2020; California Emissions Estimator Model (CalEEMod; Version 2016.3.2); Mojave Desert Air Quality Management District 2017 (MDAQMD); County of San Bernardino Greenhouse Gas Emissions Reduction Plan, September 2011; San Bernardino Countywide Plan, 2020; Submitted Project Materials*

- a) **Less Than Significant Impact.** Construction of the Project would generate GHG emissions and maximum daily emissions as displayed in Table 2 below. The Project's construction emissions would be below the MDAQMD's daily GHG threshold of 548,000 lbs. Therefore, the project would generate GHG emissions that are less than significant.

Construction Activities: During construction of the Project, GHGs would be emitted through the operation of construction equipment and from worker and vendor vehicles, each of which typically uses fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs (e.g., CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O). Furthermore, Methane (CH<sub>4</sub>) is emitted during the fueling of heavy equipment. Construction activities would be of a limited time duration.

Gas, Electricity, and Water Use: Natural gas use results in the emission of two GHGs: CH<sub>4</sub> (the major component of natural gas) and CO<sub>2</sub> (from the combustion of natural gas).

Electricity use can result in GHG production if the electricity is generated by combustion of fossil fuel. California's water conveyance system is energy intensive. Water-related electricity use is 48 terawatt hours per year and accounts for nearly 20 percent of California's total electricity consumption. Based upon the limited construction period and use of the site for a solar facility, gas, electricity, and water use would be minimal during its construction and operation.

**Solid Waste Disposal:** Solid waste generated by maintenance workers or project repairs would contribute to minimal GHG emissions during construction of the facility. During operation, the unmanned solar facility would require the disposal of minimal solid waste, if, for example, some solar panels needed to be replaced.

**Motor Vehicle Use:** During construction, transportation associated with the proposed Project would result in GHG emissions from the combustion of fossil fuels from automobile and truck trips. During operation, as an unmanned facility, these emissions would be minimal and only necessary during the cleaning, periodic repair work, or replacement of the panels.

Construction is estimated to start in 2024 and would take approximately three months to complete. Greenhouse gas (GHG) emissions resulting from the construction and operation of the Project were developed using the CalEEMod California Emissions Estimator Model. The applicant estimated the Project construction activities would occur over a three-month period, while the operational Project life is estimated at 30 years. The total Project related annual GHG emissions were determined to be 97.43 metric tons over 30 years, which would not exceed the adopted threshold of 3,000 metric tons carbon dioxide equivalent per year (MTCO<sub>2</sub>e/yr), or 548,000 lbs/day. As shown in **Table 2** below the temporary construction activities for the Project would not exceed the MDAQMD thresholds. These Project GHG emissions are consistent with the County of San Bernardino's September 2021 Greenhouse Gas Reduction Plan and would present a less than significant impact for GHG emission.

<b>Table 2: Greenhouse Gas (CO<sub>2</sub>) lbs/day</b>	
Project Construction Emissions	35,290
MDAQMD Threshold <sup>1</sup>	548,000
Exceeds Threshold	<b>No</b>
<sup>1</sup> Source: <a href="https://www.mdaqmd.ca.gov/home/showdocument?id=538">https://www.mdaqmd.ca.gov/home/showdocument?id=538</a>	

**Operational Activities:** Mobile source emissions of GHGs would include Project-generated vehicle trips associated with on-site facilities and customers/visitors to the Project site. As proposed the Project would be an unmanned solar facility, with no customer visits to the site. Any operation and maintenance employees that would be required to visit the site would be minimal, resulting in a negligible amount of mobile source emissions of GHG.

- b) **No Impact.** A project’s incremental contribution to a cumulative Greenhouse Gas (GHG) effect is not cumulatively considerable if the Project complies with the requirements in a previously adopted plan or mitigation program. In 2021, the County adopted the GHG Emissions Reduction Plan, and in 2016, the County adopted the GHG Development Review Process (DRP). The GHG Emissions Reduction Plan qualifies as a plan for the reduction of GHG emissions pursuant to the State CEQA Guidelines, and the DRP is a guideline for the GHG Emissions Reduction Plan. The DRP identifies local GHG performance standards that need to be applied to the Project.

The proposed Project would be a net generator of clean, renewable energy that would reduce GHG emissions associated with generation of electricity from fossil fuels at other power plants. As a renewable energy generator, the proposed Project would be consistent with state goals in AB 32 and 2017 Scoping Plan for reducing GHG emissions from fossil fuel sources, as well as support meeting Renewable Portfolio Standard requirements. The proposed Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions. As an unmanned solar facility that would produce negligible emissions, the Project would be consistent with the GHG Emissions Reduction Plan, and no significant impacts would occur.

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project result in a safety hazard for people residing or working in	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

the project area?

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?               | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) | Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**SUBSTANTIATION: San Bernardino Countywide Plan, 2020, Hazards Policy Maps; San Bernardino County Multi-Jurisdictional Hazard Mitigation Plan, July 13, 2017; Submitted Project Materials**

a) **Less than Significant Impact.** The construction phase of the Proposed Project may include the transport, storage, and short-term use of petroleum-based fuels, lubricants, and other similar materials. The transport of hazardous materials by truck is regulated by federal safety standards under the jurisdiction of the U.S. Department of Transportation. The oil contained in each transformer would be FR3 fluid, vegetable based, environmentally benign and does not require regular replacement. If needed, replacement would be accomplished by either transporting the entire transformer off-site or by transferring the FR3 fluid to a tanker truck for transport off-site. Oil disposal would be managed in accordance with the Department of Toxic Substances Control hazardous waste regulations.

The PV panels may include solid materials that are considered to be hazardous. Because such materials are in a solid and non-leachable state, broken PV panels would not be a source of pollution to stormwater.

Compliance with federal, state, and local closure requirements, the Project would have a less than significant impact on the public or the environment. A decommissioning plan when the facility reaches its end of life per San Bernardino County Development Code Section 84.29.070 *Decommissioning Requirements* would be required. Therefore, less than significant impacts would occur.

b) **Less than Significant Impact.** Replacement of the transformer oil is not a maintenance item and thus would only occur in the case of repair; in such an instance transformer oil will be properly disposed of and carefully removed. PV panels will be inspected during maintenance thus any damaged panels will be replaced quickly. Furthermore, the hazardous materials in the PV panels are solid and non-leachable. Thus, the Project would have a less than significant impact to the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The use and storage of all hazardous materials is subject to permit and inspection by the Hazardous Materials Division of the County Fire Department. Therefore, less than significant impacts would occur.

c) **Less than Significant Impact.** The nearest schools are more than eight (8) miles to the east in the City of Adelanto. Emissions and handling of hazardous or acutely hazardous materials, or substances, would have a less than significant impact on any existing or proposed schools that are within a quarter mile from the Project site. Therefore, less than significant impacts would occur.

- d) **No Impact.** The Project site is not included on the San Bernardino County list of hazardous materials sites, compiled pursuant to Government Code 65962.5. Therefore, the Project would not create a significant hazard to the public or environment.
- e) **No Impact.** The proposed Project is within a mile of Barstow-Daggett Airport and approximately forty-two (42) miles east of the Southern California Logistics Airport. The Project site and is not located within an adopted Airport Land Use Plan or within two miles of a public use airport. However, the proposed Project would not result in a safety hazard for people residing or working in the Project area due to Solar Facilities generating no noise during operation. As a result, no impacts would occur.
- f) **No Impact.** The Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, because the Project will only have 6-8 personnel on site about 15 times per year. The Project is also located off an interior road and will not be adding any traffic to the area. Therefore, no impacts would occur.
- g) **No Impact.** The Project site is over 20 miles away from the nearest fire hazard area. Being an unmanned facility in a sparsely populated desert location, the Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Therefore, no impacts would occur.

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>X. HYDROLOGY AND WATER QUALITY - Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iv. impede or redirect flood flows?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**SUBSTANTIATION:** *Preliminary Drainage Study, Minneola Solar Project, Merrell Johnson, June 2, 2023; San Bernardino Countywide Plan, 2020; Submitted Project Materials*

- a) **No Impact.** This is an unmanned facility with no requirement for water service or an on-site wastewater treatment system. As such, the Project would not violate any water quality standards or waste discharge requirements. Therefore, no impacts would occur.
  
- b) **No Impact.** The Project is not proposing onsite water usage. As such, the Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level, because the Project is not proposing on site water usage. Any water used on site will be trucked in. Therefore, no impacts would occur.

- c) **Less than Significant Impact.** The proposed Project site is located within the high desert region of San Bernardino County and is on the southwest end of the expansive Mojave Desert. The nearby City of Adelanto adopted a Drainage Master Plan Update, prepared by So & Associates Engineers, Inc. in May of 2012. However, the Project site is located to the west of the study watershed limits and is not a part of the latest City's Master Plan update. Mapping and topography were developed from 2,000 scale (7.5 minute) USC&GS quadrangle maps of the entire tributary area to the project site.

A Preliminary Drainage Study was prepared utilizing Geographical Information System (GIS) level site topography along with a conceptual site layout as the basis of design. The Project site is not affected by United States Geological Survey (USGS) mapped blue line streams. The Project site is located in an undefined floodplain with an extensive tributary area. Since no on-site grading is proposed, the proposed Project would not increase the pre-development runoff flowrate. The proposed Project layout maintains the low flow of the main natural drainage course traversing the Project site unoccupied and obstructed. Based on the approved drainage study prepared by Merrell-Johnson the Project would not:

- i. Result in substantial erosion or siltation on- or off-site.
- ii. Increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite as the solar panels are elevated above the surface of the ground allowing movement of any run-off below.
- 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.
- iv. Impede or redirect flood flows.

Therefore, less than significant impacts would occur.

- d) **No Impact.** Based on existing site conditions, and proposed Project activities, the Project would not substantially alter any existing drainage pattern of the site or area, which includes altering of the course of a stream or river, or creating a substantial increase in the rate or amount of surface runoff in a manner which would result in flooding on or off-site. Therefore, no impacts would occur.
- e) **No Impact.** No grading is proposed as part of Project activities, as such there would be little to no alteration in the natural drainage of flows on site. There would be adequate capacity in the dirt culvert to the south of the property, so that downstream properties are not negatively affected by any increases or changes in volume, velocity or direction of storm water flows originating from or altered by the Project. Since there will be no paving and no leaching of chemicals possible from panels or transformers, water quality would not be affected by the proposed site. Therefore, the proposed Project would not create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems. Therefore, no impacts would occur.

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XI. LAND USE AND PLANNING - Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***SUBSTANTIATION: San Bernardino County General Plan, 2020; Submitted Project Materials***

- a) **No Impact.** The Project would not physically divide an established community, because the Project is in an area of large vacant parcels with no anticipated residential development proposed for the foreseeable future. There are scattered single family residences within a mile of the proposed Project, but the Project would not cause a physical division of an established community. Therefore, no impacts would occur.
- b) **No Impact.** The Project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect, because the Project is consistent with all applicable land use policies and regulations of the County Development Code and General Plan. The Project complies with all hazard protection, resource preservation, and land-use-modifying Overlay District regulations. Therefore, no impacts would occur.

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XII. MINERAL RESOURCES - Would the project:</b>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION:** (Check  if project is located within the Mineral Resource Zone Overlay): **San Bernardino Countywide Plan, 2020, Policy Map NR-4 Mineral Resource Zones; Submitted Project Materials; California Department of Conservation: Mineral Land Classification Maps**

- a) **No Impact.** The Project site is not located within a Mineral Resources Zone within San Bernardino County, based upon a review of Policy Map NR-4 *Mineral Resource Zones* map. The closest mineral resources and/or mines are approximately five (5) to six (6) miles to the north and west, respectively and would not interfere with current mining operations. Therefore, no impacts would occur.
- b) **No Impact.** The Project site lies between five (5) and six (6) miles from any sites where adequate information indicates that significant mineral deposits are present or where it is judged that a high likelihood of their presence exists. As such, the proposed Project would not 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. Therefore, no impacts would occur.

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XIII. NOISE - Would the project result in:</b>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION:** (Check if the project is located in the Noise Hazard Overlay District or is subject to severe noise levels according to the General Plan Noise Element  ): **San Bernardino Countywide Plan, 2020; Submitted Project Materials**

- a) **No Impact.** During construction the project will stay below 80 dBA withholding section 3.11 of the San Bernardino General Plan. The Project site consists of an unmanned community PV solar facility and would not generate ambient noise levels in the area that would violate the San Bernardino Development Code, or General Plan Noise Element. Therefore, no impacts would occur.
- b) **No Impact.** As an unmanned facility, the Project would not expose persons to or generate excessive ground borne vibration or ground borne noise levels. The Project is required to comply with the vibration standards of the County Development Code. No vibration exceeding these standards is anticipated to be generated, based upon the types of improvements proposed by the Project. Therefore, no impacts would occur.
- c) **No Impact.** The proposed Project is within a mile of Barstow-Daggett Airport, but not within an airport land use plan area. However, Photovoltaic solar and their equipment do not produce any noise or ground borne vibration.

**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
<b>XIV. POPULATION AND HOUSING - Would the project:</b>				
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

- a) **Less than Significant Impact.** The Project would not induce population growth in an area either directly or indirectly. Construction of the project is not expected to exceed 3 months thus not requiring any extended housing for workers. As an unmanned photovoltaic solar facility, the Project is not expected to induce population growth or the development of new homes or roads.
- b) **No Impact.** The proposed Project would not displace any housing units, necessitating the construction of replacement housing, because the subject property is vacant, and no

housing units would be demolished because of this proposal. Therefore, no impacts would occur.

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

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

***SUBSTANTIATION: San Bernardino County General Plan, 2020; Submitted Project Materials***

- a) **Less than Significant Impact.** The Project would not 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, or 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, including fire (Daggett Fire Station is approximately 9.4 miles to the west) and police protection (Barstow Sheriff’s Station approximately 14.5 miles to the west), schools, parks, or other public facilities. Since the facility is unmanned and has a short construction time there will be no impact on schools, parks, or other public facilities. The proposed Project would increase property tax revenues to provide a source of funding that is sufficient to offset any increases in the anticipated demands for public services generated by this Project. Therefore, less than significant impacts would occur.

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

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

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

- a) **Less than Significant Impact.** The Project being an unmanned facility would not increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated. Therefore, less than significant impacts would occur.
- b) **Less than Significant Impact.** The Project does not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment, because the proposed Project does not include new housing or the need for new housing. Therefore, less than significant impacts would occur.

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XVII. TRANSPORTATION – Would the project:</b>				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- d) Result in inadequate emergency access?

***SUBSTANTIATION: San Bernardino County General Plan, 2020; Submitted Project Materials***

- a) **Less than Significant Impact.** As an unmanned solar facility, the Project would not cause an increase in traffic. Local roads would only be impacted during temporary construction and maintenance activities occurring about 15 times per year. Therefore, impacts would be less than significant.
- b) **Less than Significant Impact.** As an unmanned solar facility, the Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b). The periodic maintenance activities would result in a negligible increase in vehicle miles traveled (VMT). Therefore, impacts would be less than significant.
- c) **No Impact.** The Project would not substantially increase hazards due to a design feature or incompatible uses, because the Project site is adjacent to an established road that would be accessed at points with good site distance and properly controlled intersections. There are no incompatible uses proposed by the Project that would impact surrounding land uses. Therefore, no impacts would occur.
- d) **Less than Significant Impact.** The Project is designed to allow emergency vehicle access onto the site using a Knox box entry feature. Adequate ingress and egress points including turnaround areas, perimeter roads, and interior roads between panel rows, are of adequate width to meet County Fire Department requirements. Therefore, a less than significant impacts would occur.

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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**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: Cultural Resources Assessment in support of the Minneola Solar Project, Newberry Springs, BioCultural LLC June 2023; San Bernardino Countywide Plan, 2020; Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton; Submitted Project Materials***

Assembly Bill (AB) 52 took effect on July 1, 2015. AB 52 requires a lead agency to make its best efforts to avoid, preserve, and protect tribal cultural resources. Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and Project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Public Resources Code section 21082.3(c) also contains provisions specific to confidentiality.

Prior to the release of the CEQA document for a project, AB 52 requires the lead agency to initiate consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if: (1) the California Native American tribe requested the lead agency, in writing, to be informed by the lead agency through formal notification of proposed project in the geographic area that is traditionally and through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe, and (2) the California Native American tribe responds, in writing, within 30 days of receipt of the formal notification, and requests the consultation.

Tribal consultation request letters were sent to the San Manuel Band of Mission Indians (SMBMI), Morongo Band of Mission Indians (Morongo), Colorado River Indian Tribes (CRIT), Fort Mohave Indian Tribe (FMIT), and Twenty-Nine Palms Band of Mission Indians. Response letters were received from SMBMI, and Morongo. The Letters from SMBMI and Morongo expressed concerns regarding the potential for inadvertent discovery of human remains and other archaeological/tribal cultural resources on-site, and proposed mitigation measures in the form of standard language which is included in *Sections V. Cultural Resources*, and *XVIII. Tribal Cultural Resources* of this document as well as the conditions of approval for the Project. Archaeological/tribal monitoring was also requested by both the San Manuel and Morongo tribes. The CRIT, FMIT, and Twenty-Nine Palms Band of Mission Indians did not respond to the County's consultation letters.

- i) **Less than Significant Impact with Mitigation Incorporated.** The South-Central Coastal Information Center received a records request from the applicant and County for the Project area located on the Yermo USGS 7.5' quadrangle. Records search for the Project area and a 1-mile radius were provided and included a review of all recorded archaeological and built-environment resources as well as a review of cultural resource reports on file. In addition, the California Points of Historical Interest, the California Historical Landmarks (CHL), the California Register of Historical Resources (CAL REG), the National Register of Historic Places (NRHP), and the California State Historic Properties Directory (HPD) listings were reviewed for the Project site and a 1-mile radius.

The Project site was surveyed on May 22, 2023. The previously recorded archaeological sites P-36-026512 (CA-SBR-16781H) and P-36-010627 (CA-SBR-10627H) were recorded. Site P-36-026512 (CA-SBR-16781H) was relocated and found to expand and be larger than previously recorded. Site P-36-010627 (CA-SBR-10627H) was recorded as two perimeter reinforced barbed wire with roll wire fencing concentrations (Concentration 1 and Concentration 2). Site P-36-026512 (CA-SBR-16781H) was evaluated using CRHR eligibility criteria to determine whether they constitute historical resources under CEQA. The historical site was found not eligible for the CRHR under any criteria for listing on the CRHR. Site P-36-010627 (CA-SBR-10627H) is already eligible under Status Code 3D - eligible for National Register as a contributor to a National Register eligible district through survey evaluation. Archaeological monitoring shall be required for both archaeological sites in the initial construction-related ground disturbances activities. If any evidence of cultural resources is discovered, all work within the vicinity of the find shall stop until a qualified archaeological consultant can assess the find and make recommendations. Excavation of cultural resources shall not be attempted by Project personnel. The Project applicant shall consult with the Native American Heritage Commission (NAHC) to identify if any additional traditional cultural properties or other sacred sites are known to be in the area. The NAHC shall also refer the Project proponent to local tribes with particular knowledge of potential sensitivity. Archaeological/tribal monitoring was also requested by both the San Manuel and Morongo tribes. The Colorado River Indian Tribes, Fort Mojave Indian Tribe, and Twenty-Nine Palms Band of Mission Indians did not respond to the County's consultation letters.

- ii) **Less than Significant Impact with Mitigation Incorporated.** The Project proponent shall consider the significance of any possible resource to a California Native American tribe. With implementation of TCR-1 and 2 mitigation and monitoring requested by tribes with ancestral interest in the Project area, the impact would be reduced to a less than significant level.

## **Mitigation Measures**

### **TCR-1: Treatment of Tribal Cultural Resources**

If a pre-contact cultural resource is discovered during Project implementation, ground disturbing activities shall be suspended sixty (60) feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. A research design shall be developed by the archaeologist that shall include a plan to evaluate the resource for significance under CEQA criteria. Representatives from the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI), the archaeologist/applicant, and the Lead Agency shall confer regarding the research design, as well as any testing efforts needed to delineate the resource boundary. Following the completion of evaluation efforts, all parties shall confer regarding the archaeological significance of the resource, its potential as a Tribal Cultural Resource (TCR), and avoidance (or other appropriate treatment) of the discovered resource.

Should any significant resource and/or TCR not be a candidate for avoidance or preservation in place, and the removal of the resource(s) is necessary to mitigate impacts, the research design shall include a comprehensive discussion of sampling strategies, resource processing, analysis, and reporting protocols/obligations. Removal of any cultural resource(s) shall be conducted with the presence of a Tribal monitor representing the Tribe, unless otherwise decided by SMBMI. All plans for analysis shall be reviewed and approved by the applicant and SMBMI prior to implementation, and all removed material shall be temporarily curated on-site. It is the preference of SMBMI that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during Project implementation not be feasible, then a reburial location for future reburial shall be decided upon by SMBMI, the landowner, and the Lead Agency, and all finds shall be reburied within this location. Additionally, in this case, reburial shall not occur until all ground-disturbing activities associated with the Project have been completed, all monitoring has ceased, all cataloguing and basic recordation of cultural resources have been completed, and a final monitoring report has been issued to Lead Agency, CHRIS, and SMBMI. All reburials are subject to a reburial agreement that shall be developed between the landowner and SMBMI outlining the determined reburial process/location, and shall include measures and provisions to protect the reburial area from any future impacts (vis a vis Project plans, conservation/preservation easements, etc.).

Should it occur that avoidance, preservation in place, and on-site reburial are not an option for treatment, the landowner shall relinquish all ownership and rights to this material and confer with SMBMI to identify an American Association of Museums (AAM)-accredited facility within the County that can accession the materials into their permanent collections and provide for the proper care of these objects in accordance with the 1993 CA Curation Guidelines. A curation agreement with an appropriately qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project developer/applicant to pay for those fees.

All draft records/reports containing the significance and treatment findings and data recovery results shall be prepared by the archaeologist and submitted to the Lead Agency and SMBMI for their review and comment. After approval from all parties, the final reports and site/isolate records are to be submitted to the local CHRIS Information Center, the Lead Agency, and SMBMI.

## **TCR-2: Inadvertent Discoveries of Human Remains/Funerary Objects**

In the event that any human remains are discovered within the Project area, ground disturbing activities shall be suspended 100 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. The on-site lead/foreman shall then immediately notify SMBMI, the applicant/developer, and the Lead Agency. The Lead Agency and the applicant/developer shall then immediately contact the County Coroner regarding the discovery. If the Coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c). The NAHC-identified Most Likely Descendant (MLD), shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and funerary objects shall be treated and disposed of with appropriate dignity. The MLD, Lead Agency, and landowner agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes. The MLD shall complete its inspection and make recommendations within forty-eight (48) hours of the site visit, as required by California Public Resources Code § 5097.98.

Reburial of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The MLD in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The applicant/developer/landowner should accommodate on-site reburial in a location mutually agreed upon by the Parties.

It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The coroner, parties, and Lead Agencies, would be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

**Therefore, upon incorporation of Mitigation Measures TCR-1 and TCR-2 impacts would be reduced to less than significant**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XIX. UTILITIES AND SERVICE SYSTEMS - Would the project:</b>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

***SUBSTANTIATION: County of San Bernardino Countywide Plan 2020; Submitted Project Materials***

- a) **No Impact.** As an unmanned solar facility, the proposed Project does not propose the use of wastewater treatment, natural gas or telecommunications facilities. Storm water will not be affected by this site due to the lack of impermeable ground coverage. As an electrical generation facility, it would aid in reducing the demand for the current electrical facility. Therefore, no impacts would occur.
- b-c) **No Impact.** The proposed Project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. The proposed Project is an unmanned solar facility with no water or wastewater facilities proposed. The Project would utilize water for dust control during construction as well as for washing the panels. However, the amount of water to be used shall have little to no impact on the water basin. Therefore, no impacts would occur.

- d) **No Impact.** The proposed Project is unmanned thus creating minimal solid waste. Any solid waste from construction or maintenance crews will be removed and properly disposed of off-site. Therefore, no impacts would occur.
  
- e) **Less than Significant Impact.** The Project developer shall provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the County in compliance with the recycling requirements of Assembly Bill (AB) 2176. A Construction Waste Management Plan would be prepared in two parts to demonstrate adequate handling of waste materials; disposal, reuse, or recycling as required by the County Department of Public Works Solid Waste Management Department. Therefore, impacts would be less than significant.

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XX. WILDFIRE:</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***SUBSTANTIATION: County of San Bernardino Countywide Plan 2020, Hazards Policy Map HZ-5 Fire Hazard Severity Zones; Submitted Project Materials***

- a) **No Impact.** The proposed Project would not substantially impair an adopted emergency response plan or emergency evacuation plan. The Project does not block any road access or major roadways. During the operation, only 6-8 employees are expected to be on site roughly 15 times a year. In the case of an evacuation, roadways would not be disturbed or impacted due to solar facility employee evacuation numbers. Therefore, no impacts would occur.
- b) **Less than Significant Impact.** The proposed Project is within an area designated Moderate, on the Countywide Plan Policy Map HZ-5 *Fire Hazard Severity Zones*. The subject parcel is within a sparsely populated area of the desert surrounded by vacant land. Construction of the solar site and panels includes leveling, driving structural poles into the ground and connecting transformers to the system. These activities would not exacerbate the potential of wildfire. Implementation of the proposed Project would not cause a significant impact due to slope, prevailing winds, and other factors, exacerbate wildfire risks, thereby exposing Project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire. Therefore, less than significant impacts would occur.

- c) **Less than Significant Impact.** The proposed Project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities). As part of Project approval, road improvements including a 35-foot radius return grant of easement at the intersection of Minneola Road and Chloride Road. The Project will also include a 26-foot-wide access road within 40 feet of right-of-way, and designed to County standard 114b that ties into maintained paved public road. The Project is not expected to exacerbate fire risks that result as part of temporary construction or ongoing operations. Therefore, less than significant impacts would occur.
- d) **No Impact.** The proposed Project will not modify the drainage on the site and is surrounded by vacant land. Furthermore, there is a drainage culvert just south of the site which would collect any potential water. Thus, the Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, because of runoff, post-fire slope instability, or drainage changes. Therefore, no impacts would occur.

**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
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**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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| b) | Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) | Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a) **Less than Significant Impact with Mitigation.** The Project does not have the potential to significantly degrade the overall quality of the region’s environment, or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

There are identified historic cans that will be conserved. However, there are no prehistoric resources identified on this site based on field surveys conducted by Biocultural in June 2023. No archaeological or paleontological resources have been identified in the Project area. Impacts to Cultural or Tribal Cultural Resources due to inadvertent discoveries during Project development would be reduced to a less than significant level with the implementation of mitigation measures recommended in the Cultural Resources (**CUL-1 through 5**), and Tribal Cultural Resources (**TCR-1, and TCR-2**).

b) **No Impact.** The Project does not have impacts that are individually limited, but cumulatively considerable. The proposed Project does not have individually significant or notable impacts that would result in cumulatively significant impacts. Projects in the area to which this Project could add cumulative impacts, have either been planned or would utilize existing infrastructure that is sufficient for all planned uses and would not cause significant environmental impacts that are not mitigated.

- c) **No Impact.** The Project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly, as there are no such impacts identified by the studies conducted for this Project or identified by review of other sources or by other agencies.

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 would be required to meet the conditions of approval for the Project to be implemented. It is anticipated that all such conditions of approval would further ensure that no potential for adverse impacts would be introduced by construction activities, initial or future land uses authorized by the Project approval.

### **All Mitigation Measures:**

#### **BIO-1: Avoidance and Minimization Efforts/Compensatory Mitigation**

- A certified Biologist must be notified two weeks prior to construction so that preconstruction surveys may be conducted.
- The Biologist must be invited to the pre-construction meeting with one-week prior notice.
- The use of invasive species, per the California Department of Agriculture list will not be allowed on this project, and the use of native species, such as creosote bush (*Larrea tridentata*) and white bur-sage (*Ambrosia dumosa*) will be maximized, to reduce environmental impacts and increase environmental benefits of the project.
- When vegetation removal is needed, it is recommended that all vegetation removal occur outside of bird nesting season (Bird nesting season is February 1st through September 1st). In the event that nesting birds are observed, the Contractor shall pause work until a qualified biologist has determined that fledglings have left the nest. If this is not possible, the contractor shall coordinate with the Project Biologist to minimize the risk of violating the Migratory Bird Treaty Act (MBTA). If nesting bird(s) are discovered, then the Project Biologist will recommend a buffer of 150 ft. for songbirds and a buffer of 500 ft. for raptors during all phases of construction. Nesting birds are protected under the MBTA and cannot be impacted by construction activities, including but not limited to noise, dust pollution, and habitat disturbance.
- No work should commence until the vegetation to be removed has been surveyed for nesting birds, desert tortoise, desert wildlife and has been cleared by the Project Biologist.
- If any species of concern are observed during construction activities, all work shall immediately cease, and the Project Biologist shall be immediately notified. Work shall not resume until clearance is given by the Project Biologist.
- This project must employ all appropriate Stormwater and Erosion Control Best Management Practices (BMPs) during construction, and these must be incorporated into the project specifications. Prior to the start of construction all drain inlets must be protected with BMPs to prevent construction materials and debris from entering drainages. Therefore, this project has very little potential to create water quality impacts. Temporary construction BMPs that may be required include wind erosion control, sediment tracking control, street sweeping and vacuuming, stabilized construction roadway, spill prevention control, solid waste management, hazardous waste management, sanitary/septic waste management, material delivery and storage, material use, vehicle and equipment cleaning, vehicle and equipment fueling, and vehicle maintenance.
- All pollution and litter laws and regulations shall be followed by the Contractor and all personnel on site.
- If the project scope should change for any reason, the Project Biologist shall be notified to determine whether current environmental documentation is adequate.

## **BIO-2: Avoidance and Minimization Efforts/Compensatory Mitigation**

- Pre-construction surveys must be conducted within fourteen (14) days prior but no greater than thirty (30) days prior to vegetation clearing, earthwork and ground disturbing activities.
- Biological monitors are present during vegetation clearing, earthwork and ground disturbing activities.
- Installation of desert tortoise exclusionary fencing around the construction site shall occur to prevent the entrance of surrounding wildlife present.
- Operators are to check under motorized equipment & vehicles that have been parked over night or stationery for some length of time before moving the vehicle.
- Check around material stacks & units that have been stored in the open before moving them.
  
- Visually check around the work area for the presence of live tortoises that may have wandered into the disturbance zone. It is not intended to divert your attention from your work tasks and create a hazard for you or others on the job, but it is good practice to utilize a few seconds and visually scan the area around you when it is safe to do so.
- If a tortoise is present, all work and any activities that could harm the tortoise is to stop and the Lead Engineer or other designated person, is to be contacted to have the tortoise safely removed.

**CUL-1:** Initial construction-related ground disturbances activities associated with the development of the Project be monitored by an archaeologist, if the resources cannot be avoided during construction.

**CUL-2:** Prior to construction of the proposed Project, a qualified archaeological monitor with relevant San Bernardino County experience and who will work directly under the direction of a Secretary of the Interior's (SOI) professional archaeologist, shall be retained by the Project proponent. If resources cannot be avoided, an Archaeological Management Plan shall be prepared to establish procedures for monitoring.

**CUL-3:** The Project archaeologist, may, at their discretion, terminate monitoring if no subsurface cultural resources have been detected. If buried cultural resource artifacts are uncovered during ground disturbance activities the archaeological monitor will have the authority to re-direct grading activities to other location within the Project to examine the resources and possibly conduct subsurface testing (Phase II), as indicated in the Archaeological Management Plan. A research design associated with such work must be written before any subsurface fieldwork begins. The Plan shall include a description of how and where artifacts will be curated. If the site is determined to be significant through the testing process, continued impacts to the site would be considered significant and possibly unavoidable thus requiring an Environmental Impact Report. Impacts to the significance resource must take place either through avoidance or a Phase 3 excavation. Should any prehistoric or tribal cultural resources be identified within the Project Area, Native American consulting parties shall be contacted regarding the disposition and treatment of the resource(s).

**CUL-4:** In the event unanticipated human remains, work in the immediate vicinity of the find shall stop and no further disturbance shall occur until the San Bernardino County Coroner has made a determination of origin and disposition pursuant to CEQA, Section 15064.5(e), State of California Health and Safety Code Section 7050.5 and PRC Section 5097.98. The County Coroner shall be notified of the find immediately. If the Coroner determines that the human remains are of Native American in origin, then the Coroner shall notify the NAHC, who is responsible for identifying and notifying the Native American most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and make recommendations regarding the treatment and disposition of human remains and items associated with Native American burials. If an agreement regarding disposition of human remains between the MLD and the Landowner or a MLD cannot be identified the landowner shall comply with the disposition and documentation required as defined by PCR 5097.98 Section (e).

**CUL-5:** In the event human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be Native American, the County Coroner shall notify the NAHC, which would determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD would have the opportunity to offer recommendations for the disposition of the remains.

#### **TCR-1: Treatment of Tribal Cultural Resources**

If a pre-contact cultural resource is discovered during Project implementation, ground disturbing activities shall be suspended sixty (60) feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. A research design shall be developed by the archaeologist that shall include a plan to evaluate the resource for significance under CEQA criteria. Representatives from the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI), the archaeologist/applicant, and the Lead Agency shall confer regarding the research design, as well as any testing efforts needed to delineate the resource boundary. Following the completion of evaluation efforts, all parties shall confer regarding the archaeological significance of the resource, its potential as a Tribal Cultural Resource (TCR), and avoidance (or other appropriate treatment) of the discovered resource.

Should any significant resource and/or TCR not be a candidate for avoidance or preservation in place, and the removal of the resource(s) is necessary to mitigate impacts, the research design shall include a comprehensive discussion of sampling strategies, resource processing, analysis, and reporting protocols/obligations. Removal of any cultural resource(s) shall be conducted with the presence of a Tribal monitor representing the Tribe, unless otherwise decided by SMBMI. All plans for analysis shall be reviewed and approved by the applicant and SMBMI prior to implementation, and all removed material shall be temporarily curated on-site. It is the preference of SMBMI that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during Project implementation not be feasible, then a reburial location for future reburial shall be decided upon by SMBMI, the landowner, and the Lead Agency, and all finds shall be reburied within this location. Additionally, in this case, reburial shall not occur until all ground-disturbing activities associated with the Project have been completed, all monitoring has ceased, all cataloging and basic recordation of cultural resources have been completed, and a final monitoring report has been issued to Lead Agency, CHRIS, and SMBMI. All reburials are subject to a reburial agreement that shall be developed between the landowner and SMBMI outlining the determined

reburial process/location, and shall include measures and provisions to protect the reburial area from any future impacts (vis a vis Project plans, conservation/preservation easements, etc.).

Should it occur that avoidance, preservation in place, and on-site reburial are not an option for treatment, the landowner shall relinquish all ownership and rights to this material and confer with SMBMI to identify an American Association of Museums (AAM)-accredited facility within the County that can accession the materials into their permanent collections and provide for the proper care of these objects in accordance with the 1993 CA Curation Guidelines. A curation agreement with an appropriately qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project developer/applicant to pay for those fees.

All draft records/reports containing the significance and treatment findings and data recovery results shall be prepared by the archaeologist and submitted to the Lead Agency and SMBMI for their review and comment. After approval from all parties, the final reports and site/isolate records are to be submitted to the local CHRIS Information Center, the Lead Agency, and SMBMI.

## **TCR-2: Inadvertent Discoveries of Human Remains/Funerary Objects**

In the event that any human remains are discovered within the Project area, ground disturbing activities shall be suspended 100 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. The on-site lead/foreman shall then immediately notify SMBMI, the applicant/developer, and the Lead Agency. The Lead Agency and the applicant/developer shall then immediately contact the County Coroner regarding the discovery. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c). The NAHC-identified Most Likely Descendant (MLD), shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and funerary objects shall be treated and disposed of with appropriate dignity. The MLD, Lead Agency, and landowner agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes. The MLD shall complete its inspection and make recommendations within forty-eight (48) hours of the site visit, as required by California Public Resources Code § 5097.98.

Reburial of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The MLD in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The applicant/developer/landowner should accommodate on-site reburial in a location mutually agreed upon by the Parties.

It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, would be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

## **GENERAL REFERENCES**

California Department of Conservation, California Geological Survey, Mineral Resources and Mineral Hazards

County of San Bernardino 2020 Development Code

County of San Bernardino Geologic Hazards Overlays

Map County of San Bernardino Hazard Overlay Map

County of San Bernardino Identified Hazardous Materials Waste Sites List, April 1998.

County of San Bernardino, Countywide Integrated Waste Management Plan, March 1995.

County of San Bernardino, Greenhouse Gas Emissions Reduction Plan, January 6, 2012.

County of San Bernardino, *San Bernardino County Storm Water Program, Model Water Quality Management Plan Guidance*.

County of San Bernardino Road Planning and Design Standards.

Federal Emergency Management Agency Flood Insurance Rate Map and Flood Boundary Map.

San Bernardino County General Plan, 2020.

San Bernardino County Multi-Jurisdictional Hazard Mitigation Plan, July 13, 2017.

San Bernardino County General Plan, 2020; Environmental Impact Report

South Coast Air Quality Management District, CEQA Air Quality Handbook, November 1993.

U.S. Department of Agriculture, Natural Resources Conservation Service. Web Soil Survey. Available at <http://websoilsurvey.nrcs.usda.gov/>

## **PROJECT-SPECIFIC REFERENCES**

Air Quality/Greenhouse Gas Study for Minneola Solar Project, Elevated Entitlements, May 30, 2023.

Archaeological Survey of Approximately 91.9 Acres of Land for the Proposed Minneola Solar Project, BioCultural LLC, June 26, 2023

Botanical Survey and Search for Sensitive Plants at Minneola Solar Project, W.O.W. Environmental Consultants, April 2023.

California Historical Resources Information System, South Central Coast Information Center, California State University, Fullerton, Department of Anthropology MH-426, January 9, 2020.

Hydrology Study for Minneola Solar, Merrell-Johnson, June 2, 2023.