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

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

PROJECT LABEL:

APNs:	Solar Facilities: 0446-033-18, 0446-033-19 Interconnection between solar farm and mining plant: 0446-033-18, 0446-033-17, 0446-033-08, and 0446-033-09, 0446-033-39	***USGS Quad:***	Lucerne Valley and Fawnskin
Applicant:	Powerflex	***T, R, Section:***	T3N, R1W, Section 1
Location	Lucerne Valley	***Thomas Bros***	Not Applicable
Project No:	PROJ-2024-00081	***Community Plan***	Lucerne Valley
Rep	Michael Landler Powerflex 75 Broad Street New York, New York 10004	***LUC: Zone:***	Lucerne Valley/ Community Industrial
Proposal:	Development of a 29.39-acre, 5 MW solar system approximately 0.32 mile south of the existing OMYA mine operation located at 7225 Crystal Creek Road for use by OMYA.	***Overlays:***	None

PROJECT CONTACT INFORMATION:

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

Summary

Powerflex (Project Applicant) proposes the development of a 5 megawatt alternating current (MW AC) ground-mounted solar system on approximately 29 acres of vacant land and 0.6-mile of a new interconnection line for the purpose of power generation for onsite consumption by the OMYA mining plant, located at 7225 Crystal Creek Road in the unincorporated community of Lucerne Valley (refer to **Exhibit 1- *Regional Location*** and **Exhibit 2 – *Project Location: Aerial*** and **Exhibit 3 – *Project Location: USGS,*** located at the end of this section).

Project Overview

Omya Incorporated (OMYA) operates a calcium carbonate mining and processing operation at 7225 Crystal Creek Road, approximately 4 miles south of State Highway 18 south of the unincorporated town of Lucerne Valley (Exhibit 1 and Exhibit 2). In general, the combined mine and proposed solar field are bounded by Powerline Road on the north, Crystal Creek Road on the west, Crescent Road on the south, and vacant lands on the east. Furnace Creek Road bisects the mine and solar field parcels along the eastern portions of their respective parcels.

The proposed OMYA Solar Project is a 5 MW AC solar photovoltaic (PV) electricity generation facility to be developed on 29.39 acres of 77.9 acres of vacant land (two parcels) located approximately 0.2 mile south of the OMYA facility and designed to serve only the OMYA facility. The project would also include an approximately 0.6 mile long (3,302 linear feet) interconnection line between the solar field and the interconnection point on the mine property (Proposed Project). The layout of the proposed facilities are show on **Exhibit 4 – *Site Plan***, located at the end of this section.

The projected yearly output of the solar facility is 14.5 million kWh, while the existing mining facility consumes 15.6 million kWh of electrical energy annually. The Proposed Project would connect to an existing 115 kilovolt (kV) substation, partly owned by OMYA and partly owned by Southern California Edison (SCE), located within the OYMA mining operation via an underground line extension and medium voltage (MV) switchgear between the SCE interconnection and the solar field. Once constructed, the facility would produce enough electricity to serve 93 percent of the mine's needs. Implementation of the proposed Project requires the approval of a Conditional Use Permit (CUP) to permit a renewable energy facility.

Project Location and Setting

The proposed Project would be located in the unincorporated community of Lucerne Valley in San Bernardino County. The OMYA mine and SCE interconnection point is located at 7225 Crystal Creek Road, Lucerne Valley, CA 92356, at the intersection of Crystal Creek Road and Furnace Creek Road, Lucerne Valley; Assessor Parcel Numbers: 0446-033-39, -08, -09, -17, -18, -19.

The following components are referred to in this document as the "Project" or "Proposed Project" and consist of the following:

- **Interconnection:** APN 0446-033-39 (26.37 AC), 0446-033-09 (4.94 AC), 0446-033-08 (4.94 AC), 0446-033-17 (29.04 AC), and 0446-033-18 (38.95 AC). Includes a duct bank 3 feet wide by 4 feet deep and approximately 3,302 linear feet (0.6 mile) to connect the solar field with the Omya plant facilities. Point of interconnection at SCE meter in the 115 kV substation at ground level, and solar medium voltage (MV) Switchgear pad-mounted outside this substation at ground level. This parcel is not owned by the OMYA, however, the interconnection facilities would be located within an existing SCE easement. Total disturbed area for the interconnection line and equipment is about 0.49 AC.

- **Solar Array:** APN 0446-033-18 (38.95 AC) and 0446-033-19 (38.95 AC). Includes solar modules, transformers, switchboards, and inverters. These parcels are owned by Pluess-Staufer, now known as OMYA. Of the 77.90 total acres, approximately 28.9 AC would be used for the solar field and facilities, and approximately 1 acre would be used for construction staging and storage.

For the purposes of this analysis, the above-identified parcels are collectively referred to as the "Project Site" unless otherwise specified.

Project development includes approximately 4.9 acres of total ground disturbance, including the following: trenching for the interconnection, road grading within the solar field, stormwater basin development and minor grading for some of the ground mount system. Overall, the solar field would be installed via a small pile driver on native ground.

Zoning and Surrounding Land Use

The Project is located in a predominantly undeveloped area in the southern limits of Lucerne Valley, at the base of the San Bernardino Mountains foothills. Predominant development in the vicinity of the site consists of commercial aggregate mining, stockpiling, and processing facilities to the north and east of the site and sparse residential development to the south. The solar field component of the Project is bounded to the west by Crystal Creek Road with undeveloped, vacant land beyond; to the south by Crescent Road with scattered residential developments and undeveloped, vacant land; to the east by Ladera Road, with undeveloped, vacant land beyond; and to the north by undeveloped, vacant land and the existing OMYA quarries and materials plant. In addition, the site is transected by Furnace Creek Road which enters the northern boundary and leads southeast through the site before exiting the site at the eastern boundary.

The Proposed Project is located within parcels that are all zoned Lucerne Valley / Community Industrial and are either vacant or used for mining.

San Bernardino County Code Section 84.29.020 allows solar renewable facilities in Community Industrial zones.

Table 1 – *Existing Land Use and Zoning* lists the existing adjacent land uses and zoning for the Project Site and the area adjacent to and surrounding the Project Site. **Exhibit 5 – *Project Zoning and Land Use*** identifies the zoning and land use of the surrounding area. In general, OMYA owns the adjacent lands north, west and east of the site. Two rural residential properties exist south of the solar fields, along the south side of Crescent Road.

Table 1: Existing Land Use and Zoning

Location	Existing Land Use	Land Use Category	Zoning
Project Site	Existing OMYA mine	Existing Mine: Lucerne Valley Community Plan: Regional Industrial	Existing Mine: Lucerne Valley Community Plan: Regional Industrial (IR)
	Proposed solar field and Interconnection Ductbank: Vacant and undeveloped lands	Proposed solar field and Interconnection Ductbank: Lucerne Valley Community Plan: Community Industrial	Proposed solar field and Interconnection Ductbank: Lucerne Valley Community Plan: Community Industrial (IC)
North	Undeveloped and Vacant land (owned by OMYA)	Lucerne Valley Community Plan: Rural Living (RL-20)	Lucerne Valley Community Plan: Rural Living-20 acre minimum
South	Undeveloped and Vacant land, rural residential	Lucerne Valley Community Plan: Rural Living (RL-5)	Lucerne Valley Community Plan: Rural Living-5 acre minimum
East	Undeveloped and Vacant land	Lucerne Valley Community Plan: Community Industrial	Lucerne Valley Community Plan: Community Industrial (IC)
West	Undeveloped and Vacant land (owned by OMYA)	Lucerne Valley Community Plan: Rural Living (RL-20)	Lucerne Valley Community Plan: Rural Living-20 acre minimum

Project Components

Clearing and Grubbing

The construction would occur primarily on the top of the existing grades, with very little grading to facilitate the roads. Most construction would occur on grade, within the vegetated areas, with equipment driving on the existing vacant land. Very little vegetation would be graded. There would be little to no vegetation clearing to support panel installation and operation, or as needed to not interfere with the native vegetation under the panels.

Solar Modules
The proposed solar energy generating facility would be a ground-mounted, tracking photovoltaic system, with a nominal capacity of up to 5 MW AC. The PV panels would be mounted on tracker technology, which tilts the panels to follow the course of the sun to optimize the incident angle of sunlight on their surface. The modules are mounted on steel support posts that are driven into the native soils. The top of the arrays would be up to 7.8 feet above grade at the tallest point, when the modules are tilted at 60 degrees. As discussed above, the solar array would occupy a portion of two parcels (0446-033-18 and the northern portion of 0446-033-19) which total 77.90 acres. The solar array would occupy approximately 28.9 acres of the 77.90 acres.

The panels would be installed using a small-scale pile driving operation, where equipment drives each panel post into the ground. While this method involves some minor temporary ground disturbance for the equipment to travel on grade, there is little to no grading to provide access road.

Inverters
The wiring from each solar module would deliver direct current (DC) power along a proposed underground trench or aboveground conduit to the inverters located on electrical equipment pads. The inverters convert the DC power to alternating current (AC). Then, the power is combined at the AC switchboards. From there, it is sent to the transformers, where it is stepped up in voltage. Concrete supports will be used for the footings, foundations, and pads for the inverters,

switchboards, and transformers. Underground cables would be installed in conjunction with internal access roads and panel arrays in order to connect each inverter to a switchboard, and each switchboard to a transformer. Then power is then sent from the transformers to the medium voltage switchgear. All of the inverters and transformers would be located within the parcels designated for the solar field.

Owner Control and Monitoring Containers
The Proposed Project includes a PowerFlex Nexus platform, which is an onsite distributed control and data acquisition architecture made up of three major components: Nexus Core, Nexus Sense, and Nexus Remote. To house these components, the Project would have multiple prefabricated modular air-conditioned and heated containers. Refer to detailed descriptions of the electronics below. All containers would be unmanned and non-habitable.

- Nexus Core – central brain used for system energy optimization.
    - Located near the point of interconnection.
    - Fiberglass enclosure.
    - 18.9 in height x 26.8 in width x 11.3 in depth.
- Nexus Sense – Smart metering. Collects and stores all power / energy data of the system.
    - Located near the point of interconnection.
    - Polycarbonate enclosure.
    - 18.7 in height x 19.9 in width x 12.5 in depth.
- Nexus Remote – Network connectivity extension. Transmits data back to the Core.
    - Located at the center of the array near the inverters, transformers, and the medium voltage switchgear.
    - Polycarbonate enclosure.
    - 18.7 in height x 16.9 in width x 12.5 in depth.

Onsite Meteorological Station
The site would contain one weather station, two pyranometers, and two back of module (BOM) temperature sensors. Each weather station would stand no more than 12 feet in height. The weather stations would measure temperature, relative humidity, air pressure, wind direction, wind speed, and radiation. The pyranometers would measure solar irradiance. Finally, the BOM temperature sensors would measure temperature. Power for each SMS would be provided by the plant auxiliary power system or a dedicated PV module with a small battery.

Interconnection
Collector lines from each inverter would gather at each of the Project's four switchboards, which would then connect to each of four transformers. From the transformers, electricity would be sent by new approximately 0.6-mile underground conduits that would connect with the Project's switchgear. This switchgear would be located directly adjacent to the existing 115 kV substation located on the mine site. An underground line would connect the switchgear to this substation. To accommodate the new system, SCE would install three major pieces of equipment on the mine site, at the existing substation. These three pieces of equipment include a dedicated remote terminal unit (RTU), telecommunications, and metering. These pieces of equipment are meant to monitor the production of the system and transmit data back to SCE's central monitoring and control systems.

To install the conduit, a 3 foot-wide by approximately 4-foot-deep trench would be installed, using an excavator (typically) for the full width. Typically, rock or gravel would be placed in the trench, the conduit installed, and the trench covered.

Staging and Storage
Equipment staging and storage would be within the overall 77.9-acre area designated for the Project. Access roads would be the existing roads, and no new access roads would be required.

Stormwater Control
The Project would involve the installation of a ground mounted solar array and associated equipment/infrastructure within a 28.9 acre fenced compound. The areas of grading would include the swales and equipment foundations comprising only approximately 4.9 acres. This grading would include the temporary construction access roads to be used to install the panels and equipment.

The six array fields combined would be approximately 20.7 acres, of which 30 percent, or approximately 6.2 acres, would be considered impervious surface to use as the design for the swales and basins. The total area of stormwater basins and swales would be 1.88 acres (at top of bank). The stormwater system would utilize three detention basins and a system of collection swales to provide stormwater attenuation for the 15 min., 30 min., 1 hr, 3 hr, 6 hr and 24 hr durations storm events for each of the 2 yr, 10 yr, 25 yr and 100 yr return frequencies; in accordance with the San Bernadino County Hydrology Manual, as well as the SBC Detention Basin Design Guidelines.

In summary, the stormwater control system for the array was designed to capture the approved storms for approximately 6.2 acres in accordance with San Bernardino County standards.

Access
Access to the solar array portion of the Proposed Project would be from the north-south roads, Crystal Creek Road and/or Furnace Creek Road, then along an east-west unnamed road that connects Crystal Creek and Furnace Road, south of the mine, and which represents the northern boundary of the solar array. This unnamed road would provide access to the array, inverters, switchboards, transformers, and switchgear. In addition, it would provide access to the temporary storage and laydown area. This access point would also be used for emergency access. To provide typical site access, the Project would include construction of a 20-foot-wide, 580 foot long, permanent gravel driveway off the existing east-west unnamed road, to accommodate wide turning radii in both directions.

The east-west Crescent Road, located south of the southern boundary of the solar array, is not anticipated to be used for construction or operations access because it exists south of the array, and other, more direct access is available.

Fencing and Signage
The Project perimeter, at both the solar field and the medium voltage switchgear adjacent to the substation, would be secured with 6-foot-tall permanent security fencing. When trenching the underground interconnection pathway, the immediate surrounding area would be secured with temporary 6-foot-tall security fencing. All Project fencing would be set back at minimum 15 feet from the property line or public right-of-way. All Project signage requirements would be evaluated, and the best-fit scenario would be incorporated into the Project based on the final Project design.

Water Use
Water would be required during construction to support concrete manufacturing, dust control, module washing, and sanitary use. The Project would use the majority of water during construction for dust mitigation, estimated to require a total of approximately 7.5 - 20 acre feet (AF) of water for construction activities and dust suppression. The Project would also require up to an estimated 0.5 - 1 AF of water per year for module washings, and up to an estimated 7.5 - 20 AF of water would be used during Project decommissioning. The Project would use a water truck to source its water from an on-site private well. This water source would be used over the lifecycle of the Project for construction, panel washing, maintenance, and decommissioning.

Construction

Phasing
Construction of the Project is expected to begin October 2025 and last up to 8 months, with a peak workforce of 40 construction workers on the site, with approximately 92 over the course of the Project construction. Construction would be comparable to other renewable energy projects and is anticipated to be divided into the following sequence, with some overlap:

1. Roads, grading, and fencing
2. Electrical infrastructure,
3. PV assembly and installation,
4. Substation interconnection,
5. Electrical system upgrades,
6. PV commissioning, and
7. Project finalization.

Table 2: *Construction Phases and Anticipated Construction Equipment* provides a summary of the Project's construction phases, anticipated construction equipment and maximum vehicle daily trips. Various elements of the Project would be constructed concurrently on the property. The total duration of construction is not expected to exceed eight months.

Table 2: Construction Phases and Anticipated Construction Equipment

Phase Name/Duration	Equipment Quantity	Trips Per Day
1: Site Preparation (1 month/20 working days) Staging areas established; set access points; runoff controls, barriers, and fencing installed; minimal grading and scraping	1 Bore/Drill Rig 1 Cement/Mortar Mixer 1 Excavators 2 Graders 1 Rollers 1 Skid-Steer Loader 2 Generator Sets 3 Off-Highway Trucks (Pick-up) 1 Off-Highway Truck (Water) 1 Tractor/Loader/Backhoes 1 Rubber-Tired Dozers	**Worker:** 12 (50-mile round trip)
2: Underground Work (1 month/20 working days) Set manholes, excavate, concrete backfill, surface restoration, pulling cable, splicing, temporary preparation	1 Dumper/Tender 2 Generator Sets 1 Roller 3 Off-Highway Trucks (Pick-up) 1 Off-Highway Truck (Water)	**Worker:** 25 (50-mile round trip)

Phase Name/Duration	Equipment Quantity	Trips Per Day
work on existing utility circuit, structure installation, transfer other utilities and conductor installation, wire clipping.	2 Trenchers 2 Compactors 1 Tractors/Loaders/Backhoes	
3: System Installation (5 months / 110 working days) Installation of support beams, module rail assemblies, PV modules, inverters, transformers, and buried electrical cables. Concrete for footings, foundations, and pads for the transformers and inverters.	2 Forklifts 2 Generator Sets 6 Off-Highway Trucks (Pick-up) 1 Off-Highway Truck (Other) 3 Off-Highway Trucks (Concrete) 1 Off-Highway Truck (Flatbed) 1 Off-Highway Truck (Water) 2 Augers 2 Pile Drivers 1 Other General Industrial Equipment	**Worker:** 40 (50-mile round trip) **PV-Panel Delivery:** 20* (240-mile round trip) **Total:** 60
4: Testing (1 month/20 working days) Test facility generation and connection to grid.	1 Generator Sets 3 Off-Highway Trucks (Pick-up) 2 Off-Highway Trucks (Other)	**Worker:** 10 (50-mile round trip)
5: Clean-up/ Restoration (1 month/20 working days) Removal/recycling of construction waste and debris; re-seeding as needed.	1 Grader 1 Off-Highway Truck (Water) 3 Off-Highway Trucks (Pick-up)	**Worker:** 5 (50-mile round trip)

*Note: * Approximate maximum daily rate. Approximately 70 truck trips for PV solar panel delivery are anticipated over a 20- to 30-day period. Day-to-day trip amounts will vary widely from as much as 20 to as little as one.*

The Project construction sequence is expected to begin with land preparation for installation of the PV module structures. Any large vegetation and brush that currently exists on the site would be removed and the surface graded flat where necessary for safe construction practices. In areas of the Project site where feasible, existing low-lying vegetation would be mowed and rolled where possible to provide ground cover and minimize dust generation. A stabilized entrance/exit would be provided to clean vehicle wheels prior to exiting the construction area.

Site Grading

Site grading and drainage work is required to provide stormwater management. The overall estimated cut / fill volume is 5,190 cubic yards (CY), and is expected to be a balanced site resulting in no import or export of soil. However, the majority of existing grades for the Project Sites areas would be preserved. Minor cuts may be required at the locations of inverters and other equipment to provide level foundations. The total area of grading disturbance is estimated to be approximately 4.9 acres. Grubbing would occur on all access roads, and in any areas where the roots would impede a Project-related structure. The installation of the solar panels would also require trenching for the installation of multiple cable systems. Initial grading work would include the use of excavators, graders, dump trucks, and end loaders, in addition to support pickups, and water trucks.

Construction Access and Staging Areas

The Project would be constructed by several contractors specializing in renewable energy projects. Construction employees are expected to arrive from respective population centers such as Apple Valley, California, and report to the designated construction staging yards prior to the beginning of each workday. Construction workers would be encouraged to carpool to the Project site, when feasible. As stated previously, it is anticipated that the construction workers would utilize an existing unimproved field road connecting Crystal Creek Road to Furnace Creek Road as points of ingress/egress to the property and that, once on site, they would access various sections via gravel roads.

Staging areas may be required for material handling, temporary storage, and staging activities would occur within the areas graded for the solar array.

The Project is designed so that all stationary equipment and machines with the potential to generate a significant increase in noise or vibration levels such as inverter/transformer would be located away from noise receptors to the extent practicable. The contractor would, to the extent practicable, conduct construction activities in such a manner that the maximum noise levels at the affected buildings would not exceed established noise standards in accordance with San Bernardino County code Section 83.01.080.

Water Quality
A stormwater pollution prevention plan (SWPPP) incorporating best management practices (BMPs) for erosion control would be prepared by a qualified practitioner prior to the start of construction. During site preparation, the SWPPP will be implemented and preliminary erosion and sediment control features would be installed and maintained. The Project would also comply with applicable post- construction water quality requirements adopted by the Regional Water Quality Control Board (RWQCB), Region 6.

Hazardous Materials
No hazardous wastes would be generated during the construction of the Project. The following wastes are anticipated to be generated: common household trash, cardboard, wood pallets, copper wire, scrap metal, paper, glass, plastics from packing material, waste lumber, insulation, concrete, empty non-hazardous containers, and vegetation wastes and wood wire spools. Although construction is not expected to generate hazardous waste, field equipment used during construction would contain limited amounts of hazardous materials such as diesel fuel, hydraulic oil, grease, solvents, adhesives, paints, and other petroleum- based products contained in construction vehicles. Standard best management practices would be utilized to contain and dispose of these materials in accordance with applicable regulations. Any hazardous materials would be stored in appropriate storage locations and containers. For example, flammable materials, such as paints and solvents, would be stored in nonflammable material storage cabinets with proper secondary containment.

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 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 plant performance and responding to utility needs for plant adjustment along with preventative and unscheduled maintenance. The Project would operate during daylight hours only. Periodic module cleanings and maintenance activities might utilize two to 10 full-time workers for one to two weeks per year. No heavy equipment would be used during routine Project operation. Operation and maintenance vehicles would include trucks (pickup, flatbed), 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 so as to avoid peak electric load periods, with unplanned maintenance activity as needed depending on the event. Preventative maintenance kits and certain critical spare components would be stored at the Project site, while all other necessary maintenance components would be available at an offsite location. On an as-needed basis, SCE would 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 would 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. PV solar farm 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 woudl be collected and recycled to the extent possible.

Decommissioning

At the end of the Project site's operational term, anticipated to be 30 years, the applicant may determine that the site should be decommissioned and deconstructed, or it may seek a revision to its CUP. When the solar arrays, panels, fencing, etc. are removed after the Project's lifetime, the land would be largely restored to its pre-Project condition. The Project would utilize BMPs to ensure the collection and recycling of the solar arrays, panels, fencing, etc. to the extent feasible. Approximately 7.5 - 20 AF of water would be used for Project decommissioning.

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 agricultural landscape. End uses would be consistent with the existing zoning.

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Federal: None.

State of California:

- California Department of Fish and Wildlife – Notification of Stream or Lake Alteration
- California Department of Fish and Wildlife – Western Joshua Tree Incidental Take Permit
- Regional Water Quality Control Board - Report of Waste Discharge
- Regional Water Quality Control Board – Notice of Intent (construction general permit)

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

Exhibit 1 – Regional Location

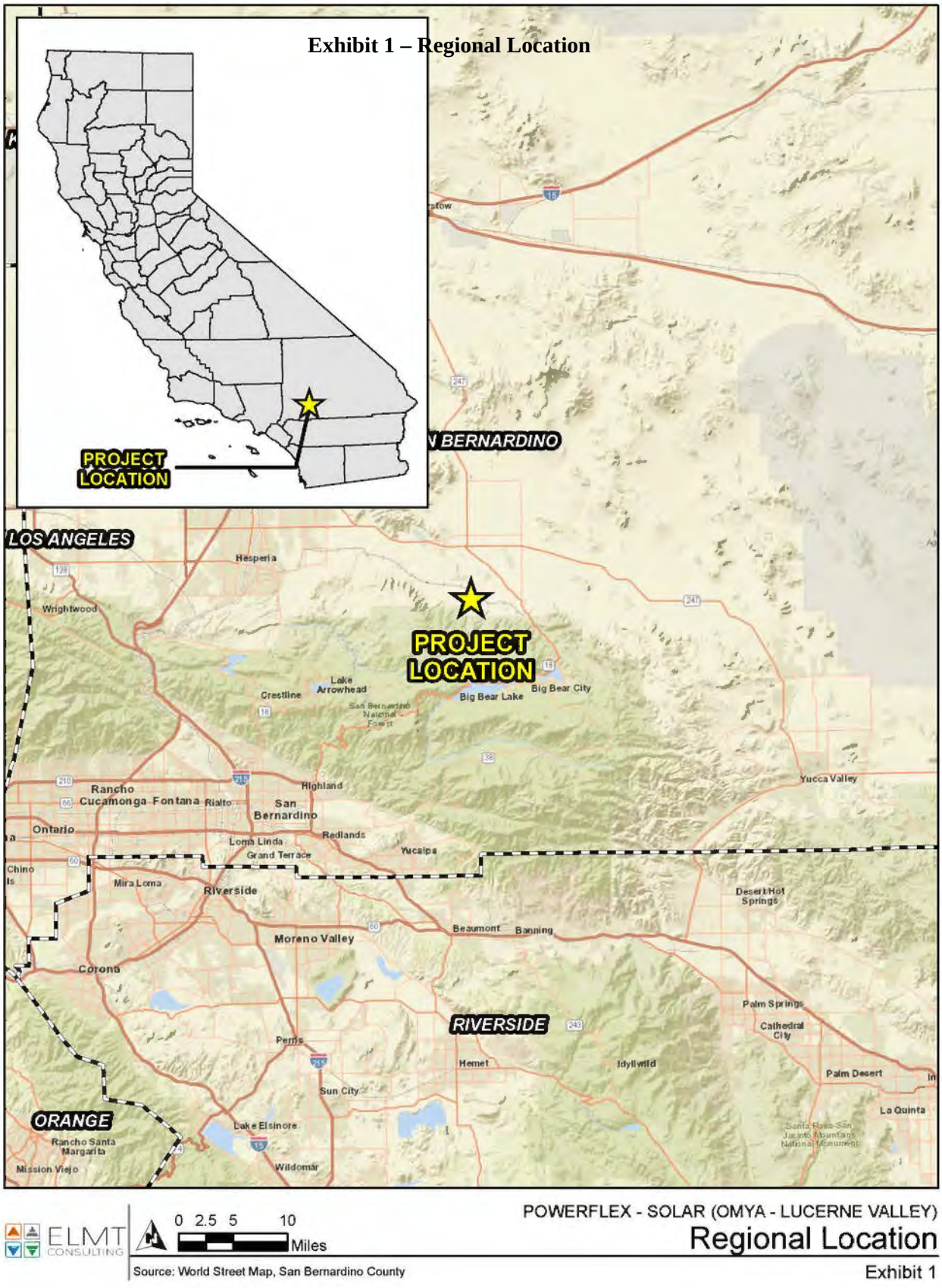


Exhibit 2 – Project Location: Aerial

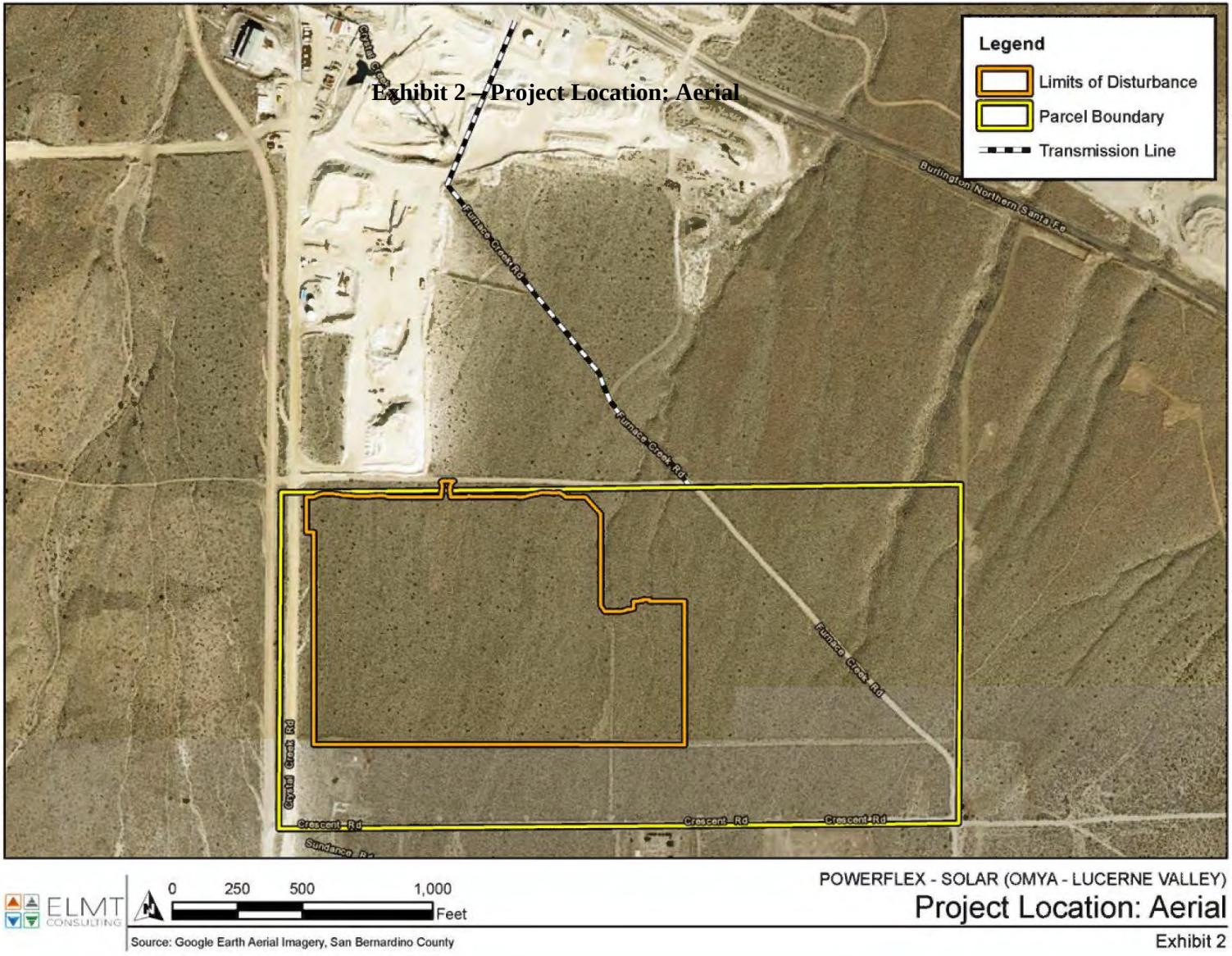


Exhibit 3 – Project Location: USGS

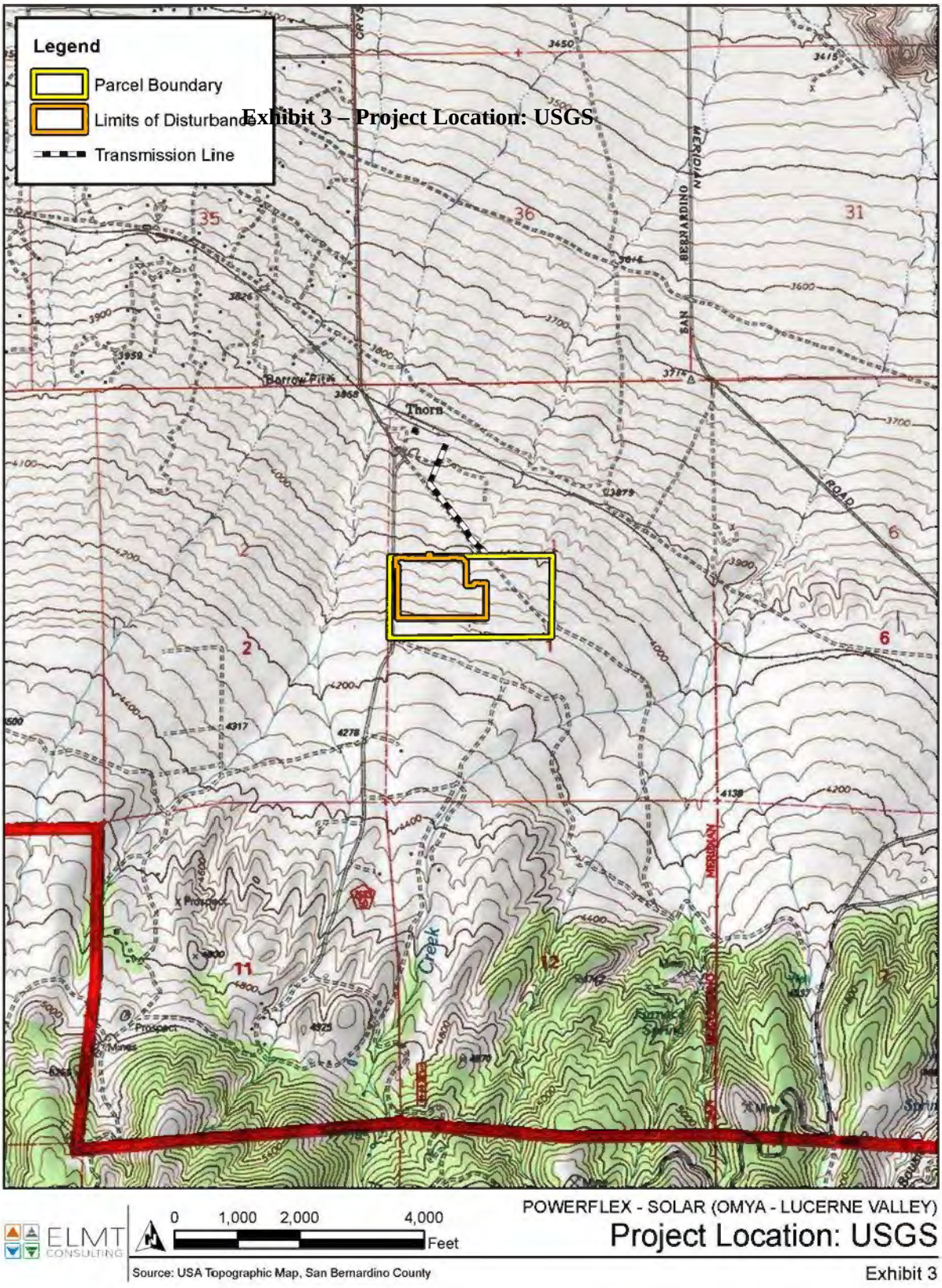


Exhibit 4 – Site Plan

ELMT CONSULTING

Not-to-Scale

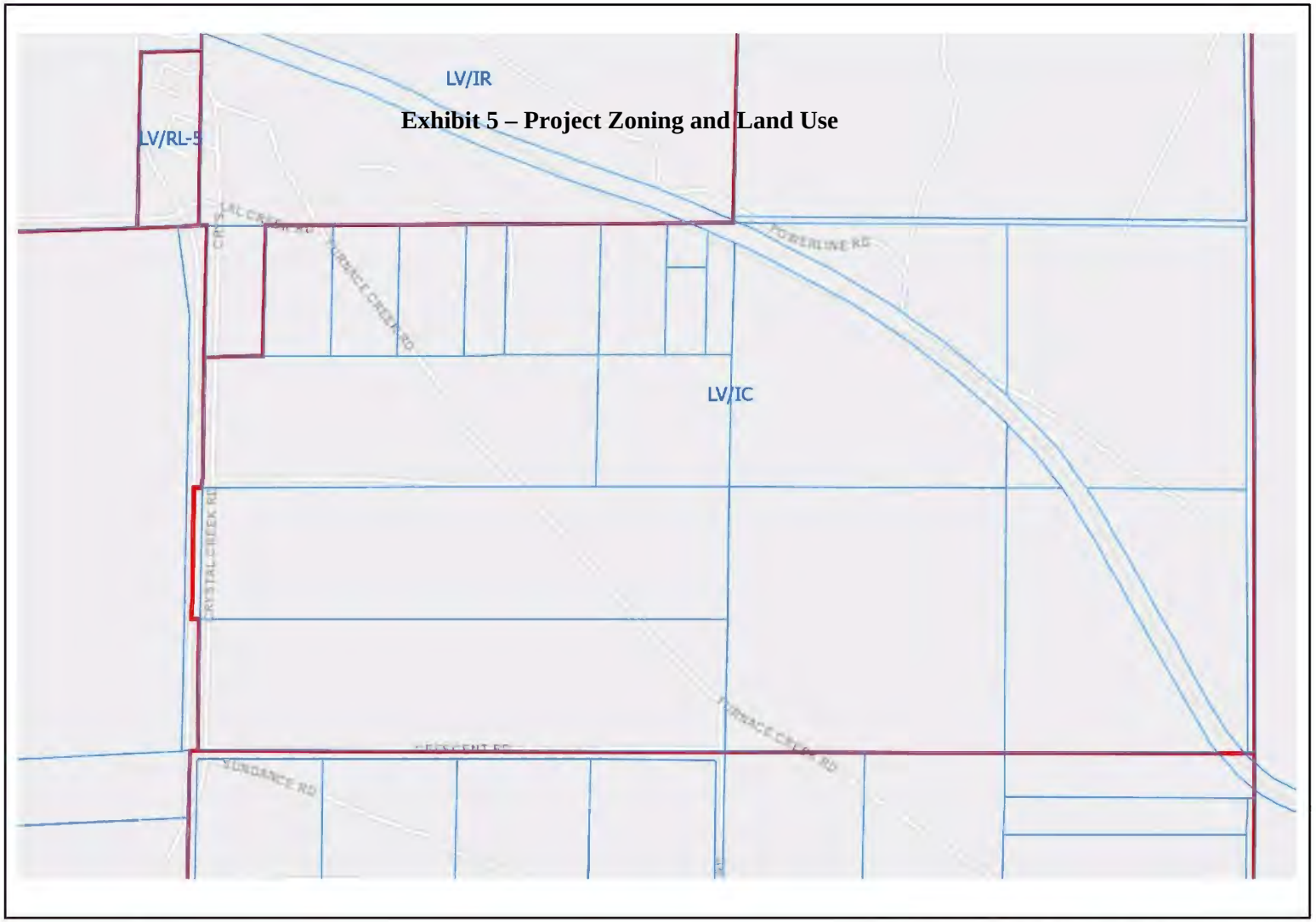
Source: Tectonic

POWERFLEX - SOLAR (OMYA - LUCERNE VALLEY)

Site Plan

Exhibit 4

Exhibit 5 – Project Zoning and Land Use



CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

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

On February 4, 2025, the County of San Bernardino mailed notification pursuant to AB 52 to the following tribes: Colorado River Indian Tribes; Fort Mojave Indian Tribe; Gabrieleño Band of Mission Indians- Kizh Nation; Morongo Band of Mission Indians; San Gabriel Band of Mission Indians; San Manuel Band of Mission Indians; Soboba Band of Luiseño Indians; and the Twenty-Nine Palms Band of Mission Indians.

The table below shows a summary of comments and responses. Comment letters are available for review at the County.

AB 52 Consultation

Tribe	Comment Letter Received	Summary of Response	Conclusion
Colorado River Indian Tribes	No response	No response	Consultation concluded
Fort Mojave Indian Tribe	No response	No response	Consultation concluded
Gabrieleño Band of Mission Indians-Kizh Nation	February 19, 2025	Request for consultation; no response to County to initiate formal consultation	Although the Kizh Nation did not respond to the County to initiate consultation, on April 8, 2025 the County received a letter from Kara Grant Law Firm requiring the inclusion of Kizh Nation mitigation measures. The Kizh Nation required mitigation measures have been included in the TCR section of this Initial Study. Consultation concluded
Morongo Band of Mission Indians	No response	No response	Consultation concluded
San Gabriel Band of Mission Indians	No response	No response	Consultation concluded
Yuhaaviatam of San Manuel Nation (formerly the San Manuel Band of Mission Indians	March 19, 2025	Request for mitigation measures to be added to Initial Study	Mitigation Measures added to Cultural Resources and Tribal Cultural Resources section per request.
Soboba Band of Luiseño Indians	No response	No response	Consultation concluded
Twenty-Nine Palms Band of Mission Indians	No response	No response	Consultation concluded

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. This format of the study is presented as follows. The project is evaluated based on its effect on 20 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. Technical studies and data were summarized herein to provide analyses of various environmental factors (e.g. air quality model results, biological resources assessment, cultural resources investigation, traffic study); these are cited herein where appropriate and included in the list of references.

The effect of the project is categorized into one of the following four categories of possible determinations:

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant	No Impact

Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

1. **No Impact**: No impacts are identified or anticipated, and no mitigation measures are required.

2. **Less than Significant Impact**: No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

3. **Less than Significant Impact with Mitigation Incorporated**: Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List of mitigation measures)

4. **Potentially Significant Impact**: Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are (List of the impacts requiring analysis within the EIR).

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

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

Amy Rossig
Signature: (Amy Rossig, Planner) — Date: 07/21/2025

Signature: (Supervising Planner) — Date

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

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

San Bernardino Countywide Policy Plan, approved October 27, 2020, adopted November 27*; *San Bernardino Countywide Policy Plan Draft EIR; San Bernardino County Development Code; OMYA Solar Facility Visual Impact Analysis, Lucerne Valley, prepared by FORMA, March 4, 2025 (Appendix A)

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

The CEQA Guidelines do not provide a definition of what constitutes a “scenic vista” or “scenic resource” or a reference as to from what vantage point(s) the scenic vista and/or resource, if any, should be observed. Scenic resources are typically landscape patterns and features that are visually or aesthetically pleasing and that contribute affirmatively to the definition of a distinct community or region such as trees, rock outcroppings, and historic buildings.

A scenic vista is generally identified as a public vantage viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public.

Common examples may include a public vantage point that provides expansive views of undeveloped hillsides, ridgelines, and open space areas that provide a unifying visual backdrop to a developed area.

No designated scenic vistas are located within visible distance of the Project Site. The proposed solar farm site would become part of an existing mineral mining and production operation that contains associated rail and trucking facilities onsite. Given that the solar facilities are low profile and ground-mounted combined with the various existing, visual encroachments on-site, the Project would not result in a substantial adverse effect on a scenic vista and a less than significant impact would result

Therefore, there would be no impact to scenic vistas, and no mitigation measures are required.

No Impact

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

The Project Site is not located on a state-designated scenic highway.

State Route (SR) 18 is a San Bernardino County designated scenic route and is eligible for California State Scenic Highway Designation. SR-18 is located approximately 3.7 miles northeast of the Project area. However, due to the distance from SR-18, the existing landforms and topography, the low profile of the ground-mounted solar panels, and the existing OMYA mining facilities and operations, the Project Site would not visible along SR-18.

Based on these considerations combined with the various existing visual encroachments on-site, the Project would not result in a substantial damage to scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway. For these reasons, there would be no impact, and no mitigation measures are required.

No Impact

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

The Project Site is located in a non-urbanized area within the North Desert Region of San Bernardino County. The Project site is rural in character and is adjacent to an existing mineral mining and production operation that contains associated rail and trucking facilities onsite. Views of the Project site from existing residences in Lucerne Valley and along SR 18 are primarily blocked by existing topography, vegetation and the existing mining and mineral production operations.

To determine the potential aesthetic changes to the landscape, a visual impact assessment was prepared (Appendix A). View simulations are provided as **Exhibit 6a, Exhibit 6b and Exhibit 6c** located at the end of this section.

Given the low profile, ground-mounted solar facilities, the Project would result in a less than significant change on the visual character of the existing landscape. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Proposed Project Site is vacant. Implementation of the Project does not include the installation of permanent lighting. Low level security lighting may be placed on the solar metering equipment in the solar field and at the transformer on the mine site, which is already lighted at night.

The San Bernardino County Development Code, Title 8, Division 3, Chapter 83.07 ("Light Trespass") relates to the County's lighting standards with a primary focus on the issue of light pollution and light trespass, with Section 83.07.060 for Mountain and Desert Requirements. Specifically, Section 83.07.040 (a)(2) – Glare and Outdoor Lighting – Mountain and Desert Regions. It states:

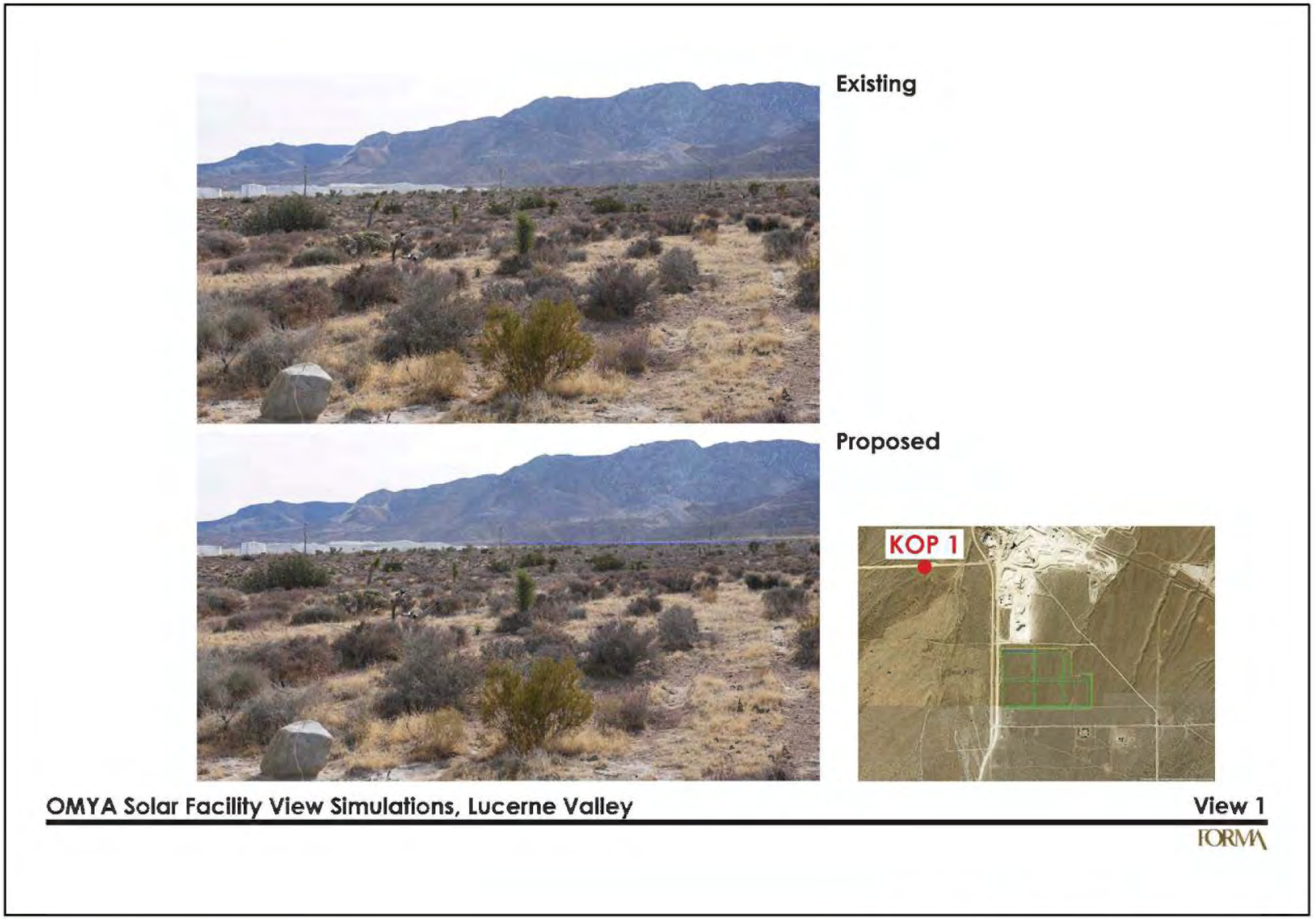
> *Shielding requirements. New permitted lighting for new construction, unless exempt in compliance with Subsection 83.07.040(e) (Exempt lighting and fixtures), below, shall be shielded in compliance with the requirements outlined in Table 83-7 (Shielding Requirements for Outdoor Lighting in the Mountain Region and Desert Region), in order to preclude light pollution or light trespass on:*
>
> *(A) Adjacent property;*
> *(B) Other property within the line of sight (direct or reflected) of the light source; or*
> *(C) Members of the public who may be traveling on adjacent roadways or rights-of-way.*

Unlike solar thermal facilities, which rely on large fields of mirrors to reflect light, the potential reflection from solar photovoltaic panels is inherently low since they are designed to capture and not to reflect sunlight. Moreover, light reflected from the photovoltaic panels would travel above the line of site of most, if not all, viewers. Photovoltaic tracking systems position the array so that the sun's rays are always perpendicular to the face of the panel. What light is reflected from the panels is reflected back towards the sun. During midday conditions, when the sun is high in the sky, the rays of the sun are reflected directly upwards. For example, when the sun is low on the horizon (near dawn or dusk), the sun's angle in the sky is low; however, reflected rays would still be directed away from ground-level receptors because the maximum downward angle of the arrays would not be below 30 degrees.

Similarly, and also due to their low reflectivity, the panels are not expected to cause visual impairment for motorists on area roadways.

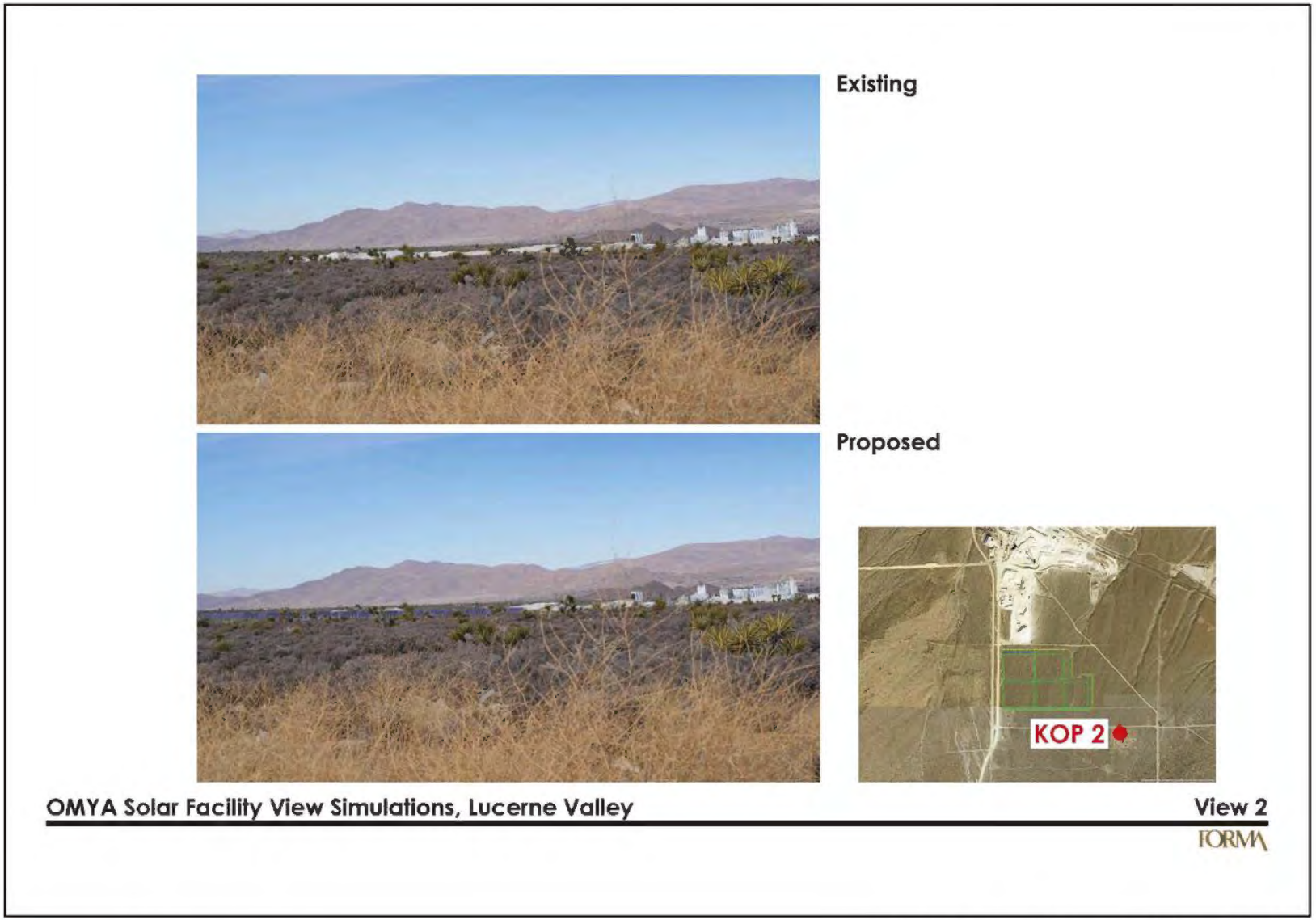
Less Than Significant Impact

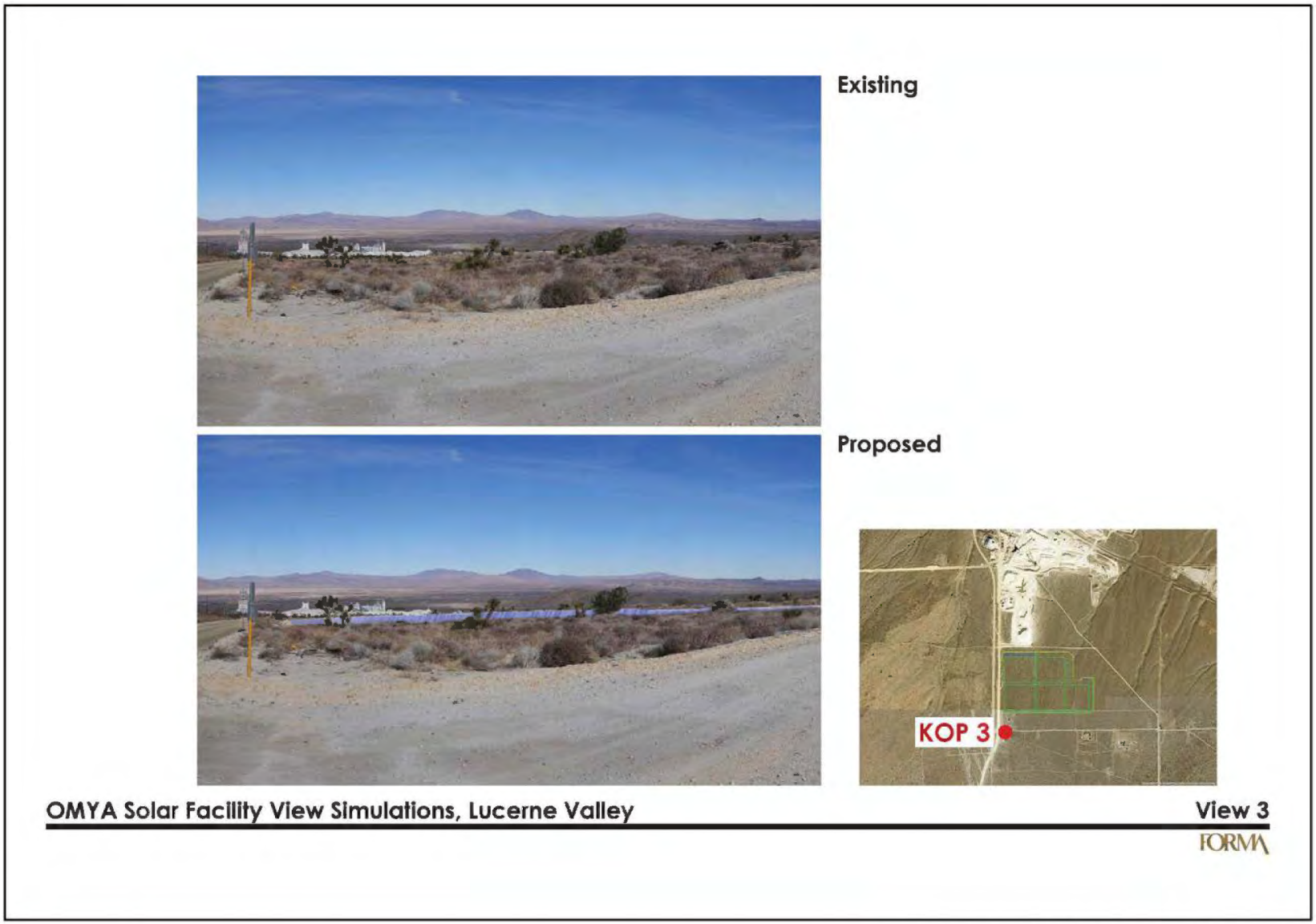
No significant adverse impacts are identified or anticipated, and no mitigation measures are required



ELMT CONSULTING
Not-to-Scale
Source: Forma

POWERFLEX - SOLAR (OMYA - LUCERNE VALLEY)
View Simulations
Exhibit 6a


Existing
Proposed
KOP 2
OMYA Solar Facility View Simulations, Lucerne Valley
View 2
FORMA
ELMT CONSULTING
Not-to-Scale
Source: Forma
POWERFLEX - SOLAR (OMYA - LUCERNE VALLEY)
View Simulations
Exhibit 6b



ELMT CONSULTING
Not-to-Scale
Source: Forma

POWERFLEX - SOLAR (OMYA - LUCERNE VALLEY)
View Simulations
Exhibit 6c

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
II.	**AGRICULTURE AND FORESTRY RESOURCES** - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

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

Countywide Policy Plan*; *California Department of Conservation Farmland Mapping and Monitoring Program; Submitted Project Materials

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?*

The Project Sites are located within the unincorporated area of Lucerne Valley, located at the southwestern edge of the Mojave Desert. The California Department of Conservation identifies the Project Site and the surrounding area as "Grazing Land." Therefore, the Proposed Project would not convert farmland to a non-agricultural use. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Project Site is not under, or adjacent to any lands under, a Williamson Act Contract. The Project Sites have a current zoning of Regional Industrial and Community Industrial. Therefore, the Project would not conflict with existing zoning for agricultural uses or a Williamson Act Contract. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

The Project Sites consist of an active mining site zoned Regional Industrial and vacant desert land currently zoned Community Industrial. Implementation of the Proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned for Timberland Production because no such land exists. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Project Sites consist of an active mining site and vacant lands that consist primarily of desert scrub. No forest land exists on site and no impact to forest lands will occur.

No Impact

e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

The Project Sites consist of an active mining site zoned Regional Industrial and vacant lands that are zoned Community Industrial. There is no agriculture or forest lands on any of the Project Sites. Implementation of the Proposed Project would not involve other changes in the existing environment that could result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

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

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

Countywide Policy Plan*; *Submitted Project Materials; Air Quality, Greenhouse Gas and Energy Impact Study, prepared by MD Acoustics, LLC, February 5, 2025 (Appendix B)

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

Air emissions from the Proposed Project are subject to federal, State and local rules and regulations implemented through provisions of the federal Clean Air Act, California Clean Air Act, and the rules and regulations of the California Air Resources Board (CARB) and Mojave Desert Air Quality Management District (MDAQMD). Air quality management

districts with air basins not in attainment of the air quality standards are required to prepare an Air Quality Management Plan (AQMP). An AQMP establishes an area specific program to control existing and proposed sources of air emissions so that the air quality standards may be attained by an applicable target date.

The Project Sites are located in the Mojave Desert Air Basin (MDAB). The MDAQMD includes the desert portion of the San Bernardino County. The MDAQMD is responsible for controlling emissions primarily from stationary sources within the MDAB and also maintains air quality monitoring stations to document historical and current levels of air quality within the District. The MDAQMD is also responsible for developing, updating, and implementing the Ozone Attainment Plan (MDAQMD 2004) which establishes a plan to implement, maintain, and enforce a program of emission control measures to attain and maintain the federal ozone air quality standards. Attainment plans prepared by the various air pollution control districts throughout the state are used to develop the State Implementation Plan (SIP) for the State of California. The Proposed Project is located within the MDAQMD and, thus, is subject to the rules and regulations of the MDAQMD. The MDAQMD and Southern California Association of Governments (SCAG) are responsible for formulating and implementing the air quality attainment plan (AQAP) for the Basin.

According to the MDAQMD, a project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project is conforming if it complies with all applicable District rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan). Conformity with growth forecasts can be established by demonstrating that the project is consistent with the land use plan that was used to generate the growth forecast. An example of a non-conforming project would be one that increases the gross number of dwelling units, increases the number of trips, and/or increases the overall vehicle miles traveled in an affected area (relative to the applicable land use plan). The "one map approach" is employed by the County of San Bernardino, as it permits the use of a single map showing both General Plan land use designations and zoning classifications. The one-map approach assures that there will always be land use consistency between the County's General Plan and its Zoning Code.

The Project is consistent with the existing Land Use Zoning District on the Project site, does not require a General Plan Amendment, and will not generate the demand to construct additional housing or substantial employment opportunities that will change the County’s growth projections. Because the Project is consistent with the planning assumptions on which the AQMP is based, and considering the Project’s negligible emissions once operational, the proposed Project would not conflict with or obstruct implementation of MDAQMD’s AQMP and, therefore, the impact will be less than significant.

Less Than Significant Impact

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

An Air Quality, Greenhouse Gas and Energy Impact Study was prepared for the Proposed Project by MD Acoustics, LLC (Appendix A). Construction and operational emissions were screened using CalEEMod version 2020.4.0.

The MDAQMD currently recommends that projects with construction-related and/or operational emissions that exceed any of the following emissions thresholds should be considered significant:

- 25 tons per year or 137 pounds per day pounds per day of VOC
- 25 tons per year or 137 pounds per day of NOx
- 100 tons per year or 548 pounds per day of CO
- 25 tons per year or 137 pounds per day of Sox
- 15 tons per year or 82 pounds per day of PM10
- 12 tons per year or 65 pounds per day of PM2.5

Construction Emissions

The analysis in Appendix B assessed the emissions associated with the construction of the Proposed Project. Per the site plan, the overall area to be disturbed during construction of the Proposed Project was estimated to be approximately 4.9 acres. The Proposed Project construction duration is estimated at eight months, and estimated to generate approximately 126 worker daily trips, and 39 AM peak hour worker trips and 39 PM peak hour worker trips.

The construction emissions for the Proposed Project would not exceed MDAQMD's daily emissions thresholds as demonstrated in **Table 3: *Regional Significance - Construction Emissions (pounds/day)***, and therefore impacts would be considered less than significant.

Table 3: Regional Significance - Construction Emissions (pounds/day)

	Pollutant Emissions (pounds/day)					
Activity	**VOC**	**NOx**	**CO**	**SO_2**	**PM10**	**PM2.5**
2024	3.75	36.10	34.50	0.07	9.49	5.47
2025	10.10	18.10	24.30	0.04	1.02	0.78
Maximum	**10.10**	**36.10**	**34.50**	**0.07**	**9.49**	**5.47**
MDAQMD Thresholds	**137**	**137**	**548**	**137**	**82**	**65**
Exceeds Thresholds	No	No	No	No	No	No

Notes:
1 Source: CalEEMod Version 2022.1.1.22
2 On-site emissions from equipment operated on-site that is not operated on public roads. On-site grading PM-10 and PM-2.5 emissions show mitigated
values for fugitive dust for compliance with MDAQMD Rule 403.
3 Off-site emissions from equipment operated on public roads.
4 Construction, architectural coatings and paving phases may overlap.

Operational Emissions

Operational or long-term emissions would occur over the life of the Proposed Project that primarily consist of incidental worker trips and equipment for maintenance and are provided in **Table 4: *Regional Significance – Operational Emissions (tons/year).***

Table 4: Regional Significance – Operational Emissions (tons/year)

	Pollutant Emissions (tons/year)[1]					
Activity	**VOC**	**NOx**	**CO**	**SO2**	**PM10**	**PM2.5**
Area Sources[2]	0.10	0.00	0.00	0.00	0.00	0.00
Energy Usage[3]	0.00	0.00	0.00	0.00	0.00	0.00
Mobile Sources[4]	0.04	0.08	0.72	0.00	0.15	0.04
Total Emissions	**0.14**	**0.08**	**0.72**	**0.00**	**0.15**	**0.04**
MDAQMD Annual Thresholds	**25**	**25**	**100**	**25**	**15**	**12**
Exceeds Threshold?	No	No	No	No	No	No

Notes:
1 Source: CalEEMod Version 2022.1.1.22
2 Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.
3 Energy usage would consist of emissions from on-site natural gas usage, however there will be no natural gas usage onsite and therefore no energy
usage emissions.
4 Mobile sources consist of emissions from vehicles and road dust.

Table 4 shows that the Project does not exceed the MDAQMD regional emissions thresholds. Therefore, operational emissions are considered to be less than significant.

As identified in Tables 3 and 4, construction and operations emissions would not 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. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

c) Expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors are considered land uses or other types of population groups that are more sensitive to air pollution than others due to their exposure. Sensitive population groups include children, the elderly, the acutely and chronically ill, and those with cardio-respiratory diseases. A sensitive receptor would be a location where a sensitive individual could remain for 24-hours or longer, such as residencies or hospitals.

MDAQMD recommends avoiding siting new sensitive land uses such as residences, schools, daycare centers, playgrounds, or medical facilities within 1,000 feet of a major transportation project (50,000 or more vehicles per day).

The Proposed Project involves the construction of a solar farm as supplemental power for an existing mining operation.

The closest existing sensitive receptors (to the Project Site) are residential land uses located approximately 300 feet south of the Project Site, along the south side of Crescent Road.

Construction

The greatest potential for toxic air contaminant emissions would be related to diesel particulate emissions associated with heavy equipment operations during construction of the Proposed Project. The Office of Environmental Health Hazard Assessment (OEHHA) has issued the Air Toxic Hot Spots Program Risk Assessment Guidelines and Guidance Manual for the Preparation of Health Risk Assessments, February 2015 to provide a description of the algorithms, recommended exposure variates, cancer and noncancer health values, and the air modeling protocols needed to perform a health risk assessment (HRA) under the Air Toxics Hot Spots Information and Assessment Act of 1987. Hazard identification includes identifying all substances that are evaluated for cancer risk and/or non-cancer acute, 8-hour, and chronic health impacts. In addition, identifying any multi-pathway substances that present a cancer risk or chronic non-cancer hazard via non-inhalation routes of exposure.

Given the relatively limited number of heavy-duty construction equipment anticipated to be utilized on the primarily flat site and the short construction schedule (less than one year), the Proposed Project would not result in a long-term substantial source of toxic air containment emissions and corresponding individual cancer risk. Furthermore, construction-based particulate matter (PM) emissions (including diesel exhaust emissions) do not exceed any regional thresholds (refer to Table 3). Therefore, no significant short-term toxic air contaminant impacts would occur during construction of the Proposed Project.

Operations

Project operations would generate emissions of NOx, ROG, CO, PM_{10}, and $PM_{2.5}$, which would not exceed the MDAQMD regional thresholds and would not be expected to result in ground level concentrations that exceed the NAAQS or CAAQS. Therefore, operation of the Project would not result in a cumulatively considerable net increase for non-attainment of criteria pollutants or ozone precursors (refer to Table 4).

The Proposed Project is anticipated to generate minimal operational trips and therefore does not generate more than 50,000 vehicles per day. A Project-specific HRA is not required or warranted. Impacts to nearby sensitive receptors are considered to be less than significant.

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

Less Than Significant Impact

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

Potential sources that may emit odors during construction activities include the application of materials such as diesel exhaust and Volatile Organic Compounds would be emitted during construction of the Project, which are objectionable to some; however, emissions would disperse rapidly from the Project Site and therefore should not reach an objectionable level at the nearest sensitive receptors. Due to the short-term nature and limited amounts of odor producing materials being utilized, no significant impact related to odors would occur during construction of the proposed Project.

There are no operational aspects that would contribute to odor. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

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

	migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	☐	☐	☐	☒

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

Countywide Policy Plan*; *Submitted Project Materials; Powerflex Solar Ground Mount System at OMYA – Lucerne Valley Biological Resources Assessment, prepared by ELMT Consulting, March 2025 (Appendix C-1); Powerflex Solar Ground Mount System at OMYA – Lucerne Valley Jurisdictional Delineation prepared by ELMT Consulting, March 2025 (Appendix C-2)

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

A biological resources assessment ("BRA," Appendix C-1) was prepared for the Proposed Project by ELMT Consulting (ELMT) in March 2025. The purpose of the BRA is to characterize existing site conditions on the entire Project site and to assess the probability of occurrence of special-status plant and wildlife species that could pose a constraint to Project implementation. Special attention was given to the suitability of the Project site to support burrowing owl (*Athene cunicularia*), desert tortoise (*Gopherus agassizii*), Joshua tree (*Yucca brevifolia*), and other special-status plant and wildlife species identified by the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB), and other electronic databases such as the California Native Plant Society (CNPS) as potentially occurring in the general vicinity of the Project site.

The Project Site is within both the *Lucerne Valley and Fawnskin* quadrangles of the United States Geological Survey's (USGS) 7.5-minute topographic map series, within Section 1 of Township 3 North, Range 1 West. On-site elevation ranges from approximately 4,006 to 4,153 feet above mean sea level and slopes marginally from southwest to northeast, with topography being generally flat except for shallow, undulating depressions in the northern portion. Based on the NRCS USDA Web Soil Survey, the Project Site is historically underlain by Kimberlina gravelly sandy loam (cool, 2 to 5 percent slopes) and Yermo-Kimberlina (cool, associated sloping). Soils along site boundaries have been compacted by development and disturbances associated with the adjacent and on-site roadways and development. Soils underlying portions of the site that occur outside of these areas are relatively undisturbed

The literature search identified 77 special-status plant species, 33 special-status wildlife species, and 1 special status plant community as having potential to occur within the *Fawnskin* and *Lucerne Valley* USGS 7.5-minute quadrangles.

In addition to the literature review, a general habitat assessment or field investigation of the Project Site was conducted to document existing conditions within the Project Site and assess the potential for special-status biological resources to occur.

The BRA in Appendix C-1 determined that the vegetation community consisted of the following:

- **Mojavean desert scrub**. The dominate plant community, Mojavean desert scrub This plant community is dominated by large perennial shrub species such as black brush (*Coleogyne ramosissima*) and Mojave yucca (*Yucca schidigera*) and supports an intermittent to consistent shrub layer and sparse to robust herbaceous layer. This vegetation community also supports the western Joshua tree (*Yucca brevifolia*)

- **Disturbed**. The Project Sites support disturbed land within access roads that bound and cross through the Project Sites. These areas vary in vegetative density from typically barren to intermittent according to the type and degree of routine disturbance, and primarily support weedy/early successional species observed in the aforementioned plant communities.

- **Developed.** Developed land generally encompasses all buildings/structures and paved or otherwise impervious surfaces. The Project Site supports developed land where site boundaries overlap with existing OMYA quarries and facilities, and within a remnant building foundation in the southwest corner. These areas are generally barren due to impermeable substrates and routine disturbance, but may support especially hardy weedy/early successional species

The BRA in Appendix C-1 determined that there are no sensitive habitat communities that are present on site.

Critical Habitat

The Project Site is not located within federally designated Critical Habitat. The nearest Critical Habitat designations is located approximately 1.2 miles southeast for Parish's daisy (*Erigeron parishii*), 1.39 miles southwest for Cushenbury milkvetch (*Astragalus albens*), and 1.78 miles southwest for Cushenbury buckwheat (*Eriogonum ovalifolium var. vineum*). Therefore, no impacts to federally designated Critical Habitat would occur from implementation of the Proposed Project.

Special Status Plants

According to the CNDDB and CNPS, 77 special-status plant species have been recorded in the Fawnskin and Lucerne Valley quadrangles (refer to Appendix C-1). Two special-status species were observed on-site during the field investigation: purple-nerve

cymopterus and western Joshua tree. The Project Site has a low potential to support Cushenberry milk-vetch, federally listed as endangered and is designated by the CNPS as a Rare Plant Rank 1B.1 species, indicating that it is rare, threatened, or endangered in California and elsewhere, and is seriously threatened in California with over 80 percent of known occurrences threatened. The Project Site also has habitat to support the Parish's daisy, which is federally listed as threatened.

In addition to the BRA in Appendix C-1, a focused special plant survey was performed during the blooming season of several sensitive plant species.

Purple-Nerve Cymopterus

Purple-nerve cymopterus is a perennial herb that blooms from March to April. It is neither federally nor state-listed but is designated by the CNPS as a Rare Plant Rank 2B.2 species, indicating that it rare, threatened, or endangered in California but more common elsewhere with 20 to 80 percent of known occurrences threatened.

A group comprising four individuals of this species were observed within the southeast corner of the parcel boundary, outside the Project footprint. No other individuals were observed during the 2024 focused surveys conducted on April 11 and May 17, 2024 (Appendix B-2). Therefore, this species is presumed to be absent from the proposed limits of disturbance.

Cushenberry Milk-vetch

Cushenberry milk-vetch is a perennial herb that blooms from March to June with the nearest occurrences of Cushenberry milk-vetch to the Project site being located approximately 1.67 miles to the east and south, observed in 2021 and 2008, respectively.

A focused survey was conducted on April 11 and May 17, 2024, during the blooming season for this plant species. No individuals were observed onsite. Therefore, this species is presumed absent from the Project Site.

Parish's Daisy

Parish's daisy is a perennial herb that blooms from May to August with the nearest mapped occurrences of Parish's daisy to the project site occur approximately 1.72 miles southeast and 1.68 miles to the south, observed in 2021 and 1991, respectively.

Focused surveys were conducted on April 11, and May 17, 2024, during blooming season for this plant species. No individuals were observed onsite. Therefore, this species is presumed absent from the Project Site.

Western Joshua Tree

The California Fish and Game Commission (Commission) designated the western Joshua tree as a candidate for listing under the California Endangered Species Act (CESA) in October 2020. This action afforded the western Joshua tree the same CESA

protections as listed species, which means that removal of the desert trees was subject to fines and criminal penalties unless authorized by a "take" permit issued by the CDFW. The Western Joshua Tree Conservation Act (WJTCA), which became effective July 1, 2024, streamlines the western Joshua Tree take permit process and broadens the purposes for which a permit may be issued. A western Joshua tree may now be removed for any purpose, so long as a permit is obtained and the removal is fully mitigated, or alternatively, an in-lieu mitigation fee is paid.

A total of 623 western Joshua trees were observed within the proposed limits of disturbance during the field investigation, of which 404 individuals measured less than one meter (3.2 feet) in height and 219 individuals measured between 1 and 5 meters (3.2 feet to 16 feet) in height (Appendix B-1). **Table 5: *Summary of Western Joshua Trees Within Project Site*** identifies the tree classes based on the WJTCA.

Table 5: Summary of Western Joshua Trees Within Project Site

Size Classification	Count	Fee per Tree	Fees
A (<1 meter)	404	$346.00	$139,784.00
B (1 to 5 meters)	219	$509.00	$111,471.00
C (> 5 meters)	0	$2,544.75	$0.00
TOTALS	**623**		**$ 251,255.00**

Additionally, a total of 94 western Joshua trees were observed within 50 feet of the Project Site (outside of the Proposed Project footprint) during the field investigation, including 42 individuals measuring less than one meter in height, and 52 individuals measuring between one and five meters in height. These 94 western Joshua trees will not be impacted by Project implementation, however, the CDFW may require payment of additional mitigation fees because the trees lie within 50 feet of the area of disturbance. The CDFW considers 50 feet from a Joshua tree as a potential root zone, and therefore is the perceived impact which would require mitigation.

Therefore, to mitigate impacts to Western Joshua Tree, **Mitigation Measure BIO-1** to obtain an Incidental Take Permit for Western Joshua Tree is required prior to issuance of grading permits.

> **Mitigation Measure BIO-1: Western Joshua Tree Take Permit.** For any western Joshua Trees that would be removed or impacted, the Project applicant shall either obtain an Incidental Take Permit (ITP) from California Department of Fish and Wildlife (CDFW) either under CDFW under §2081 of the California Endangered Species Act (CESA) or through the Western Joshua Tree Conservation Act. Proof of the permit is required prior to the County issuance of grading permits.

Special Status Wildlife

According to Appendix C-1, special-status wildlife species have been reported in the Fawnskin and Lucerne Valley quadrangles. The majority of the site supports undisturbed natural plant communities consistent with those occurring in open spaces nearby and provides suitable foraging and nesting/denning opportunities for local wildlife species.

Regionally, the desert tortoise (both federally and state listed as threatened), burrowing owl and Crotch bumble bee (both candidate species for state listing) were identified as having the potential to occur in the Fawnskin and Lucerne Valley quadrangles. Two special-status wildlife species were observed during the field investigation: Costa's hummingbird and Bell's sparrow. However, these two species were not listed by the CNDDB for the Fawnskin and Lucerne Valley quadrangles.

Burrowing Owl

Burrowing owl is currently listed as a Candidate for Endangered status in California. Despite a systematic search of the Project Site, no burrowing owls or sign (i.e., pellets, feathers, castings, or whitewash) were observed during the field investigation, according to the BRA in Appendix C-1. Portions of the Project Site are unvegetated and/or vegetated with a variety of low-growing plant species that allow for line-of-sight observation favored by burrowing owls and the site does support suitable burrows (>4 inches in diameter) and man-made features capable of providing roosting and nesting opportunities. However, the majority of suitable burrows supported on-site tend to be situated within or adjacent to dense vegetation, which burrowing owls avoid as these barriers provide potential predators cover from which to ambush the owls upon exiting their burrow; or occur adjacent to active quarries or haul roads that connect the central OMYA facility with off-site quarries to the southeast. Routine disturbances associated with the haul road and adjacent facilities and quarries are expected to preclude burrowing owl from establishing on-site.

Based on the results of the field investigation in Appendix C-1, it was determined that the Project Site does not have potential to support burrowing owl, and focused surveys are not recommended. Out of an abundance of caution, and to ensure burrowing owl remain absent from the Project Site, **Mitigation Measure BIO-2** which requires a pre-construction burrowing owl clearance survey to be conducted prior to Project implementation to ensure burrowing owl remains absent from the site to ensure potential impacts remain less than significant.

> **Mitigation Measure BIO-2: Pre-Construction Burrowing Owl Clearance Survey**. A pre-construction clearance survey shall be conducted prior to any ground disturbance or vegetation removal activities to ensure that burrowing owls remain absent, and impacts do not occur to occupied burrows on or within 500 feet of the Project Site. In accordance with the CDFW's Staff Report on Burrowing Owl Mitigation (CDFW 2012), two (2) pre-construction clearance surveys should be conducted 14 – 30 days and 24 hours prior to any ground disturbance or vegetation removal activities.

Desert Tortoise

No live desert tortoises, suitable burrows, or other sign were observed during the field investigation performed as part of the BRA in Appendix C-1. The plant communities supported by the Project Site and adjacent undeveloped parcels provide suitable foraging and burrowing habitat for desert tortoise. In addition, while routine seismic disturbances associated with the adjacent OMYA facility preclude desert tortoise from establishing in the northern portion of the site, the southern portion of the site is likely far enough removed from the facilities that desert tortoise may tolerate limited disturbance. In addition, the site occurs adjacent to undeveloped open spaces to the south and east, and west beyond the haul road. Therefore, the Project Site was determined to have a low potential to support desert tortoise. According to the CNDDB, no desert tortoise observations have been mapped within 5 miles of the Project Site.

Since no suitable burrows or burrowing conditions are present within the limits of disturbance for the proposed project, focused surveys for desert tortoise are not recommended. Instead, **Mitigation Measure BIO-3** to conduct a pre-construction desert tortoise clearance survey to be conducted prior to development to ensure desert tortoise remains absent is required to ensure that potential impacts to desert tortoise are less than significant.

> **Mitigation Measure BIO-3: Pre-Construction Desert Tortoise Clearance Survey**. A pre-construction clearance survey be conducted thirty (30) days prior to ground disturbing activities in undeveloped areas to confirm the absence of desert tortoise within the boundaries of the survey area. Survey transects should be spaced at 10-meter (33-foot) intervals throughout the undeveloped portions of the Project area to provide 100 percent visual coverage and increase the likelihood of locating desert tortoise and/or sign. All burrows, if present, will be thoroughly inspected for the presence of desert tortoise or evidence of recent use using non-intrusive methods (i.e., mirror, digital camera). Burrow characteristics including class, shape, orientation, size, and evidence of deterioration will be recorded on field data sheets. Although not anticipated, if desert tortoise are found onsite during the pre-construction clearance survey, coordination will need to occur with the USFWS and CDFW to determine if avoidance and minimization measures can be implemented to avoid any direct or indirect impacts to desert tortoise, or if “Take” permits will need to be obtained prepared and approved by the USFWS and CDFW.

Mohave Ground Squirrel

The Mohave ground squirrel is endemic to the western Mojave Desert, California. It occupies portions of Inyo, Kern, Los Angeles, and San Bernardino counties in the western Mojave Desert. In general, the species ranges from near Palmdale on the southwest to Lucerne Valley on the southeast, Olancha on the northwest and the Avawatz Mountains on the northeast.

Mohave ground squirrel was not observed during the field investigation. Although a focused trapping survey was not performed, the field investigation and review of available information provided, an analysis of its potential is provided in Appendix C-1.

Three criteria are typically used in assessing potential impacts to the Mohave ground squirrel:

1. Is the site within range of the species?
2. Is there native habitat with a relatively dense shrub component?
3. Is the site surrounded by development and therefore isolated from potentially occupied habitat.

The result of the analysis of these criteria is detailed in Appendix C-1. Overall, based on the fact that key habitat requirements for Mohave ground squirrel were absent from the Project Sites, the lack of connected corridors to known distributions, the nearby mining operations, and results of other regional trapping studies, it was determined this species is presumed absent from the Project Site. No further focused surveys are recommended.

Crotch Bumblebee

The Crotch bumblebee is a candidate species for listing status by the CESA. Generally, for all bumble bee species, high-quality habitat have three major components: a diverse supply of flowers for nectar and pollen, nesting locations, and subterranean spaces for overwintering queens (Appendix C-1). Based on the results of the BRA in Appendix C-1, the Project Site and immediately surrounding areas were determined to provide low plant diversity for nectar sources. The available native plant diversity supported by the creosote bush scrub plant community provides limited foraging habitat for Crotch bumblebee due to this species being a dietary generalist. Further, no bumble bees have been recorded in the immediate vicinity of the Project Site. Due to existing anthropogenic disturbances north of the Project Site, low plant diversity for nectar sources, and lack of recorded occurrences in the immediate vicinity of the Project Site Crotch bumble bee was determined to have a low potential to support Crotch bumblebee. No further surveys are recommended.

<u>Nesting Birds</u>

The federal Migratory Bird Treaty Act (MBTA) of 1918 provides protection for nesting birds that are both residents and migrants, whether or not they are considered sensitive by resource agencies. No active nests or nesting behaviors were observed during the field investigation.

To ensure that there would be no impacts to nesting birds, **Mitigation Measure BIO-4** which requires a pre-construction survey for nesting birds, is required to ensure potential impacts to nesting birds would be less than significant.

> **Mitigation Measure BIO-4: Pre-Construction Nesting Bird Clearance Survey**. All construction activities shall comply with the federal Migratory Bird Treaty Act of 1918 (MBTA)and California Fish and Game Code Sections 3503, 3511 and 3513. The MBTA governs the taking and killing of migratory birds, their eggs, parts, and nests

and prohibits the take of any migratory bird, their eggs, parts, and nests. Compliance with the MBTA shall be accomplished by completing the following:

Construction activities involving vegetation removal shall be conducted between September 1 and January 31. If construction occurs inside the peak nesting season (between February 1 and August 31), a pre-construction survey by a qualified biologist shall be conducted within 72 hours prior to construction activities to identify any active nesting locations. If the Biologist does not find any active nests, the construction work shall be allowed to proceed. The biologist conducting the clearance survey shall document a negative survey with a report indicating that no impacts to active avian nests shall occur.

If the Biologist finds an active nest within the pre-construction survey area and determines that the nest may be impacted, the Biologist shall delineate an appropriate buffer zone around the nest. The size of the buffer shall be determined by the Biologist and shall be based on the nesting species, its sensitivity to disturbance, expected types of disturbance, and location in relation to the construction activities. These buffers are typically 300 feet from the nests of non-listed species and 500 feet from the nests of raptors and listed species. Any active nests observed during the survey shall be mapped on an aerial photograph. Only construction activities (if any) that have been approved by a Biological Monitor shall take place within the buffer zone until the nest is vacated. The Biologist shall serve as a Construction Monitor when construction activities take place near active nest areas to ensure that no inadvertent impacts on these nests occur. Results of the pre-construction survey and any subsequent monitoring shall be provided to the Property Owner/Developer and the City. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds.

With implementation of Mitigation Measures BIO-1 through BIO-4, the Proposed Project would not have a substantial adverse effect on species identified as a candidate, sensitive or special status species.

Less than Significant with Mitigation

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

There is no riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service present on the Project Site (Appendix B-3). There would be no impact, and no mitigation is required.

No Impact

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

A Jurisdictional Delineation (JD) of the Project Site (Appendix B-3) was prepared to determine the presence of drainages and the extent of State and federal jurisdictional waters that would be potentially subject to regulation by the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act (CWA), Regional Water Quality Control Board (RWQCB) under Section 401 of the CWA and Porter Cologne Water Quality Control Act, and CDFW under Section 1602 of the California Fish and Game Code (FGC).

Five unnamed ephemeral drainage features (Drainages 1 through 5) were observed within the boundaries of the Project Site during the field delineation (Appendix B-3). All on-site drainage features generally flow in a south to north direction across the Project Site. All of the drainages that pass through- and in proximity of-the site, have been removed from historic flow patterns since at least 1968 due to on-site and surrounding development including roadways, residential development, and the pump station on-site.

The on-site ephemeral drainage features are not relatively permanent, standing, or continuously flowing bodies of water and, therefore, will not qualify as waters of the United States under the regulatory authority of the Corps (Sackett v. EPA (2022) 143 S. Ct. 1322, 1336). However, the onsite drainage features will qualify as waters of the State and fall under the regulatory authority of the Regional Board and CDFW. **Table 6: *Jurisdictional Area and Impact Analysis*** identifies the on-site jurisdictional including the total acreage of jurisdiction and anticipated impacts for each regulatory agency within the boundaries of the Project Site.

Table 6: Jurisdictional Area and Impact Analysis

Drainage Feature	Stream Flow	Regional Board Jurisdiction		CDFW Jurisdictional Streambed	
		On-Site Jurisdiction Acreage (Linear Feet)	**Jurisdictional Impacts** Acreage (Linear Feet)	**On-Site Jurisdiction** Acreage (Linear Feet)	**Jurisdictional Impacts** Acreage (Linear Feet)
Drainage 1	Ephemeral	0.057 (740)	0.018 (211)	0.057 (740)	0.018 (211)
Drainage 2	Ephemeral	0.05 (470)	–	0.05 (470)	–
Drainage 3	Ephemeral	0.062 (730)	0.005 (105)	0.062 (730)	0.005 (105)
Drainage 4	Ephemeral	0.077 (1,476)	–	0.077 (1,476)	–

The Project applicant is required to obtain appropriate permits from the identified agencies prior to construction and provide those to the County. Compliance with federal and state laws is not mitigation for impacts, therefore, the impact would be less than significant.

There are also no state or federally protected wetlands (including, but not limited to, marsh, vernal pool, or coastal*)* (refer to Appendix B-3).

Less Than Significant Impact

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?

Wildlife movement and the fragmentation of wildlife habitat are recognized as critical issues that must be considered in assessing impacts to wildlife. Habitat fragmentation is the division or breaking up of larger habitat areas into smaller areas that may or may not be capable of independently sustaining wildlife and plant populations. Habitat linkages provide connections between larger habitat areas that are separated by development. Wildlife corridors are similar to linkages but provide specific opportunities for animals to disperse or migrate between areas. Habitat linkages provide links between larger undeveloped habitat areas that are separated by development.

A corridor can be defined as a linear landscape feature of sufficient width to allow animal movement between two comparatively undisturbed habitat fragments. Adequate cover is essential for a corridor to function as a wildlife movement area. It is possible for a habitat corridor to be adequate for one species yet inadequate for others. Wildlife corridors are significant features for dispersal, seasonal migration, breeding, and foraging. Additionally, open space can provide a buffer against both human disturbance and natural fluctuations in resources.

According to the San Bernardino County General Plan, the Project Site has not been identified as occurring within a Wildlife Corridor or Linkage. As designated by the San Bernardino County General Plan Open Space Element, the nearest corridor/linkage documented in the vicinity of the site is Grapevine Creek, located approximately 7.69 miles southeast of the site. The site is separated from this identified regional wildlife corridors and linkages by existing development and there are no riparian corridors or creeks connecting the Project Site to these areas.

The Project Site primarily supports undeveloped land that merges with other undeveloped open spaces to the west and east, and beyond adjacent residential developments to the south. However, due to the proximity of the site to the existing OMYA quarries and facilities and the disturbances associated with their ongoing operation, the site is not expected to contribute meaningfully to local wildlife movement. Further, the ample open space surrounding the site to the west, south, and east provide more suitable conditions for wildlife movement. As such, implementation of the proposed Project would have a less than significant impact on wildlife corridors.

Less Than Significant Impact

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

San Bernardino County Development Code – Plant Protection and Management (Chapter 88.01; San Bernardino County 2009) identifies various native desert plants that require a permit from the County prior to removal. None of the plants identified by San

Bernardino County as requiring a permit were observed on-site during the field investigation. There would be no impact.

No Impact

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?

The General Plan does not identify the Project site, nor the vicinity to be within a Habitat Conservation Plan (HCP) and the Project will not conflict with the provisions of an adopted HCP, Natural Community Conservation Plan (NCCP), or other approved local, regional or State HCP since there is no adopted HCP or NCCP in the Project area or local region. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Therefore, no significant adverse impacts are identified or anticipated with the implementation of Mitigation Measures BIO-1 to BIO-4.

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

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

Cultural Resources Assessment, prepared by CRM Tech, July 3, 2024 (Appendix D)

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

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

A Cultural Resources Assessment dated July 3, 2024, was prepared for the Proposed Project by CRM Tech (Appendix D) to determine whether the Proposed Project would cause substantial adverse changes to any "historical resources," as defined by CEQA, that may exist in or around the Project Sites. In order to identify such resources, CRM Tech conducted a historical/archaeological resources records search, pursued historical background research, contacted Native American representatives, and carried out a systematic field survey.

The records search conducted identified that no cultural resources have been recorded on the Project Site, and no studies have been conducted on the Project Site, but 12 previous surveys have been conducted within a 1-mile radius.

During the field survey one isolated find and four previously unrecorded historic-period sites were encountered within the Project boundaries that may be affected by the proposed Project.

State law provides that in order for a property to be considered eligible for listing in the California Register, it must be found by the Office of Historic Preservation (OHP) to be significant under any of four criteria summarized as follows: 1) association with US, State or Local history; 2) associated with important persons; 3) embodies a distinctive method of construction; or 4) has the potential to yield important information to history or pre-history.

The Cultural Resources Assessment prepared for the Proposed Project identified five resources within the Proposed Project Sites, a refuse deposit, three road segments and one isolated prehistoric artifact. None of these resources meet the criteria for listing in the California Register of Historical Resources. Please see Appendix D for details of the evaluations. Therefore, no known historical resources are located within the Project area.

No other cultural resources of prehistoric or historic origin were identified within the Project Site, however, there is always a potential for buried archaeological resources. Therefore, **Mitigation Measure CR-1** and **Mitigation Measure CR-2** are required to accommodate unanticipated finds.

Mitigation Measure CR-1: In the event that cultural resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the Project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

Mitigation Measure CR-2: If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which

shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the Project and implement the Plan accordingly.

Implementation of Mitigation Measures CR-1 and CR-2 would ensure that no significant impacts to historical and archaeological resources would occur.

Less than Significant with Mitigation

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

There are no known burials or human remains that were found during the literature search and field review. While it is unlikely that human remains would be uncovered, construction activities, particularly grading, could potentially disturb human remains interred outside of a formal cemetery. However, California law recognizes the need to protect historic-era and Native American human burials, skeletal remains, and items associated with Native American interments from vandalism and inadvertent destruction. The treatment of Native American human remains is identified in California Health and Safety Code Section 7050.5 and 7052 and California Public Resources Code Section 5097. In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities, the contractor and/or the Project proponent are required to immediately halt potentially damaging excavation in the area of the burial and notify the San Bernardino County Coroner and a professional archaeologist to determine the nature of the remains. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. The coroner is required to examine all discoveries of human remains with 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). Following the coroner's findings, the property owner, contractor or Project proponent, an archaeologist, and the NAHC-designated Most Likely Descendant (MLD) shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. The MLD will make recommendations concerning the treatment of the remains within 48 hours as provided in Public Resources Code 5097.98. If the landowner cannot come to an agreement with the MLD, Public Resources Code Section 5097.98(e) requires the landowner to reinter the human remains and items associated with Native American remains with appropriate.

To ensure adequate and compliant management of any buried human remains that may be identified during Project development, the **Mitigation Measure CR-3** is required as a condition of Project approval to reduce any potential impacts to a less than significant level.

Mitigation Measure CR-3: If human remains or funerary objects are encountered during any activities associated with the Project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be

contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the Project.

With implementation of Mitigation Measure CR-3, the Proposed Project would not have a significant impact on human remains.

Less than Significant with Mitigation

Therefore, no significant adverse impacts are identified or anticipated with the implementation of mitigation measures.

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

SUBSTANTIATION:

California Energy Consumption Database; Submitted Project Materials; Air Quality, Greenhouse Gas and Energy Impact Study, MD Acoustics, LLC, February 5, 2025 (Appendix B)

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

The Project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation. Information from the CalEEMod 2022.1.1.22 Daily and Annual Outputs contained in the air quality and greenhouse gas analyses (Appendix B) were utilized for this analysis. The CalEEMod outputs detail Project related construction equipment, transportation energy demands, and facility energy demands. Electricity used for the Project during construction and operations would be provided by Southern California Edison, which serves more than 15 million customers. SCE derives electricity from varied energy resources including: fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. Natural gas would be provided to the Project by Southern California Gas (SoCalGas). Project-related vehicle trip energy consumption will be predominantly gasoline and diesel fuel.

Gasoline (and other vehicle fuels) are commercially provided commodities and would be available to the Project patrons and employees via commercial outlets.

Construction Energy

The Project's estimated energy consumption during construction is provided in Tables 12-16 in Appendix B, the *Air Quality, Greenhouse Gas, and Energy Impact Study* prepared for the Project. In summary, the usage identified in the tables in Appendix B is identified as follows:

- Table 12: Project Construction Power Cost and Electricity Usage: 107,998 kWh.
- Table 13: Construction Equipment Fuel Consumption Estimates: 29,706 gallons of diesel fuel.
- Table 14: Construction Worker Fuel Consumption Estimates: 843 gallons.
- Table 15: Construction Vendor Fuel Consumption Estimates (Medium Heavy Duty Trucks): 324 gallons.
- Table 16: Construction Hauling Fuel Consumption Estimates (Heavy Heavy Duty Trucks): 1,852 gallons.

Construction of the Proposed Project would require the typical use of energy resources. There are no unusual Project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Project construction is required to comply with applicable California Air Resources Board (CARB) regulations regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. Additionally, CARB has adopted the Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other Toxic Air Contaminants. Compliance with these measures would result in a more efficient use of construction-related energy and would minimize or eliminate wasteful or unnecessary consumption of energy. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption.

Additionally, California Code of Regulations Title 13, Motor Vehicles, Section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than five minutes, thereby minimizing or eliminating unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Enforcement of idling limitations is realized through periodic site inspections conducted by County building officials, and/or in response to citizen complaints

Therefore, Project compliance with State regulations will reduce impacts to less than significant and no mitigation is required.

Operations

Energy consumption in support of or related to Project operations would include transportation energy demands (energy consumed by employee and patron vehicles accessing the Project Site) and facilities energy demands (energy consumed by building operations and site maintenance activities).

The largest source of operational energy use would be vehicle operation of customers. The site is located in a rural area. Using the CalEEMod output, an average trip for autos was assumed to be 41.6 miles for all vehicles. To show a worst-case scenario, as the proposed Project type is a solar project, it was assumed that vehicles would operate 365 days per year with an average trip generation of 41.6 miles roundtrip. Table 17 in Appendix B shows the worst-case estimated annual fuel consumption for all classes of vehicles from autos to heavy-heavy trucks during operation. Table 17 shows that an estimated 2,928 gallons of fuel would be consumed per year for the operation of the proposed Project. This is considered less than significant.

Less Than Significant Impact

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

Regarding federal transportation regulations, the Project Site is located in an already developed area. Access to/from the various components of the Project is from existing roads. These roads are already in place so the Project would not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may be proposed pursuant to the ISTEA because SCAG is not planning for intermodal facilities in the Project area.

Regarding the State's Energy Plan and compliance with Title 24 CCR energy efficiency standards, the applicant is required to comply with the California Green Building Standard Code requirements for energy efficient buildings and appliances as well as utility energy efficiency programs implemented by the SCE and Southern California Gas Company.

Regarding the State's Renewable Energy Portfolio Standards, the Project would be required to meet or exceed the energy standards established in the California Green Building Standards Code, Title 24, Part 11 (CALGreen). CalGreen Standards require that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials.

The Project would be a solar facility that would provide renewable energy to the existing OMYA facility to the north of the site.

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

Less Than Significant Impact

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

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
VII.	**GEOLOGY AND SOILS** - Would the project:				
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
	ii. Strong seismic ground shaking?	☐	☐	☒	☐
	iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
	iv. Landslides?	☐	☐	☐	☒
b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

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

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

Countywide Policy Plan; Submitted Project Materials; OMYA Lucerne Valley Geotechnical Engineering Report, prepared by Terracon, May 7, 2024 (Appendix E)

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

A Geotechnical Engineering report was prepared for the Project Site (Appendix E). The Project Sites are located in Southern California, a seismically active area and susceptible to the effects of seismic activity including rupture of earthquake faults. The Project Sites lie outside of any Alquist Priolo Special Studies Zone (Appendix E). The nearest known active fault is the North Frontal Thrust System, located approximately 1.7 miles to the south, with a trace also located approximately 0.5 mile to the west, which could have a maximum credible earthquake with a magnitude of 7.18.

The proposed Project will not include any habitable structures and because no full-time staffing would be required to operate the facility, the Project does not pose a substantial risk of injury or death as a result of earthquake rupture. Additionally, the design of any structures onsite will incorporate measures to accommodate seismic loading and reduce the risk of loss, pursuant to existing California Building Code (CBC) and local building regulations. The CBC requires extensive geotechnical analysis and engineering for grading, foundations, retaining walls, and other structures, including criteria for seismic design, and the San Bernardino County Code requires submission of soil and geologic reports before building permit approval. A Geotechnical Engineering Report (May 7, 2024) prepared by Terracon (Appendix E) includes specific seismic design parameters for use in constructing the Project. With the incorporation of these geotechnical recommendations into the Project design and construction, impacts would be less than significant, and no mitigation is required.

Less Than Significant Impact

ii) Strong seismic ground shaking?

Although no active faults traverse through the Project site, the site is subject to ground shaking due to faults in the surrounding region. The Project site has a medium ranking for earthquake shaking potential and will experience a lower level of shaking with low frequency. However, ground shaking may result at the Project site due to earthquakes associated with nearby and more distant faults, as is the case for most areas within Southern California. The geotechnical study in Appendix E identified site-specific ground motion parameters for the Project site and estimated 0.742g of peak ground

acceleration. The design of any structures on-site would incorporate measures to accommodate projected seismic ground shaking in accordance with the California Building Code (CBC) and San Bernardino County Building Code. The CBC is designed to preclude significant adverse effects associated with strong seismic ground shaking. Compliance can ensure that the Proposed Project would not expose people or structures to substantial adverse effects, including loss, injury, or death, involving seismic ground shaking. Additionally, there are no habitable structures proposed, and no full-time staffing that need buildings. Therefore, a less than significant impact would occur, and no mitigation would be required.

Less Than Significant Impact

iii) Seismic-related ground failure, including liquefaction?

Liquefaction is a process in which cohesion-less, saturated, fine-grained sand and silt soils lose shear strength due to ground shaking and behave as fluid. Areas overlying groundwater within 30 to 50 feet of the surface are considered susceptible to liquefaction hazards. Ground failure associated with liquefaction can result in severe damage to structures. The Project Site has not been mapped for a liquefaction hazard. However, according to the San Bernadino County Geologic Maps, the site's potential for liquefaction hazard is low (Appendix E). Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

iv) Landslides?

Seismically induced landslides and other slope failures are common occurrences during or soon after earthquakes. The Project Site is not located within an area susceptible to landslides.[1] Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Natural Resources Conservation Service identifies that most of the soils in the Project Sites consist of Yermo-Kimberlina, Cool, Association Sloping, which the boring logs in Appendix E characterized as silty sand with gravel, dense to medium dense. The Geotechnical Investigation provided in Appendix E identified that the on-site soils are generally considered suitable for reuse as engineered fill, as required, provided they are free from vegetation, debris, oversized materials (~6 inches) and other deleterious material.

Construction activities could result in substantial soil erosion if the site is not properly designed or phased correctly over the duration of construction and decommissioning. Although mowing and rolling techniques would be employed in areas of the site where feasible to maintain existing root systems, Project construction would require the

[1] San Bernardino Countywide Policy Plan Draft EIR. Geology and Soils. Figure 5.6-3 "Liquefaction and Landslide Susceptibility."

removal of the existing vegetative cover across portions of the Project site. In the absence of erosion control best management practices (BMPs), the erosion of soil materials from either rainfall or wind could result in the off-site migration of soil materials. This could result in impacts to adjacent uses (e.g., nuisances from excessive dust) and effects to the Mojave River from sedimentation.

The potential impacts of soil erosion from rainfall would be minimized through implementation of the County's Development Code requirements (§ 88.02 – Soil and Water Conservation). Specifically, the Project would be conditioned to include erosion control practices that would be implemented throughout construction. Construction of the Proposed Project would disturb a surface area greater than 1 acre, therefore, the Proposed Project will also be required to comply with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit requirements, including preparation of a Stormwater Pollution Prevention Plan (SWPPP), which would include erosion control BMPs to address soil erosion. The implementation and maintenance of erosion control BMPs consistent with the County's Code and Project SWPPP would minimize the areas of topsoil subject to erosion from water during construction activities associated with the proposed Project such that the impact would be less than significant.

Wind erosion is also a concern for the Project given the site's exposure to high winds during the summer and fall months. To address potential impacts resulting from wind erosion, the Project Applicant will be required to comply with Rule 403.2 Fugitive Dust Control for the Mojave Desert Planning Area. Compliance with Rule 403.2(c)(3) will require the preparation of a dust control plan. Preparation of a dust control plan would include BMPs, including wind fencing for adjacent residences, and associated performance standards to minimize the loss of topsoil from wind such that the resulting impact would be less than significant.

Less Than Significant Impact

c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?*

The portion of the Project Site to be developed is relatively flat with no prominent geologic features. The Project Site is not within an area susceptible to liquefaction or landslides.[2] Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Expansive soils (shrink-swell) are fine-grained clay silts subject to swelling and contracting in relation to the amount of moisture present in the soil. Structures built on

[2] San Bernardino Countywide Policy Plan Draft EIR. Geology and Soils. Figure 5.6-3 "Liquefaction and Landslide Susceptibility."

expansive soils may incur damage due to differential settlement of the soil as expansion and contraction takes place. A high shrink-swell potential indicates a hazard to structures built on or with material having this rating. The Geotechnical Investigation in Appendix E identified that subsurface soils encountered at the site generally consisted of loose to medium dense sand with various amounts of silt or stiff to very stiff silt with varying amounts of sand in the upper 7 feet overlying medium dense to very dense sand with varying amounts of silt and gravel to the maximum drilled depth of 21 feet below existing site grade (bgs). No habitable structures are proposed for the Project. Therefore, as the below grade soils primarily consist of sand and there are no habitable structures proposed, there would be less than significant impacts, and no mitigation is required.

Less Than Significant Impact

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The Proposed Project is to install a solar array and intertie for power generation of an existing mine. No aspect of the Project includes the installation of septic tanks. No significant adverse impact is identified or anticipated, and no mitigation measures are required.

No Impact

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

The California Geologic Service mapping identifies the Project Sites to contain Holocene Surficial Sediments (Q), date from modern times to the Pleistocene (11,000 years ago), and form as a result of alluvial or fluvial activity. As recent sediments, none of these units are old enough to preserve fossil resources at the surface (5,000 years). Fossil-bearing sediments could occur as little as 5 feet below the surface. Therefore, this geologic feature would typically contain low to moderate potential for fossils. The Project site is relatively flat, and will only require minimal site grading for the majority of the site. Surface grading or shallow excavations in the uppermost few feet of the Holocene alluvium, active wash sediments, and wind-blown sand deposits are unlikely to uncover significant vertebrate fossils. Given that Project-related excavation would not extend below 5 feet, there is a low likelihood for encountering paleontological resources. Therefore, the proposed Project is unlikely to directly and indirectly destroy paleontological resources and the corresponding impact is considered less than significant.

Less Than Significant Impact

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

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

SUBSTANTIATION:
Countywide Policy Plan; Submitted Project Materials; Air Quality, Greenhouse Gas and Energy Impact Study, prepared by MD Acoustics, LLC, February 5, 2025 (Appendix B)

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

The Project would comply with the MDAQMD regulations and the County of San Bernardino "Greenhouse Gas Emissions Reduction Plan" (GHG Reduction Plan, adopted December 2011). The MDAQMD has identified thresholds of 100,000 tons per year or 548,000 pounds per day of CO2e emissions for individual projects. The GHG Reduction Plan includes a two-tiered development review procedure to determine if a Project could result in a significant impact related greenhouse gas emissions or otherwise conflict with the GHG Reduction Plan pursuant to Section 15183.5 of the state CEQA Guidelines.

The initial screening procedure is to determine if a project will emit 3,000 metric tons of carbon dioxide equivalents (MTCO2e) per year or more. Projects that do not exceed this threshold require no further climate change analysis. Projects exceeding this threshold must meet a minimum 31 percent emissions reduction in order to garner a less than significant determination. This can be met by either (1) achieving 100 points from a menu of mitigation options provided in the GHG Plan or (2) quantifying proposed reduction measures. Projects failing to meet the 31 percent reduction threshold would have a potentially significant impact related to climate change and greenhouse gas emissions.

An Air Quality and Greenhouse Gas Impact Study, dated February 5, 2025, was prepared for the Proposed Project by MD Acoustics, LLC (Appendix B).

Construction

GHG emissions were calculated in Appendix B to quantify potential pollutants from construction. The greenhouse gas emissions from Project construction equipment and worker vehicles are shown in **Table 7 – *Construction Greenhouse Gas Emissions***. The emissions are from all phases of construction. The total construction emissions

amortized over a period of 30 years are estimated at 10.77 metric tons of CO2e per year.

Table 7: Construction Greenhouse Gas Emissions

		Metric Tons Per Year				
Year	**Bio-CO2**	**NBio-CO2**	**Total CO2**	**CH4**	**N20**	**CO2e (MT)**
2024	0.00	190.00	190.00	0.00	0.01	191.00
2025	0.00	132.00	132.00	0.01	0.00	132.00
Total	0.00	322.00	322.00	0.01	0.01	323.00
					Annualized Construction Emissions	10.77

Notes:
[1.] $MTCO_2e$=metric tons of carbon dioxide equivalents (includes carbon dioxide, methane and nitrous oxide).
[2.] The emissions are averaged over 30 years.
Source: CalEEMod output (Appendix B)

Operations

Operational emissions occur over the life of the Project. **Table 8: *Opening Year Project-Related Greenhouse Gas Emissions*** shows that the subtotal for the proposed Project would result in annual emissions of 20.15 MT CO2e per year (without the addition of amortized construction emissions which would add an additional 10.77 MT CO2e per year; see Appendix A CalEEMod Annual Output for details). The total emissions of 30.92 MTCO2e/year would not exceed the San Bernardino County screening threshold of 3,000 metric tons per year of CO2e. As shown in Table 8, the Project's total GHG emissions would also not exceed the MDAQMD annual threshold of 100,000 MTCO2e or the MDAQMD daily threshold of 548,000 pounds of CO2e.

According to the San Bernardino County thresholds of significance established above, a cumulative global climate change impact would occur if the GHG emissions created from the on-going operations would exceed 3,000 metric tons per year of CO2e. Therefore, as the Project's total emissions do not exceed 3,000 metric tons per year of CO2e, operation of the proposed Project would not create a significant cumulative impact to global climate change.

Table 8: Opening Year Project-Related Greenhouse Gas Emissions

Category	Greenhouse Gas Emissions (Metric Tons/Year)[1]						(lbs/day)
	Bio-CO2	NonBio-CO_2	CO_2	CH_4	N_2O	CO_2e	CO2e
Area Sources[2]	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Energy Usage[3]	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Mobile Sources[4]	0.00	19.70	19.70	0.00	0.00	20.00	181.00
Solid Waste[5]	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Water[6]	0.00	0.15	0.15	0.00	0.00	0.15	0.90
Total Operational Emissions	0.00	19.85	19.85	0.00	0.00	20.15	**181.90**
Construction[7]	0.00	10.73	10.73	0.00	0.00	10.77	**9,928.70**
Combined Emissions	0.00	30.58	30.58	0.00	0.00	**30.92**	-
MDAQMD GHG Thresholds						**100,000**	**548,000**
County of San Bernardino GHG Emissions Reduction Plan Threshold						**3,000**	**-**
Exceeds Threshold?						**No**	**No**

Notes:
[1] Source: CalEEMod Version 2022.1.1.22
[2] Area sources consist of GHG emissions from consumer products, architectural coatings, and landscape equipment.
[3] Energy usage consist of GHG emissions from electricity and natural gas usage.
[4] Mobile sources consist of GHG emissions from vehicles.
[5] Solid waste includes the CO_2 and CH_4 emissions created from the solid waste placed in landfills.
[6] Water includes GHG emissions from electricity used for transport of water and processing of wastewater.
[7] Construction GHG emissions based on a 30 year amortization rate.

The Project's total net operational GHG emissions do not exceed the County's screening threshold of 3,000 MTCO2e per year or the MDAQMD's threshold of 100,000 MTCO2e per year. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

According to the County of San Bernardino GHG Reduction Plan, the County assesses performance standards as follows:

- *County Performance Standards. All development projects, including those otherwise determined to be exempt from CEQA will be subject to applicable Development Code provisions, including the GHG performance standards, and state requirements, such as the California Building Code requirements for energy efficiency. With the application of the GHG performance standards, projects that are exempt from CEQA and small projects that do not exceed 3,000 MTCO2e per year will be considered consistent with the Plan and determined to have a less than significant individual and cumulative impact for GHG emissions. The GHG Reduction Plan also states that "the 3,000 MTCO2e per year value was chosen as the medial value and is used in defining small projects that must include the Performance Standards but do not need to use the Screening Tables or alternative GHG mitigation analysis*.

And

- *Projects Using Screening Tables. For projects exceeding 3,000 MTCO2e per year of GHG emissions, the County will develop Screening Tables as a tool to assist with calculating GHG reduction measures and the determination of a significance finding. Projects that garner a 100 or greater points would not require quantification of project specific GHG emissions. The point system will be devised to ensure project compliance with the reduction measures in the GHG Plan such that the GHG emissions from new development, when considered together with those from existing development, will allow the County to meet its 2020 target and support longer-term reductions in GHG emissions beyond 2020. Consistent with the CEQA Guidelines, such projects are consistent with the Plan and therefore will be determined to have a less than significant individual and cumulative impact for GHG emissions. (See Appendix F for a full description of the Screening Tables and methodology.)*

The Project's total net operational GHG emissions do not exceed the County's screening threshold of 3,000 MTCO2e per year. Therefore, the Proposed Project does not need to accrue points using the screening tables and is consistent with the GHG Reduction Plan. The Proposed Project is expected to comply with the performance standards for commercial uses as detailed in the GHG Reduction Plan. The Proposed Project will not result in substantial emissions of greenhouse gases and will not conflict with the GHG Plan. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
IX.	**HAZARDS AND HAZARDOUS MATERIALS –** Would the project:				
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒

d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☒	☐	☐

SUBSTANTIATION:
Submitted Project Materials; EnviroStor Database; San Bernardino Countywide Policy Plan Draft EIR: Hazards and Hazardous Materials

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

Construction

The Proposed Project construction would involve the use of some hazardous materials, such as fuels and lubricants used for construction vehicles and equipment. Such materials may be stored in temporary aboveground storage tanks or sheds located on the Proposed Project sites. The fuels stored on the Proposed Project site would be contained within a locked container within a fenced and secure temporary staging area. Trucks and construction vehicles would be serviced at offsite facilities. The use, storage, transport, and disposal of hazardous materials used in construction of the solar facility would be carried out in accordance with all federal, state, and County regulations. No extremely hazardous substances (i.e., those governed pursuant to Title 40, Part 335 of the Code of Federal Regulations [CFR]) are anticipated to be produced, used, stored, transported, or disposed of as a result of proposed Project construction. The use, transport, storage, and disposal of hazardous materials must comply with existing regulations established by several agencies, including the Department of Toxic Substances Control (DTSC), the Environmental Protection Agency (EPA), the US Department of Transportation (USDOT), the Occupational Safety and Health Administration (OSHA), the California Code of Regulations (CalOSHA), and the State Unified Hazardous Waste and Hazardous Materials Management Regulatory Program. Construction activities would be required to adhere to all local, State, and federal

regulations with respect to the routine transport, use and disposal of any hazardous waste.

Operations

The solar facility may be constructed and operated using photovoltaic PV panels that contain a thin semiconductor layer containing Cadmium telluride (CdTe). While CdTe itself is a hazardous substance in an isolated form, the CdTe in the PV panels is bound and sealed within the glass sheets and a laminate material. During the PV module manufacturing process, CdTe is bound under high temperature to a sheet of glass by vapor transport deposition, coated with an industrial laminate material, insulated with solar edge tape, and covered with a second sheet of glass. The module design results in the encapsulation of the semiconductor material between two sheets of glass thereby preventing the exposure of CdTe to the environment. Studies indicate that unless the PV module is purposefully ground to a fine dust, use of CdTe in PV modules do not generate any emissions of CdTe. CdTe PV modules, therefore, do not present an environmental risk during operations. CdTe releases are also unlikely to occur during accidental breakage or fire due to the high chemical and thermal stability of CdTe.

No permanent on-site operations and maintenance facilities would be required to support the proposed Project. Facility transformers would contain dielectric fluid that does not include polychlorinated biphenyls (PCBs). It is anticipated that maintenance requirements will be minimal. Module cleaning will require additional personnel for short periods of time. No heavy equipment is anticipated to be used during normal Project operation. O&M vehicles will include trucks (pickup, flatbed), forklifts, and loaders for routine and unscheduled maintenance, and water trucks for solar module washing.

Pesticide use, if needed, would be limited to non-persistent, immobile pesticides applied only in accordance with manufacturer directions and all regulations for pesticide use. Any pesticide applications would be covered in the Project's Health and Safety Plan. The Health and Safety Plan would document worker safety practices and address health and safety issues associated with normal and unusual (emergency) conditions associated with the high-voltage systems, mechanical systems, and other solar plant operations. Personnel would be properly trained in the handling of relevant chemicals and wastes and instructed in the procedures to follow in case of a chemical spill or accidental release.

Routine transportation of hazardous materials to the site could create a hazard to the public or the environment if materials were improperly handled, or accidentally released. Caltrans and the California Highway Patrol (CHP) regulate the transportation of hazardous materials and wastes, with stringent packaging requirements, licensing and training for hazardous materials truck operators, chemical handlers, and hazardous waste haulers.

Decommissioning

As with construction, decommissioning would involve the use of some hazardous materials, such as fuels and lubricants used for construction vehicles and equipment. Such materials may be stored in temporary aboveground storage tanks or sheds located on the Proposed Project sites. The fuels stored on the Proposed Project site would be

contained within a locked container within a fenced and secure temporary staging area. Trucks and construction vehicles would be serviced at offsite facilities. The use, storage, transport, and disposal of hazardous materials used in decommissioning of the solar facility would be carried out in accordance with all federal, state, and County regulations.

Disposal risks of end-of-life CdTe PV modules are minimized because of the low solubility of CdTe and because the modules can be recycled effectively at the end of their approximately 30-year life. PV module manufacturers provide CdTe module collection and recycling services. Since 2005, the end-of-life CdTe PV modules have been characterized as federal non-hazardous waste, and as a California-only hazardous waste. Solar equipment and infrastructure would be recycled as practical or disposed of in compliance with applicable laws. CdTe PV modules are an article of commerce and are not classified as a hazardous material for shipping purposes under either federal or state law.

Compliance with existing hazardous materials regulations would ensure that the potential for the proposed Project to create a significant hazard to the public through the routine transport, use, or disposal of hazardous materials would be less than significant during the construction phase, operations phase, and the decommissioning phase.

Less Than Significant Impact

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

As discussed under Impact Analysis a), the proposed Project is not expected to cause a significant hazard to the public or the environment through the transport, use, or disposal of hazardous materials, largely because the Project will not transport, use, or dispose of such materials in meaningful quantities. Construction-related activities would require the limited use of hazardous materials that could result in potential adverse health and environmental impacts if these materials were released into the environment, implementation of construction-related water quality BMPs (implemented as part of the proposed Project's SWPPP) would reduce the potential for such releases and ensure quick response to any spills such that impacts would be less than significant. In addition, were the Proposed Project to require the use of hazardous substances exceeding regulatory thresholds, the Applicant would be required by existing regulations to obtain hazardous materials permits from applicable agencies.

As explained in Impact Analysis (a) above, even if the proposed Project uses CdTe PV modules, hazardous materials are unlikely to be released during accidental breakage of the PV panels because they have been found to be sufficiently contained within sheets of glass (Fthenakis, 2003). Potential impacts to soil, air, and groundwater quality from broken CdTe PV modules are highly unlikely to pose a potential health risk as they are below both human health screening levels and background levels (Sinha, 2012). Polycrystalline silicon PV panels do not pose a threat to the public or the environment.

Therefore, there would be a less than significant impact to 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 during construction, operation, and decommissioning, and no mitigation is required.

Less Than Significant Impact

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

There are no schools within one-quarter mile of the Project Sites. Schools are primarily located in the more populated areas of Lucerne Valley, approximately 5 miles to the north of the Project Sites. Therefore, the Proposed Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Section 65962.5(a)(1) requires that Department of Toxic Substance Control (DTSC) "shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all the following: ....(1) all hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code ("HSC")." The hazardous waste facilities identified in HSC § 25187.5 are those where DTSC has taken or contracted for corrective action because a facility owner/operator has failed to comply with a date for taking corrective action in an order issued under HSC § 25187, or because DTSC determined that immediate corrective action was necessary to abate an imminent or substantial endangerment. This is known as the "Cortese List." This is a very small and specific subgroup of facilities and they are not separately posted on the DTSC or Cal/EPA's website. The following databases that meet the "Cortese List" requirements were reviewed for this Project.

- Envirostor Database. There are no sites listed in the Envirostor Database within the Project Sites.

- Geotracker Database. Geotracker is the SWRCB's database that manages potential hazardous sites to groundwater. There are no sites listed in the Geotracker Database within or near the Project Sites.

Therefore, based on the result of the database review the Project Sites will not be located on any site that has been identified in accordance with Section 65962.5 of the Government Code. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

There are no airports within 2 miles of the Project Sites. The closest airport is the Hesperia Airport, located approximately 20 miles to the west. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Proposed Project would be constructed and operated off any roadway. Crystal Creek Road and Furnace Creek Road can serve as evacuation routes. Adequate on-site access for emergency vehicles would be verified by the Fire Department during the County's plan review process. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Project is identified by the California Department of Forestry and Fire Protection's Fire and Resource Assessment Program (FRAP) as being within a Very High Fire Hazard Zone, and the area is subject to Santa Ana winds, which can spread fires rapidly. Construction and decommissioning may include the use of gas-powered hand tools such as chain saws and/or welding equipment that may produce sparks. And while the area would be cleared of vegetation, sparks from hand tools may travel to nearby vegetated areas in high winds. Therefore, there is a high potential to indirectly cause a wildfire during construction. As such, implementation of **Mitigation Measure HAZ-1** that requires the contractor to implement fire protection protocols during construction will reduce potential impacts to less than significant.

Mitigation Measure HAZ-1:

During construction, all staging areas, welding areas, or areas slated for construction using spark-producing equipment will be cleared of dried vegetation or other material that could ignite. Spark arresting equipment shall be in good working order. The City shall require all vehicles and crews working at the Project site to have access to functional fire extinguishers at all times. In addition, construction crews are required to have a spotter during welding activities to look out for potentially dangerous situations, including accidental sparks. The contractor also shall provide a safety plan for the implementation of additional protocols when the National Weather Service issues a Red Flag Warning. Such protocols should address smoking and fire rules, storage and parking areas, use of gasoline-powered tools, use of spark arresters on

construction equipment, road closures, use of a fire guard, fire suppression tools, fire suppression equipment, and training requirements.

Less than Significant with Mitigation

Therefore, potential impacts can be reduced to less than significant level with implementation of mitigation measures above.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
X.	**HYDROLOGY AND WATER QUALITY -** Would the project:				
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
	i. result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
	ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	☐	☐	☐	☒
	iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or	☐	☐	☐	☒
	iv. impede or redirect flood flows?	☐	☐	☐	☒
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

SUBSTANTIATION:

Countywide Policy Plan; Submitted Project Materials; OMYA Lucerne Valley Solar Facility, Final Stormwater Management Report, prepared by Tectonic, July 30, 2024 revised March 6, 2025 (Appendix F)

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

Construction and Decommissioning

Project construction, including the off-site interconnection, would require the use of heavy machinery for vegetation grubbing, grading, and installation of roads, solar generation facilities, distribution facilities, buildings, the solar field, and other facilities. Construction of these facilities would involve the use of bulldozers, graders, semi-trucks, and other heavy machinery, and would involve changes to on-site topography. Although plant root systems would be retained where feasible (e.g. mowing and rolling), these activities could potentially loosen existing surface soils and sediments, increasing the potential for erosion during storm events and discharging sediment or other pollutants into waterways. Additionally, the use of construction equipment may involve the accidental release of fuel, oils, lubricants, antifreeze, and other potentially hazardous substances at the construction site.

The water quality effects of Project decommissioning would be very similar to Project construction. These water quality pollutants could become entrained in surface water during storm events, and/or be infiltrated into groundwater and the underlying aquifer, resulting in the degradation of water quality.

Water used during construction, operations and decommissioning would be obtained from an existing onsite well. Any use of the existing onsite well would be conducted according to requirements of the County of San Bernardino Division of Environmental Health Services, California Department of Water Resources and the Lahontan Regional Water Quality Control Board (LRWQCB) Water Quality Control Plan (Basin Plan), as amended.

Stormwater discharges to groundwater and/or surface water associated with land disturbing activities greater than 1 acre require the Project proponent to prepare and file a Notice of Intent (NOI) and stormwater pollution prevention plan (SWPPP) with the State Water Resources Control Board (SWRCB) to comply with the General NPDES Construction Permit to minimize and avoid impacts to water quality. The Proposed Project would disturb approximately 4.9 acres and therefore subject to the preparation of an SWPPP. The SWPPP would include a description of specific temporary and permanent BMPs to be implemented to prevent or minimize the discharge of water quality pollutants from the Project site during and after construction. The range of BMPs will be required to minimize and control construction and post-construction runoff to the “maximum extent practicable.” Implementation of the SWPPP as required by the General Construction Permit would minimize or avoid the degradation of water quality or the violation of water quality standards, especially during major storm events.

Compliance with State regulations would result in less than significant impacts related to the violation of any water quality standards.

Operations and Maintenance

Maintenance of the solar facility will primarily involve panel washing and repairs or replacement of panels or other electrical equipment. Panel washing would be conducted as needed but is expected to occur up to two times annually. Panels would be power-washed with clean water that will contain no cleaning agents or other additives. Long term non-point discharges from the Project would be minimal, but could result in infrequent discharges associated with landscape irrigation, uncontaminated pumped ground water, and discharges of potable water during water tank cleaning [as defined in 40 CFR 35.2005(21)]. In this context, water quality impacts resulting from long-term discharges associated with the Project would be less than significant.

During operation and maintenance, the on-site use of trucks, maintenance equipment, automobiles, and other equipment could result in the accidental release of water quality pollutants. For example, water quality impacts could occur if contaminated or hazardous materials (e.g., oils, greases, fuels) used during operation and maintenance were to contact stormwater and drain off-site, or infiltrate into the underlying aquifer, especially during storm events.

The array was designed to capture stormwater runoff using three detention and a system of collection swales basins (total of approximately 1.8 acres) to provide stormwater attenuation for the 15 min., 30 min., 1 hr, 3 hr, 6 hr and 24 hr durations storm events for each of the 2 yr, 10 yr, 25 yr and 100 yr return frequencies; in accordance with the San Bernadino County Hydrology Manual, as well as the SBC Detention Basin Design Guidelines.

Therefore, because the Project is designed to capture runoff in accordance with San Bernardino County standards, the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

Less Than Significant Impact

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

The Project will source its water for construction, maintenance and decommissioning through OYMA's private well located within the mining operations area that will be pumped into water trucks and taken to the Project site as needed. Traditionally, OYMA's annual reported usage is approximately 26 acre feet (AF) and has a pump flow rate of approximately 65 gallons per minute (gpm).

The well draws water from the Lucerne Valley Groundwater Basin, according to the Colorado River Regional Water Quality Control Board groundwater information[3]. Groundwater basin recharge according to 1976 data was reported at 1,000 af, discharge was 10,000 AF, and change in storage was 9,000 AF. Groundwater overdraft of 9,000 AF/yr was calculated using this data. Recharge has been estimated to be 1,000 AF/yr. Groundwater storage in 1979 was estimated at 1.7 million AF.

Water will be required during construction to support concrete manufacturing, dust control, module washing, and sanitary use. The Project will use the majority of water during construction and decommissioning for dust mitigation, estimated to require a total of approximately 20 AF of water. During operations, the stormwater retention basin will allow storm flows to infiltrate into the groundwater basin thus providing a source of recharge.

The Project would also require up to 1 AF of water per year for module washings, and up to 20 AF of water would be used during Project decommissioning.

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

Less Than Significant Impact

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

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

Erosion is the wearing away of the ground surface as a result of the movement of wind or water, and siltation is the process by which water becomes dirty due to fine mineral particles in the water. Soil erosion could occur due to a storm event. The SWPPP must list BMPs to avoid and minimize soil erosion. Adherence to BMPs would prevent substantial soil erosion or the loss of topsoil. Natural infiltration capacity would be maximized by incorporating a design that promotes water retention through placement of proposed landscape, soil development, grading techniques, and allowing natural drainage into the landscaped areas. Existing vegetation will be protected in place to the extent feasible. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

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

iv) Impede or redirect flood flows?

[3] https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Bulletin-118/Files/2003-Basin-Descriptions/7_019_LucerneValley.pdf

A stormwater management report was prepared for the Project Site (Appendix F) to study and make design recommendations as to surface runoff and flooding. The report indicates that the Project Site is generally relatively flat with physical slopes between 5 and 10 percent.

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

Based on the site topography, the Project Site exhibits sheet flow and shallow concentrated flow patterns from the south flowing north-northeast towards the existing haul road just north of the Project area. The proposed stormwater conveyance facilities for the site utilize a system of detention basins for volume storage and runoff reduction, swales for runoff conveyance and weir walls for attenuating peak flow rates and are designed in accordance with the County of San Bernardino's requirements which would reduce any the rate or amount of surface runoff in a manner which would result in flooding on or offsite. Therefore, the impact would be less than significant.

Less Than Significant Impact

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

Because the Project flows would enter into stormwater basins, the Project would not contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff. Therefore, there is no impact to this criterion.

No Impact

iv) Impede or redirect flood flows?

Regarding impeding or redirecting flood flows, the parcel is located in Zone D in "an area of undetermined flood hazard", outside any designated 100-year flood plain or floodway (FEMA FIRM Panel #06071C6575H, 08/28/2008). Therefore, there is no impact to this criterion.

Therefore, any increase in runoff and flow rates would be mitigated by incorporation of the swales and basins that are designed to capture storm flows in accordance with San Bernardino County guidelines. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

Due to the inland distance from the Pacific Ocean and any other significant bodies of water, tsunamis and seiches are not potential hazards in the vicinity of the Project Site. The Project Site is located in FEMA Flood Zone D in "an area of undetermined flood

hazard", outside any designated 100-year flood plain or floodway (FEMA FIRM Panel #06071C6575H, 08/28/2008). Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

Water used for the construction, operations and decommissioning would come from the existing OYMA on-site well. The construction and decommissioning would comply with water quality control regulations that include development and implementation of a SWPPP, which is subject to RWQCB review and approval. The Project Site's basins are designed to filter water and allow stormwater to collect and recharge the groundwater. The proposed Project would be constructed and operated in accordance with all applicable regulations and plans, including regional water quality control plans and sustainable groundwater management plans. As such, the proposed Project would not conflict with or obstruct the implementation of these plans, and no impact would occur during the construction phase, operations phase, and the decommissioning phase Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

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

SUBSTANTIATION:

Countywide Policy Plan; Submitted Project Materials

a) Physically divide an established community?

The physical division of an established community is typically associated with construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility in an existing community or between a community and an outlying area.

The Project Sites are located within an unincorporated area of the County known as Lucerne Valley with a zoning designation of Regional Industrial and Community Industrial and are within the Lucerne Valley Community Plan. All lands east, west and north of the Project are owned by OMYA. Large-lot rural residential (Rural Living-20) land uses exist south of the Project Sites, along primarily on Crescent Road.

The Proposed Project includes an underground duct bank that follows primarily the existing Furnace Creek Road alignment which bisects the Project Sites along the easter/northeastern Project area. The underground nature of this linear feature would not divide an established community because no community exists along the western and eastern areas of the alignment, and would not prohibit the continued use of Furnace Creek Road. Therefore, while there are linear features proposed, the Proposed Project would neither physically divide an established community nor cause a significant environmental impact due to conflict with any land use plans or policies. Less than impacts are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Under County Code Section 84.29.020, renewable energy generation facilities are allowed in the IC and RC land use zoning districts upon approval of a Conditional Use Permit. In order to approve a commercial solar energy generation facility, the Planning Commission shall, in addition to making the findings required under Section 85.06.040(a) of the San Bernardino County Development Code, determine that the location of the proposed commercial solar energy facility is appropriate in relation to the desirability and future development of communities, neighborhoods, and rural residential uses, and will not lead to loss of the scenic desert qualities that are key to maintaining a vibrant desert tourist economy by making each of the findings of fact in Subdivision (c).

This Initial Study demonstrates how the Proposed Project is consistent with Chapter 84.29: Renewable Energy Generation Facilities, as demonstrated by the analysis presented in this initial study. Less than significant impacts are anticipated, and no mitigation is required.

Less Than Significant Impact

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

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XII.	**MINERAL RESOURCES** - Would the project:				
a)	Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	☐	☐	☒	☐
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☒	☐

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

Countywide Policy Plan; Submitted Project Materials

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

The Project Sites are located in Mineral Resource Zone (MRZ) 2a which are designated as significant aggregate deposits[4].

Per Policy NR-6.1 of the Countywide Policy Plan, development of land that would substantially preclude the future development of mining facilities in areas classified as Mineral Resource Zone (MRZ) 2a, 2b, or 3a is discouraged or prohibited. The Proposed Project would preclude mining activities over the approximately 28 acres of the proposed solar array south of the existing mine, however the purpose of the Proposed Project is to provide supplemental power to the existing mine. Therefore, the purpose of the Proposed Project is to provide an enhancement of the existing mining activities.

Therefore, there would be a less than significant impact, and no mitigation measures are required.

Less Than Significant Impact

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

The Project Sites are located in Mineral Resource Zone (MRZ) 2a which are designated as significant aggregate deposits. However as discussed in Threshold a) above, the purpose of the Proposed Project is to enhance the existing mine. The 28 acres occupied by the solar array would be available for mining in the future, once the array and facilities are decommissioned. Therefore, there would be a less than significant impact, and no mitigation is required.

[4] San Bernardino Countywide Policy Plan Draft EIR. Policy Map NR-4 Mineral Resource Zones.

Less Than Significant Impact

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

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

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

Countywide Policy Plan; Submitted Project Materials; Noise Impact Study, prepared by MD Acoustics, LLC, February 4, 2025 (Appendix G)

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?

A Noise Impact Study (Appendix G) was prepared for the Proposed Project to evaluate the potential noise impacts for the project study area and to recommend noise mitigation measures, if necessary, to minimize the potential noise impacts. The assessment was conducted and compared to the noise standards set forth by the Federal, State and Local agencies. Consistent with the County's Noise Guidelines, the Proposed Project must demonstrate compliance with the applicable noise criteria as outlined in the County's Noise Element and Municipal Code.

Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). The A-scale weighting is typically reported in terms of A-weighted decibel (dBA), a scale designed to account for the frequency-dependent sensitivity of the ear. The sound level corresponding to a steady noise level over a given sample period is represented as Leq. A Community Noise Equivalent Level (CNEL) represents the average equivalent A-weighted sound level during a 24-hour day, obtained after the addition of approximately five decibels to sound levels in the evening from 7:00 p.m. to 10:00 p.m. and 10 decibels to sound levels in the night from 10:00 p.m. to 7:00 a.m.

County of San Bernardino Noise Standards

Chapter 83.01 General Performance Standards of the County's Municipal Code outlines the County's noise ordinance. Standards applicable to the Proposed Project include the following:

> *(c) Noise Standards for Stationary Noise Sources.*
>
> *(1) Noise Standards. Table 83-2 (Noise Standards for Stationary Noise Sources) describes the noise standard for emanations from a stationary noise source, as it affects adjacent properties:*

Table 83-2

Noise Standards for Stationary Noise Sources

Affected Land Uses (Receiving Noise)	***7:00 a.m. – 10 p.m. Leq***	***10:00 p.m. – 7 a.m. Leq***
Residential	55 dB(A)	45 dB(A)
Professional Services	55 dB(A)	55 dB(A)
Other Commercial	60 dB(A)	60 dB(A)
Industrial	70 dB(A)	70 dB(A)

Leq = (Equivalent Energy Level). The sound level corresponding to a steady-state sound level containing the same total energy as a time-varying signal over a given sample period, typically one, eight or 24 hours.

dB(A) = (A-weighted Sound Pressure Level). The sound pressure level, in decibels, as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound, placing greater emphasis on those frequencies within the sensitivity range of the human ear.

> *(d) Noise Standards for Adjacent Mobile Noise Sources. Noise from mobile sources may affect adjacent properties adversely. When it does, the noise shall be mitigated for any new development to a level that shall not exceed the standards described in the following Table 83-3 (Noise Standards for Adjacent Mobile Noise Sources).*

Table 83-3

Noise Standards for Adjacent Mobile Noise Sources

Land Use		***Ldn (or CNEL) dB(A)***	
Categories	***Uses***	***Interior[1]***	***Exterior[2]***
Residential	Single and multi-family, duplex, mobile homes	45	60[3]
Commercial	Hotel, motel, transient housing	45	60[3]
	Commercial retail, bank, restaurant	50	N/A
	Office building, research and development, professional offices	45	65
	Amphitheater, concert hall, auditorium, movie theater	45	N/A
Institutional/Public	Hospital, nursing home, school classroom, religious institution, library	45	65
Open Space	Park	N/A	65

Notes:

(1) The indoor environment shall exclude bathrooms, kitchens, toilets, closets and corridors.

(2) The outdoor environment shall be limited to:

- Hospital/office building patios
- Hotel and motel recreation areas
- Mobile home parks
- Multi-family private patios or balconies
- Park picnic areas
- Private yard of single-family dwellings
- School playgrounds

(3) An exterior noise level of up to 65 dB(A) (or CNEL) shall be allowed provided exterior noise levels have been substantially mitigated through a reasonable application of the best available noise reduction technology, and interior noise exposure does not exceed 45 dB(A) (or CNEL) with windows and doors closed. Requiring that windows and doors remain closed to achieve an acceptable interior noise level shall necessitate the use of air conditioning or mechanical ventilation.

CNEL = (Community Noise Equivalent Level). The average equivalent A-weighted sound level during a 24-hour day, obtained after addition of approximately five decibels to sound levels in the evening from 7:00 p.m. to 10:00 p.m. and ten decibels to sound levels in the night from 10:00 p.m. to 7:00 a.m.

(g) Exempt Noise. The following sources of noise shall be exempt from the regulations of this Section:

(1) Motor vehicles not under the control of the commercial or industrial use.

(2) Emergency equipment, vehicles, and devices.

(3) Temporary construction, maintenance, repair, or demolition activities between 7:00 a.m. and 7:00 p.m., except Sundays and Federal holidays.

Existing Noise Environment

Three 15-minute noise measurements were conducted at the Project site to determine the existing ambient noise levels (Appendix G). The sound level meter measured the Leq, Lmin, Lmax and other statistical data. Noise data indicates that industrial noise is

the primary source of noise impacting the site and the adjacent uses. The assessment utilized the ambient noise data as a basis for comparison with Project operational noise.

Future Noise Environment Impacts and Mitigation

Construction and Decommissioning Noise

Construction, and similarly decommissioning, must follow the County's General Plan and the Noise Ordinance, which states that construction, repair or excavation work performed must occur within the permissible hours.

Construction noise associated with the proposed Project was calculated in Appendix G utilizing methodology presented in the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual (2018), together with several key construction parameters, including distance to each sensitive receiver, equipment usage, percent usage factor, and baseline parameters for the Project Site.

CalEEMod methodology was utilized to determine the construction equipment. Construction noise levels were calculated for various construction phases based on CalEEMod Air Quality Model assumptions (Appendix B). All equipment was assumed to be situated at the center of the Project Site. Construction equipment typically moves back and forth across the site, and it is an industry standard to use the acoustical center of the site to model average construction noise levels. Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings.

The nearest sensitive receptor are residences south of Crescent Road. Noise levels at the nearest sensitive land uses to the south are in **Table 9: *Construction Noise at East Property Line***. The nearest proposed solar equipment to the southern residence will be located over 300 feet away from the residence. Thus, a likely worst-case construction noise scenario assumes equipment operating as close as 300 feet (edge of site to receptor) and an average of 700 feet (center of site to receptor) from the nearest sensitive receptor. The Lmax levels represent maximum levels when construction occurs adjacent to the residential receptor. Leq levels represent the average construction noise level during each phase.

Table 9: Construction Noise at East Property Line

Phase	dBA Lmax	dBA Leq
Site Prep	63.3	57.2
Grading	64.3	57.9
Build	63.3	55.7
Paving	69.3	56.4
Arch Coating	57.3	43.5

Notes: Const Equip from CalEEMod

Construction noise will range from 44 to 58 dBA Leq at the nearest sensitive receptors, which is well below the FTA's recommended maximum construction noise level of 80

dBA. Therefore, the potential impact from construction noise is considered less than significant.

Operations Noise

Operation of the Project would result in some acoustic emissions but would not result in vibration emissions. Operational noise from the Project would occur at the inverters, switchgear, and from the periodic use of the existing water well pump. The site would be unmanned and operated remotely. Periodic noise would result from maintenance activities at the Project such as washing the PV panels. These maintenance activities would result in negligible noise levels other than that of noise from the periodic use of the existing water well pump.

As a result, no exceedances of the County's guidelines for residential uses (55 dBA Leq – 7 a.m. to 10 p.m.) are predicted to occur from operating the Project. Therefore, Project operational noise impacts are less than significant.

Less Than Significant Impact

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

Construction and site decommissioning activities associated with the proposed Project and off-site interconnection would result in groundborne vibration, with the primary sources including solar array installation, grading activities, and other construction vehicle movements. In addressing the range of potential issues associated with ground vibration, there are generally two forms of impacts that should be addressed: (1) annoyance to individuals or the community; and (2) damage to buildings. Vibration from typical construction activities is generally below the threshold of perception when the activity is more than about 50 feet from the receiver. Given that construction activities would not encroach within 50 feet of existing residential structures, it is unlikely that any vibration-related annoyance would be perceived by nearby sensitive receptors.

Installation of the PV solar module foundations requires pile driving and has the potential to result in temporary vibration impacts to structures and humans. The Project would utilize an impact pile driver to install each PV tracker mount. For this analysis it is assumed that pile driving activities would not occur closer than 300 feet from the nearest sensitive land uses, which are located on the south side of Crescent Road. A pile driver has a maximum vibration impact of 1.518 inches per second peak particle velocity (PPV) at 25 feet which is perceptible but below any risk to architectural damage.

The calculated PPV at the nearest residence (300 feet) would be 0.099 PPV, which would not damage buildings. Vibration from pile driving would be less than the County's 0.2 PPV standard (which, in any event, does not apply to construction from 7 am to 7 pm, except Sundays and federal holidays). Therefore, vibration impacts associated with construction of the Project would be less than significant.

Other construction activities are less intensive than pile driving and would have lower PPV than pile driving (Appendix G). Therefore, vibration levels from pile driving are considered worst case for the solar facility construction.

Additionally, the Project is required to comply with the vibration standards of the County Development Code (Section 83.01.090). Once constructed, Project operations will not generate substantial groundborne vibration because of the passive nature of solar PV facility operations and the infrequent use of heavy equipment (if any) for unscheduled maintenance. Therefore, a less than significant impact is identified for this issue area.

Less Than Significant Impact

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

The Project Site is not within an airport safety review area or Airport Runaway Protection Zone.[5] The Project Site is not located within the vicinity of a private or public airstrip. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Therefore, less than significant adverse impacts are identified or anticipated with implementation of mitigation measures.

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

SUBSTANTIATION:

Countywide Policy Plan; Submitted Project Material

[5] San Bernardino Countywide Policy Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-2 “Airport Safety Zones.”

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

The proposed Project will not induce substantial population growth in the area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). The power and infrastructure associated with the Project will assist in supplying power to an existing mine. Construction is anticipated to take approximately eight months, with a peak workforce of 92 construction workers on the site. These workers would commute to the site from nearby communities such as Barstow, with some traveling from more distant areas such as Victorville, Hesperia, and San Bernardino. Operation and maintenance activities would consist of an anticipated staff of approximately two to six workers to monitor operations from an off-site location and periodic cleaning and on-site maintenance procedures as needed.

Accordingly, the proposed Project would not result in any impacts to housing or related infrastructure, nor would it require construction of additional housing. The Project would not result in effects related to substantial population growth in the area. No impact is identified for this issue area.

No Impact

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

The Project Site is currently not in use and does not contain any residential housing. Implementation of the Proposed Project would not require construction of replacement housing elsewhere. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XV.	**PUBLIC SERVICES**				
a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				

Fire Protection?	☐	☐	☒	☐
Police Protection?	☐	☐	☒	☐
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other Public Facilities?	☐	☐	☐	☒

SUBSTANTIATION:

Countywide Policy Plan, 2020; Submitted Project Materials

a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

Fire Protection?

The Project area is served by the San Bernardino County Fire Department (SBCFD), which provides administration and support for the fire district and other services such as hazardous materials regulation, dispatch communication and disaster preparedness.

The North Desert Division of the SBCFD has two stations located within the Lucerne Valley Community Plan Area: the Lucerne Valley Station 111, and the Lucerne Valley Station 112. Also providing seasonal fire protection services and fire related information for the Lucerne Valley community is the California Department of Forestry and Fire Protection (CDF). The CDF has a fire station located within the community. Fire Station 111 located approximately 4.5 miles to the northwest at 33269 Old Woman Springs Rd, Lucerne Valley, CA 92356, approximately is the closest fire station to serve the Project Sites.

Comprehensive safety measures that comply with federal, state, and local worker safety and fire protection codes and regulations would be implemented into Project design to minimize the potential for fires to occur during construction and operations. The Proposed Project would be required to comply with County fire suppression standards, provide adequate fire access and pay required development impact fees. The Project does not increase population in the area that would necessitate additional fire services. Therefore, while the Project may require the occasional use of fire services, the Project would not increase the demand for fire services or require new or expanded facilities because the Project is a minor expansion of infrastructure for an existing facility. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Police Protection?

The San Bernardino County Sheriff's Department (SBCSD) serves the unincorporated portions of the County. The nearest police station to the Project Site is the SBCSD-32818 Verdugo Dr, Lucerne Valley, CA 92356, approximately 4.5 miles northwest of the Project Sites. The SBCSD reviews staffing needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection. The operation of the Project is not anticipated to result in any additional demand for police services that would require new facilities because the Project does not increase population in a manner that would require a re-evaluation of public services. Additionally, development impact fees are collected at the time of building permit issuance to offset Project impacts. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Schools?

The Project Site is served by the Lucerne Valley Unified School District. Construction activities would be temporary and would not result in substantial population growth. The operation of the Proposed Project would not generate residents that would impact school growth or require the expansion of existing schools. Additionally, the Applicant is required to pay school fees as part of development impact fees. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Parks?

The Proposed Project would neither induce residential development nor significantly increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of any facilities would result. Operation of the Proposed Project would place no demands on parks because it would not involve the construction of housing and would not involve the introduction of a permanent human population into the area. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Other Public Facilities?

The Proposed Project would not result in an increased residential population or a significant increase in the work force. Implementation of the Proposed Project would not adversely affect other public facilities or require the construction of new or modified facilities. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XVI.	**RECREATION**				
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	☐	☐	☐	☒
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

SUBSTANTIATION:

Submitted Project Materials

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?

The Proposed Project does not include development of residential housing or other uses that would lead to substantial population growth. Therefore, the Proposed Project would not result in an increase in the use of existing neighborhood or regional parks, or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. The Project Applicant's payment of required fees and taxes will serve to mitigate any potential impacts related to the use of existing parks and other recreational facilities from the Proposed Project. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The Proposed Project is the development of a solar facility to serve power to an existing mine. The employees required for the operations of the Proposed Project would come from the local labor force. No recreational facilities would be impacted. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

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

SUBSTANTIATION:

Countywide Policy Plan; Submitted Project Materials; Powerflex Solar Project Trip Generation Assessment, prepared by Integrated Engineering Group, January 29, 2024 (Appendix H-1); Powerflex Solar Project Vehicle Miles Traveled Screening Assessment, prepared by Integrated Engineering Group, January 2025 (Appendix H-2)

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

Bicycle and Pedestrian Facilities

There are currently no bicycle or pedestrian facilities on or near the Project Site. The San Bernardino County Transportation Authority Bicycle Plan has no planned paths for the Project vicinity. Therefore, no conflict with a program plan, ordinance or policy addressing bicycle and pedestrian facilities is anticipated.

Transit Service

The Lucerne Valley is currently served by the Victor Valley Transit Authority. There are no bus routes or stops in the Project vicinity. The nearest bus service is along SR-18 at the intersection of SR-247, approximately 4 miles to the northwest of the Project Site. There are no proposed additional transit services for the area of the Project Site. The Proposed Project is the development of a solar facility to supplement power for an existing mine. Therefore, no conflict with a program plan, ordinance or policy addressing the transit service is anticipated.

The Proposed Project would be consistent with the goals and policies as set forth in the Transportation and Mobility Element of the Countywide Policy Plan. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

To assess the potential impacts from Project traffic, a trip generation analysis was performed (Appendix H-1). For the purposes of this analysis, the forecasted trips generated by the Project assume that trips would occur during the construction phase only since the Project, once constructed and in operation, would be unmanned with no office or operation space constructed on site. The operation of the site would be monitored remotely and not requiring any employees to be present on site. Site routine maintenance and inspections would be performed consistent with an established monthly maintenance schedule and time of need.

The study assumed that construction workers would arrive during the AM peak hour and depart during the peak hour traffic of the adjacent street with truck trips occurring randomly over the course of the work day, a daily and peak hour trip generation has been calculated for the Project. It was estimated that 40 workers (worst-case scenario) would work on the site during the eight-month peak construction period of which 25 employees would arrive alone and 10 employees would carpool, and there would be other ancillary Project-related trips. Crystal Creek Road is the primary road to the OYMA mine, and would also serve as the primary route to the Proposed Project Site. The study in Appendix H-1 identified that the Proposed Project would generate approximately 126 daily trips, 39 AM peak hour trips and 39 PM peak hour trips as identified in **Table 10: Powerflex Solar Project Trip Generation.**

Table 10: Powerflex Solar Project Trip Generation

Use	Total # of Units	Vehicle Conversion Rate	Multiplying Factor	Daily Trips	AM Peak Hour			PM Peak Hour		
					Total	In	Out	Total	In	Out
Construction Worker (single occupancy)	25	1	2	50	25	25	0	25	0	25
Construction Worker (carpooling 2+)[1]	15	0.5		16	8	8	0	8	0	8
Construction Equipment Site Delivery -Truck Trips[2]	10	1		20	2	1	1	2	1	1
Subtotal - NET Project Trips				***86***	***35***	***34***	***1***	***35***	***1***	***34***
Construction Equipment Site Delivery - Truck Trips (PCE)[3]	10	3	2	60	6	3	3	6	3	3
Total - NET Project Trips (Passenger Car Equivalents)				**126**	**39**	**36**	**3**	**39**	**3**	**36**

Notes:
1 Carpooling two employees per vehicle.
2 Majority of site deliveries are done outside the peak hours
3 Passenger car equivalent factor of 3.0; 4+ Axle Trucks (worst case scenario)

The Project is forecasted to generate less than 100 to 250 peak hour trips and is not expected to add 50 peak hour trips to a State highway, and as such, a formal Traffic Impact Analysis per the County of San Bernardino traffic study guidelines is not required. Therefore, the impact would be less than significant.

Less Than Significant Impact

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

CEQA Guidelines Section 15064.3 subdivision (b) pertains whether the land use project would generate vehicle miles traveled (VMT) in excess of an applicable threshold of significance.

A VMT screening assessment was prepared for the Project in accordance with the County guidelines. The County guidelines identify screening criteria for certain types of projects that typically reduce VMT and may be presumed to result in a less than significant VMT impact. No further VMT analysis is typically required for projects that satisfy one or more of the following screening criteria:

- Local Serving Land Uses
- Projects Located within a Transit Priority Area (TPA)
- Projects Located Within a Low VMT Area
- Projects Generating Less Than 110 Daily Vehicle Trips

A VMT Analysis was prepared for the Project (Appendix H-2). The screening assessment in Appendix H-2 identified that the Project met the screening criteria for a project that generates less than 110 daily trips. The Project would generate 86 ADT

(without PCE factors) under the construction phase of the Project. Once the P is constructed it would not generate additional VMT on a daily basis and would not be an origin or destination for the public. Therefore, the Project would be screened out under "Projects Generating Less Than 110 Daily Vehicle Trips."

Although Appendix H-1 identified the total daily trips to be 126 average daily trips, factoring in a passenger car equivalent for heavy equipment, the following should be noted:

- The intent of SB 743 and VMT analysis per CEQA is the analysis of VMT generated by automobiles in which the State Office of Planning and Research defines as "on-road passenger vehicles, specifically cars and light trucks." The total daily trips from passenger vehicles, excluding construction truck trips, is 66 ADT (per Table 9: 50+16=66 excluding Truck trips).

- The Project construction total daily trips is 86 ADT without applying the 3.0 PCE conversion rate to Project construction truck trips. The implementation of the PCE factor is to equalize the size difference between passenger vehicles and heavy vehicles. In this case of VMT analysis, it is not appropriate to apply the PCE factor since the VMT generated by the trucks is, in fact, not three times the VMT generated by a passenger vehicle making the same trip.

- Trip generation during the construction phase of the Project represents the worst- case scenario of traffic generated by the project under normal conditions. Once the facility is constructed, the site will be operated remotely with intermittent routine maintenance and inspection trips that will be performed consistent with an established monthly maintenance schedule.

Therefore, based on the VMT analysis in Appendix H-2, no significant impacts are identified or anticipated, and no mitigation measures are required

Less Than Significant Impact

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

The Proposed Project is the development of a solar field to serve the OYMA mine that does not include a geometric design or incompatible uses that would substantially increase hazards. Minor road grading and paving would be performed along Crystal Creek Road and an adjacent unnamed maintenance road to facilitate construction and maintenance. Therefore, while the Project includes minor modifications to roads, less than significant impacts identified or anticipated, and no mitigation measures are required.

No Impact

d) Result in inadequate emergency access?

SR-247 and SR-18 are designated as evacuation routes. Specific evacuation routes would be designated during an emergency in order to respond to the specific needs of

the situation and circumstances surrounding the disaster and would be handled in accordance with the evacuation procedures contained within the County emergency management plan.

The Project Sites are not located along evacuation routes, nor would construction or operations interfere with the designed evacuation routes. The Project Sites are located on vacant lands, off main roadways. The existing mine has a specific evacuation procedure it would employ in the event of an emergency. The Proposed Project, which is the solar array and support facilities, would not generate residents or employees that would need evacuation support or impact the designated evacuation routes.

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

No Impact

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

Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
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, BCR Consulting, July 22, 2021 (Appendix C)

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

California Assembly Bill 52 (AB52) was approved by Governor Brown on September 25, 2014, and codified in Public Resources Code Section 21080.3. PRC 21080.3 specifies that CEQA projects with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource may have a significant effect on the environment. As such, PRC 21080.3 requires lead agency consultation with California Native American tribes traditionally and culturally affiliated with the geographic area of a proposed project, if the tribe requested to the lead agency, in writing, to be informed of proposed projects in that geographic area. The legislation further requires that the tribe-requested consultation be completed prior to determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project.

On February 4, 2025, the County of San Bernardino mailed notification pursuant to AB-52 to the following tribes: Colorado River Indian Tribes, Fort Mojave Indian Tribe, Gabrieleño Band of Mission Indians- Kizh Nation, Morongo Band of Mission Indians, San Gabriel Band of Mission Indians, Yuhaaviatam of San Manuel Nation (YSMN, formerly the San Manuel Band of Mission Indians; Soboba Band of Luiseño Indians; and the Twenty-Nine Palms Band of Mission Indians.

Based on the AB52 consultation, the YSMN identified that while there were no specific impacts that could be identified, **Mitigation Measure TCR-1** and **TCR-2** were identified to manage unanticipated tribal resources.

Because the Kizh Nation also claimed to have territorial rights over the Project area and demanded through a law firm instead of through consultation that Kizh Nation-specific mitigation measures be placed on the Project. Therefore, Mitigation Measures TCR 3, TCR-4, and TCR-5 identifies protective measures specifically for the Kizh Nation.

Mitigation Measure TCR-1: The Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN) shall be contacted, as detailed in CUL-1, of any pre-contact cultural resources discovered during Project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the Project, should YSMN elect to place a monitor on-site.

Mitigation Measure TCR-2: Any and all archaeological/cultural documents created as a part of the Project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for

dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the Project.

Mitigation Measure TCR-3: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities

A. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground- disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.

D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

Mitigation Measure TCR-4: Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial)

A. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed

by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

Mitigation Measure TCR-5: Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects

A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

B. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed.

C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).

D. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.

E. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

Less than Significant with Mitigation

Therefore, no significant adverse impacts are identified or anticipated with the implementation of Mitigation Measures TCR-1, TCR-2, TCR-3, TCR-4 and TCR-5.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XIX.	**UTILITIES AND SERVICE SYSTEMS -** Would the project:				
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
b)	Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c)	Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d)	Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

SUBSTANTIATION:

Countywide Policy Plan; Submitted Project Materials; California Energy Commission Energy Report

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

The proposed Project does not involve the relocation or construction of facilities that would generate wastewater that could exceed applicable wastewater treatment capacities of wastewater treatment providers in the region. Portable toilets would be used during construction and decommissioning of the Project with wastewater being hauled and disposed of off-site by a licensed hauler and at a treatment facility. Water would be sourced from the on-site well at the mining operation, and the Project's usage does not require the relocation or construction of new water sources. Stormwater basins are planned for the solar field, and the potential impacts of the construction and operation of the basins are included in the analysis of this Initial Study. The Project includes construction of electrical facilities to connect the solar field to the mining operation, and the potential impact of the construction is included in this Initial Study. Based on these considerations, no impact is identified for this issue area.

Less Than Significant Impact

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

The Project would utilize an estimated 20 AF of water for construction activities and dust suppression with the same amount of water used during Project decommissioning. The Project would also require water for washing the modules; such semi-annual panel washing is estimated to require approximately 1 AF of water per year.

The Project would source its water through the on-site private well located at OYMA for construction water as well as any water needed for dust control and routine maintenance during operations. Based on the minimal amount of water required during construction and operations as compared to agricultural uses, the Project would have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and wet years.

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

Less Than Significant Impact

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

The proposed Project would not require the construction or expansion of storm water drainage facilities that would be directed to a municipal wastewater treatment provider. Most of the Project site would remain pervious and existing soils are predominantly well drained. Stormwater basins are planned to collect stormwater that would be generated during rain events and wash water from operations. The minimal quantity of discharged water generated by solar panel washing (approximately 1 AF of water per year) would drain into the stormwater basins, continue to percolate through the ground, or evaporate. Therefore, no impact is identified for this issue area. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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?

San Bernardino County has adopted the California Green Building Standards Code (CALGreen), which includes mandatory construction and demolition waste recycling (San Bernardino County, 2013). Projects that have the potential to generate construction and demolition waste are required to submit a Construction and Demolition Solid Waste Management Plan (WMP) to identify the estimated quantity and location of recycling for construction and demolition waste resulting from the project. The goal of the WMP is to recycle, reuse, compost, and/or salvage a minimum of 50 percent by weight of the waste generated on site. The WMP must be approved by the Solid Waste Management Division prior to issuance of building permits. An "Actual Material Disposal/Diversion Worksheet" is required upon completion of construction that demonstrates the actual quantity of construction and demolition waste recycled.

Construction of the proposed Project would result in the temporary generation of small volumes of various waste materials, including wood, metal, soil, and vegetation. Although waste from construction activities would be sent to one or more landfills in the area, the amount is not anticipated to be enough to affect the permitted capacity of a landfill. The Victorville Landfill would be the closest disposal facility to the site (approximately 30 miles northwest) and currently, the remaining capacity of the Victorville Landfill is approximately 79.4 million cubic yards, of a total maximum capacity of 93.4 million cubic yards, as of March 31, 2020. All solid waste disposal would be performed in accordance with the applicable existing rules, regulations, and requirements, including the CalGreen requirements.

Sanitation waste (i.e., human-generated waste) would be disposed of in accordance with sanitation waste management practices. Any soil excavated could be distributed at construction areas, used to backfill excavations, or used for access roads near or within the ROWs for the gen-tie and communication lines. Any excess soil would be disposed of offsite at an appropriately licensed facility (such as the Victorville Landfill).

Operations and maintenance activities would consist of routine maintenance and emergency work at the Project Site. These activities would not generate solid waste in an amount that would affect the permitted capacity of landfills in the area. Since local landfills are capable of serving Project construction, they would be able to accommodate the Project's solid waste disposal needs during operation. It is anticipated that during decommissioning, the proposed Project including battery waste, would either be recycled/salvaged or be served by a landfill with sufficient permitted capacity to accommodate the proposed Project's solid waste disposal needs.

Impacts related to the generation of solid waste in excess of State or local standards or in excess of local infrastructure would be less than significant during the construction phase, operations phase, and the decommissioning phase.

Less Than Significant Impact

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

The Project would be implemented and operated in compliance with applicable Countywide Plan Goals and Policies, and would comport with County Zoning regulations—specifically, the Project would comply with local, state and federal initiatives and directives acting to reduce and divert solid waste from landfill waste streams. As described in section (d) above, the Project would comply with the California Integrated Waste Management Act and AB 341 as implemented by the County. The proposed Project is required to comply with all applicable federal, state, and County statues and regulations related to solid waste as a standard Project condition of approval. Therefore, a less than significant impact would occur.

The Proposed Project would comply with all federal, State, and local statutes and regulations related to solid waste. Solid waste produced during the construction phase or operational phase of the Proposed Project would be disposed of in accordance with

all applicable statutes and regulations. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XX.	**WILDFIRE:** If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?	☐	☒	☐	☐
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

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

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

SR-247 and SR-18 are designated as evacuation routes. Specific evacuation routes would be designated during an emergency in order to respond to the specific needs of the situation and circumstances surrounding the disaster and would be handled in accordance with the evacuation procedures contained within the County emergency management plan.

The Project Sites are not located along evacuation routes, nor would construction or operations interfere with the designed evacuation routes. The Project Sites are located on vacant lands, off main roadways. The existing mine has a specific evacuation procedure it would employ in the event of an emergency. The Proposed Project, which is the solar array and support facilities, would not generate residents or employees that would need evacuation support or impact the designated evacuation routes. Therefore, this impact would be less than significant.

Less Than Significant Impact

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?

The Project is identified by the California Department of Forestry and Fire Protection's Fire and Resource Assessment Program (FRAP) as being within a Very High Fire Hazard Zone, and the area is subject to Santa Ana winds, which can spread fires rapidly.

Construction and decommissioning may include the use of gas-powered hand tools such as chain saws and/or welding equipment that may produce sparks. And while the area would be cleared of vegetation, sparks from hand tools may travel to nearby vegetated areas in high winds. Therefore, there is a high potential to indirectly cause a wildfire during construction. The proposed Project is located in a flat environment with minimal vegetation. Ongoing maintenance for the proposed Project would include periodic trimming of vegetation onsite. This impact is significant.

Implementation of Mitigation Measure HAZ-1 that requires the contractor to implement fire protection protocols during construction would reduce the potential to exacerbate wildfire risks, and thereby reduce the potential to expose Project occupants to pollutant concentrations from wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors.

Therefore, with the implementation of Mitigation Measure HAZ-1, impacts would be less than significant.

Less than Significant with Mitigation

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

The Project is identified by FRAP as being within a Very High Fire Hazard Zone, however, the Project is to construct, operate and decommission a solar facility to provide supplemental power to an existing mining operation. The interconnection line between the solar facility and the mine would be buried and not exposed to the potential to cause a fire due to high winds. The Proposed Project also does not propose residential or commercial uses that involves human habitation. Therefore, the Project does not 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. There would be a less-than-significant impact, and no mitigation is required.

Less Than Significant Impact

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?

The Project is located in Zone D in "an area of undetermined flood hazard", outside any designated 100-year flood plain or floodway (FEMA FIRM Panel #06071C6575H, 08/28/2008), and the Project Site is generally relatively flat with physical slopes between 5 and 10 percent. The Proposed Project is the construction, operation and decommissioning of a solar facility to provide power to an existing mine. The Proposed Project also does not propose residential or commercial uses that involves human habitation. Therefore, the Project does not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. The impacts are less than significant, and no mitigation is required.

Less Than Significant Impact

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

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

b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c)	Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

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

Biological resources that would be impacted by the Project include Western Joshua Trees. However, Mitigation Measure BIO-1 requires that the Applicant obtain an Incidental Take Permit that would mitigate impacts to the Western Joshua Tree. Other biological resources that could potentially be impacted include nesting birds, burrowing owl and desert tortoise. However, Mitigation Measures BIO-2, BIO-3 and BIO-4 require pre-construction surveys to ensure impacts would be less than significant.

There are no cultural, archaeological or paleontological resources identified on site. However, as site development may uncover unanticipated resources, Mitigation Measures CR-1, CR-2 and CR-3 that identify steps to take in the event resources are found, reduce these impacts to less than significant. Therefore, the Proposed Project is not anticipated to 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 or 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.

Therefore, no significant adverse impacts are anticipated with implementation of these mitigation measures.

Less than Significant with Mitigation

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Cumulative impacts are defined as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely

related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period. The CEQA Guidelines, Section 15130 (a) and (b), states:

(a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.

(b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

As discussed in the previous sections, impacts that could be caused by the Project would be reduced to a less than significant level by approaches included in the Project design or by mitigation that would be included as part of the Project.

There are no other similar projects in the vicinity of the Project that would contribute to potential cumulative impacts.

The County has concluded that the proposed Project's incremental effects to aesthetics, agriculture, cultural resources, geology, GHG, land use planning, mineral resources, population/housing, public services, recreation, and utilities and service systems would not be cumulatively considerable. This finding is supported by the conclusions provided in the Project-level analysis for each corresponding resource section of this initial study.

Each of these Project-level impacts of the Project are discussed in this document.

The Project would occur over approximately 29 acres, of which approximately 4.9 acres would be improved for the Project by grading of stormwater basins and minor road grading.

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

Less Than Significant Impact

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

The Proposed Project would construct a solar facility to serve an existing mining operation. No aspect of the Project involves residential or commercial land uses that would impact human beings. There are several rural residential land uses located approximately 300 feet south of the Project Site, however, potential impacts to sensitive receptors such as air quality, noise, and traffic have been assessed and found to be less than significant. Therefore, based on the results of the Impact Analysis, the Proposed Project is not expected to have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly.

The incorporation of design measures, County of San Bernardino policies, standards, and guidelines and proposed mitigation measures as identified within this Initial Study would ensure that the Proposed Project would have no significant adverse effects on human beings, either directly or indirectly on an individual or cumulative basis.

Less than Significant with Mitigation

Therefore, no significant adverse impacts are identified or anticipated with incorporation of mitigation measures.

GENERAL REFERENCES

County of San Bernardino, Countywide Plan. Adopted July 2020. http://countywideplan.com/wp-content/uploads/2020/08/CWP_PolicyPlan_PubHrngDraft_HardCopy_2020_July.pdf

County of San Bernardino, Countywide Plan Draft EIR. Prepared June 2019. http://countywideplan.com/wp-content/uploads/2019/06/Ch_000_TITLE-PAGE.pdf

County of San Bernardino. County Policy Plan web maps.

San Bernardino County Code -Title 8–Development Code. http://www.sbcounty.gov/Uploads/lus/DevelopmentCode/DCWebsite.pdf. Accessed periodically.

Fthenakis, V, and Zweibel, K. 2003 CdTe PV: Real and Perceived EHS Risks. National Renewable Energy Lab.Gifford, Edward W. 1918 Clans and Moieties in Southern California. University of California Publications.

Sinha, P., Balas, R., Krueger, L. and Wade, A. (2012), Fate and transport evaluation of potential leaching risks from cadmium telluride photovoltaics. Environmental Toxicology and Chemistry, 31: 1670-1675. https://doi.org/10.1002/etc.1865

PROJECT-SPECIFIC REFERENCES

Appendix A - *OMYA Solar Facility Visual Impact Analysis, Lucerne Valley,* prepared by FORMA, March 4, 2025

Appendix B - *Air Quality, Greenhouse Gas and Energy Impact Study,* prepared by MD Acoustics, LLC, February 5, 2025

Appendix C-1 - *Powerflex Solar Ground Mount System at OMYA – Lucerne Valley Biological Resources Assessment,* prepared by ELMT Consulting, March 2025

Appendix C-2 - *Powerflex Solar Ground Mount System at OMYA – Lucerne Valley Jurisdictional Delineation,* prepared by ELMT Consulting, March 2025

Appendix D - *Cultural Resources Assessment,* prepared by CRM Tech, July 3, 2024

Appendix E - *OMYA Lucerne Valley Geotechnical Engineering Report,* prepared by Terracon, May 7, 2024

Appendix F - *OMYA Lucerne Valley Solar Facility, Final Stormwater Management Report,* prepared by Tectonic, July 30, 2024

Appendix G - *Noise Impact Study,* prepared by MD Acoustics, LLC, February 4, 2025

Appendix H-1 - *Powerflex Solar Project Trip Generation Assessment*, prepared by Integrated Engineering Group, January 29, 2024

Appendix H-2 - *Powerflex Solar Project Vehicle Miles Traveled Screening Assessment,* prepared by Integrated Engineering Group, January 2025