SAN BERNARDINO COUNTY
INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

This form and the descriptive information in the application package constitute the contents of Initial Study pursuant to County Guidelines under Ordinance 3040 and Section 15063 of the California Environmental Quality Act (CEQA) Guidelines.

PROJECT LABEL

APN:	0612-131-01	***USGS Quad:***	Sunfair
Applicant:	RPCA Solar 15, LLC	***T, R, Section:***	T1N, R8E, Section 16
Location:	Generally located at the southeast corner of the intersection of Mesa Drive and Lear Avenue in southern San Bernardino County	***Thomas Bros:***	N/A
Project No:	PROJ-2023-00170	***Community Plan:***	N/A
Rep:	Kimley-Horn and Associates, Inc. (Kimley-Horn)	***LUZD:***	RL
Proposal:	A Conditional Use Permit (CUP) to establish a single-axis tracker ground-mounted photovoltaic (PV) community solar and battery energy storage system (BESS) with up to 9.9 megawatts of alternating current (MWac) in capacity.	***Overlays:***	Biotic Resources (BR) for Burrowing Owl, Desert Tortoise - Medium Population

PROJECT CONTACT INFORMATION

Lead Agency: San Bernardino County
Land Use Services Department
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0182

Contact Person: David J.R. Mack, AICP
Phone No: (831) 320-0413
E-mail: David.Mack@weareharris.com

PROJECT DESCRIPTION

RPCA Solar 15, LLC (Applicant) proposes to construct and operate the Lear Avenue Solar Project (Project), a single-axis tracker ground-mounted photovoltaic (PV) community solar and battery energy storage system (BESS) with up to 9.9 megawatts of alternating current (MWac) in capacity. The Project is proposed to be located on a privately-owned parcel located in unincorporated San Bernardino County (County). The Applicant is requesting Conditional Use Permit (CUP) approval from the County.

Project Location and Settings

As shown in **Figure 1: Regional Vicinity Map**, the Project Site is in southern San Bernardino County and is approximately 0.75-mile north of the City of Twentynine Palms. The Project would occupy 62 acres (Project Site) of an 80-acre parcel (County Assessor Parcel Number [APN] 0612-131-01) generally located at the southeast corner of the intersection of Mesa Drive and Lear Avenue. Of the 62 acres, approximately 48 acres would be developed with PV solar panels, transformers, and the BESS. As shown in **Figure 2: Local Vicinity Map**, the Project Site is bordered by Mesa Drive to the north, Shoshone Valley Road to the east, Cove View Road to the south, and Lear Avenue to the west. Regional access to the Project Site is provided via State Route 62 (SR 62) to the south. Local access to the Project Site would be accessed via Lear Avenue located west of and adjacent to the Project Site.

Existing Site Conditions

As previously discussed, the Project would occupy 62 acres on the western portion of an 80-acre parcel. The Project Site is currently undeveloped land and is void of any structures except for existing overhead powerlines along Lear Avenue and Mesa Drive. The Project Site is relatively flat and is approximately 2,204 to 2,264 feet above mean sea level (amsl).

Surrounding Land Uses

As depicted on Figure 2, the Project Site is bordered by Mesa Drive to the north, Shoshone Valley Road to the east, Cove View Road to the south, and Lear Avenue to the west. The existing 20-acre SEPV2 LLC solar facility is located adjacent to the southwest corner of the Project Site. The existing 100-acre SEPV8 LLC solar facility is located further west and south and adjacent to the SEPV2 facility. The nearest residences are approximately 168 feet north of the Project Site. Additional rural residences are located farther to the north, west, and south.

Land Use Designations and Zoning

The Project Site has a General Plan Land Use designation of Rural Living (RL). The RL land use designation is intended to allow for residential development set in expansive areas of open space that reinforce the rural lifestyle while preserving the County's natural areas. The Project Site is also zoned RL (Rural Living). The RL land use zoning district provides sites for rural residential uses, incidental agricultural uses and similar and compatible uses. Pursuant to San Bernardino County Development Code Table 82-4, renewable energy generation facilities under 10 MW are a permitted use within the RL zone with an approved CUP.

Figure 1: REGIONAL VICINITY MAP
Lear Avenue Solar Project
Initial Study/Mitigated Negative Declaration

NOT TO SCALE

Kimley»Horn

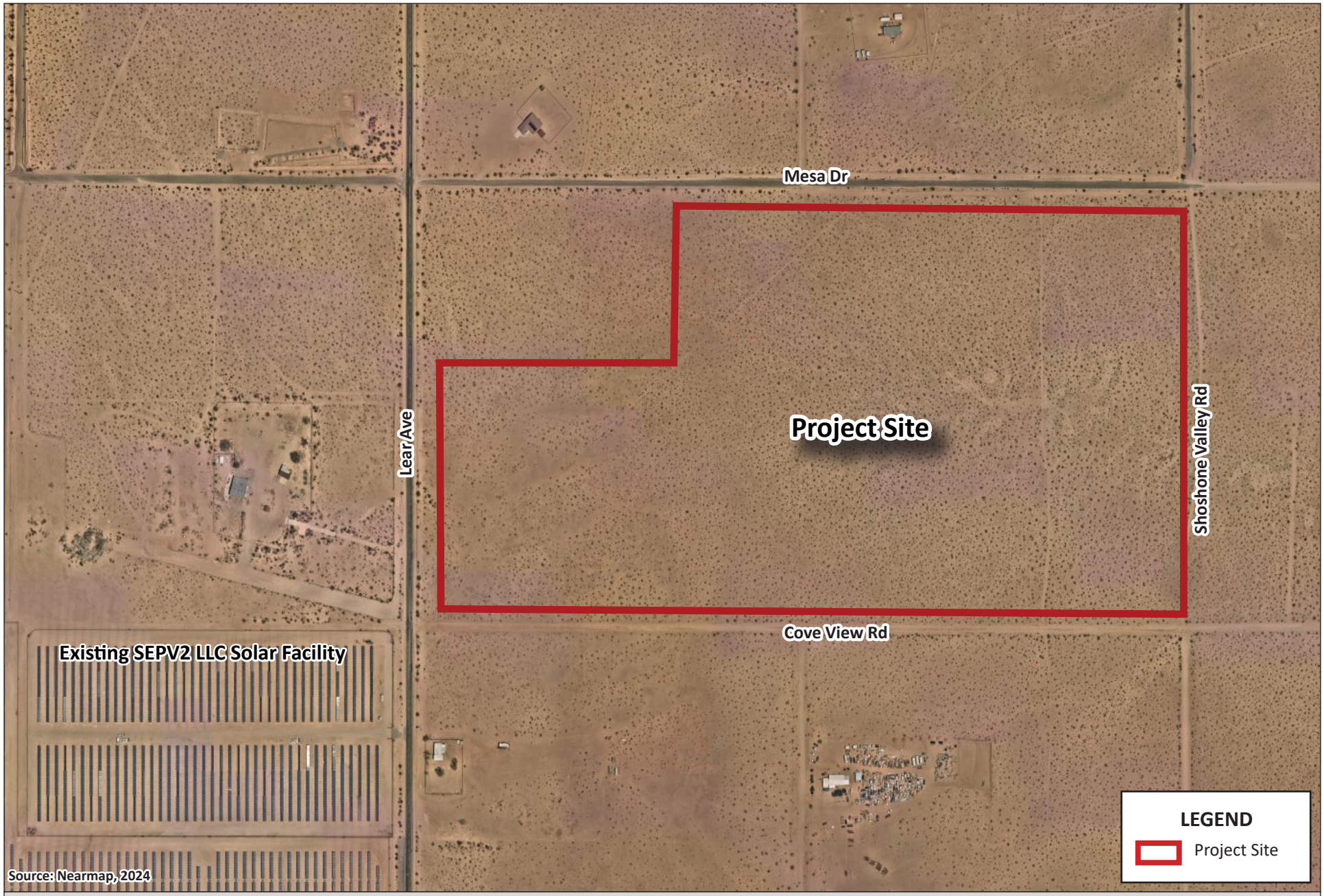


Figure 2: LOCAL VICINITY MAP
Lear Avenue Solar Project
Initial Study/Mitigated Negative Declaration

NOT TO SCALE

Kimley»Horn

Table 1: Project Site and Surrounding Uses summarizes the on-site and surrounding land uses.

Table 1: Project Site and Surrounding Uses

Description	Existing Land Use	General Plan Land Use and Zoning
Project Site	Undeveloped land	Rural Living (RL)
North	Undeveloped land, residential	RL
South	Undeveloped land, residential	RL
East	Undeveloped land	RL
West	Undeveloped land, residential, solar facility	RL
Source: San Bernardino County, Public San Bernardino County Map Viewer, https://www.arcgis.com/apps/webappviewer/index.html?id=87e70bb9b6994559ba7512792588d57a. Accessed February 12, 2024.		

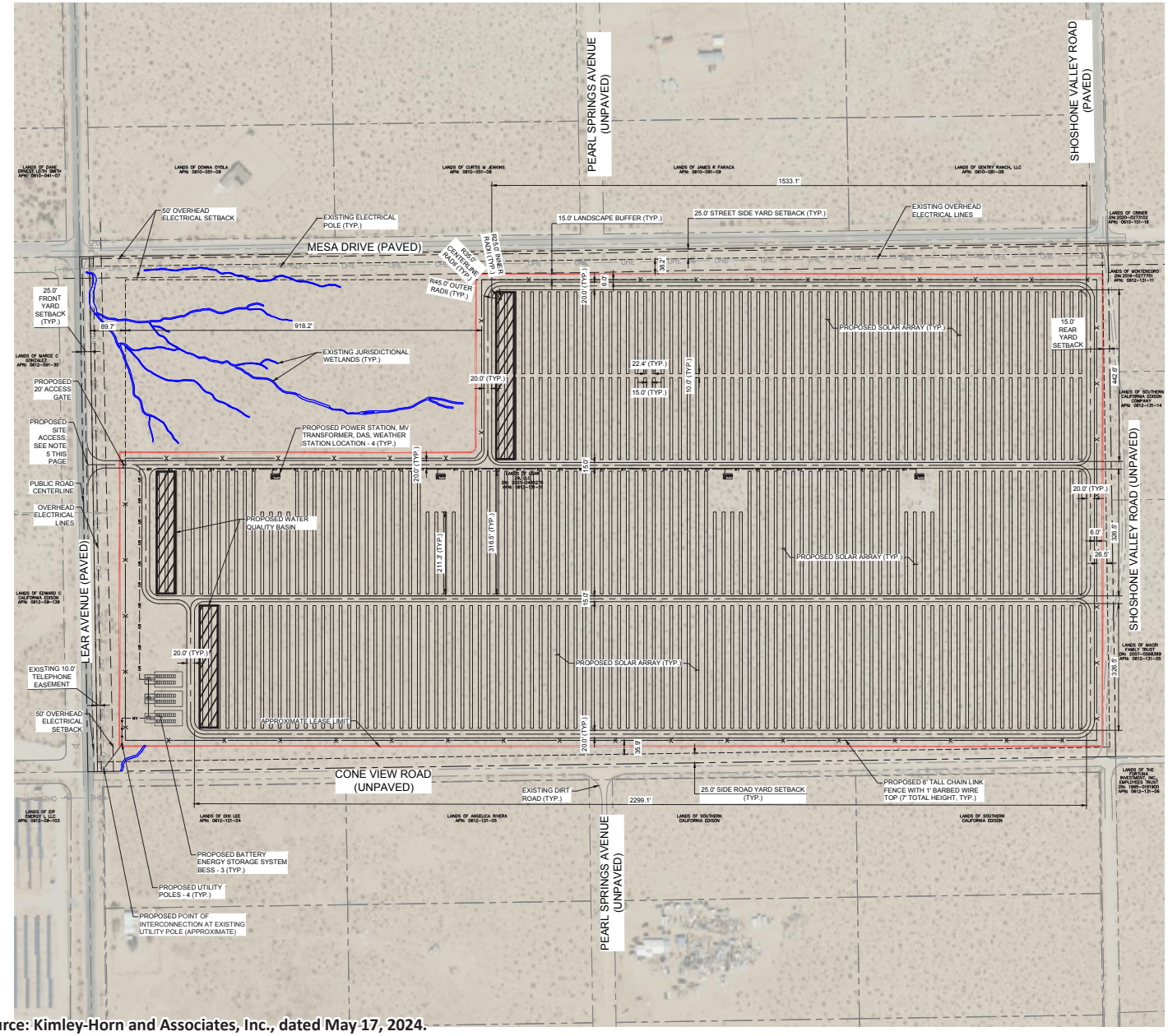
Proposed Project

The Applicant is requesting a CUP from the County to construct up to 9.9 MWac capacity single-axis tracker ground-mounted PV community solar and BESS. The Project would consist of the following components: solar modules, BESS, underground electrical conductors, Balance of System Equipment, access roads, and fencing. The Project would be interconnected to an existing electrical distribution system owned by Southern California Edison (SCE) located along the western Project Site boundary.

As depicted in **Figure 3: Conceptual Site Plan**, the Project would include solar modules and string inverters. The modules would be manufactured off-site and delivered by truck in wooden crates or cardboard boxes. The solar modules would be fully enclosed in metal and glass frames and would rotate throughout the day to maximize sun exposure. The frames of solar modules would be mounted on steel posts, which would be driven or screwed into the ground to a depth between 10 and 15 feet. The posts would be made from galvanized or corrosion-resistant metal to minimize the potential for corrosion over the lifespan of the Project. The foundations securing the solar modules would be designed to withstand high winds and snow loads. To protect equipment from potential ponding or overland stormwater flow, all equipment skids and pads would be elevated at a minimum of 12 inches above the 100-year flood elevation. The overall height of the solar array would be no more than 15 feet tall.

The BESS would store electrical energy produced by the Project during the day and flexibly dispatch it to the grid when it is most needed, typically in the evening. The BESS would be comprised of six battery banks located in the southwest corner of the PV array. Each battery bank would be approximately the size of a standard shipping container. The BESS would include redundant safety measures, such as hydrogen detection, active ventilation, fire detection and remote shutdown, fireproof insulation, and internal fire suppression technology.

Underground electrical conductors would be installed in trenches at a depth in compliance with the National Electric Code. The conductors would be buried in either a polyvinylchloride (PVC) conduit or equivalent.



LEGEND

- 84 MODULE SAT ROW
- 56 MODULE SAT ROW
- POWER STATION, MV TRANSFORMER, DAS, WEATHER STATION LOCATION
- EXISTING PROPERTY LINE
- APPROXIMATE LEASE LIMIT
- PROPERTY LINE SETBACK
- PROPOSED ROAD CENTERLINE
- PROPOSED 6' TALL CHAIN LINK FENCE WITH 1' BARBED WIRE TOP (7' TOTAL HEIGHT)
- EXISTING OVERHEAD LINE
- PROPOSED OVERHEAD LINE
- PROPOSED ALL WEATHER ACCESS ROAD (VARYING WIDTHS)
- PROPOSED 20' SITE ACCESS GATE
- PROPOSED MV LINE
- EXISTING UNPAVED ROADS (VARYING WIDTHS)
- 15' LANDSCAPE BUFFER
- JURISDICTIONAL WATER DELINEATION
- WATER QUALITY BASIN

SITE INFORMATION

PROJECT ADDRESS:	LEAR AVENUE, TWENTYNINE PALMS, CA 92277
ASSESSOR'S PARCEL NUMBER:	0612-131-010
PROPERTY AREA:	80 AC
PROPOSED SITE DISTURBANCE:	62 AC
FLOOD NOTE:	THIS PROPERTY IS IN ZONE "X" (UNSHADED) OF THE FLOOD INSURANCE RATE MAP, PANEL NO. 06071C8175H PANEL DATED AUGUST 28, 2008. THIS PROPERTY IS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

GENERAL NOTES

1. PHOTOVOLTAIC PANELS, INVERTERS, AND INTERCONNECTION EQUIPMENT LOCATIONS SHOWN FOR REFERENCE ONLY. DESIGN AND FINAL LAYOUT PER DRAWINGS BY THE CONTRACTED ELECTRICAL DESIGN CONSULTANT.
2. TO PROTECT EQUIPMENT FROM POTENTIAL PONDING OR OVERLAND STORMWATER FLOW, ALL EQUIPMENT SKIDS/PADS (FOR INVERTERS, INTERCONNECTION EQUIPMENT, ETC.) SHALL BE ELEVATED A MINIMUM OF 12" ABOVE 100 YEAR FLOOD ELEVATION.
3. THE NEW ON-SITE ROAD SURFACE CLOSELY MATCHES THE EXISTING SURFACE GRADES. THE INTENT IS TO MAINTAIN EXISTING SURFACE FLOWS ACROSS THE SITE AND ELIMINATE AREAS OF PONDING.
4. FOR ONSITE AND OFFSITE DRAINAGE ANALYSIS, REFER TO "PRELIMINARY DRAINAGE REPORT" FOR LEAR SOLAR, PREPARED BY KIMLEY-HORN, DATED NOVEMBER, 2023.
5. COMMERCIAL DRIVEWAY APPROACH WITHOUT CURB PER SAN BERNARDINO COUNTY STANDARD

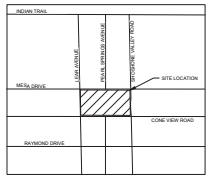
ZONING DEVELOPMENT STANDARDS

ZONE: RURAL LIVING (RL) - DESERT REGION

REQUIREMENTS	STANDARD (FT)	PROPOSED (FT)	MEETS REQ. (Y/N)
FRONT YARD SETBACK	25	193	Y
STREET SIDE YARD SETBACK	25	75	Y
INTERIOR SIDE YARD SETBACK	15	N/A	N/A
REAR YARD SETBACK	15	82	Y
LANDSCAPE BUFFER	N/A	15	N/A
MAXIMUM TRACKER HEIGHT	35	15	Y
MINIMUM PERIMETER ROAD WIDTH	20	20	Y
MINIMUM INTERIOR ROAD WIDTH	15	15	Y

TRACKER QUANTITY

DC SYSTEM SIZE	15,694.56 kW
# OF ATI 84 MODULE TRACKER ROWS	193
# OF ATI 56 MODULE TRACKER ROWS	152



VICINITY MAP
NTS

NORTH

GRAPHIC SCALE IN FEET
0 60 120 240
1" = 120'
WHEN PLOTTED ON 24" X 36" SHEET

Source: Kimley-Horn and Associates, Inc., dated May 17, 2024.

Figure 3: CONCEPTUAL SITE PLAN

Lear Avenue Solar Project
Initial Study/Mitigated Negative Declaration

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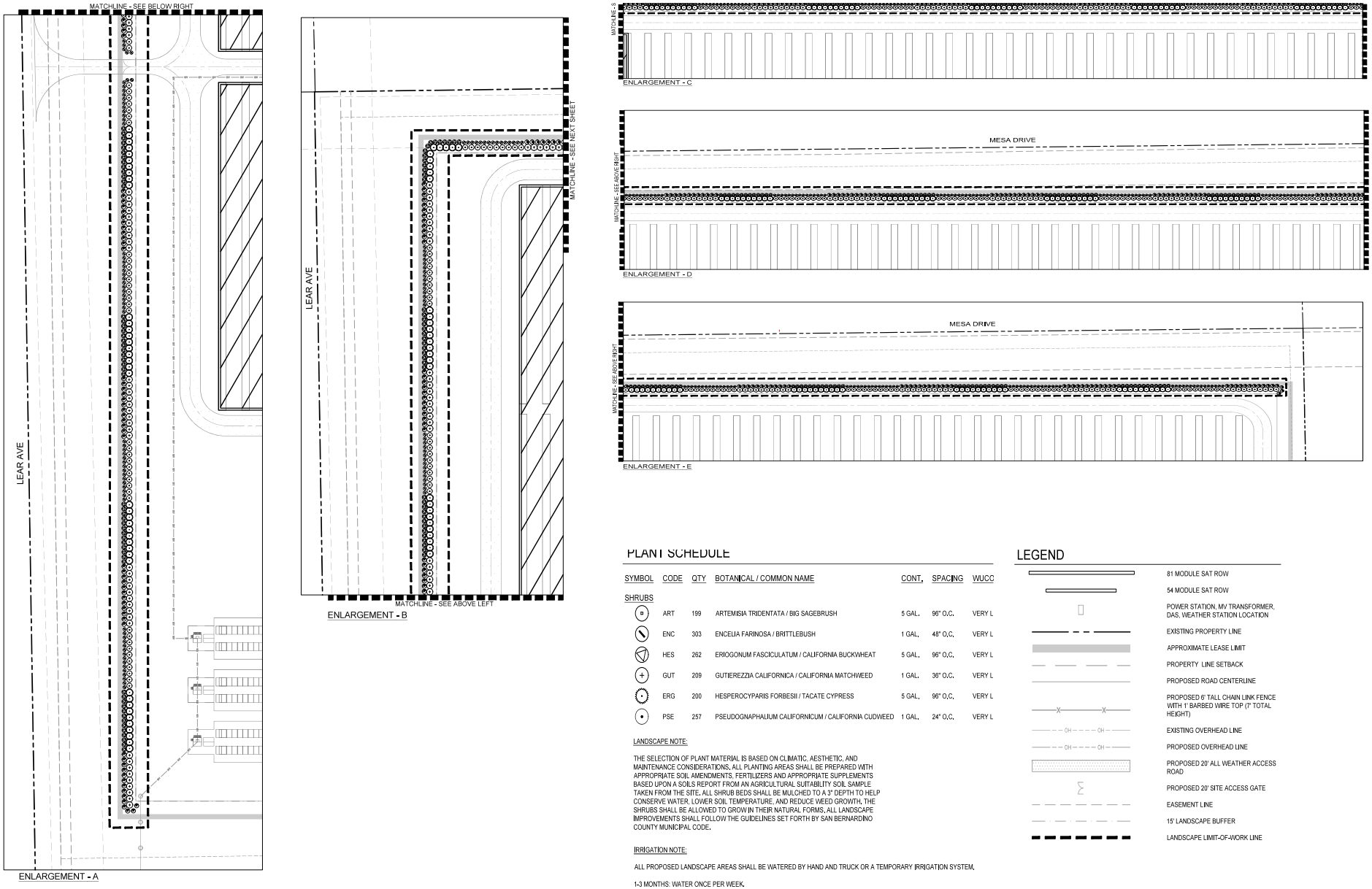
The Balance of System Equipment, including, but not limited to, inverters, AC combiner boxes, transformers, and/or medium voltage switchgear may be installed near the solar array within the Project's fence line. The Balance of System Equipment would be installed on H-Frames and concrete pads and in compliance with equipment manufacturer instructions. Low voltage conductors connecting the solar modules to the Balance of System Equipment would be run underground in conduit. The medium voltage conductors would mostly run underground in a similar fashion to low voltage wiring. A portion of the medium voltage conductor would ultimately come above ground and be strung along new distribution poles on the Project Site, ultimately terminating at the electrical distribution system along Lear Avenue, maintained by SCE.

Site access would be provided via a new driveway constructed from Lear Avenue and new on-site access roads. Where necessary, the access roads would be upgraded using gravel and geotextile fabric and extended into the Project's fence line. The new on-site access roads would consist of a perimeter access road that would encircle the whole solar array and two internal access roads that would cross the entire width of the Project Site. The roads would be wide enough to accommodate emergency vehicles (20 feet wide and 15 feet wide for the perimeter and internal access roads, respectively) and designed in compliance with County building and fire department standards. Approximately 15 feet of space would be maintained between each row of solar modules for operations and maintenance (O&M) access. The access roads would be placed such that the farthest panel is no further than 240 feet from the center of the road and would connect directly to the BESS.

The Project would be enclosed in a six-foot-tall chain link fence with one foot of barbed wire on top (for a total fence height of 7-feet) in compliance with the National Electric Code. The fence would have at least one vehicle access gate at the boundary of the array. The vehicle access gate would remain locked, except during O&M activities. A Knox box would be installed at the entrance gate to provide twenty-four hour access for emergency responders.

The Project proposes a 15-foot landscape buffer between the fence and the access road on the northern and western boundaries of the Project Site along Mesa Drive and Lear Avenue. See **Figure 4: Conceptual Landscape Plan** for more details. The landscape buffer would include various shrubs such as big sagebrush (*Artemisia Tridentata*), brittlebush (*Encelia Farinosa*), California buckwheat (*Eriogonum Fasciculatum*), California matchweed (*Gutierezzia Californica*), Tecate cypress (*Hesperocyparis forbesii*), and California cudweed (*Pseudognaphalium Californicum*), all of which would have a very low water use classification of landscape species (WUCOLS) level. All proposed landscape areas would be watered by hand and truck or by a temporary irrigation system.

To mitigate a potential increase in runoff flows, in compliance with the San Bernardino County Mojave River Watershed Infiltration Basin Best Management Practice Guidelines, the Project would also construct three detention basins on the western portion of the Project Site with a total volume of approximately 1,399 cubic feet.



PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	CONT.	SPACING	WUCC
SHRUBS						
D	ART	199	ARTEMISIA TRIDENTATA / BIG SAGEBRUSH	5 GAL.	96" O.C.	VERY L
	ENC	303	ENCELIA FARINOSA / BRITTLEBUSH	1 GAL.	48" O.C.	VERY L
	HES	262	ERIOGONUM FASCICULATUM / CALIFORNIA BUCKWHEAT	5 GAL.	96" O.C.	VERY L
	GUT	209	GUTIEREZZIA CALIFORNICA / CALIFORNIA MATCHWEED	1 GAL.	36" O.C.	VERY L
	ERG	200	HESPEROCYPARIS FORBESII / TACATE CYPRESS	5 GAL.	96" O.C.	VERY L
	PSE	257	PSEUDOGNAPHALIUM CALIFORNICUM / CALIFORNIA CUDWEED	1 GAL.	24" O.C.	VERY L

LANDSCAPE NOTE:

THE SELECTION OF PLANT MATERIAL IS BASED ON CLIMATIC, AESTHETIC, AND MAINTENANCE CONSIDERATIONS. ALL PLANTING AREAS SHALL BE PREPARED WITH APPROPRIATE SOIL AMENDMENTS, FERTILIZERS AND APPROPRIATE SUPPLEMENTS BASED UPON A SOILS REPORT FROM AN AGRICULTURAL SUITABILITY SOIL SAMPLE TAKEN FROM THE SITE. ALL SHRUB BEDS SHALL BE MULCHED TO A 3" DEPTH TO HELP CONSERVE WATER, LOWER SOIL TEMPERATURE, AND REDUCE WEED GROWTH. THE SHRUBS SHALL BE ALLOWED TO GROW IN THEIR NATURAL FORMS. ALL LANDSCAPE IMPROVEMENTS SHALL FOLLOW THE GUIDELINES SET FORTH BY SAN BERNARDINO COUNTY MUNICIPAL CODE.

IRRIGATION NOTE:

ALL PROPOSED LANDSCAPE AREAS SHALL BE WATERED BY HAND AND TRUCK OR A TEMPORARY IRRIGATION SYSTEM.

1-3 MONTHS: WATER ONCE PER WEEK.
3-24 MONTHS: ONCE PER MONTH DEEP WATERING (1-2").
24-36 MONTHS: SLOW FREQUENCY FROM ONCE A MONTH TO ONCE PER TWO MONTHS UNTIL PLANTS NATURALIZE

LEGEND

- 81 MODULE SAT ROW
- 54 MODULE SAT ROW
- POWER STATION, MV TRANSFORMER, DAS, WEATHER STATION LOCATION
- EXISTING PROPERTY LINE
- APPROXIMATE LEASE LIMIT
- PROPERTY LINE SETBACK
- PROPOSED ROAD CENTERLINE
- PROPOSED 6' TALL CHAIN LINK FENCE WITH 1' BARBED WIRE TOP (7' TOTAL HEIGHT)
- EXISTING OVERHEAD LINE
- PROPOSED OVERHEAD LINE
- PROPOSED 20' ALL WEATHER ACCESS ROAD
- PROPOSED 20' SITE ACCESS GATE
- EASEMENT LINE
- 15' LANDSCAPE BUFFER
- LANDSCAPE LIMIT-OF-WORK LINE

Source: Kimley-Horn and Associates, Inc., dated January 18, 2024.

Figure 4: CONCEPTUAL LANDSCAPE PLAN

Lear Avenue Solar Project
Initial Study/Mitigated Negative Declaration

Kimley»Horn

Construction

Project construction is anticipated to be completed over a period of approximately nine months, beginning as early as January 2025 and ending as early as October 2025. Project construction activities generally fall into six main categories: (1) demolition, (2) site preparation (vegetation clearing), (3) grading, (4) paving, (5) system installation, and (6) testing, commissioning, and cleanup. The on-site construction workforce is expected to peak at approximately 70 individuals during the construction period. Construction personnel will be divided between civil and electrical services.

The 7-foot perimeter fence would be installed at the onset of construction to establish the outer boundaries of the Project Site. Project Site preparation would consist of clearing the existing vegetation in those areas on the Project Site where construction would be undertaken, grading, and establishing temporary staging area (including stockpile and laydown areas) as necessary. Selected vegetation would be removed to accommodate the construction of the array and its appurtenances, as well as to prevent shading on the array during operation. Any vegetation taller than two feet (e.g., the height of the solar modules above grade) or expected to exceed two feet in height would be removed. Grass and groundcover may remain between rows and under the solar modules. All cleared vegetation would be chipped or spread on-site or disposed of responsibly.

A temporary staging area would be used as laydown area for construction equipment and materials. The staging area would also include a location for sanitary facilities and a construction trailer. The area containing the equipment and materials would be closed within a temporary construction fence with a lockable gate. Construction equipment such as tractors, backhoes, loaders, dozers, and graders may be needed to clear vegetation from the Project Site, and to grade roads and areas where structures will stand. Grading would be required to even out the terrain, which is currently characterized by mounds of loose aggregate material. All soils would be balanced on-site, and no import or export is expected.

Erosion and sediment control best management practices (BMPs) would be installed on-site to prevent stormwater runoff. These BMPs would remain in place until construction is complete and until the Project Site is reseeded and stabilized in accordance with applicable code requirements. The construction contractor would be required to incorporate BMPs consistent with the County's zoning ordinance and with guidelines provided in the California Stormwater Quality Association's Construction Best Management Practice Handbook, including the preparation of a Stormwater Pollution Prevention Plan (SWPPP) and a Soil Erosion and Sedimentation Control Plan to reduce potential impacts related to construction of the Project.

Erection of the solar arrays would include support structures and associated electrical equipment and cabling. During this work, there would be multiple crews working on the Project Site with various equipment and vehicles, including special vehicles for transporting the modules and other equipment. As the solar arrays are installed, the electrical collection and communication systems would be installed.

During Project construction, non-potable water would be required for common construction-related purposes, including but not limited to dust suppression, soil compaction, and grading. No new water infrastructure would be proposed during Project construction. Temporary sanitary facilities would be placed on-site during construction.

Operations
The first full year of facility operation is expected to be 2026. The Project would operate year-round. The Project would be unmanned, and no employees would report to the Project Site daily. Typical O&M activities during Project operations include, but are not limited to, facility monitoring; administration and reporting; remote operations of inverters, BESS system, and other equipment; repair and maintenance of solar facilities; landscape maintenance; and periodic panel and inverter washing. It is estimated that the Project would require 6 maintenance-related visits per year and up to 4 solar panel and inverter washing visits per year, resulting in a total of 10 operational roundtrips per year (20 one-way trips).

During Project O&M, it is anticipated that minimal water would be required for solar panel and inverter washing. Water consumption for washing panels and inverters is expected to be approximately 0.3 acre-feet (AF) of water per year, and all water would be trucked in from an off-site source. Water washing is by deluge, or inundation of water, and no chemicals or other materials are used.

Decommissioning
At the end of the Project's operational term, the Applicant may determine that the Project should be decommissioned and deconstructed. The Applicant has prepared a decommissioning plan that complies with all applicable local, State, and federal requirements and BMPs. The Project would include BMPs to ensure the collection and recycling of modules and to avoid the potential for modules to be disposed of as municipal waste. Pursuant to San Bernardino County Development Code Section 84.29.070 (Decommissioning Requirements), following the operational life of the Project, the Project owner shall perform site closure activities to meet federal, State, and local requirements for the rehabilitation and revegetation of the Project Site after decommissioning.

Equipment would be de-energized prior to removal, salvaged (where possible), placed in appropriate shipping containers, and secured in a truck transport trailer for shipment off-site to be recycled or disposed of at an appropriately licensed disposal facility. Project Site infrastructure would be removed, including fences and concrete pads that may support the inverters and related equipment. The exterior fencing would be removed, and materials would be recycled to the extent feasible. Project internal and access roads would be restored to their pre-construction condition to the extent feasible unless the landowner elects to retain the improved roads for access throughout the property. A collection and recycling program would be utilized to promote reuse and recycling of Project components and minimize disposal in landfills.

APPROVALS THAT MAY BE REQUIRED BY OTHER AGENCIES

Federal: None.

State: Fish & Wildlife

Regional: Mojave Desert Air Quality Management District

Local (San Bernardino County): Land Use Services Department, Building and Safety, Public Health, Public Works, County Fire

SUMMARY OF CONSULTATION WITH CALIFORNIA NATIVE TRIBES

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code (PRC) 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 confidentiality, etc.?

On April 23, 2024, County Land Use Services mailed notification pursuant to Assembly Bill (AB) 52 to the following tribes: Kern Valley Indian Community, Morongo Band of Mission Indians, Quechan Tribe of Fort Yuba Reservation, San Fernando Band of Mission Indians, San Manuel Band of Mission Indians, Serrano Nation of Mission Indians, and Twenty-Nine Palms Band of Mission Indians. Results of the consultation are summarized in **Section XVIII: Tribal Cultural Resources**, below.

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 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 proposed Project is evaluated based on its effect on 20 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the proposed Project is categorized into one of the following four categories of possible determinations:

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

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

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

☐ Aesthetics	☐ Agriculture and Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Energy
☒ Geology / Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology / Water Quality	☐ Land Use and Planning	☐ Mineral Resources
☐ Noise	☐ Population and 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 will be prepared.
☒	Although the proposed Project could have a significant effect on the environment, there will 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 will 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 or a potentially significant unless mitigated impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
☐	Although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Signature: David J.R. Mack, AICP

Contract Planner

11/1/24

Date

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*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) If in a non-urbanized area, 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 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 would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

I. AESTHETICS

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

a. **Less Than Significant Impact.** A scenic vista is a viewpoint that provides expansive views of a highly valued landscape for the public benefit. The County's General Plan establishes Policy NR-4.1, which "consider[s] the location and scale of development of development to preserve regionally significant scenic vistas and natural features, including prominent hillsides, ridgelines, dominant landforms, and reservoirs."

The Project is in a desert area of unincorporated San Bernardino County with limited tall or dense development in the vicinity. The Project Site is surrounded by undeveloped vacant land in all directions, rural residences to the north, west, and south, and existing solar farms to the southwest. The Project Site has views of mountain foothills and ridgelines to the west and south. No scenic views, scenic vistas, or scenic resources as designated by the General Plan are known to occur in the vicinity of the Project.

Additionally, there are no California Department of Transportation (Caltrans) State Scenic Highways within the Project vicinity.[1]

During construction, the use of standard construction equipment including, but not limited to, trucks, cranes, and tractors would be required. The 7-foot perimeter fence would be installed at the onset of construction to establish the Project Site boundaries. Although some higher-profile construction equipment such as cranes may still be visible from nearby surrounding areas, the views of construction activities from the surrounding vicinity would be temporary and would not involve any designated scenic vistas as there are no designated scenic vistas in the Project vicinity.

The solar equipment proposed to be constructed on the Project Site is low in profile, including PV modules mounted on fixed-tilt foundations or tracker units and associated electrical equipment that would display a height of up to 15 feet. Implementation of the Project would also include overhead collection lines, access roads, and a seven-foot-tall perimeter fence. The proposed 15-foot landscape buffer on the northern and western boundaries of the Project Site along Mesa Drive and Lear Avenue would screen the Project from motorists. Although the Project would alter the existing character of the Project Site, the introduction of Project components would not substantially obstruct or interrupt views of the surrounding mountains which due to their height would remain visually prominent. Therefore, less than significant impacts on scenic vistas are expected to occur.

b. **Less Than Significant Impact.** The Project Site is generally flat and contains no significant geologic features or vegetation unique to the area that could be considered a scenic resource. The General Plan designated a portion of SR 62 approximately 2.7 miles south of the Project Site as an eligible State Scenic Driveway. This same portion of SR 62 is also an eligible State Scenic Highway by the California Department of Transportation's California State Scenic Highway System Map.[2] Due to the height of the Project components, distance from the Project Site to SR 62, and the intervening development and topography, the Project would unlikely be visible from SR 62. Therefore, the Project would not substantially damage scenic resources within a State Scenic Highway, and impacts would be less than significant.

c. **Less Than Significant Impact.** The Project is located in a non-urbanized area and is surrounded by undeveloped vacant land in all directions, rural residences to the north, west, and south, and two existing solar facilities (20 acres and 100 acres) to the southwest. The Project Site has views of mountain foothills and ridgelines to the west and south.

The Project would be fenced at the onset of construction activities to stake out the Project Site boundaries. The fence would partially screen construction activities from view at the

[1] California Department of Transportation (Caltrans), Vista Points – California, https://www.arcgis.com/apps/mapviewer/index.html?webmap=5f82ccb700874868bf07f8cfa2a43a1f. Accessed February 6, 2024.

[2] Caltrans, California State Scenic Highway Systems Map, 2019, https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa. Accessed February 6, 2024.

street level from off-site locations. Therefore, construction activities and equipment would not result in adverse visual effects.

During Project operations, the Project would include low profile solar equipment such that they would not limit views of the foothills. While the Project would change the existing public views at the immediate foreground on public right-of-way, the installation of the low profile solar equipment (e.g., the arrays and the BESS) would not degrade the visual quality and character of the Project Site and its immediate vicinity as the public would still retain views of the mountain foothills and ridgelines to the west and south. Therefore, the Project would not significantly alter the existing visual character or quality of public views of the Project Site and its surroundings. The Project would conform with the visual quality of the existing solar facilities located to the southwest of the Project Site. Upon approval of the CUP, the Project would be consistent with all General Plan policies and zoning development standards and regulations, including standards governing scenic quality. The Project would also require the County and all applicable departments to review plans to determine compliance with development standards. Therefore, impacts on degrading existing visual character or quality of public views of the Project Site and surroundings would be less than significant.

d. **Less Than Significant Impact.** The Project Site is located in an area with limited existing sources of shadow (e.g., utility poles), light (e.g., cars), and glare (existing solar facilities). The Project is within a desert area of the County with a minimal number of rural residences and solar facilities in the vicinity of the Project Site. The nearest residence is approximately 168 feet north of the Project Site. Existing outdoor lighting near the Project Site exists from rural residences to the north, west, and south and lighting from the nearby solar facilities. The Project would generate new sources of shadow, light, and glare compared to existing conditions.

While the majority of Project construction would occur during daylight hours, there is a potential that that construction could require the use of artificial lighting (e.g., floodlights, spotlights), particularly during the winter season when daylight is no longer sufficient earlier in the day. To the extent artificial light sources are required, such use would be temporary and would cease upon completion of Project construction. Furthermore, the Project would be required to comply with the County's Light Trespass Ordinance (San Bernardino County Development Code Chapter 83.07), which requires that only the minimum amount of lighting is used, lights are to be shielded and directed downward and away from the sky, and no light spillage occurs. Construction lighting, while potentially bright, would be focused on the particular area undergoing work. All outdoor luminaires would be appropriately located and adequately shielded and directed such that no direct light falls outside the parcel of origin, onto the public right-of-way, and would not expose residential properties to unacceptable levels.

Daytime glare could potentially occur during construction activities if reflective construction materials were positioned in highly visible locations where the reflection of sunlight could occur. However, any glare would be highly transitory and short-term, given the movement of construction equipment and materials within the construction area, and the temporary nature of construction activities. In addition, large, flat surfaces that generate substantial glare are typically not an element of construction activities. Furthermore, temporary construction fencing comprised of a solid material or including screening would be placed

along the periphery of the Project Site to screen construction activity from view at the street level from off-site locations. Therefore, there would be a negligible potential for daytime or nighttime glare associated with construction activities to occur.

Based on the above, light and glare associated with Project construction activities would not substantially alter the character of off-site areas surrounding the Project Site or adversely impact day or nighttime views in the area. Therefore, impacts related to light and glare during construction would be less than significant.

Project operation would introduce new sources of light and glare that are typically associated with solar facilities (e.g., security or perimeter lighting). However, as mentioned above, Project lighting would be required to comply with the County's Light Trespass Ordinance, which regulates outdoor lighting practices geared toward minimizing excessive lighting, light pollution, glare, and light trespass; conserving energy and resources while maintaining nighttime safety, visibility, utility, and productivity; and preserving the nighttime visual environment and the County's visual rural quality of life. The San Bernardino County Development Code Section 83.07.040 (Light Trespass Ordinance) specifically requires that only the minimum amount of lighting is used, lights are to be shielded and directed downward and away from the sky, and no light spillage occurs. In addition, the San Bernardino County Planning Department and the Building and Safety Department would review any proposed lighting to ensure conformance with the California Green Building Standards Code (CALGreen Code), such that only the minimum amount of lighting is used and no light spillage occurs. Therefore, the Project would not create a new source of substantial light or shadow which would adversely affect day or nighttime views in the area, and impacts would be less than significant.

The Project could potentially generate short-term and limited glare at various times of the year and in the early morning and evening hours when the sun is at its lowest point on the horizon. Such glare could be briefly visible to drivers on Mesa Drive, Lear Avenue, Cove View Road, and Shoshone Valley Road. However, due to the short-term nature of such glare, it is not anticipated the glare would present a hazard to motorists. The PV panels would not be expected to cause significant glare as the panels will absorb sunlight during daylight hours and therefore, produce minimal reflectivity. PV solar panels are designed to be highly absorptive of light that strikes the panel surfaces, generating electricity rather than reflecting light. Solar panels are also designed to track the sun to maximize panel exposure to the sun, which would direct the majority of any reflected light back toward the sun in a skyward direction. PV panels have a lower index of refraction/reflectivity than common sources of glare in residential environments. The glare and reflectance levels from a given PV system are lower than the glare and reflectance levels of steel, snow, standard glass, plexiglass, and smooth water. Single-axis systems would employ a motor mechanism that would allow the arrays to track the path of the sun throughout the day. In the morning, the panels would face the east. Throughout the day, the panels would slowly move to the upright position at noon and on to the west at sundown. The panels would reset to the east in the evening or early morning to receive sunlight at sunrise. In general, the greatest potential for light reflection would occur when the panels would be angled toward the horizon at sunrise and sunset. As the panels would be angled in an east-west orientation (towards the horizon) at sunrise and sunset, expectation is that light reflection would be directed to the west and east towards drivers on Lear Avenue and Shoshone Valley Road, respectively. Therefore, motorists on these highways are not expected to be

exposed to potential light reflection generated from the PV panels. Any potential glare impacts that would occur would be further reduced by the chain link perimeter fence and perimeter landscaping. Therefore, the solar PV panels would not create a new source of substantial glare that would adversely affect day or nighttime views in the area, and impacts would be less than significant.

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
II. AGRICULTURAL 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. Will 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?	☐	☐	☐	☒

II. AGRICULTURAL AND FORESTRY RESOURCES

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

a. **No Impact.** The Project Site currently comprises undeveloped vacant land. The Project Site and vicinity are not mapped by the Department of Conservation Important Farmland Finder and therefore does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.[3] Therefore, the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, and no impact would occur in this regard.

b. **No Impact.** – The Project Site currently consists of undeveloped vacant land. The Project Site has a General Plan land use designation of RL and is zoned RL. Pursuant to San Bernardino County Development Code Chapter 82.03 Table 82-4, renewable energy generation facilities are a permitted use with an approved CUP. According to the Department of Conservation's Williamson Act Contract Land Map, the Project Site is not enrolled in a Williamson Act contract.[4] The Project is also not within an established agricultural preserve.[5] Therefore, development of the Project would not conflict with existing zoning for agricultural uses.

c. **No Impact.** The Project Site is zoned RL. The Project would not rezone forest land, timberland, or timberland zoned Timberland Production. The Project would also not result in the loss of forest land or convert forest land to non-forest use. Therefore, no impact would occur in this regard.

d. **No Impact.** See response to Threshold I.c above.

e. **No Impact.** There is no Farmland or forest land within or near the Project Site. Implementation of the Project would not result in the conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. Therefore, the Project would not convert the Farmland to non-agricultural use or convert forest land to non-forest use, and no impact would occur in this regard.

[3] California Department of Conservation (CDOC), California Important Farmland Finder, 2022, https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed February 6, 2024.
[4] CDOC, California Williamson Act Enrollment Finder, 2022, https://maps.conservation.ca.gov/dlrp/WilliamsonAct/. Accessed February 6, 2024.
[5] San Bernardino Valley Agricultural Planning and Preservation Program, Williamson Act Contracts and Agricultural Preserves, 2021, https://salc-grant-data-sbcounty.hub.arcgis.com/documents/18a08da2be3b4794bf0aff1e9486e662/explore. Accessed February 6, 2024.

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Will 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?	☐	☐	☒	☐

III. AIR QUALITY

SUBSTANTIATION: The discussion below regarding potential impacts on air quality is based in part on the Air Quality Technical Memorandum (see **Appendix A**) prepared by Kimley-Horn.[6]

a. **Less Than Significant Impact.** The State is divided geographically into 15 air basins, generally along geographic or topographic boundaries. The Project Site is located in the Mojave Desert Air Basin (Basin). The Basin includes the desert portion of Los Angeles and San Bernardino Counties, the eastern desert portion of Kern County, and the northeastern desert portion of Riverside County. The Mojave Desert Air Quality Management District (MDAQMD) has jurisdiction over stationary sources of air pollution located within San Bernardino County's High Desert and Riverside County's Palo Verde Valley, which includes the Project Site.

   Areas that meet ambient air quality standards are classified as attainment areas, while areas that do not meet these standards are classified as nonattainment areas. Areas for which there is insufficient data available are designated unclassified. The Project Site is a Federal nonattainment area for ozone (O_3) and particulate matter 10 microns in diameter or less (PM10), and a State nonattainment area for O_3 and PM10 and PM2.5. The Project Site is classified as attainment or unclassified for lead, visibility reducing particles, sulfates, hydrogen sulfide, and vinyl chloride.

[6] Kimley-Horn, Air Quality Technical Memorandum, October 30, 2024. See **Appendix A** of this IS/MND.

The MDAQMD PM10 Attainment Plan and Ozone Attainment Plan established under the Western Mojave Desert Air Quality Management Plans (AQMPs) set forth a comprehensive set of programs that will lead the Mojave Desert Air Basin into compliance with Federal and State air quality standards. The control measures and related emission reduction estimates within the MDAQMD PM10 Attainment Plan and Ozone Attainment Plan are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with these attainment plans is determined by:

- Demonstrating Project consistency with local land use plans and/or population projections (Criterion 1);
- Demonstrating Project compliance with applicable MDAQMD Rules and Regulations (Criterion 2); and
- Demonstrating Project implementation will not increase the frequency or severity of a violation in the Federal or State ambient air quality standards (Criterion 3).

Criterion 1: Consistency with local land use plans and/or population projections.
Growth projections included in the AQMPs form the basis for the projections of air pollutant emissions and are based on general plan land use designations and the Southern California Association of Governments (SCAG) 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) demographics forecasts. While SCAG has recently adopted the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), the MDAQMD has not released an updated AQMP that utilizes information from the 2020-2045 RTP/SCS. As such, this consistency analysis is based off the 2016-2040 RTP/SCS. The population, housing, and employment forecasts within the 2016-2040 RTP/SCS are based on local general plans as well as input from local governments, such as the County. The MDAQMD has incorporated these same demographic growth forecasts for various socioeconomic categories (e.g., population, housing, employment) into the AQMPs.

Zoning is the local law that regulates various aspects of how land can be used. Zoning in the Project area is regulated by the San Bernardino County Development Code and Zoning designations that are found in the Countywide Plan/Policy Plan. The Project Site is designated as RL in the Countywide Plan/Policy Plan, and the existing zoning for the Project Site is RL. Pursuant to San Bernardino County Development Code Section 82.04.040, renewable energy generation facilities are a permitted use with an approved CUP.

SCAG growth forecasts in the 2016-2040 RTP/SCS estimate the County's unincorporated population to reach 344,100 persons by 2040, representing a total increase of 48,500 persons between 2012 and 2040. Additionally, SCAG growth forecasts in the 2016-2040 RTP/SCS estimate the unincorporated County's employment to reach 91,100 jobs by 2040, representing a total increase of 33,700 jobs between 2012 and 2040.

The Project would include neither a residential component that would increase local population growth, nor a commercial component that would substantially increase employment. Construction of the Project would not result in residential, commercial, or growth-inducing development that would result in a substantial increase in growth-related

emissions. In addition, because of the presence of locally available construction workers, and because of the relatively short duration of construction (approximately nine months), workers are not expected to relocate to the area with their families.

The Project would operate year-round. Typical operational and maintenance activities during Project operations include, but are not limited to, facility monitoring; administration and reporting; remote operations of inverters, BESS system, and other equipment; repair and maintenance of solar facilities, electrical transmission lines, and other Project facilities; and periodic panel washing. Therefore, limited staff would be required during operations. As such, there would be no employee or population growth as a result of the Project, and the Project would not cause the SCAG growth forecast to be exceeded. As the MDAQMD has incorporated these forecasts on population, housing, and employment into the AQMPs, the Project would be consistent with the AQMPs and would meet Criterion 1.

Criterion 2: Compliance with applicable AVAQMD Rules and Regulations.
The Project would be required to comply with all applicable MDAQMD Rules and Regulations. This would include MDAQMD Rules 401, 402, and 403. AVAQMD Rule 403 requires periodic watering for short-term stabilization of disturbed surface area to minimize visible fugitive dust (PM10) emissions, covering loaded haul vehicles, and reduction of non-essential earth moving activities during higher wind conditions. The Project would comply with applicable MDAQMD rules, enforced through Project Conditions of Approval, and not conflict with applicable MDAQMD Rules and Regulations. The Project would meet Criterion 2.

Criterion 3: Demonstrating Project implementation will not increase the frequency or severity of a violation in the Federal or State ambient air quality standards.
Analysis of the Project's potential to result in more frequent or severe violations of the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS) can be satisfied by comparing Project emissions to MDAQMD thresholds. As discussed under response to Threshold III.b below, unmitigated short-term construction emissions would not exceed MDAQMD significance thresholds. Additionally, unmitigated long-term operational emissions of all criteria pollutants studied (nitrous oxides [NO_X], reactive organic gases [ROG], carbon monoxide [CO], PM10, and PM2.5) would be less than the applicable MDAQMD significance thresholds. Therefore, the Project would not delay the Mojave Desert Air Basin's attainment goals for O_3, PM10, and PM2.5, and would not result in an increase in the frequency or severity of existing air quality violations. As such, the Project would not cause or contribute to localized air quality violations or delay the attainment of air quality standard or interim emissions reductions specified in the AQMPs and would meet Criterion 3.

Conclusion
As discussed above, the Project would comply with MDAQMD Rules and Regulations and would not induce residential or worker population growth. Further, the Project would not cause or contribute to localized air quality violations or delay the attainment of air quality standard or interim emissions reductions specified in the AQMPs. Thus, the Project would not result in or cause NAAQS or CAAQS violations. The Project would meet Criterion 1, Criterion 2, and Criterion 3. As such, the Project would be consistent with the MDAQMD's AQMPs, and impacts would be less than significant.

b. **Less Than Significant Impact.**

Construction

Project construction involving the use of heavy-duty construction equipment is anticipated to be completed over a period of approximately nine months. The Project involves construction activities associated with demolition, site preparation, grading, paving, construction/installation, PV Panel Vendor Trips, and paving.

The analysis of daily construction emissions has been prepared using California Emissions Estimator Model version 2022.1.1 (CalEEMod). Refer to **Appendix A** for the CalEEMod outputs and results. **Table 2: Daily Construction Emissions** and **Table 3: Annual Construction Emissions** present the anticipated short-term construction emissions. As indicated in Table 2 and Table 3, criteria pollutant emissions during Project construction would not exceed the MDAQMD significance thresholds. Therefore, total Project construction-related air emissions would be less than significant.

Table 2: Daily Construction Emissions

Construction Year	Maximum Pounds per Day[1]					
	ROG	**NO_X**	**CO**	**SO_2**	**PM10**	**PM2.5**
2025[2]	3.49	27.23	33.28	0.06	9.39	3.91
MDAQMD Threshold	137	137	548	137	82	65
Exceed MDAQMD Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Notes:
1. The highest values between summer and winter results were used as a worst-case scenario.
2. The reductions/credits for construction emissions are based on adjustments to CalEEMod and are required by the MDAQMD Rules. The adjustments applied in CalEEMod includes the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; cover stockpiles with tarps; and limit speeds on unpaved roads to 15 miles per hour.

Source: CalEEMod version 2022.1; see **Appendix A** for model outputs.

Table 3: Annual Construction Emissions

Construction Year	Maximum Tons per Year[1]					
	ROG	**NO_X**	**CO**	**SO_2**	**PM10**	**PM2.5**
2025[2]	0.18	1.49	1.76	<0.005	0.30	0.14
MDAQMD Threshold	25	25	100	25	15	12
Exceed MDAQMD Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Notes:
1. The reductions/credits for construction emissions are based on adjustments to CalEEMod and are required by the MDAQMD Rules. The adjustments applied in CalEEMod includes the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; cover stockpiles with tarps; and limit speeds on unpaved roads to 15 miles per hour.

Source: CalEEMod version 2022.1; see **Appendix A** for model outputs.

Operations

Operational emissions associated with the Project would include those generated from panel washing, maintenance, and the BESS. **Table 4: Daily Operational Emissions** and **Table 5: Annual Operational Emissions** present the Project's anticipated mobile source (i.e., motor vehicle use), energy source, and area source emissions. Each of these source types are described below.

Table 4: Daily Operational Emissions

Source	Maximum Pounds per Day					
	ROG	**NO_X**	**CO**	**SO_2**	**PM10**	**PM2.5**
Area	92.2	1.13	135	0.01	0.24	0.18
Energy	0.00	0.00	0.00	0.00	0.00	0.00
Mobile	<0.05	0.14	0.05	<0.05	0.03	0.01
Total Emissions[1]	**92.2**	**1.27**	**135**	**0.01**	**0.27**	**0.19**
MDAQMD Threshold	137	137	548	137	82	65
Exceed MDAQMD Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Note: Total values are from CalEEMod and may not add up 100 percent due to rounding.
1. The highest values between summer and winter results were used as a worst-case scenario.
Source: CalEEMod version 2022.1; see **Appendix A** for model outputs.

Table 5: Annual Operational Emissions

Source	Maximum Tons per Year					
	ROG	**NO_X**	**CO**	**SO_2**	**PM10**	**PM2.5**
Area	14.8	0.10	12.1	<0.005	0.02	0.02
Energy	0.00	0.00	0.00	0.00	0.00	0.00
Mobile	<0.05	0.02	0.01	<0.005	<0.05	<0.05
Total Emissions[1]	***14.8***	***0.12***	***12.1***	***<0.005***	***0.03***	***0.02***
MDAQMD Threshold	25	25	100	25	15	12
Exceed MDAQMD Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Note: Total values are from CalEEMod and may not add up 100 percent due to rounding.
1. The highest values between summer and winter results were used as a worst-case scenario.
Source: CalEEMod version 2022.1; see **Appendix A** for model outputs.

Area Source Emissions. Area source emissions would be generated due to potential BESS architectural coatings, use of consumer products (e.g., cleaning supplies), and landscaping equipment. Default CalEEMod assumptions were utilized.

Energy Source Emissions. Energy source emissions would be generated due to electricity usage associated with the Project. The Project's operational activities would not consume natural gas. The Project would consume negligible amounts of electricity for auxiliary equipment, such as BESS heating, ventilation, and air conditioning (HVAC) units; communications equipment; and lighting.

Mobile Source Emissions. Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG, NO_X, SO_X, PM10, and PM2.5 are all pollutants of regional concern (NO_X and ROG react with sunlight to form O_3 [photochemical smog], and wind currents readily transport SO_X, PM10, and PM2.5); however, CO tends to be a localized pollutant, dispersing rapidly at the source. During operations, the Project would generate minimal periodic operational vehicle trips internal to the Project Site for required maintenance activities. It is estimated that the Project would require 6 maintenance-related roundtrips per year and up to 4 solar panel and inverter washing roundtrips per year, resulting in approximately 10 total roundtrips per year (20 one-way trips). For purposes of a worst-case analysis assuming a maximum operational day, the model assumes that all 20 one-way trips would occur in one day; refer to **Appendix A** for assumptions and calculations.

Total Emissions. As shown in Table 4 and Table 5, estimated total Project operational emissions would not exceed established MDAQMD thresholds. Therefore, impacts associated with Project operational emissions would be less than significant.

Air Quality Health Impacts

Adverse health effects induced by criteria pollutant emissions are highly dependent on a multitude of interconnected variables (e.g., cumulative concentrations, local meteorology and atmospheric conditions, and the number and character of exposed individual [e.g., age, gender]). In particular, O_3 precursors (volatile organic compounds [VOCs] and NO_X) affect air quality on a regional scale. Health effects related to O_3 are therefore the product of emissions generated by numerous sources throughout a region. Existing models have limited sensitivity to small changes in criteria pollutant concentrations, and, as such, translating criteria pollutants generated by an individual project to specific health effects or additional days of nonattainment would produce meaningless results. The NAAQS and CAAQS are set to be protective of human health, however, which means that the Project's less than significant increases in regional air pollution from criteria air pollutants would have less than significant impacts on human health.

The MDAQMD does not have clear thresholds or methodology to quantify health impacts of criteria pollutants from individual projects. Other air districts, including the South Coast Air Quality Management District (SCAQMD), have stated that it would be extremely difficult, if not impossible to quantify health impacts of criteria pollutants from individual projects for various reasons including modeling limitations as well as the fact that certain emissions are the result of chemical interactions, and it is impossible to determine exactly where in the atmosphere precursor air pollutants will interact.

The SCAQMD acknowledges that health effects quantification from O_3, as an example, is correlated with the increases in ambient level of O_3 in the air (concentration) that an individual person breathes. SCAQMD has written that it would take a large amount of

additional emissions to cause a modeled increase in ambient O_3 levels over the entire region. The SCAQMD states that based on their own modeling in the SCAQMD's 2012 AQMP, a reduction of 432 tons (864,000 pounds) per day of NO_X and a reduction of 187 tons (374,000 pounds) per day of VOCs would reduce O_3 levels at the site with the highest ozone levels by only nine parts per billion. As such, the SCAQMD concludes that it is not currently possible to accurately quantify O_3-related health impacts caused by NO_X or VOC emissions from relatively small projects (defined as projects with less than a regional scope) due to photochemistry and regional model limitations.

Because the Project would not exceed MDAQMD's thresholds for construction and operational air emissions, the Project would have a less than significant impact for air quality health impacts as well and no modeling of health impacts was performed.

Decommissioning

At the end of the Project's operational term, the Applicant may determine that the Project should be decommissioned and deconstructed. Pursuant to San Bernardino County Development Code Section 84.29.070, the Applicant has prepared a decommissioning plan that complies with all applicable local, State, and federal requirements and BMPs. The Project would include BMPs to ensure the collection and recycling of modules and to avoid the potential for modules to be disposed of as municipal waste.

Equipment would be de-energized prior to removal, salvaged (where possible), placed in appropriate shipping containers, and secured in a truck transport trailer for shipment off site to be recycled or disposed of at an appropriately licensed disposal facility. Site infrastructure would be removed, including fences and concrete pads that may support the inverters and related equipment. The exterior fencing would be removed, and materials would be recycled to the extent feasible. Project internal and access roads would be restored to their pre-construction condition to the extent feasible unless the landowner elects to retain the improved roads for access throughout the property. A collection and recycling program would be utilized to promote recycling of Project components and minimize disposal in landfills. As shown in Table 2 and Table 3, emissions would not exceed MDAQMD thresholds and impacts would be less than significant.

Cumulative Short-Term Construction Impacts

With respect to the Project's construction-period air quality emissions and cumulative Basin-wide conditions, the MDAQMD has developed strategies to reduce criteria pollutant emissions outlined in the AQMPs pursuant to Clean Air Act mandates. As such, the Project would comply with MDAQMD Rule 403 greatest requirements and implement all applicable MDAQMD rules to reduce construction air emissions to the extent feasible. MDAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures in order to reduce dust so that it does not remain visible in the atmosphere beyond the property line of the Project Site. Examples of best available control measures for dust include the application of water and soil stabilizers, covering of loads, avoiding track out onto public roads, and the minimization of non-essential grading during high wind conditions. In addition, the Project would comply with adopted AQMPs emissions control measures. Implementation of MDAQMD Rule 403 and the AQMPs emissions control measures would help the Project further reduce emissions from construction activities. Pursuant to MDAQMD rules and mandates, these same requirements (i.e., Rule 403 compliance and compliance with adopted AQMPs emissions control measures) would

also be imposed on construction projects throughout the Basin, which would include cumulative projects.

As discussed in Table 2 and Table 3 above, the Project's estimated short-term construction emissions would be below the MDAQMD thresholds and would result in less than significant air quality impacts. Thus, the Project's construction emissions would not contribute to a cumulatively considerable air quality impact for nonattainment criteria pollutants in the Basin, and impacts would be less than significant.

Cumulative Long-Term Operational Impacts

As discussed in Table 4 and Table 5, the Project would not result in long-term operational air quality impacts. Additionally, adherence to MDAQMD rules and regulations alleviate cumulatively considerable contributions to potential significant impacts related to cumulative conditions on a project-by-project basis. Emission reduction technology, strategies, and plans are constantly being developed to address existing significant cumulative impacts. As a result, the Project would not contribute a cumulatively considerable net increase of any nonattainment criteria pollutant. Therefore, the Project would not contribute a cumulatively considerable net increase of any nonattainment criteria pollutant, and impacts would be less than significant.

c. **Less Than Significant Impact for Construction, Less Than Significant Impact with Mitigation Incorporated for Operation.** Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, parks, daycare centers. The California Air Resources Board (CARB) has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. The nearest sensitive receptor to the Project Site is a residential use located approximately 168 feet north of the Project Site. No schools, hospitals, or parks are located within two miles of the Project Site.

Construction

Project construction is anticipated to be completed over a period of approximately nine months. Project construction activities are anticipated to involve the operation of diesel-powered equipment, which would emit Diesel Particulate Matter (DPM). In 1998, the CARB identified diesel exhaust as a toxic air contaminant (TAC). Cancer health risks associated with exposures to diesel exhaust typically are associated with chronic exposure, in which a 30-year exposure period often is assumed. Project construction would comply with the California Code of Regulations (CCR), Title 13, Section 2449(d)(3) and 2485, which minimizes the idling time of construction equipment either by shutting it off when not in use or by reducing the time of idling to not more than five minutes. Implementation of these regulations would reduce the amount of DPM emissions from Project construction.

Furthermore, construction activities are expected to occur well below the 30-year exposure period used in health risk assessments. Emissions would be short-term and intermittent in nature, and therefore would not generate TAC emissions at high enough exposure concentrations to represent a health hazard. Therefore, construction of the

Project would not result in a significant increase in elevated cancer risk to nearby sensitive receptors and impacts would be less than significant.

Operations

Typical O&M activities during Project operations include, but are not limited to, facility monitoring; administration and reporting; remote operations of inverters, BESS system, and other equipment; repair and maintenance of solar facilities, electrical transmission lines, and other Project facilities; and periodic panel washing. None of these activities would result in the generation of excessive TAC emissions, or associated health risks. Therefore, operation of the Project is not anticipated to result in an elevated cancer risk to nearby sensitive receptors and potential impacts would be less than significant.

Carbon Monoxide Hotspots

CO emissions are a function of vehicle idling time, meteorological conditions, and traffic flow. Under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels (i.e., adversely affecting residents, school children, hospital patients, the elderly, etc.). CO is primarily a product of incomplete combustion of gaseous or liquid fuels, meaning tailpipe emissions are worse in stop-and-go congested traffic as compared to free flowing conditions. The Project does not include any stationary sources of combustion, and results in a net increase of approximately 10 maintenance and solar panel washing roundtrips per year (20 one-way trips) per year. The Project is not located near existing CO hotspots and the trips associated with the Project are insufficient to create a CO hotspot.

With such low existing ambient levels of CO, low levels of CO emissions from the Project, and lack of congested roadways around the Project, the Project would not cause CO hotspots in excess of applicable NAAQS or CAAQS standards at any intersections within the County. Impacts would be less than significant in this regard.

Naturally Occurring Asbestos

Asbestos is a term used for several types of naturally occurring fibrous minerals that are a human health hazard when airborne. The most common type of asbestos is chrysotile, but other types such as tremolite and actinolite are also found in California. Asbestos is classified as a known human carcinogen by federal, State, and international agencies and was identified as a toxic air contaminant by the CARB in 1986. Asbestos can be released from serpentinite and ultramafic rocks when the rock is broken or crushed. At the point of release, the asbestos fibers may become airborne, causing air quality and human health hazards. These rocks have been commonly used for unpaved gravel roads, landscaping, fill projects, and other improvement projects in some localities.

According to the Department of Conservation Division of Mines and Geology, A General Location Guide for Ultramafic Rocks in California – Areas More Likely to Contain Naturally Occurring Asbestos Report (August 2000), serpentinite and ultramafic rocks do not occur within the vicinity of the Project Site. Thus, there would be no impact in this regard.

Valley Fever

Coccidioidomycosis (CM), often referred to as San Joaquin Valley Fever or Valley Fever, commonly affects people who live in hot dry areas with alkaline soil and varies with the season. This disease, which affects both humans and animals, is caused by inhalation of

arthroconidia (spores) of the fungus *Coccidioides immitis* (CI). CI spores are found in the top 2-to-12 inches of soil and the existence of the fungus in most soil areas is temporary. The cocci fungus lives as a saprophyte in dry, alkaline soil. When weather and moisture conditions are favorable, the fungus "blooms" and forms many tiny spores that lie dormant in the soil until they are stirred up by wind, vehicles, excavation, or other ground-moving activities and become airborne. Agricultural workers, construction workers, and other people who work outdoors and who are exposed to wind and dust are more likely to contract Valley Fever. Children and adults whose hobbies or sports activities expose them to wind and dust are also more likely to contract Valley Fever.

The fungus is known to live in the soil in the southwestern United States and parts of Mexico and Central and South America. People and animals can get sick when they breathe in dust that contains the Valley fever fungus. This fungus infects the lungs and can cause respiratory symptoms including cough, fever, chest pain, and tiredness. In California, the number of reported Valley fever cases has greatly increased in recent years. The number of Valley Fever cases in the United States has been steadily increasing over the past few years. There were over 20,000 reported cases in 2019, and the Center for Disease Control and Prevention (CDC) estimates that an additional 150,000 cases go undiagnosed each year. About 32 percent of all cases occur in California. In 2016, there were 45 cases of Valley Fever in San Bernardino County, an incidence rate of 2.1 cases per 100,000 people.

When a susceptible human who is not immune inhales these airborne spores, they enter the lungs and may cause respiratory infections, such as pneumonia. Roughly 60 percent of individuals infected with CI have no symptoms. For the remaining 40 percent, a wide spectrum of clinical symptoms can occur. The most common presentation of CM is a mild, influenza-like illness while the more severe includes pneumonia-like symptoms requiring rest and medication (fungus-killing medicines). The symptoms of the disease typically begin about two weeks after inhaling the spores. These symptoms typically include flu-like symptoms such as fever, aching, chills, sweats, fatigue, cough, and headache. In uncomplicated CM, symptoms usually subside in a few weeks or months.

In approximately one percent of infected persons, disseminated disease develops, in which CM is spread from the lungs to other areas of the body such as the skin, bones, brain, or other organs. This spreading of CM infection beyond the lungs can be fatal. Meningitis, the most lethal complication of disseminated CM, may cause a stiff neck, severe and persistent headache, nausea, vomiting, and various other central nervous system symptoms such as disorientation, loss of balance or equilibrium, inability to think clearly and loss of consciousness. People with diabetes and women who contract CM while they are pregnant are particularly prone to dissemination of the disease.

Currently, no vaccine is available to prevent this infection. Further, there is no effective way to detect and monitor CI growth patterns in the soil. Thus, controlling the growth of the fungus in the environment to reduce the risk to individuals is currently not a viable option. A skin test can be conducted to identify individuals who have been infected in the past and would have developed immunity to the fungus, although recurrence as a result of immuno-suppression is possible. Even if the fungus is present in soil, earthmoving activities may not result in increased incidence of valley fever. Propagation of Coccidioides is dependent on climatic conditions, with the potential for growth and surface exposure highest following early seasonal rains and long dry spells.

To reduce exposure to CI, development projects implement measures to prevent wind dispersion of arthrospores, such as applying dust control palliatives, water, or vegetation to fungus-bearing soils. To facilitate early identification of infection and subsequent treatment the San Bernardino County Department of Public Health Division of Environmental Health Service recommends using dust suppression methods including wetting the soil during work or covering bare soil.

The California Department of Public Health recommends stopping outside activity during conditions where the dust cannot be controlled well. Appropriate use of respiratory protection may be also needed in some circumstances.

During ground disturbing activities associated with Project construction, the potential exists that such activities could disturb dust particles and, if present, CI spores, which could then be released into the air and potentially be inhaled by on-site workers and nearby sensitive receptors; exposure to these spores can cause Valley Fever. Impacts during Project construction related to CI spores would be potentially significant.

MDAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures in order to reduce dust so that it does not remain visible in the atmosphere beyond the property line of the Project Site. Examples of best available control measures for dust include the application of water and soil stabilizers, covering of loads, avoiding track into public roads, and the minimization of non-essential grading during high-wind conditions. Due to the distance of the nearest sensitive receptor, the Project is not anticipated to exacerbate the risk of existing sensitive receptors to contract Valley Fever. Although CEQA does not require the analysis of a Project's impacts on its construction workers, such analysis is included for informational purposes. The best approaches to reducing construction workers' risk of contracting Valley Fever are awareness and dust reduction because dust can be an indicator that increased efforts are needed to control other airborne particulates (including CI spores, if any). Compliance with MDAQMD rules reduce dust. For example, MDAQMD Rule 401 prohibits a person from discharging into the atmosphere any air emission contaminant for a period or periods aggregating more than three minutes in any single hour emissions that is: (a) as dark or darker in shade as that designated as No. 1 on the Ringelmann Chart, as published by the U.S. Bureau of Mines; or (b) of such opacity as to obscure an observer's view to a degree equal to or greater than 20 percent opacity. Rule 402 prohibits the discharge of air contaminants in quantities that would cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any such persons or the public. Additionally, the Project would be required to provide training and awareness of Valley Fever via **Mitigation Measure (MM) AQ-1**. **MM AQ-1** would further ensure worker safety through education and ensuring implementation of required Occupational Safety and Health Administration (OSHA) safety measures.

With the implementation of **MM AQ-1**, the potential for the release of CI spores, if present, and the associated potential for workers or nearby residents to contract Valley Fever from Project construction activities would be minimized. Accordingly, the Project would not add significantly to the existing exposure level of construction workers or nearby residents to the CI fugus. Therefore, potential impacts would be less than significant with mitigation incorporated.

Mitigation Measures

MM AQ-1 Prior to ground disturbance activities, the Applicant must prepare a Valley Fever Management Plan (VFMP), including a Valley Fever training program, to be implemented during construction to address potential risks from *Coccidioides immitis* by minimizing the potential for unsafe dust exposure during construction. The VFMP will identify best management practices including:

- Development of an educational Valley Fever Training Handout for distribution to onsite workers, which should include general information about the causes, symptoms, and treatment instructions regarding Valley Fever, including contact information of local health departments and clinics knowledgeable about Valley Fever.
- Conducting Valley Fever training sessions to educate all Project construction workers regarding appropriate dust management and safety procedures, symptoms of Valley Fever, testing and treatment options. This training must be completed by all workers and visitors (expected to be on-site for more than 2 days) prior to participating in or working in proximity to any ground disturbing activities. Signed documentation of successful completion of the training is to be kept on-site for the duration of construction.
- Developing a job-specific Job Hazard Analyses (JHA), in accordance with Cal/OSHA regulations, to analyze the risk of worker exposure to dust, and maintain and manage safety supplies identified by the JHA.
- Provide and/or require, if determined to be needed based on the applicable JHA, National Institute for Occupational Safety and Health-approved half-face respirators equipped with a minimum N-95 protection factor for use during worker collocation with surface disturbance activities, following completion of medical evaluations, fit-testing, and proper training on use of respirators.

With implementation of **MM AQ-1**, potentially significant impacts related to sensitive receptor pollutant exposure would be reduced to less than significant levels.

d. **Less Than Significant Impact.** According to the CARB's CEQA Air Quality Handbook, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The Project includes construction of a PV electricity generation and energy storage facility and does not include any uses identified by the CARB as being associated with odors.

Project construction activities may generate detectable odors from heavy-duty equipment exhaust. However, construction-related odors would be short-term in nature and cease upon completion of Project construction. Further, the nearest potential residence is too far from the Project Site to detect construction odors. In addition, the Project would be required to comply with the CCR, Title 13, Sections 2449(d)(3) and 2485, which minimizes

the idling time of construction equipment either by shutting it off when not in use or by reducing the time of idling to no more than five minutes. This would further reduce the detectable odors, if any, from heavy-duty equipment exhaust. Therefore, potential impacts would be short-term and are considered less than significant.

As previously noted, land uses associated with odor complaints do not typically include PV electricity generation and energy storage facilities. During operations, the Project would generate minimal periodic operational vehicle trips internal to the Project Site for required maintenance activities.

It is estimated that the Project would require 6 maintenance-related visits per year, resulting in up to 4 solar panel and inverter washing visits per year, resulting in 10 total annual roundtrips (20 one-way trips). Project operational vehicle trips would be minimal and not of sufficient number to create concentrations of odorous fumes to form and cause a nuisance. As such, potential impacts would be easily dispersed in the atmosphere and are less than significant.

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
IV. BIOLOGICAL RESOURCES: Will the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the 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, regulations or by the California Department of Fish and Wildlife or U.S. 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?	☐	☐	☐	☒

IV. BIOLOGICAL RESOURCES

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

The discussion below regarding potential impacts on biological resources is based in part on the General Biological Resources Assessment Report (BRA) (see **Appendix B**)[7], Desert Tortoise

[7] Rincon Consultants, Inc. (Rincon), General Biological Resources Assessment, March 2024. See **Appendix B** of this IS/MND.

Survey Report (see **Appendix C**)[8], Rare Plant Survey Report (see **Appendix D**)[9], Western Joshua Tree (WJT) Survey Report (see **Appendix E**)[10], and Jurisdictional Delineation (**Appendix F**)[11], all of which were prepared by Rincon Consultants, Inc. (Rincon). These reports, except for the WJT Survey Report, assessed the Project parcel (80 acres) and an approximately 100-foot buffer beyond the limits of the Project footprint (Area of Potential Effects [APE]). The WJT Survey Report assessed the Project parcel and an approximately 50-foot buffer.

Special-status plant and wildlife species present or potentially present within or adjacent to the Survey Area were identified through a desktop literature review using the following sources: United States Fish and Wildlife Services (USFWS) Information for Planning and Consultation (IPaC) query, California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB), CDFW's Biogeographic Information and Observation System (BIOS), USFWS Critical Habitat Mapper, Calflora's What Grows Here, the California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Vascular Plants, the California Energy Commission (CEC) Desert Renewable Energy Conservation Plan (DRECP) Species Distribution Models, and the Federal Emergency Management Agency (FEMA) Flood Maps. The CNDDB and CNPS database searches was based on 9-quad radius searches, including Sunfair, Deadman Lake SW, Deadman Lake SE, Twentynine Palms, Queen Mtn., Indian Cove, Joshua Tree North, Joshua Tree South, and Goat Mountain. Rincon performed field reconnaissance surveys to evaluate the APE for potential to support special-status plant and wildlife species and identify sensitive vegetation communities and potentially jurisdictional resources. Rincon also conducted a follow-up pedestrian survey on October 14, 2024 to re-assess the Project Site for desert tortoise, their sign, or new potential burrows. Two wildlife cameras were installed three feet northeast of one potential burrow that was previously observed in October 2023. Photographs captured by wildlife cameras were examined on October 21 and 28, 2024, and both wildlife cameras were deconstructed and removed from the Project Site on October 28, 2024.

a. **Less Than Significant Impact with Mitigation Incorporated.** Twenty-five special-status species are known to occur within the APE (11 special-status plant species and 14 special-status wildlife species). Eight special-status wildlife species are considered to have a moderate or high potential to occur based on their known distribution, documented presence in the general vicinity of the APE, and presence of suitable habitat within the APE:
    - Golden eagle (foraging) (*Aquila chrysaetos*, BGEPA, Fully Protected [FP])
    - Loggerhead shrike (*Lanius ludovicianus*, Species of Special Concern [SSC])
    - Burrowing owl (*Athene cunicularia,* State Candidate Endangered [SCE]*)*
    - Bendire's thrasher (*Toxostoma bendirei*, SSC)
    - Le Conte's thrasher (*Toxostoma lecontei*, SSC)
    - American badger (*Taxidea taxus,* SSC)

[8] Rincon, Desert Tortoise Survey Report, February 15, 2024, revised October 30, 2024. See **Appendix C** of this IS/MND.
[9] Rincon, Rare Plant Survey Report, July 24, 2024. See **Appendix D** of this IS/MND.
[10] Rincon, Western Joshua Tree Survey Report, December 20, 2023, revised October 23, 2024. See **Appendix E** of this IS/MND.
[11] Rincon, Jurisdictional Delineation, February 15, 2024, revised October 22, 2024. See **Appendix F** of this IS/MND.

- Prairie falcon (foraging) (*Falco* mexicanus, CDFW Watchlist [WL])
- Desert kit fox (*Vulpis macrotis* arsipus, CFGC Section 1400 *et seq.*)

Six special-status bat species are considered to have a low potential to occur in the APE:

- Desert tortoise (*Gopherus agassizii,* Federally Threatened [FT], State Threatened [ST])
- Pallid bat (*Antrozous pallidus*, SSC)
- Spotted bat (*Euderma maculatum*, SSC)
- Western mastiff bat (*Eumops perotis californicus*, SSC)
- Western yellow bat (*Lasiurus xanthinus*, SSC)
- Big free-tailed bat (*Nyctinomops macrotis*, SSC)

Desert tortoise was initially considered to have moderate potential to occur in the APE based on the presence of suitable habitat and reported regional occurrences; however, the potential to occur has been reduced to low based on negative results from focused survey and camera survey conducted in the APE.

Suitable foraging habitat for bat species with low potential to occur is present in the APE but roosting habitat is limited to a few ornamental palm trees on private property west of (but outside of) the Project Site. Project development would not result in impacts to special-status bat species due to the absence of roosting habitat in the Project Site.

During the field surveys, no special-status plant or wildlife species were observed in the APE; however, the APE contains suitable habitat for special-status species.

<u>Desert Tortoise</u>
The desert tortoise is Federally and State-listed as threatened. Therefore, potential impacts to the species may require incidental take permits from both the USFWS and CDFW. The APE contains relatively undisturbed natural desert scrub (e.g., creosote scrub habitat), which is suitable habitat for desert tortoise. The CNDDB search provided 5 documented desert tortoise occurrences within a 9-quad search around the APE. An occurrence from 1991 (Occurrence No. 22) covers a non-specified area, but the notes indicate that tortoises were observed within Twentynine Palms Marine Corps Training Center and the Sandhill Tortoise Preserve, the boundaries of both areas are located at least 5 miles from the APE. Densities for that record were estimated at 20 to 50 tortoises per square mile. The remaining 4 occurrences date from 1991 (8.9 miles northeast), 2009 (2.6 miles southwest), 2008 (3.2 miles southwest), and 2018 (12.75 miles southwest).

A protocol desert tortoise survey was conducted on October 13, 2023 in accordance with the USFWS protocol. One potential tortoise burrow was located on the eastern portion of the site and the creosote bush scrub distributed throughout the APE provides suitable habitat for the species. No tortoise or their sign were observed in the APE. Project development would result in direct impacts such as loss of habitat and can potentially result in mortality if desert tortoise are present.

No desert tortoise, sign of desert tortoise, or new potential burrows were observed during the desert tortoise camera survey conducted from October 14 to October 28, 2024. The

previously observed Class 4 burrow near the eastern edge of the Project Site appeared to have regressed in quality, as the burrow apron has partially filled with sand since it was first observed. The burrow opening remains approximately five inches wide, and the back of the burrow was not visible. Suitable habitat for desert tortoise and one burrow of suitable size and shape occurs in the Study Area; however, no desert tortoise or sign of desert tortoise were observed during the surveys, and there is a lack of recent known occurrences of the species within one mile of the Study Area. Further, desert tortoise activity may be deterred by the use of off-road recreational vehicles that was observed throughout the Project Site and in the vicinity of the Study Area during the surveys. Thus, the potential for desert tortoise occurrence on the Project Site has been reduced to low given these additional evaluations and negative survey results. Nonetheless, given the recent recorded occurrences of desert tortoise near the Project Site, the Project has the potential to result in potentially significant impacts related to desert tortoise.

MM BIO-1 would require the Project Proponent to retain a Lead Biologist or Qualified Biologist who meets the qualifications of an Authorized Biologist as defined by USFWS to oversee compliance with the protection measures for all listed and other special-status species that may be affected by Project construction, operation, and decommissioning. The Lead or Qualified Biological Monitors would be required to be on-site during initial grading, ground disturbance, and vegetation removal activities that could directly or indirectly impact special-status biological resources. **MM BIO-2** would require all construction personnel and employees responsible for Project O&M to participate in a Worker Environmental Awareness Program (WEAP). **MM BIO-3** would require BMPs related to special-status species, including invasive weed prevention, preventing inadvertent entrapment during construction, covering/capping open ends of pipes and culverts at the end of the workday, and more. **MM BIO-4** would require a pre-construction desert tortoise presence/absence survey no more than 30 days in advance of Project development in accordance with USFWS survey protocols. If desert tortoise are not documented during the survey, no additional measures related to desert tortoise avoidance and minimization or compensatory mitigation would be required. Should the pre-construction desert tortoise survey document that the species is inhabiting the Project Site, **MM BIO-5** would require development of a desert tortoise translocation plan, installation of a fence around the construction areas, completion of a clearance survey for desert tortoise within the fenced construction site, hand excavation of all burrows that could provide shelter for a desert tortoise, and compensatory habitat mitigation for the loss of occupied desert tortoise habitat. With implementation of **MM BIO-1** through **MM BIO-5,** impacts to desert tortoise would be reduced to less than significant.

<u>Nesting Birds and Raptors</u>
Native bird nests are protected by CFGC Section 3503 and the Migratory Bird Treaty Act (MBTA). The nesting season generally occurs from February through September but can vary based upon species and annual climatic conditions. The APE contains suitable nesting habitat for a variety of native avian species common to desert scrub communities. Nesting opportunities in the APE are limited to scrub, burrows, utility poles, or ornamental vegetation in adjacent private property.

Loggerhead Shrike: The loggerhead shrike is a USFWS Bird of Conservation Concern (BCC) and CDFW Species of Special Concern (SSC). Suitable nesting habitat (predominantly desert scrub with shrub heights of 1 to 2 meters or more) is present in the

APE. Although there are no CNDDB records of loggerhead shrike within 9 quads of the APE, species observations are frequently recorded near the APE in citizen science applications and databases such as iNaturalist. Based on presence of potential nesting and foraging habitat and nearby observations, the species is considered to have high potential to occur within the APE.

Bendire's Thrasher: Bendire's thrasher is a USFWS BCC, CDFW SSC, and is protected by CFGC Section 3503 et. seq. and the MBTA. The CNDDB contains four occurrences of Bendire's thrasher within 9 quads of the APE. These observations all occurred in either 1985 or 1986, more than 10 miles away from the APE. However, desert scrub vegetation provides suitable nesting and foraging habitat in the APE. Therefore, there is moderate potential for this species to occur in the APE.

Le Conte's Thrasher: Specific breeding populations of Le Conte's thrasher are considered a CDFW SSC, and all populations are protected during nesting season under the MBTA and CFG Code 3503. The CNDDB includes four records of Le Conte's thrasher within 9 quads of the APE. Three of these occurrences were reported in 2010, with the nearest occurrence approximately 8 miles west of the APE. Based on the presence of suitable foraging and nesting habitat, the species was determined to have a moderate potential to nest within suitable natural scrub habitat throughout the moderately-vegetated eastern portion of the APE.

Golden Eagle: The Mojave Desert region provides habitat for several year-round resident and migratory raptor species, including golden eagle. Raptors are generally protected by CFGC Section 3503 et. seq. and the MBTA. Specific legal protections are afforded to the golden eagle pursuant to the Bald and Golden Eagle Protection Act (BGEPA) and CFGC Section 3511. The CNDDB The Mojave Desert region provides habitat for several year-round resident and migratory raptor species, including golden eagle. Raptors are generally protected by CFGC Section 3503 et. seq. and the Federal MBTA. Specific legal protections are afforded to the golden eagle pursuant to BGEPA and CFGC Section 3511.

Prairie Falcon: Prairie falcon are CDFW Watch List (WL) species. The only CNDDB occurrence (Occurrence No. 134) of this species within the 9 quad search radius of the APE occurred in 1977 at an undisclosed location in the Indian Cove quadrant. Suitable foraging habitat occurs within the APE, and suitable nesting habitat is present in the mountains to the south and west of the APE. Therefore, there is a moderate potential for this species to forage, but it is not expected that this species would nest in the APE.

Native birds protected by the CFGC and the MBTA may nest on the site. Project development has the potential to directly (i.e., destroying a nest) or indirectly (i.e., causing an active nest to fail) impact nesting birds protected under the CFGC, MBTA, and/or those considered to be SSC. Project development could impact sensitive species known to nest in desert shrubs, such as Bendire's thrasher and Le Conte's thrasher, and/or lead to loss of foraging habitat for species such as loggerhead shrike. The APE contains suitable foraging habitat for special-status birds of prey (e.g., golden eagle and prairie falcon). Loss of foraging habitat could be considered significant if it had substantial adverse effects to local populations of special-status raptors protected under the CFGC, BGEPA, or the MBTA. However, Project development would not significantly impact foraging habitat for such species considering the large expanses of open desert scrub habitat in the area

surrounding the APE and distance of the site to potentially suitable nesting habitat for prairie falcon and golden eagle (mountain ranges over five miles away). Nevertheless, the Project may result in potentially significant impacts on nesting birds and birds of prey. **MM BIO-6** requires pre-construction nesting bird surveys to determine if any native birds are nesting on or near the Project Site. If active nests are observed, a suitable avoidance buffer from the nests shall be determined by the Qualified Biologist based on species, location, and extent and type of planned construction activity. With implementation of **MM BIO-6,** impacts to nesting birds would be reduced to less than significant.

Desert Kit Fox

The desert kit fox is generally protected as a fur-bearing mammal by the CFGC Section 4000 et. seq., which limits take of this species. The species is locally common in portions of its range and is not listed as a Special Animal by the CDFW. Desert kit fox occurrences are not currently maintained by the CNDDB; however, the APE is located in the DRECP predicted occupied habitat of the species and contains suitable habitat for the species. The species has a moderate potential to den within the natural scrub habitat APE and may also occur transiently (during dispersal and foraging). While desert kit fox was not observed on-site during the survey, Project construction activities, such as grading and/or vegetation removal, have the potential to directly (i.e., mortality or loss of habitat) or indirectly (i.e., noise or dust) affect desert kit fox, and impacts to desert kit fox would be potentially significant.

MM BIO-7 would require a pre-construction survey be conducted for the presence of desert kit fox, burrowing owl, and American badger. If the species are not documented during the surveys or biological monitoring activities, no additional measures related to avoidance and minimization would be required. If potential desert kit fox dens are observed, **MM BIO-8** would require avoidance if feasible. If avoidance is not feasible, additional measures would be required to minimize potential adverse effects to the desert kit fox, including excavation of dens and collapse or implementation of an on-site passive relocation program. With implementation of **MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-7** and **MM BIO-8**, impacts to desert kit fox would be reduced to less than significant.

Burrowing Owl

The burrowing owl is a candidate for listing under the CESA and as such is afforded the same protection as CESA listed species, in addition to being protected under CFGC Section 3503 et. Seq. and the Federal MBTA. The APE contains suitable foraging habitat for the species and may contain burrows suitable for occupation by burrowing owl dependent on small mammal activity which fluctuates temporally. The CNDDB includes four records of burrowing owl within 9 quads of the APE. All occurrences (Occurrence No. 965-968) were reported in 2005 and are located approximately 8 miles west of the APE. Based on these CNDDB occurrences and presence of suitable habitat, the species has a moderate potential to occur in the APE. Although the APE contains suitable foraging habitat for the species, burrows suitable for occupation by burrowing owl are dependent on small mammal activity which fluctuates temporally. Further, BUOW was not observed during the desert tortoise surveys conducted in 2023 and 2024. If present during this time frame, the species would have been detected as the conducted surveys included survey transects to achieve 100 percent Project Site coverage and nighttime camera trapping at the only suitable burrow present on site. Although no burrowing owls have been documented on the Project Site, Project construction activities, such as grading and/or

vegetation removal, have the potential to directly (i.e., mortality or loss of habitat) or indirectly (i.e., noise or dust) affect burrowing owls, and impacts to burrowing owl would be potentially significant.

MM BIO-7 would require a pre-construction survey be conducted for the presence of burrowing owl. If the species are not documented during the surveys or biological monitoring activities, no additional measures related to avoidance and minimization or compensatory mitigation would be required. If burrowing owl are detected on-site, **MM BIO-9** would require establishment of a non-disturbance buffer around the species. If avoidance is not feasible, the Applicant would be required to consult with CDFW regarding the potential for take and to comply with an Incidental Take Permit (ITP). With implementation of **MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-7,** and **MM BIO-9**, impacts to burrowing owl would be reduced to less than significant.

American Badger

The American badger is a CDFW SSC. The only CNDDB occurrence (Occurrence No. 214) of American badger within the 9 quads search radius of the APE occurred approximately 4.5 miles to the south in 1951. However, records of this species are often lacking in this database. There is moderate potential for this species to occur in the APE due to the presence of suitable foraging and burrowing habitat. Therefore, Project construction activities, such as grading and/or vegetation removal, have the potential to directly (i.e., mortality or loss of habitat) or indirectly (i.e., noise or dust) affect American badger, and impacts to American badger would be potentially significant.

MM BIO-7 would require a pre-construction survey be conducted for the presence of American badger. If the species are not documented during the surveys or biological monitoring activities, no additional measures related to avoidance and minimization would be required. If American badger are detected on-site, **MM BIO-10** would require the Qualified Biologist to excavate dens by hand, if present and inactive. If the potential dens are active, an on-site passive relocation program would be implemented to exclude badgers from occupied burrows. If a potential den is observed, a non-disturbance buffer shall be established.

Special-Status Plants

The literature review documented 37 special-status plant species in the regional vicinity of the APE. Twenty-six were eliminated from the analysis due to a lack of habitat or soil requirements and/or known distribution and elevation ranges. No federally listed plant species have potential to occur in the APE. Eleven species have a low to moderate potential to occur in the natural scrub community present in the APE. Seven species are considered to have a moderate potential to occur within the APE:

- California ayenia (*Ayenia compacta*, 2B.3)
- Joshua Tree poppy (*Eschscholzia androuxii*, 4.3)
- Death Valley sandmat (*Euphorbia vallis-mortae*, 4.2)
- Utah vine milkweed (*Funastrum utahense*, 4.2)
- Ribbed cryptantha (*Johnstonella costata*, 4.3)
- Little San Bernardino Mountains linanthus (*Linanthus maculatus*, 1B.2)
- Jackass-clover (*Wislizenia refracta ssp. refracta*, 2B.2)

These species have moderate potential to occur given that their preferred habitat of sandy to gravelly substrates within Mojavean desert scrub is present throughout the APE.

Four species are considered to have a low potential to occur within the APE:

- Alverson's foxtail cactus (*Coryphantha alversonii*, 4.3)
- Spear-leaf matelea (*Matelea parvifolia*, 2B.3)
- Latimer's woodland-gilia (*Saltugilia latimeri*, 1B.2)
- Hall's tetracoccus (*Tetracoccus hallii*, 4.3)

These species have low potential to occur due to lack of recorded occurrences within recent decades and/or the absence of preferred microhabitat (i.e., rocky ledges) in the APE. No special-status plants were observed during the field surveys although they were not conducted at the optimal time of year for detection.

As previously stated, seven CNPS California Rare Plant Rank (CRPR)-ranked special-status plant species with moderate potential to occur in the APE. No federally or State-listed plant species have potential to occur. This determination is based on prior land use, existing disturbances, and suitable habitat characteristics for each species (e.g., vegetation assemblage, soils, topography, and hydrology). Of these 7 species, 3 are CRPR 1B or 2B species and 4 are CRPR 4 species. CRPR 4 species are defined by the CNPS as having limited distributions in California generally but are more broadly distributed in California than federal or State listed species. Project development could result in direct impacts to these special-status plant species (from removal of individuals or crushing by heavy equipment) if present on the site. However, impacts to CRPR 4 species resulting from the Project would not represent a population-level impact that would result in a loss of, or risk to the entire regional population given the presence of potentially suitable habitat in the region surrounding the Project Site. Therefore, impacts to CRPR 4 species would be less than significant.

CRPR 1 and 2 species are more limited in distribution and identified by CNPS as rare, threatened, or endangered in California, though their distributions may generally be more broad than federal or State listed species. Impacts to CRPR 1B and 2B species would be potentially significant.

Additionally, two floristic rare plant surveys were completed by Rincon on March 20, 2024 and May 16, 2024 to assess the Project's potential impacts to rare plant species. A total of 35 plant species were observed during the survey, 32 of which are native and 3 are introduced. No rare plants listed under the California Endangered Species Act, Federal Endangered Species Act, or the CNPS CRPR were observed. The following three species protected under the California Desert Native Plants Act (CDNPA) and County Development Code Section 88.01.060 were recorded within the Project Site:

- Silver cholla (*Cylindropuntia echinocarpa,* 39 individuals)
- Pencil cholla (*Cylindropuntia ramosissima,* 11 individuals)
- Desert lily (*Hesperocallis undulata,* 4 individuals)

No other special- status plant species have a moderate or high potential to occur within the Study Area based on lack of habitat suitability and the results of the botanical surveys. Project development may require the removal of these three CDNPA protected species. Removal of plants protected by the CDNPA and San Bernardino County Development

Code will require a Tree or Plant Removal Permit from San Bernardino County. Prior to any ground-disturbance, the Applicant shall obtain a permit from the San Bernardino County Agricultural Commissioner before removing any CDNPA-protected plants from the Project Site.

Additionally, a protocol Western Joshua Tree (WJT) survey was conducted for the Project Site and a 50-foot buffer on October 25, 2023. Rincon biologists did not observe any juvenile or adult WJT within the Project Site and the buffer during the protocol WJT survey. Therefore, there would be no impacts to WJT.

In general, for the reasons substantiated above, compliance with **MM BIO-1** through **MM BIO-10** and existing regulations would reduce Project impacts regarding candidate, sensitive, or special-status species to a less than significant level.

Mitigation Measures

MM BIO-1 Prior to the issuance of grading or building permits, and prior to decommissioning, the Project Proponent shall retain a Lead Biologist(s) (or Qualified Biologist) who meets the qualifications of an Authorized Biologist as defined by U.S. Fish and Wildlife Service to oversee compliance with protection measures for all listed and other special-status species that may be affected by the construction, operation, and decommissioning of the Project. The contact information for the Lead Biologist(s) shall be provided in writing to the San Bernardino County Land Use Services Department.

MM BIO-2 Prior to any activity on-site and for the duration of construction activities, all personnel at the Project Site (including laydown areas and/or transmission routes) shall attend a Worker Education Awareness Program (WEAP) developed and presented by the Qualified Biologist. New personnel shall receive WEAP training on the first day of work and prior to commencing work on the site. Any employee responsible for the operation and maintenance (O&M) of the Project facilities shall also attend WEAP training.

A discussion of the biology and general behavior of any sensitive species which may be in the area, how they may be encountered within the work area, and procedures to follow when they are encountered shall be included in the training. Special-status species, including legal protection, penalties for violations, and Project-specific protective measures shall also be discussed. Interpretation shall be provided for non-English speaking workers, and the same instruction shall be provided for any new workers prior to on-site Project activity. Copies of the training shall be maintained at the worksite with the construction supervisor, and a handout containing this information shall be distributed for workers to carry on-site. Upon completion of the program, employees shall sign an attendance log stating they attended the program and understand all protective measures. A sticker shall be placed on hard hats indicating that the worker has completed the WEAP training. Construction workers shall not be permitted to operate equipment within the construction areas unless they have attended the WEAP training and are wearing hard hats with the required sticker. A copy of the training transcript and/or training video, as well as a

list of the names of all personnel who attended the WEAP training and copies of the signed acknowledgement forms, shall be submitted to the San Bernardino County Planning and Community Development Department upon the County's request.

MM BIO-3 The following best management practices shall be implemented during Project grading, construction, and decommissioning activities to further address potential impacts on biological resources:

- The contractor shall clearly delineate the construction limits and prohibit any construction related traffic outside these boundaries.
- Project-related vehicles shall observe a 15-mile-per-hour speed limit within unpaved roads.
- Project-related vehicles and construction equipment shall restrict off-road travel outside of the designated construction area. Cross-country travel is prohibited.
- Project-related vehicles and construction equipment shall be cleaned before exiting the Project Site and track out controls shall be implemented at the entrance(s) and exit(s) of the Project Site to minimize the amount of sediment, dirt, mud, etc. from being tracked out of the Project Site.
- Project-related vehicles and construction equipment shall be cleaned before entering the Project Site to prevent the potential spread of invasive species.
- All open trenches shall be fenced or sloped, and open pipes shall be capped or covered to prevent entrapment of wildlife species. Openings should be inspected for the presence of wildlife species prior to fencing, sloping, capping, or covering.
- All food-related trash items such as wrappers, cans, bottles, and food scraps generated during Project construction shall be cleaned up daily and disposed of in closed containers only.
- No deliberate feeding of wildlife shall be allowed.
- No pets shall be allowed on the Project Site.
- Except for authorized personnel, no firearms shall be allowed on the Project Site.
- If construction must occur at night (between dusk and dawn), all lighting shall be shielded and directed downward to minimize the potential for glare or spillover onto adjacent properties and to reduce impacts on local wildlife.
- All equipment used on site shall be properly maintained such that no leaks of oil, fuel, or residues will take place. Provisions shall be in place to remediate any accidental spills.
- Any observation of a dead, injured, or entrapped special-status species shall immediately be reported to the construction foreman and Qualified

Biologist. The observation shall be reported to all appropriate communications with the regulatory agencies.

MM BIO-4 A pre-construction desert tortoise presence/absence survey shall be conducted by a Qualified Biologist no more than 30 days in advance of Project development in accordance with USFWS survey protocols. A discussion of survey results, including negative findings, shall be provided to the County upon completion of the survey. If desert tortoise are not documented during the survey, no additional measures related to desert tortoise avoidance and minimization or compensatory mitigation are required. If desert tortoise are documented inhabiting the Project Site during presence/absence surveys, **MM BIO-5** shall be implemented.

MM BIO-5 Implementation of any measures that would result in the "take" of desert tortoise cannot be undertaken without formal authorization from CDFW and USFWS. If pre-construction desert tortoise surveys document that the species is inhabiting the Project Site, the Project Proponent shall develop a plan for desert tortoise translocation and monitoring prior to Project construction in accordance with USFWS guidelines. The plan should provide the framework for implementing the following measures, or similar measures deemed sufficient and approved during agency consultation (Note: any desert tortoise translocation plan must be reviewed and approved by CDFW and USFWS):

- If a tortoise-proof exclusion fence is practicable, a fence shall be installed around all non-linear construction areas prior to the initiation of ground disturbing activities, in coordination with a Qualified Biologist. The fence shall be constructed of 0.5-inch mesh hardware cloth and extend 18 inches above ground and 12 inches below ground. Where burial of the fence is not possible, the lower 12 inches shall be folded outward against the ground and fastened to the ground to prevent desert tortoise entry. The fence shall be supported sufficiently to maintain its integrity, be checked at least monthly during construction and operations, and maintained when necessary by the Project Proponent to ensure its integrity. Provisions shall be made for closing off the fence at the point of vehicle entry. Common raven (Corvus corax) perching deterrents shall be installed as part of the fence construction.
- After fence installation, a Qualified Biologist shall conduct a pre-construction survey in accordance with USFWS protocols for desert tortoise within the fenced construction site. Two surveys during the desert tortoise active periods (April through May or September through October) without finding any tortoises or new tortoise sign shall occur prior to declaring the site clear of tortoises.
- All burrows that could provide shelter for a desert tortoise shall be hand-excavated prior to ground-disturbing activities.
- A Qualified Biologist or Qualified Biological Monitors shall remain on-site until all vegetation is cleared and, at a minimum, conduct site and

fence inspections on a regular basis throughout construction in order to facilitate Project compliance with mitigation measures.

- A Qualified Biologist shall remain on-call throughout fencing and grading activities in the event a desert tortoise enters the Project Site.
- Compensatory habitat mitigation shall be secured in the form of a conservation easement or purchase of mitigation bank credits to compensate for the loss of occupied desert tortoise habitat at a minimum ratio of 1:1, with habitat of equal or greater value.
- The plan shall include participation in the interagency Raven Monitoring and Management Program to address indirect impacts to the species related to the potential increase in the raven population. The plan shall discuss payment of appropriate fees and reduction of raven attraction and implementation of appropriate measures including removing trash daily, limiting available food and water subsidies, and inadvertently creating habitat (for example, creation of perch/roost sites and nest or denning sites) within the Project Site.

MM BIO-6 If construction is scheduled to commence during the non-breeding season (September 1 to January 31), no pre-construction surveys or additional measures with regard to nesting birds and other raptors are required. To avoid impacts to nesting birds in the Project Site, the Lead Biologist or Qualified Biological Monitors shall conduct pre-construction surveys of all potential nesting habitat within the Project Site for Project activities that are initiated during the breeding season (February 1 to August 31). The raptor survey shall focus on potential nest sites (i.e., utility poles and trees) within a 300 foot buffer around the Project Site. These surveys shall be conducted no more than 14 days prior to ground-disturbing activities without prior agency approval. The Lead Biologist or Qualified Biological Monitors must be able to determine the status and stage of nesting migratory birds and all locally breeding raptor species without causing intrusive disturbance.

If active nests are found, a suitable buffer as determined by the Lead Biologist or Qualified Biological Monitors (e.g., 200-300 feet for common raptors; 30-50 feet for passerines, 0.5 mile for golden eagle) shall be established around active nests, and no construction within the buffer shall be allowed until the Lead Biologist or Qualified Biological Monitors has determined that the nest is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest). Buffers may be reduced at the discretion of the Lead Biologist or Qualified Biological Monitors based on Project activity, line of sight, tolerance of individuals, and stage of the nest.

MM BIO-7 Pre-construction surveys shall be conducted by the Lead Biologist or Qualified Biological Monitors for the presence of desert kit fox, burrowing owl, and American badger prior to commencement of construction activities. This survey shall be conducted no more than 30 days prior to ground disturbing activities. Surveys shall conform to CDFW guidelines for burrowing owl and to industry standards for desert kit fox and American badger. A report of all pre-construction survey efforts shall be submitted to the County within 30 days of completion of the survey effort to document

compliance. The report shall include the dates, times, weather conditions, and personnel involved in the survey(s) and monitoring. The report shall also include, if applicable, observations of the species or potential dens/burrows, the Universal Transverse Mercator (UTM) coordinates and habitat descriptions, and a description of any passive relocation if applicable. Biological monitoring and WEAP training as described in **MM BIO-2** shall include these species. If desert kit fox, burrowing owl, and/or American badger observations are not documented during the survey(s) or biological monitoring activities, no additional measures related the avoidance and minimization or compensatory mitigation are required.

MM BIO-8 Two potential mitigation scenarios are applicable to mitigate potential impacts to the desert kit fox:

1) If potential desert kit fox dens are observed and avoidance is feasible, a non-disturbance buffer shall be established, demarcated using brightly colored flagging, and fenced-off prior to construction activity start and to be confirmed by the Lead Biologist or Qualified Biological Monitor. The buffer may only be reduced at the discretion of a Qualified Biologist and the removal of the buffer shall only occur if a Lead Biologist or Qualified Biological Monitor determines the potential den is inactive. Typical buffer distances for desert kit fox are:
   - Desert kit fox potential den: 50 feet
   - Desert kit fox active den: 100 feet
   - Desert kit fox natal den: 500 feet
2) If avoidance of the potential desert kit fox dens is not feasible, the following measures are recommended to minimize potential adverse effects to the desert kit fox:
   - If the Lead Biologist or Qualified Biological Monitor determines that potential dens are inactive, the biologist shall excavate these dens by hand with a shovel and collapse them to prevent desert kit foxes from re-using them during construction.
   - If the Lead Biologist or Qualified Biological Monitor determine that potential dens may be active, an on-site passive relocation program shall be implemented. This program shall only be implemented during the non-breeding season (September 1 through February 1) and consist of passive eviction of desert kit foxes from occupied burrows by installation of one-way doors at burrow entrances, monitoring of the burrow for seven days to confirm usage has been discontinued, and excavation and collapse of the burrow to prevent reoccupation. After the Lead Biologist or Qualified Biological Monitor determines that desert kit foxes have stopped using active dens within the Project Site, the dens shall be hand-excavated with a shovel and collapsed to prevent re-use during construction. Only non-natal dens shall be passively excluded, disturbance to natal dens shall be avoided until they are no longer active. If a natal den cannot be avoided by the Project, consultation with the CDFW shall be necessary.

MM BIO-9 Two potential mitigation scenarios are applicable to mitigate potential impacts to the burrowing owl**:**

1) If burrowing owl are detected on-site, a non-disturbance buffer shall be established, restricting all ground-disturbing activities, such as vegetation clearance or grading, from occurring within the buffer. The buffer should be demarcated using brightly colored flagging and the buffer may only be reduced at the discretion of the Lead Biologist or Qualified Biological Monitor. Removal of the buffer shall only occur if a Qualified Biologist determines burrowing owl are not present in the Project Site and any potential burrows are inactive. Typical avoidance buffer distances for burrowing owl range from 100 meters (330 feet) to 250 meters (825 feet) depending on Project activity, line of sight, and local topography during the breeding season (February 1 to August 31). During the non-breeding (winter) season (September 1 to January 31), typical avoidance buffers range from 50 meters (165 feet) to 100 meters (330 feet) from the burrow. Depending on the level of disturbance, a smaller buffer may be established as determined by the Qualified Biologist based on the factors listed above and potential use of sound and visual barriers such as hay bales.
2) If burrowing owl burrow avoidance is infeasible during the non-breeding season or during the breeding season (February 1 through August 31), where resident owls have not yet begun egg laying or incubation, or where the juveniles are foraging independently and capable of independent survival, the Lead Biologist or Qualified Biological Monitor shall implement a passive relocation program consistent with Appendix E1 (i.e., Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans) of the 2012 CDFW Staff Report on Burrowing Owl Mitigation (CDFW 2012) in consultation with CDFW under CESA. A 2081 ITP shall be obtained from CDFW prior to passive relocation of burrowing owl(s).

A habitat mitigation plan shall be developed in coordination with the County and CDFW for loss of active burrowing owl burrow sites if implementation of a passive relocation plan is necessary and/or burrowing owl are documented to nest on-site or within 500 feet of the Project Site. This would be based upon the portion of the Project that overlaps with the owl(s) primary foraging area around the burrow site (approximately 500 foot buffer) to be replaced a minimum 1:1 ratio.

MM BIO-10 If the Lead Biologist or Qualified Biological Monitor determines that a potential American badger dens are present on-site but inactive, the Qualified Biologist shall excavate the dens by hand to prevent badgers from re-using them during construction.

If the Lead Biologist or Qualified Biological Monitor determines that potential dens may be active, an on-site passive relocation program shall be implemented. This program shall consist of excluding badgers from occupied burrows by installation of one-way doors at burrow entrances, remote camera monitoring of the burrow for one week to confirm usage has been discontinued, and excavation and collapse of the burrow to prevent

reoccupation. After the Lead Biologist or Qualified Biological Monitor determines that badgers have stopped using active dens within the Project Site, the dens shall be hand-excavated to prevent re-use during construction.

If a potential den is observed, a non-disturbance buffer no less than 30 feet. from the den shall be established, restricting all ground-disturbing activities, such as vegetation clearance or grading, from occurring within the buffer. The buffer shall be demarcated using brightly colored flagging and the buffer may only be reduced at the discretion of the Lead Biologist or Qualified Biological Monitors. Removal of the buffer shall only occur if the Lead Biologist or Qualified Biological Monitor determines the potential den is inactive.

b. **No Impact.** One sensitive natural community is recorded within the 9 quad search radius of the APE: desert fan palm oasis woodland, but does not occur within the APE. No sensitive plant communities or USFWS-designated critical habitats were observed in the APE. Riparian habitat is absent from the Project Site. Therefore, the Project would have no impact on riparian habitats or other sensitive natural communities.

c. **Less Than Significant Impact with Mitigation Incorporated**. Within the arid and semi-arid western United States, limited precipitation restricts wetland and riparian resources to 1 to 5 percent of the land surface, a relatively low proportion compared to other systems globally. The proportion of wetland resources is even lower (less than 1 percent) in extremely arid areas such as the Mojave Desert. No National Hydrography Dataset (NHD) or National Wetland Inventory (NWI) features are mapped within the APE. On January 23, 2024, Rincon surveyed the Project Site and surveyed the 100-foot buffer of the APE to delineate potential jurisdictional waters. One ephemeral stream complex (ESC) was observed within the northwestern portion of the APE and one isolated ephemeral stream (IES) was observed within the southwestern portion of the APE during the field delineation. ESC and IES are potentially subject to the jurisdictions of the Colorado River Basin Regional Water Quality Control Board (CRBRWQCB) and the CDFW.

The ESC is best characterized as an approximately 0.2-mile long and 500 feet wide (at its widest point) network of narrow and shallow single thread ephemeral streams that converge into a shallow compound channel in the northwestern corner of the APE. Based on the environmental site conditions observed and as summarized in the Ordinary High Water Mark (OHWM) datasheet of the Jurisdictional Delineation prepared for this Project (e.g., lack of supported hydrophytic vegetation, shallow stream channel, discontinuous nature, location within a dry climate with mild topography, mild OHWM indicators), ESC only flows during and immediately following rain events. The single thread ephemeral streams are located within the northwestern quadrant of the APE where they convey flow from east to northwest down the soft slope of the APE's hill. All single thread ephemeral streams contain a continuous surface connection to the compound channel except for the most northern stream, which was discontinuous due to off-highway vehicle (OHV) disturbance. The single thread ephemeral streams' OHWMs were observable through a change in average sediment texture and a break in bank slope. The OHWM channel width of the single thread ephemeral streams ranged from 1 to 5 feet with 2 feet being the average and the average top of bank width of the streams extending out approximately 3

inches on either side. The average depth of the streams is 1 to 2 inches. The shallow compound channel is approximately 110 feet long, flows from south to north, and begins at the terminal convergence of the southern, continuous, ephemeral stream network. It is approximately 110 feet long and its OHWM channel width ranges from 3 to 12 feet wide with 6 feet being the average. The OHWM of the compound channel contained a low flow channel and an active floodplain. Both floodplain units contained a bed and bank, and the average sediment texture was sand. The top of bank of the compound channel extends 3 inches out on either side of the OHWM channel and the average depth of the compound channel was 3 to 4 inches. The compound channel travels along a dirt round, which likely introduces repetitive OHV use disturbance. The compound channel terminates at the intersection of Lear Avenue and Mesa Drive, where ESC also terminates. Water appears to sheet flow across the intersection and continues downslope along Mesa Drive where it continues along a non-definable berm and is eventually lost due to infiltration and evaporation. ESC does not support hydrophytic or wash endemic vegetation to any degree and the coverage within the complex was uniform with the coverage of the vegetation community on the adjacent upland slopes. Additionally, the vegetation growing within or adjacent to ESC was uniform in size to the vegetation growing within the adjacent uplands.

Since ESC only flows during and immediately following rain events, the stream does not meet the United States Army Corp of Engineers (USACE) definition of a relatively permanent water (i.e., the stream flows seasonally, at least three months out of the year) and therefore is not likely to be considered a non-wetland water of the U.S. However, the lateral extent of the stream's OHWM boundaries will likely be considered a non-wetland water of the State subject to the regulation of the CRBRWQCB pursuant to the Porter-Cologne Water Quality Control Act. In addition, the stream meets the definition of a CDFW-jurisdictional streambed and the extent of the top of bank (since riparian habitat is absent) will likely be subject to CDFW jurisdiction pursuant to CFGC Section 1600 et seq.

The IES is located within the southwestern corner of the APE and is a discontinuous ephemeral stream, which was determined through an assessment of environmental site conditions and as summarized in the OHWM datasheet of the Jurisdictional Delineation prepared for this Project, only flows during and immediately following rain events. The IES is approximately 110 feet long and flows from northeast to southwest down the soft slope of the APE's hill. The OHWM channel width of IES is 2 feet wide on average, only contains a low flow channel, and was observable through a break in bank slope and a change in average sediment texture. The top of bank extends approximately 3 inches out on either side of the OHWM channel and was therefore approximately 2.5 feet wide. The average depth of IES is 4 inches. The stream discontinues at Cove View Road where the water sheet flows onto the road and infiltrates into the soil and evaporates. The IES does not support hydrophytic vegetation to any degree and the coverage within the complex was uniform with the coverage of the vegetation community on the adjacent upland slopes. Additionally, the vegetation growing within or adjacent to ESC was uniform in size to the vegetation growing within the adjacent uplands.

Since IES only flows during and immediately following rain events, the stream does not meet the USACE's definition of a relatively permanent water and therefore is not likely to be considered a non-wetland water of the U.S. However, the lateral extent of the stream's OHWM boundaries will likely be considered a non-wetland water of the State subject to

the regulation of the CRBRWQCB pursuant to the Porter-Cologne Water Quality Control Act. In addition, the stream meets the definition of a CDFW-jurisdictional streambed and the extent of the top of bank (since riparian habitat is absent) will likely be subject to CDFW jurisdiction pursuant to CFGC Section 1600 et seq. A summary of the ESC and IES and their potentially jurisdictional extents are provided in **Table 4: Summary of Jurisdictional Areas**.

Table 4: Summary of Jurisdictional Areas

Jurisdictional Area	USACE Jurisdiction		RWQCB Jurisdiction		CDFW Jurisdiction
	Non-Wetland Waters of the U.S. (acres/lin. ft.)	Wetland Waters of the U.S. (acres)	Non-Wetland Waters of the State (acres/lin. ft.)	Wetland Waters of the State (acres)	CDFW Jurisdictional Streambed (acres/lin. ft.)
ESC	-/-	-/-	0.21/3,426	-/-	0.25/3,426
IES	-/-	-/-	0.009/97	-/-	0.01/97
Total	-/-	-/-	0.22/3,426	-/-	0.26/3,426

The USACE is not expected to assert jurisdiction over the ephemeral features. The Project will not directly affect these jurisdictional features because Project development will avoid and establish a 50 feet buffer from jurisdictional features present in the APE. However, indirect effects to jurisdictional features such as spilled materials or pollution of storm water runoff could result from Project development. Due to potential indirect impacts resulting from Project development, the Project has potential to affect jurisdictional waters, and impacts would be potentially significant. **MM BIO-11** would require jurisdictional features within the APE be avoided, demarcated, marked, and fenced off to prevent potential indirect impacts. With implementation of **MM BIO-11,** impacts to wetlands would be reduced to less than significant.

Mitigation Measures

MM BIO-11 Jurisdictional features within the APE shall be avoided during Project development, demarcated using brightly colored flagging, marked as Environmentally Sensitive Areas, and fenced off. Construction personnel shall be instructed to avoid these areas and compliance with this measure shall be covered in the WEAP and biological monitoring and reporting. The following measures shall be implemented to prevent potential indirect impacts to jurisdictional features: (Note: any activities that would result in impacts to waters of the US and/or waters of the State would be required to receive issuance of regulatory permits from USACE, CDFW and/or CRRWQCB.)

- Any material/spoils generated from Project development shall be located away from jurisdictional areas or special-status habitat and protected from storm water run-off using temporary perimeter sediment barriers such as berms, silt fences, fiber rolls, covers, sand/gravel bags, and straw bale barriers, as appropriate.

- Materials shall be stored on impervious surfaces or plastic ground covers to prevent any spills or leakage from contaminating the ground and generally at least 50 feet from the top of a bank.
- Any spillage of material shall be stopped if it can be done safely. The contaminated area shall be cleaned, and any contaminated materials properly disposed of. For all spills, the Project foreman or designated environmental representative shall be notified.

d. **Less Than Significant Impact.** The APE does not occur within a corridor that links between or among larger habitat areas on a regional basis and is not within any areas mapped as Essential Connectivity Areas by the California Essential Habitat Connectivity Project. Local wildlife movement has potential to be affected by Project development; however, this impact would not be significant due to the large expanses of open desert scrub habitat suitable for wildlife movement in the area surrounding the APE. Thus, the Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Impacts would be less than significant.

e. **Less Than Significant Impact with Mitigation Incorporated.** The San Bernardino Countywide Plan includes a Renewable Energy and Conservation Element (RECE), which aims to maintain the natural and scenic values of the landscape while providing safe and reliable renewable energy sources for California. The RECE provides goals, policies, and implementation measures to encourage sustainable energy production and consumption while protecting the environmental resources of the County.

In accordance with Chapter 88.01 of the San Bernardino County Development Code (plant protection and management), a permit is required where protected trees or plants are proposed for removal or relocation. No protected trees or other plants protected by the County were observed within the APE.

Chapter 88.01 also requires that removal actions of all plants protected or regulated by the Desert Native Plants Act (Food and Agricultural Code Sections 80001 et seq.) shall comply with the provisions of the Desert Native Plants Act before the issuance of a development permit or approval of a land use application. One plant species that is identified in the Desert Native Plants Act, pencil cholla, was observed in the APE during the field reconnaissance survey.

Chapter 3 of the Desert Native Plants Act requires that prior to harvesting a protected species, a permit must be obtained by the commissioner or sheriff of the County in which the plant is growing. The proposed Project would require a development permit from the San Bernardino County Planning Department, and therefore would be designed in compliance with applicable San Bernardino County policies and ordinances. Trees protected by the County will not be impacted by Project development, and direct and indirect impacts to species protected under the Desert and Native Plants Act (if present) would be mitigated through the County permitting process, which includes the preparation of a native tree and plant removal plan, indicating exactly which protected trees or plants are proposed to be removed or relocated if present in the APE.

With implementation of **MM BIO-1** through **MM BIO-11** to reduce potentially significant impacts to special-status habitats and wildlife species to less than significant levels**,** the Project would be consistent with and would not interfere with Development Code Chapter 88.01 and the County's programs for the:

a. Management of biotic resources in unincorporated areas under private or public ownership, including conservation of native plant heritage;
b. Regulation of native plant and tree removal activities;
c. Protection and maintenance of local watersheds;
d. Preservation of habitats for rare, endangered, or threatened plants; and
e. Protection of wildlife with limited or specialized habitats.

Following implementation of **MM BIO-1** through **MM BIO-11** and compliance with the County Development Code, impacts regarding conflict with any local policies or ordinances protecting biological resources would be less than significant.

f. **No Impact.** The Project Site is located within the West Mojave Plan and the Desert Renewable Energy Conservation Plan (DRECP). However, the WMHCP and the DRECP apply only to lands administered by the Bureau of Land Management and therefore do not apply to the Project. The Project Site is not located within any other adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Therefore, the Project would have no impact in this regard.

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
V. CULTURAL RESOURCES: Will 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 interred outside of formal cemeteries?	☐	☐	☒	☐

V. CULTURAL RESOURCES

SUBSTANTIATION: (Check ☐ if project is located in the Cultural or Palaeontologic Resources overlays or cite results of cultural resource review) The discussion below regarding potential impacts on cultural resources is based in part on the Cultural Resources Technical Report (CRTR) (see **Appendix G**) prepared by Rincon Consultants, Inc.[12] The CRTR assessed the Project parcel (80 acres) (APE, herein).

a. **No Impact.** The Project Site and its vicinity are predominantly undeveloped. The APE is surrounded by rural parcels with scattered, single-family residential properties in the vicinity. Historical topographic maps from 1955 depict the APE as a rectangular parcel bordered by dirt roads to the north and south and a paved road to the west. An additional dirt road ran diagonally in the APE from the southwestern corner and into the northern boundary. The previously recorded Santana 33kV Distribution Line appears in topographic maps from 1955, approximately 0.25 miles west of the APE. Aerial imagery from 1952 confirmed that the APE is undeveloped apart from the following: Lear Avenue along the western border (appearing as a dirt road) and two dirt roads (Road Segment 1, running diagonally in the APE, and Road Segment 2, running north-south in the APE). The 1952 aerial also confirms the presence of Transmission Line Segment 1 along the western boundary of the APE along Lear Avenue. Small buildings and additional dirt roads appear surrounding the APE, primarily to the east, in historical topographic maps from 1972. Aerial imagery from 1970 depicts Lear Avenue as a paved road and in 1994, a nearby residence to the west of Lear Avenue appears. The powerlines within the APE along Lear Avenue and Mesa Drive are visible in aerial imagery from 2005, though it is unclear when Transmission Line Segment 2 was constructed based on aerial imagery. In aerial imagery from 2009, an additional residential property appears to the north of the APE along Mesa Drive, but the APE itself remains undeveloped. Mesa Drive is depicted as a paved road in aerial imagery from 2014.

   Rincon conducted a built environment survey of the APE on February 12, 2024 pursuant to Office of Historic Preservation (OHP) Guidelines to evaluate properties over 45 years

[12] Rincon, Cultural Resources Technical Report, March 2024. **Appendix G** of this IS/MND.

of age for listing in the National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR). During the survey, the overall condition and integrity of these resources was documented and assessed. Four historic-age properties that transect the APE were recorded and evaluated.

Road Segment 1

Road Segment 1 is a historic-age, unnamed road segment that trends northeast-southwest through the northern and western portions of the APE. The segment within the APE is approximately 2,000 feet in length and approximately eight feet wide, entirely unpaved without curbs, sidewalks, or other features beyond a very shallow depression profile when compared to the surrounding, generally flat, terrain. The segment ends roughly 40 feet east of the east side of Lear Avenue, near Lear Avenue's intersection with Cove View Road. Road Segment 1 appears to be a continuation of a longer segment outside of the APE that trends approximately two miles to the northeast from the north side of Mesa Drive. Road Segment 1 does not appear to align with any other road segment. Its alignment to the southwest of the APE appears interrupted.

Road Segment 1 is not known to have been the location of any singular events of historic significance. Therefore, it is recommended ineligible under Criterion A/1 of the NRHP and CRHR. The segment is not associated with the lives of persons who can be shown to have made significant contributions to our history at national, State, regional, or local levels. Therefore, Road Segment 1 is recommended ineligible under Criterion B/2 of the NRHP and CRHR. Road Segment 1 lacks individual distinction as it does not feature a profile, materials, evidence of a design intent, or association with any design or construction professionals who are considered significant. Therefore, the subject segment is recommended ineligible under Criterion C/3 of the NRHP and CRHR. Based on the records search of the South Central Coastal Information Center (SCCIC), Road Segment 1 has not yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation. It is therefore recommended ineligible for listing under Criterion D/4 of the NRHP and CRHR. As a result, Road Segment 1 is recommended ineligible for listing in the NRHP and CRHR due to a lack of historical and architectural significance.

Road Segment 2

Road Segment 2 is an unnamed, historic-age road segment, which trends north-south within the APE, beginning approximately 25 feet from the south side of Mesa Road, and roughly 500 feet to the west of Shoshone Valley Road. The segment is approximately 1,300 feet in length and ten feet wide, entirely unpaved, and has no curbs, sidewalks, or other features beyond a very shallow depression profile when compared to the surrounding, generally flat, terrain. The road ends roughly five feet from the north side of Cove View Road along the southern boundary of the APE. No documentation was found to confirm whether Road Segment 2 originated as a dirt road serving vehicular traffic, or potentially as a service road serving the nonextant telephone line. Today, Road Segment 2 functions as a dirt road that accommodates local traffic through the APE. It appears to retain its original orientation.

Research found no evidence that Road Segment 2 was demonstrably significant to the development of local transportation and travel, or of telephone line networks. Additionally, the segment is not known to have been the location of any singular events of historic

significance. Therefore, the Road Segment 2 is recommended ineligible under Criterion A/1 of the NRHP and CRHR. Road Segment 2 is not known to be associated with the lives of persons who can be shown to have made significant contributions to our history at national, state, regional, or local levels. Therefore, Road Segment 2 is recommended ineligible under Criterion B/2 of the NRHP and CRHR. Although Road Segment 2 was formerly located to the immediate west of a telephone line segment within the APE, research did not find documentation confirming whether Road Segment 2 was constructed as an associated feature of the telephone line or as part of a separate unrelated project. Therefore, the resource does not appear to be eligible for representing any aspects of a telephone line or the larger transcontinental system. Accordingly, Road Segment 2 is recommended ineligible under Criterion C/3 of the NRHP and CRHR. Road Segment 2 is not likely to yield valuable information that will contribute to our understanding of human history because the property is not and never was the principal source of important information pertaining to subjects such as mid-20th century development of the Mojave Desert region. Based on the records search of the SCCIC, Road Segment 2 has not yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation. It is therefore recommended ineligible for listing under Criterion D/4 of the NRHP and CRHR. As a result, Road Segment is recommended ineligible for listing in the NRHP and CRHR due to a lack of historical and architectural significance.

Transmission Line Segment 1

Transmission Line Segment 1 is a 0.25-mile segment, between Cove View Road and Mesa Drive, of a larger 8-mile-long wood pole transmission line that runs north-south on the east side of Lear Avenue. The entire line runs from SR-62 in the south to Montezuma Road to the north. Transmission Line Segment 1 has wood utility poles supporting four transmission lines connected by a horizontal support and ceramic insulators. The utility poles in the APE, five in total, have several metal service stamps, including one from 1945 and one from 1965. One of the five poles at the southeast corner of Lear Avenue and Mesa Drive carries the utility lines for an east-west running transmission line on the south side of Mesa Drive to areas outside the APE.

Transmission Line Segment 1 was constructed circa 1945 by Calectric, likely to provide electricity to the homesteads of the Twentynine Palms region in the Post-World War II period. As electrical conveyance in the Twentynine Palms area dates to circa 1930, Transmission Line Segment 1 does not represent an early development in the history of the area's electrical conveyance. Though the development of Transmission Line Segment 1 is consistent with the trends in the area's development and associated electrical conveyance during the Post World War II period, it does not appear significant within this or any other context. Rather, it was merely a means to an end for providing electricity to the surrounding area, one of many similar lines developed within the region during this period. Therefore, Transmission Line Segment 1 is recommended ineligible under Criterion A/1 of the NRHP and CRHR. The research conducted for this study did not identify any significant individuals associated with Transmission Line Segment 1. Therefore, it is recommended ineligible under Criterion B/2 of the NRHP and CRHR. Transmission Line Segment 1 an example of a simple utilitarian development, transmission lines supported by wood utility poles and ceramic insulators. Transmission Line Segment 1 is therefore recommended ineligible under Criterion C/3 of the NRHP and CRHR. Transmission Line Segment 1 is not likely to yield valuable information that will

contribute to our understanding of human history because the property is not and never was the principal source of important information pertaining to subjects such as mid-20th century transmission lines. Additionally, the records search of the SCCIC did not indicate that Transmission Line Segment 1 has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation. It is therefore recommended ineligible for listing under Criterion D/4 of the NRHP and CRHR.

Transmission Line Segment 2

Transmission Line Segment 2 is a 0.5-mile segment, between the intersection of Lear Avenue and Mesa Drive to the intersection of Shoshone Valley Road and Mesa Drive, of a larger 7.7-mile-long transmission line that runs east-west on the south side of Mesa Drive. The entire line runs from the intersection of Lear Avenue and Mesa Drive east approximately 7.7-miles to 530 feet east of the intersection of Mesa Drive and Bagdad Highway. Transmission Line Segment 2 has wood utility poles supporting three transmission lines connected by a horizontal support and ceramic insulators. The utility poles feature several metal service stamps, including one from 1960. The utility pole at the southeast corner of Lear Avenue and Mesa Drive connects the line to a north-south trending transmission line on the east side of Lear Avenue outside of the APE.

Transmission Line Segment 2 was constructed circa 1960 by Calectric to support further development of the area. Electrical conveyance in the Twentynine Palms area dates to circa 1930, when Wicoff Electric Company established service in the area to support the expanding veteran population after World War I. While the development of the segment is consistent with the trends in the area's development and associated electrical conveyance during the Post World War II period, it does not appear significant within this or any other context. Transmission Line Segment 2 represents a late example of such a development in the area. Therefore, it is recommended ineligible under Criterion A/1 of the NRHP and CRHR. The research conducted for this study did not identify any significant individuals associated with Transmission Line Segment 2. Therefore, it is recommended ineligible under Criterion B/2 of the NRHP and CRHR. Transmission Line Segment 2 is a simple utilitarian development, transmission lines supported by wood utility poles and ceramic insulators. Transmission Line Segment 2 is recommended ineligible under Criterion C/3 of the NRHP and CRHR. Transmission Line Segment 2 is not likely to yield valuable information that will contribute to our understanding of human history because the property is not and never was the principal source of important information pertaining to subjects such as mid-20th century transmission lines. Additionally, the records search of the SCCIC did not indicate that Transmission Line Segment 2 has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation. It is therefore recommended ineligible for listing under Criterion D/4 of the NRHP and CRHR.

Conclusion

Background research and field survey confirmed the presence of four historic-age linear properties that transect the APE, recorded as Road Segment 1, Road Segment 2, Transmission Line Segment 1 and Transmission Line Segment 2. These properties were recorded, evaluated, and recommended ineligible for listing in the NRHP and CRHR and therefore do not qualify as a historical resource under CEQA. Therefore, as no historical resources pursuant to CEQA Guidelines Section 15064.5 exist on the Project Site, the

Project would not result in a substantial adverse change to the significance of a historical resource. There would be no impact in this regard.

b. **Less Than Significant Impact with Mitigation Incorporated.** The California Historical Resources Information System (CHRIS) records search results from the SCCIC identified four cultural resources studies were completed within a one-mile radius of the APE. Of those studies, one lies within the Project Site. The record search results indicated one cultural resource (Santana 33kV Distribution Line) within one mile of the Project Site. None of the resources were recorded within or adjacent to the Project Site. The Santana 33 kV Distribution Line was recommended ineligible for listing in the NRHP and CRHR.

Rincon conducted a pedestrian survey of the APE on September 22 and 25, 2023 and found modern and historic-period trash scattered sparsely throughout the entire Project Site. One historic-period archaeological resource (scatter of eleven cans and one glass mason jar) was identified and recorded in the APE (LSP-S-001). The resource is not associated with historically significant events or individuals, does not embody any distinctive characteristics, or has yielded or may be likely to yield important prehistorical or historical information. Therefore, it is ineligible for the NRHP, CRHR, or local listing.

The Project Site is underlain by Pleistocene-aged sediments. Alluvial sediments have an episodic nature and have an increased likelihood of burying archaeological deposits. However, the nearest intermittent watercourse to the Project Site is approximately 0.5-mile west and the Project Site is largely flat, indicating that there is a lesser potential for sudden flooding events. Therefore, the potential for buried archaeological deposits within the Project Site is moderate to low. Nonetheless, the discovery of buried archaeological resources is a possibility during ground-disturbing activities; therefore, impacts to archaeological resources would be potentially significant. To address potential impacts to archaeological resources, the Project would be subject to implement **MM CUL-1** and **MM CUL-2**. With implementation of **MM CUL-1** and **MM CUL-2,** impacts would be reduced to less than significant.

Mitigation Measures

Please also refer to mitigation measures provided in **Section XVIII: Tribal Cultural Resources**.

MM CUL-1 Prior to the start of ground disturbance, the construction crew shall participate in on-site training on the proper procedures to follow if cultural resources are uncovered during the Project excavations, site preparation, or other related activities. This Worker Environmental Awareness Program (WEAP) shall include a comprehensive discussion of applicable laws and penalties under the law, samples or visuals of artifacts that might be found in the vicinity of the Project Site, a discussion of what such artifacts may look like when partially buried or wholly buried and then freshly exposed, a discussion of what prehistoric and historic-period archaeological deposits look like at the surface and when exposed during construction, and instruction that employees are to halt work in the vicinity of a discovery (within 100 feet). This information may be provided in an informational

brochure that outlines reporting procedures in the event of a discovery and should be provided to all individuals working on site.

MM CUL-2 In the event that archaeological resources are unexpectedly encountered during ground-disturbing activities, work within 60 feet of the find shall halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service 1983) shall be contacted immediately to evaluate the resource. Work on other portions of the Project outside of the buffered area may continue during this assessment period. The Consulting Tribe shall also be contacted, as detailed in **MM TCR-1**, regarding any pre-contact and/or historic-era 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.

If the resource is determined by the qualified archaeologist to be pre-historic, the Consulting Tribe shall also be contacted to participate in the evaluation of the resource. If the qualified archaeologist and/or Native American representative determines it to be appropriate, archaeological testing for CRHR eligibility shall be completed. If the resource proves to be eligible for the CRHR and avoidance cannot be ensured, a qualified archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to the Consulting Tribe for review and comment, as detailed within **MM TCR-1**. The qualified archaeologist shall also prepare a data recovery plan tailored to the physical nature and characteristics of the resource, per the requirements of the California Code of Regulations (CCR) Guidelines Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods, measurable objectives, and data thresholds to reduce any significant impacts to cultural resources related to the resource. Pursuant to the data recovery plan, the qualified archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource's significance. The County shall review and approve the treatment plan and archaeological testing as appropriate, and the resulting documentation shall be submitted to the regional repository of the California Historical Resources Information System, per CCR Guidelines Section 15126.4(b)(3)(C).

c. **Less Than Significant Impact.** California Health and Safety Code (HSC) Sections 7050.5, 7051, and 7054 collectively address the illegality of interference with human burial remains, as well as the disposition of Native American burials in archaeological sites. The law protects such remains from disturbance, vandalism, or inadvertent destruction, and establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project, including the treatment of remains prior to, during, and after evaluation and reburial procedures.

No human remains are known to be present within the APE. However, there is a possibility that human remains could be interred underneath the Project Site. Should human remains be encountered during Project construction, HSC Code Section 7050.5 states that no

further disturbance shall occur within 100 feet of the remains until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be of Native American origin, the Coroner will notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). Treatment of the remains shall be directed by MLD upon visiting the site within 48 hours of access being granted to the MLD. If MLD recommendations have not been made within 48 hours, the landowner shall reinter the remains in an area of the property secure from subsequent disturbance. Therefore, following compliance with all required regulations, the Project would not disturb any human remains, including those interred outside of dedicated cemeteries. Impacts would be less than significant.

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

VI. ENERGY

SUBSTANTIATION: Energy calculations were prepared for the Project by Kimley-Horn. The energy modeling outputs and results are included in Energy Documentation (**Appendix H**).

a. **Less Than Significant Impact.** The Project would increase the demand for electricity and natural gas at the Project Site during construction. The energy needs during Project construction would be temporary and would not require additional capacity or increase peak or base period demands for electricity or other forms of energy. Construction equipment use and associated energy consumption would be typical for that associated with the construction projects of this size. Thus, the Project's energy consumption during the construction phase would not be considered wasteful, inefficient, or unnecessary.

   The Project would not increase the demand for electricity or natural gas at the Project Site during operations. The Project does not include any permanent components that would significantly increase demand for existing sources of energy, with the exception of fuel usage for maintenance visits totaling up to four times per year and operations of security lighting onsite. The Project would develop a solar energy and BESS facility that would provide a new secure and reliable electricity supply, improve community infrastructure, and support sustainable electricity generation. Project development would provide a clean, reliable resource to help integrate renewable energy sources, reduce dependence on gas-fired generation, eliminate ocean water for cooling, reduce freshwater consumption, and reduce greenhouse gas (GHG) emissions and criteria air pollutant emissions.

   The analysis of construction and operational energy consumption is based on CalEEMod version 2022.1 modeling results for the Project. The Project's estimated energy consumption is based primarily on CalEEMod's default settings for the County and consumption factors provided by SCE, who is the electricity provider for the Project Site. The results of the CalEEMod and energy consumption modeling are included in **Appendix H**. The amount of operational fuel consumption was estimated using the CARB Emissions Factor 2021 (EMFAC2021) computer program which provides projections for typical daily fuel (i.e., diesel and gasoline) usage in the County, and the Project's annual vehicle miles traveled (VMT) outputs from CalEEMod. The estimated construction fuel consumption is based on the Project's construction equipment list timing/phasing, and hours of duration for construction equipment, as well as vendor, hauling, and construction worker trips.

Energy consumption associated with the proposed Project is summarized in **Table 5: Project and Countywide Energy Consumption**.

Table 5: Project and Countywide Energy Consumption

Energy Type	Project Annual Energy Consumption	San Bernardino County Annual Energy Consumption[1,2]	Percentage of Countywide Consumption
Construction[3,4]			
Electricity Consumption			
Water[1]	11,452 kWh	10,327,755,820 kWh	<0.00001%
Fuel Consumption[5]			
Diesel	30,103 gallons	281,399,849 gallons	0.0107%
Gasoline	2,765 gallons	828,612,797 gallons	0.0003%
Operations			
Electricity Consumption			
Area[1]	0 kWh	10,327,755,820 kWh	0.0000%
Water[1]	347 kWh		<0.0001%
Total Electricity	0 kWh		0.0000%
Fuel Consumption[5]			
Diesel	18 gallons	281,399,849 gallons	<0.0001%
Gasoline	0 gallons	828,612,797 gallons	0.0000%

Notes:
1. The Project increases in electricity consumption is compared with the total consumption in San Bernardino County in 2022.
2. The Project increases in automotive fuel consumption are compared with the Countywide fuel consumption (projected) in 2025 (start of construction).
3. Construction fuel consumption is based equipment and load factors from California Emissions Estimator Model (CalEEMod version 2022.1).
4. The estimated construction fuel consumption is based on the Project's construction equipment list timing/phasing, and hours of duration for construction equipment, as well as vendor, hauling, and construction worker trips.
5. Countywide fuel consumption is from the California Air Resources Board (CARB) EMFAC2021 model.

Refer to **Appendix H** for assumptions used in this analysis.

Construction-Related Energy Consumption

During construction, the Project would consume energy in two general forms: (1) the fuel consumed by construction vehicles and equipment; and (2) electricity associated with the conveyance of water used for dust control. It should be noted that the construction activities would not consume natural gas.

Project construction is anticipated to be completed over a period of up to approximately nine months. Thus, energy consumed during Project construction would be temporary and would not represent a significant demand on energy resources.

Construction Transportation Energy Demand: Fossil fuels such as gasoline and diesel would be consumed during Project construction. Fuel consumed by construction equipment would be the primary energy resource expended over the course of construction. VMT associated with transportation of construction materials and construction worker commutes would also result in fuel consumption. Heavy-duty

construction equipment associated with construction activities would primarily rely on diesel fuel. It is conservatively assumed that construction workers would travel to and from the Project Site throughout construction in gasoline-powered vehicles.

As shown in Table 5, a total of 2,765 gallons of gasoline and 30,103 gallons of diesel is estimated to be consumed during Project construction. This constitutes 0.0003 percent and 0.0107 percent of the County's typical annual gasoline and diesel consumption, respectively. However, this fuel consumption would be short-term and finite, only being consumed over the course of the nine month construction period. Additionally, some incidental energy conservation would occur during construction through compliance with State requirements and through USEPA and CARB engine emissions standards. These engine emissions standards require the use of more efficient engines in vehicles and equipment to encourage fuel efficiencies and reduce fuel consumption. Further, idling time of vehicles and equipment will be minimized to limit the amount of fuel consumption while no work is being completed. Therefore, Project construction activities would comply with existing energy standards with regard to transportation fuel consumption. As such, the demand for petroleum-based fuel during construction would not be considered wasteful, inefficient, or unnecessary. As such, the Project would have a less than significant impact as it relates to construction transportation energy demand.

Construction Electricity Demand: During construction of the Project, electricity would be consumed to supply and convey water for dust control. As shown in Table 5, a total of approximately 11,452 kWh of electricity is anticipated to be consumed during Project construction. Electricity consumed during construction would result in a nominal increase (less than 0.00001 percent) in energy use in the County. The electricity demand at any given time would vary throughout the construction period based on the construction activities being performed, and would cease upon completion of construction. As such, the demand for electricity during construction would not be considered wasteful, inefficient, or unnecessary. As such, the Project would have a less than significant impact as it relates to construction electricity demand.

Construction Material Energy Demand: The Project-related incremental increase in the use of energy bound in construction materials such as metal, concrete, and manufactured or processed materials would not substantially increase demand for energy compared to overall local and regional demand for construction materials. Additionally, it is noted that there are no unusual Project characteristics that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in the region or State. Therefore, construction fuel consumption would not be any more inefficient, wasteful, or unnecessary than other similar projects of this nature. Further, energy consumed to construct a renewable energy project to reduce the State's GHG emissions from energy would not be considered wasteful, inefficient, or unnecessary. As such, the Project would have a less than significant impact as it relates to material energy demand.

Construction Conclusion: As summarized above, energy consumed during construction would result in a nominal increase in energy use in the County. As such, Project construction would have a minimal effect on the local and regional energy supplies. It is noted that construction energy use is temporary and would cease upon completion of construction activities. There are no unusual Project characteristics that would necessitate

the use of construction equipment that would be less energy-efficient than at comparable construction sites in the region or State. Therefore, construction energy consumption would not be any more inefficient, wasteful, or unnecessary than other similar development projects of this nature, and impacts would be less than significant.

Operational-Related Energy Consumption

During Project operations, energy would be consumed for multiple purposes, including, but not limited to, panel washing and maintenance, BESS HVAC units, and lighting.

Operational Transportation and Fuel Energy Demand: Table 5 provides an estimate of the annual fuel consumed by Project vehicles to and from the Project Site during operations. During operation, the Project is estimated to require 6 maintenance-related visits per year and up to 4 solar panel and inverter washing visits per year, resulting in approximately 10 operational roundtrips per year (20 one-way trips). As a result, the Project would consume approximately 18 gallons of diesel fuel, which represents less than 0.00001 percent of the County's current diesel use. Additionally, the Project does not propose any usual features that would result in a substantial demand for energy that would require expanded supplies or the construction of other infrastructure or expansion of existing facilities. Therefore, Project operation would not be wasteful, inefficient, or unnecessary fuel consumption. As such, the Project would have a less than significant impact as it relates to transportation and fuel energy demand.

Energy Demand and Generation: During Project operation, the electricity usage for HVAC units, communications equipment, and other typical O&M activities would be minimal and would be sufficiently offset by electricity produced by the Project. Additionally, the Project is anticipated to consume approximately 347 kWh panel washing activities. The Project would not require additional energy capacity or supplies. Additionally, as a power-generating facility with solar PV and energy storage, the Project would generate energy that would ease stress on intensive peak or base period electricity demands. Furthermore, the Project would generate a significantly higher amount of energy that it will consume.

The Project would provide the County and the State with additional renewable energy sources on previously disturbed land that has been previously approved for renewable energy development that would assist the State in complying with the Renewable Portfolio Standards (RPS) under SB 350 and SB 100. The increase in reliance of renewable energy resources further ensures that new development projects would not result in the waste of the finite energy resources. Therefore, the Project would not cause wasteful, inefficient, and unnecessary consumption of energy during Project operation, or preempt future energy development or future energy conservation, and impacts would be less than significant.

Operations Conclusion: As shown in Table 5, the Project's operational energy consumption would represent less than 0.00001 percent of Countywide electricity and fuel consumption. Additionally, the Project would not result in a substantial increase in demand for transmission service, resulting in the need for new or expanded sources of energy supply or new or expanded energy delivery systems or infrastructure. Therefore, the Project would not result in the inefficient, wasteful, or unnecessary consumption of energy during operation, and impacts would be less than significant.

Decommissioning Related Energy Consumption

At the end of the Project's operational term, the Applicant may determine that the Project Site should be decommissioned and deconstructed. However, due to the lack of available in-depth details on decommissioning at this time, as a worst-scenario analysis, it was assumed that the decommissioning phase would utilize the same amount of energy as the construction phase. As discussed above, impacts related to construction-related energy consumption would be less than significant. As such, energy impacts during Project decommissioning would be less than significant.

b. **Less Than Significant Impact.** Many of the regulations regarding energy efficiency are focused on increasing the energy efficiency of buildings and renewable energy generation, as well as reducing water consumption and reliance on fossil fuels. The Project, which comprises the building of a solar energy and battery storage facility, would be part of a sustainable solution to enable increasing amounts of renewable energy-generating sources to be accessed. The County's General Plan Infrastructure and Utilities Element and Renewable Energy Conservation Element includes the following guiding policies and implementing policies related to energy resources.

- Policy IU 5.5 Energy and Fuel Facilities: We encourage the development and upgrade of energy and regional fuel facilities in areas that do not pose significant environmental or public health and safety hazards, and in a manner that is compatible with military operation and local community identity.
- Policy RE 1.1: Continue implementing the energy conservation and efficiency measures identified in the County of San Bernardino Greenhouse Gas Emissions Reduction Plan.
- Policy RE 1.2.7: Encourage passive solar design in subdivision and design review processes.
- Policy RE 2.1.1: Support solar energy generation, solar water heating, wind energy, and bioenergy systems that are consistent with the orientation, siting, and environmental compatibility policies of the General Plan.
- Policy RE 2.2: Promote use of energy storage technologies that are appropriate for the character of the proposed location.
    - RE 2.2.1: Encourage on-site energy storage with RE generation facilities, consistent with County Development Code Requirements.
    - RE 2.2.2: Encourage and allow energy storage facilities as an accessory component of RE generation facilities.
- Policy RE 2.5: Support renewable energy systems that accelerates zero net energy (ZNE) through innovative design, construction, and operations of residences, businesses, and institutions that are grid-neutral and independent of centralized energy infrastructure.
- Policy RE 4-3: Require construction and operation of all renewable energy facilities to minimize negative effects and optimize benefits to unincorporated communities.

The Project would not develop structures or buildings, so the Project would not be required to be compliant with the implementation policies regarding buildings meeting the State energy efficiency standards. No conflicts with renewable energy or energy efficiency plans would occur. The applicable State plans and policies for renewable energy and energy efficiency include the SB 350 and SB 100. As discussed under Threshold VI.a above, the Project would provide the County and the State with additional renewable energy sources. Additionally, per the RPS, the Project would utilize electricity provided by SCE that is

composed of 30.9 percent renewable energy as of 2020 and would achieve at least 60 percent renewable energy by 2030. Therefore, the Project is supportive of the County's policies and State's goals, and would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Impacts would be less than significant.

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*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-site or offsite 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?	☐	☒	☐	☐

VII. GEOLOGY AND SOILS

SUBSTANTIATION: (Check ☐ if project is located in the Geologic Hazards Overlay District). The discussion below regarding potential impacts on geology and soils is based in part on the Geotechnical Engineering Investigation (see **Appendix I**) prepared by Salem Engineering Group, Inc.[13]

[13] Salem Engineering Group, Inc. Geotechnical Engineering Investigation, November 2023. **Appendix I** of this IS/MND.

Ground Rupture

a.i. **Less Than Significant Impact.** Southern California is a seismically active region subject to strong ground acceleration from earthquake events along major regional faults. As stated in the Geotechnical Engineering Investigation, the Project Site is not within an established Alquist-Priolo Earthquake Fault Zone for surface fault rupture hazards. The nearest potentially active fault identified by the Geotechnical Engineering Investigation is the Calico-Hidalgo fault located approximately 0.5 miles north of the Project Site. No active faults with the potential for surface fault rupture are known to pass directly beneath the Project Site. The Project would not require substantial ground disturbance that could induce seismic activity and would not include any habitable structures. Nonetheless, the design of any structures on the Project Site would be designed to accommodate seismic loading, pursuant to the latest version of the California Building Code (CBC) and the County's Building Code, and engineering design recommendations in the Geotechnical Engineering Investigation. Therefore, the Project would not directly or indirectly cause potential substantial adverse effects related to the most recent Alquist-Priolo Earthquake Fault Zoning Map, and impacts would be less than significant.

Strong Seismic Ground Shaking

a.ii. **Less Than Significant Impact.** As mentioned in Threshold VII.a.i, Southern California is a seismically active region, and the Project Site may be subject to shaking during earthquake events. The level of ground shaking that would be experienced at the Project Site from active or potentially active faults or blind thrust faults in the region would be a function of several factors including earthquake magnitude, type of faulting, rupture propagation path, distance from the epicenter, earthquake depth, duration of shaking, topography, and geology. According to the Geotechnical Engineering Investigation, the closest potentially active fault is the Calico-Hidalgo fault located approximately 0.5 miles north of the Project Site. Project construction would be required to adhere to applicable regulations in the latest version of the CBC and the County's Building Code to minimize seismic-related hazards, because of the Project Site's location in seismically active southern California. With compliance with applicable regulations, impacts related to seismic ground shaking would be less than significant.

Seismic-Related Ground Failure Including Liquefaction

a.iii. **Less Than Significant Impact.** Soil liquefaction is a state of soil particles suspension caused by a complete loss of strength when the effective stress drops to zero. Liquefaction normally occurs under saturated conditions in soils such as sand in which the strength is purely frictional. Primary factors that trigger liquefaction are: moderate to strong ground shaking (seismic source), relatively clean, loose granular soils (primarily poorly graded sands and silty sands), and saturated soil conditions (shallow groundwater). Due to the increasing overburden pressure with depth, liquefaction of granular soils is generally limited to the upper 50 feet of a soil profile.

According to the San Bernardino County Geologic Hazard Overlays Map, the Project Site is not within an area with susceptibility to liquefaction.[14] Additionally, in general, the soils encountered during the Geotechnical Engineering Investigation conducted for the Project Site included silty sands to depths of approximately 10 to 15 feet below site grade (bsg) underlain by poorly graded sands with silt to the maximum depth explored of 21.5 feet bsg. Groundwater was not encountered to the depth of exploration during the Geotechnical Engineering Investigation conducted on the Project Site. Based on available water well data, historic groundwater depths are greater than 300 feet bsg. Based on the historic depth to groundwater (greater than 100 feet bsg), the potential for liquefaction-induced settlement is considered low.

Lateral spreading is a phenomenon in which soils move laterally during seismic shaking and is often associated with liquefaction. The amount of movement depends on the soil strength, duration and intensity of seismic shaking, topography, and free face geometry. Due to the relatively flat topography of the Project Site, the likelihood of lateral spreading is low.

Based on the factors described above, Project impacts associated with seismic-related ground failure, including liquefaction and lateral spreading, would be less than significant.

Landslides

a.iv. **No Impact.** According to the San Bernardino County Geologic Hazard Overlays Map, the Project Site is not within an area with susceptibility to landslides.[15] Furthermore, as stated in the Geotechnical Engineering Investigation, there are no known landslides at the Project Site, nor is the Project Site in the path of any known or potential landslides. The Project Site is relatively flat, ranging from approximately 2,204 to 2,251 feet above mean sea level. Further, the Project Site is not in immediate proximity to any mountains or steep slopes. As such, there is no potential for landslides to occur on or near the Project Site, and the Project would not expose people or structures to potential substantial adverse effects involving landslides. Therefore, no impacts related to landslides would occur.

b. **Less Than Significant Impact.** During construction, the Project Site would be subject to ground-disturbing activities (e.g., excavation, grading, foundation construction, the installation of utilities). These activities would expose soils to potential short-term erosion by wind and water. Since Project construction would require greater than one acre of ground-disturbing activities, the Applicant would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the National Pollutant Discharge Elimination System (NPDES) permit. The SWPPP incorporates best-management practices (BMPs) in accordance with the California Stormwater Best Management Practices Handbook, to control erosion and to protect the quality of surface water runoff during Project construction. Typical BMPs that could be used during construction include good housekeeping practices (e.g., street sweeping, proper waste disposal, vehicle and

[14] San Bernardino County, Land Use Plan General Plan Geologic Hazard Overlays, 2007, https://www.sbcounty.gov/Uploads/lus/GeoHazMaps/CHDHC.pdf. Accessed February 6, 2024.
[15] San Bernardino County, Land Use Plan General Plan Geologic Hazard Overlays.

equipment maintenance, materials storage, minimization of hazardous materials, proper handling and storage of hazardous materials, etc.) and erosion/sediment control measures (e.g., silt fences, fiber rolls, gravel bags, storm water inlet protection, and soil stabilization measures, etc.). The SWPPP would be subject to review and approval by the County for compliance with the County's goals for storm water control. Following compliance with the established regulatory framework, the Project's impacts concerning soil erosion and loss of topsoil during construction would be less than significant.

With respect to soil erosion during Project operations, the potential is relatively low due to the fact that the Project Site would be entirely paved, developed, or landscaped. The use of vegetation and groundcover would act as an effective barrier to soil erosion by impeding direct contact between precipitation/irrigation and on-site soils. Therefore, the Project's operational impacts concerning soil erosion and loss of topsoil would be less than significant.

c. **Less Than Significant Impact.** See Thresholds VII.a.iii and VII.a.iv for discussion on liquefaction and landslides, respectively. Subsidence is commonly caused by the removal of subsurface water and underground mining. Regarding lateral spreading, the amount of movement during seismic shaking depends on the soil strength, duration, and intensity of seismic shaking ,topography, and free face geometry. As the Project is not in a liquefaction zone and is relatively flat, the likelihood of lateral spreading is low. Impacts from lateral spreading would be less than significant.

   Subsidence occurs when the withdrawal of groundwater, oil, or natural gas vertically displaces a large portion of land. Soils that are particularly subject to subsidence include those with high silt or clay content. Based on the Geotechnical Engineering Investigation, the soils encountered included silty sands to depths of approximately 10 to 15 feet bsg underlain by poorly graded sands with silt to the maximum depth explored of 21.5 feet bsg. According to the USGS Areas of Land Subsidence in California Map, there is no groundwater pumping, peat loss, or oil extraction at or near the Project Site.[16] Nonetheless, the design of any structures on the Project Site would be designed to accommodate seismic loading, pursuant to the latest version of the CBC and the County's Building Code, and engineering design recommendations in the Geotechnical Engineering Investigation. Additionally, according to the recommendations of the Geotechnical Engineering Investigation, the spread foundations for new walls or auxiliary structures would be prepared by over-excavation of 12 inches below foundations or 24 inches below preconstruction site grade, or to the depth required to remove disturbed soils, whichever is greater; and supported by re-worked suitable Project Site soil, or import material. Soft or unstable areas, if encountered, would be remediated per the direction of the engineer. With compliance with applicable regulations, impacts from subsidence would be less than significant.

d. **Less Than Significant Impact.** As described in Threshold VII.a.iii, subsurface soils include silty sands to depths of approximately 10 to 15 feet BSG underlain by poorly

[16] United States Geologic Survey (USGS), Areas of Land Subsidence in California Map, https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html. Accessed February 7, 2024.

graded sands with silt to the maximum depth explored of 21.5 feet bsg. An expansion index test indicated that the soils have very low expansion potential. Nonetheless, the Project would incorporate requirements of the latest CBC and County Building Code that would address potential seismic-related effects from this soil type, which includes building foundation requirements appropriate to site-specific conditions. With compliance with applicable regulations, impacts from expansive soil would be less than significant.

e. **No Impact.** The Project would be unmanned and does not propose to use septic tanks or alternative wastewater disposal systems. Temporary sanitary systems will be brought in during construction and removed when the Project is operational. Therefore, the Project would not result in impacts related to the use of septic tanks or alternative wastewater disposal systems.

f. **Less Than Significant Impact with Mitigation Incorporated.** According to the San Bernardino Countywide Plan Environmental Impact Report, there are no unique geologic features within the Project Site.[17] The nearest feature to the Project Site is the Wonderland of Rocks located approximately 4.7 miles south of the Project Site. This unique geologic feature is not adjacent to the Project Site, nor would their structural integrity be affected by the Project.

Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. These resources are valued for the information they yield about the Earth's history and its past ecological settings. The potential for fossil occurrence depends on the rock type exposed at the surface in each area. According to the Geotechnical Engineering Investigation, the Project Site is mapped as older alluvial deposits (Qoa). Older alluvial deposits have a high sensitivity for paleontological resources. Therefore, there is potential for unanticipated discovery of paleontological resources during ground-disturbing activities, and impacts would be potentially significant. To address potential impacts to paleontological resources, the Project would be subject to compliance with **MM GEO-1**, which requires a qualified paleontological monitor to be on-site during Project ground-disturbing activities. Therefore, following compliance with **MM GEO-1**, the Project's potential impacts to paleontological resources would be reduced to a less than significant level.

Mitigation Measures

MM GEO-1 Prior to the start of ground disturbance, the construction crew shall participate in on-site training on the proper procedures to follow if paleontological resources are uncovered during the Project excavations, site preparation, or other related activities. This Worker Environmental Awareness Program (WEAP) should shall include a comprehensive discussion of applicable laws and penalties under the law, samples or visuals of artifacts that might be found in the vicinity of the Project Site, a discussion of what paleontological resources may look like when partially

[17] San Bernardino County, San Bernardino Countywide Plan Draft EIR Section 5.5 Cultural Resources, 2019, pages 5.5-17 to 5.5-29, https://countywideplan.com/wp-content/uploads/sites/68/2021/01/Ch_05-05-CUL.pdf?x23421. Accessed February 6, 2024.

buried or wholly buried and then freshly exposed, a discussion of what paleontological resources look like when exposed during construction, and instruction that employees are to halt work in the vicinity of a discovery (within 100 feet). This information may be provided in an informational brochure that outlines reporting procedures in the event of a discovery and should be provided to all individuals working on site.

In the event that paleontological resources are unexpectedly encountered during ground-disturbing activities, work within 50 feet of the find shall halt and a qualified paleontologist who meets the Society of Vertebrate Paleontology guidelines shall be contacted immediately to evaluate the resource. If the find is large enough to warrant further evaluation and/or extraction, then the following fossil “discovery” protocol shall be followed:

a) The paleontologist shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact. The paleontologist’s survey, study, or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
b) The Applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study, or report.
c) Any fossils recovered during mitigation should be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.

Prior to the issuance of any building permit, the Applicant shall submit a letter to the County for the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*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 an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

VIII. GREENHOUSE GAS EMISSIONS

SUBSTANTIATION: The discussion below regarding potential impacts on greenhouse gas emissions is based in part on the Greenhouse Gas Emissions Technical Memorandum (see **Appendix J**) prepared by Kimley-Horn.[18] Project-related GHG emissions are not confined to a particular air basin; instead, GHG emissions are dispersed worldwide. No single project is large enough to result in a measurable increase in global concentration of GHG emissions. Therefore, impacts identified below are not project-specific impacts to global climate change, but the Project's contribution to this cumulative impact. The Project would result in direct and indirect GHG emissions. Direct GHG emissions include emissions from construction and decommissioning activities, and mobile sources, while indirect sources include emissions from energy consumption and water demand. CalEEMod version 2022.1 was used to estimate direct and indirect Project-related GHG emissions.

a. **Less Than Significant Impact.**

Construction

The Project would result in direct emissions of GHGs from construction. The approximate quantity of annual GHG emissions generated by Project construction equipment is depicted in **Table 6: Construction-Related Greenhouse Gas Emissions**.

[18] Kimley-Horn, Greenhouse Gas Emissions Technical Memorandum, October 30, 2024. **Appendix J** of this IS/MND.

Table 6: Construction-Related Greenhouse Gas Emissions

Construction Year	$MTCO_2e$
Construction	399.58
Water Usage	2.41
Total Construction	401.99
30-Year Amortized Construction	13.40

1. Construction water usage emissions are based on an anticipated consumption of 13 acre-feet (AF) during construction. During construction, water is anticipated to be supplied from off-site wells.

Source: CalEEMod version 2022.1; see **Appendix J** for model outputs.

As shown in Table 6, the Project would result in the generation of approximately 401.99 million metric tons of carbon dioxide equivalent (CO_2e) ($MTCO_2e$) over the course of construction. Construction GHG emissions are typically summed and amortized over a 30-year period, then added to the operational emissions. The amortized Project construction emissions would be 13.40 $MTCO_2e$ per year. Once construction is complete the generation of these GHG emissions would cease.

Operations

Operational or long-term emissions occur over the life of the Project. Operational emissions associated with the Project would include those generated from panel washing, maintenance, and the BESS. Total GHG emissions from both construction and operation associated with the Project are summarized in **Table 7: Project Greenhouse Gas Emissions**.

Table 7: Project Greenhouse Gas Emissions

Emissions Source	Annual $MTCO_2e$
Construction	13.40
Operations	
Area Source	45.32
Energy	0.0
Mobile	0.20
Waste	0.00
Water	0.00
Decommissioning	13.40
Total Emissions	**72.38**
San Bernardino County GHG Reduction Screening Threshold	3,000
Exceeds Threshold?	No

Decommissioning

At the end of the Project's operational term, the Applicant may determine that the Project Site should be decommissioned and deconstructed. The Applicant has prepared a decommissioning plan that complies with all applicable local, State, and federal requirements BMPs. The Project would include BMPs to ensure the collection and recycling of modules and to avoid the potential for modules to be disposed of as municipal waste.

Equipment would be de-energized prior to removal, salvaged (where possible), placed in appropriate shipping containers, and secured in a truck transport trailer for shipment off site to be recycled or disposed of at an appropriately licensed disposal facility. Site infrastructure would be removed, including the fences and the concrete pads that may support the inverters, transformers, and related equipment. The exterior fencing and gates would be removed, and materials would be recycled to the extent feasible. Project roads would be restored to their pre-construction condition to the extent feasible unless the landowner elects to retain the improved roads for access throughout the property. The area would be thoroughly cleaned, and all debris removed. A collection and recycling program would be utilized to promote recycling of Project components and minimized disposal in landfills. Decommissioning is expected to take one year or less, using similar equipment and an equal or lower number of workers on a daily basis. As a worst-scenario analysis, it was assumed that GHG emissions related to decommissioning would be equal to the GHG emissions related to construction. This is a more conservative (higher) estimate due to GHG emissions from electricity and vehicles are likely to be much lower 30 years in the future due to the continued implementation of existing regulations, plans, and policies.

Total Project-Related Sources of Greenhouse Gas Emissions

As shown in Table 7 the Project would generate approximately 72.38 $MTCO_2e$ per year from construction, operations, and decommissioning. Therefore, the proposed Project's total annual GHG emissions would be below the County's GHG Reduction Plan Screening Thresholds of 3,000 $MTCO_2e$ per year. Thus, the Project would have a less than significant impact related to generation of GHG emissions.

b. **Less Than Significant Impact.**

Consistency with the 2021 Regional GHG Reduction Plan

The County's GHG Reduction Plan includes a review standard of 3,000 $MTCO_2e$ per year to identify projects that require the use of Screening Tables or a project-specific technical analysis to quantify and mitigate project emissions. The purpose of the Screening Tables is to provide guidance in measuring the reduction of GHG emissions attributable to certain design and construction measures incorporated into development projects. As noted above, projects that do not exceed 3,000 $MTCO_2e$ per year would be consistent with the County's GHG Reduction Plan to reduce emissions to 40 percent below 2007 levels. Table 7 shows that the proposed Project would generate approximately 72.38 $MTCO_2e$ per year, which would not exceed the County's GHG Reduction Plan Screening Threshold of 3,000 $MTCO_2e$ per year. Therefore, the Project would be consistent with the County's GHG emissions reduction plan.

The GHG Reduction Plan states "This determination of consistency can be used in a CEQA climate change analysis of the development, which provides a legally defensible and streamlined CEQA process for the project."[19] As such, the additional discussion provided for the San Bernardino County Policy Plan and CARB Scoping Plan is provided

[19] San Bernardino County, County of San Bernardino Greenhouse Gas Reduction Plan Update, Section 3.7.1, GHG Performance Standards for New Development, June 2021.

optionally and further demonstrates the project's consistency with applicable plans, policies, or regulations of an agency adopted for the purpose of reducing GHG emissions.

Consistency with the 2021 Regional GHG Reduction Plan

The Regional GHG Reduction Plan (RGHGRP) includes GHG inventories, and local GHG reduction strategies for each of the 25 partnership jurisdictions including the unincorporated areas of San Bernardino County. This RGHGRP is not mandatory for the partnership jurisdictions. Instead, it provides information that can be used by partnership jurisdictions, if they choose so, to develop individual climate action plans (CAPs). The RGHGHRP describes the reductions that are possible if San Bernardino Council of Governments (SBCOG) and every partnership jurisdiction were to adopt the reduction strategies as described in the document.

The RGHGRP demonstrates how unincorporated San Bernardino County could achieve its selected goal, "of reducing its community GHG emissions to a level that is 40 percent below its 2020 GHG emissions level by 2030".[20] The majority (approximately 80 percent) of unincorporated San Bernardino County's GHG reduction goal will be achieved through state efforts, such as the Pavley vehicle standards, the state's low carbon fuel standard, the RPS, and other state measures to reduce GHG emissions in the on-road, solid waste and building energy sectors in 2030. According to the RGHGRP, the remaining 20 percent could be achieved "primarily through the following local measures, in order of reductions achieved: Solar Installation for Existing Commercial/Industrial (Energy-8); Waste Diversion and Reduction (Waste-2); Solar Installation for Existing Housing (Energy-7)."[21] As shown on Table 3-75 of the RGHGRP[22], the County has proposed to adopt ten GHG reduction measures, including increasing the energy efficiency of and solar installation upon new and existing buildings, Transportation Demand Management and Synchronization, expanded bike lanes, waste diversion and reduction, water efficient landscaping, and other measures. It should be noted that the County has not adopted its jurisdictional plan.

Of the 10 GHG reduction measures proposed, the following two apply to the County directly and not project owners or occupants: OnRoad-3 encouraging signal synchronization and OnRoad-4 encouraging bike lanes; thus, these measures are not applicable to the Project. The following six measures do not apply to the Project because they are directed towards GHG reduction measures not related to the Project: Energy-1 improving the energy efficiency of new buildings, Energy-7 encouraging solar installation for existing housing, Energy-8 encouraging solar installation for existing commercial and industrial, Energy-10 encouraging urban tree planting for shading and energy savings, Offroad-2 directed at heavy duty diesel truck idling, and PS-1 proposing a GHG performance standard for new development. The Project is designed to be consistent with GHG reduction measure Water-3, encouraging water-efficient landscaping practices, and

[20] San Bernardino Council of Governments (SBCOG), San Bernardino County Regional Greenhouse Gas Reduction Plan, 2021, page 3-228, https://www.gosbcta.com/wp-content/uploads/2019/09/San_Bernardino_Regional_GHG_Reduction_Plan_Main_Text_Mar_2021.pdf, accessed December 29, 2023.
[21] SBCOG, San Bernardino County Regional Greenhouse Gas Reduction Plan, page 3-228.
[22] SBCOG, San Bernardino County Regional Greenhouse Gas Reduction Plan, pages 3-232 and 3-233.

would be operated consistent with Waste-2 encouraging increased waste diversion and reduction if adopted and as applicable.

Assuming the County is successful in adopting its plan substantively as written, the above discussion demonstrates that the Project would be consistent with the applicable portions of the draft jurisdictional GHG reduction measures contained in the RGHGRP, and impacts would be less than significant.

Consistency with the San Bernardino Countywide Plan/Policy Plan

The Policy Plan includes goals and policies that all new projects are required to comply with, as applicable. Project consistency with the Policy Plan goals and policies is discussed in **Table 8: Project Consistency with the Countywide Plan / Policy Plan**. As depicted in Table 8, the Project would be consistent with the Countywide Plan / Policy Plan, and impacts would be less than significant.

Table 8: Project Consistency with the Countywide Plan / Policy Plan

San Bernardino County Countywide Plan / Policy Plan Goal and Policy	Project Consistency
Policy IU-4.3: Waste diversion. We shall meet or exceed state waste diversion requirements, augment future landfill capacity, and reduce greenhouse gas emissions and use of natural resources through reduction, reuse, or recycling of solid waste.	**Consistent.** The Project is a solar PV and energy storage facility, which would generate limited amounts of solid waste during Project operations. At the end of the operation of the proposed Project, the Applicant may determine that the Project Site would be decommissioned and deconstructed. The area would be thoroughly cleaned, and all debris removed. A collection, reuse, and recycling program of Project components would be utilized to promote reuse and recycling of Project components and minimized disposal in landfills. Nonetheless, the Project would be required to comply with State waste diversion requirements. As such, the Project would be consistent with this policy.
Policy IU-5.5: Energy and Fuel Facilities. We encourage the development and upgrade of energy and regional fuel facilities in areas that do not pose significant environmental or public health and safety hazards, and in a manner that is compatible with military operations and local community identity**.**	**Consistent.** The Project is a solar PV and energy storage facility and would not create additional significant environmental or public health and safety hazards as it would displace fossil fuel energy production. Clean energy would be produced as a result of the Project. Therefore, the Project would not conflict with this policy.
Policy NR-1.1: Land Use. We promote compact and transit-oriented development countywide and regulate the types and	**Consistent.** The Project would generate minimal vehicle miles traveled and associated GHG emissions. The Project

San Bernardino County Countywide Plan / Policy Plan Goal and Policy	Project Consistency
locations of development in unincorporated areas to minimize vehicle miles traveled and greenhouse gas emissions.	would require 20 operational (one-way) trips a year and would not result in significant VMT during Project construction and operations. Therefore, the Project would be consistent with this policy.
Policy NR-1.7: Greenhouse gas reduction targets. We strive to meet the 2040 and 2050 greenhouse gas emission reduction targets in accordance with state law.	**Consistent.** The Project would indirectly reduce GHG emissions and is consistent with State goals and requirements to replace non-carbon neutral electricity source with carbon-neutral electricity sources. Therefore, the Project would be consistent with this policy.
Policy RE-1.1: Continue implementing the energy conservation and efficiency measures identified in the County of San Bernardino Greenhouse Gas Emissions Reduction Plan.	**Consistent.** As noted above, the Project would be consistent with the GHG Reduction Plan. Further, as a solar PV and energy storage facility, the Project would support energy conservation and efficiency. Therefore, the Project would be consistent with this policy.
Policy RE-2.1: Support solar energy generation, solar water heating, wind energy and bioenergy systems that are consistent with the orientation, siting and environmental compatibility policies of the General Plan.	**Consistent.** As a solar renewable energy facility and battery energy storage facility, the Project would support solar energy generation consistent with policies of the Countywide Plan/Policy Plan. Therefore, the Project would be consistent with this policy.
Policy RE-2.6: Encourage energy efficiency through appropriate renewable energy systems.	**Consistent.** As a solar renewable energy facility, the Project would support this policy. Therefore, the Project would be consistent with this policy.
Policy RE 6.4: State Renewable Energy Goal. Support the governor's initiative to obtain 50% of the energy consumed in the state through RE generation sources by 2040.	**Consistent.** The Project is a solar renewable energy facility that will produce clean energy through solar PV technology and not through the use of fossil fuel combustion electricity production. This would increase the amount of renewable energy produced within the State and would be consistent with this policy.
Policy RE 6.4.1: Energy Conservation Policies and Strategies. Continue to implement policies and strategies for energy conservation by the County in the Greenhouse Gas Emissions Reduction Plan, including capture and use of landfill gas, installation of renewable energy systems and use of alternative fuels.	**Consistent.** In addition to the policy above, the Project would implement energy storage systems to prevent the loss of energy production when demand is low and continue to provide energy during nighttime hours. Therefore, the Project would be consistent with this policy.

San Bernardino County Countywide Plan / Policy Plan Goal and Policy	Project Consistency
Source: San Bernardino County Countywide Plan / Policy Plan, October 2020.	

Consistency with the 2017 and 2022 Scoping Plan

The 2017 and 2022 Scoping Plan identifies additional GHG reduction measures necessary to achieve the 2030 target. These measures build upon those identified in the first update to the Scoping Plan (2013). Although a number of these measures are currently established as policies and measures, some measures have not yet been formally proposed or adopted. It is expected that these measures or similar actions to reduce GHG emissions will be adopted as required to achieve statewide GHG emissions targets. Provided in **Table 9: Consistency with the 2017 and 2022 Scoping Plan**, is an evaluation of applicable reduction actions/strategies by emissions source category to determine how the Project would be consistent with or exceed reduction actions/strategies outlined in the 2017 and 2022 Scoping Plan. As shown, the Project would be consistent with the 2017 and 2022 CARB Scoping Plan, and impacts would be less than significant.

Table 9: Consistency with the 2017 and 2022 Scoping Plan

Actions and Strategies	Project Consistency Analysis
2017 Scoping Plan	
SB 350	
Achieve a 50 percent Renewables Portfolio Standard (RPS) by 2030, with a doubling of energy efficiency savings by 2030.	**Consistent.** The Project includes the construction and operation of a renewable energy generation and storage facility. Therefore, the Project would help the State achieve the RPS goals. As such, the Project would be consistent with SB 350 (and SB 100).
Low Carbon Fuel Standard (LCFS)	
Increase stringency of carbon fuel standards; reduce the carbon intensity of fuels by 18 percent by 2030, which is up from 10 percent in 2020.	**Consistent**. This standard applies to all vehicle fuels sold in California including those that could be used in vehicles associated with the Project. The Project would be consistent this goal.
Short-Lived Climate Pollutant (SLCP) Reduction Strategy	
Reduce the GHG emissions of methane and hydrofluorocarbons by 40 percent below the 2013 levels by 2030. Furthermore, reduce the emissions of black carbon by 50 percent below the 2013 levels by the year 2030.	**Consistent.** As a solar renewable energy project, the Project would not emit a large amount of CH_4 (methane) emissions. Furthermore, the Project would comply with all applicable CARB and MDAQMD hydrofluorocarbon regulations. As such, the Project would be consistent with the SLCP reduction strategy.
Post-2020 Cap and Trade Programs	

Actions and Strategies	Project Consistency Analysis
The Cap-and-Trade Program will reduce greenhouse gas (GHG) emissions from major sources (covered entities) by setting a firm cap on statewide GHG emissions while employing market mechanisms to cost-effectively achieve the emission-reduction goals.	**Not Applicable.** As shown in Table 7, the Project is estimated to generate approximately 72.38 $MTCO_2e$ per year, which is below the 25,000 $MTCO_2e$ per year Cap-and-Trade screening level. Therefore, this goal is not applicable to the Project.
2022 Scoping Plan	
AB 1279	
AB 1279 establishes the policy of the state to achieve carbon neutrality as soon as possible, but no later than 2045; to maintain net negative GHG emissions thereafter; and to ensure that by 2045 statewide anthropogenic GHG emissions are reduced at least 85 percent below 1990 levels. The bill requires CARB to ensure that Scoping Plan updates identify and recommend measures to achieve carbon neutrality, and to identify and implement policies and strategies that enable CO2 removal solutions and carbon capture, utilization, and storage (CCUS) technologies.	**Consistent.** As a solar renewable project, the proposed Project would promote renewable energy production and would generate less than significant GHG emissions from Project construction and operations. Community and utility-scale solar projects with BESS will help the region and State meet its RPS goals and ultimately carbon neutrality. The Project would be consistent with this goal
SB 1020	
SB 1020 adds interim renewable energy and zero carbon energy retail sales of electricity targets to California end-use customers set at 90 percent in 2034 and 95 percent in 2040. It accelerates the timeline required to have 100 percent renewable energy and zero carbon energy procured to serve state agencies from the original target of 2045 to 2035.	**Consistent.** As a solar renewable energy project, the Project would promote renewable energy production. The Project brings zero carbon energy to the regional supply grid. The Project would be consistent with this goal.

Conclusion

In summary, the plan consistency analysis provided above demonstrates that the Project is consistent with applicable plans, policies, regulations and GHG reduction actions/strategies, such as those outlined in the Policy Plan and the 2017 and 2022 Scoping Plan Update, including State laws listed above. Therefore, the Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing emissions of GHGs. Thus, the Project would not make a cumulatively considerable contribution to significant cumulative climate change impacts, and impacts would be less than significant.

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*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?	☐	☐	☒	☐

IX. HAZARDS AND HAZARDOUS MATERIALS

SUBSTANTIATION: The discussion below regarding potential impacts on hazards and hazardous materials is based on the Phase I Environmental Site Assessment Report (Phase I ESA) prepared by HEI Corporation (**Appendix K**).[23]

a. **Less Than Significant Impact.** Construction would involve short-term use of hazardous substances such as fuels, lubricants, adhesives, and solvents. The potential risk

[23] HEI Corporation. Phase I Environmental Site Assessment, February 16, 2022. **Appendix K** of this IS/MND.

associated with the accidental discharge during use and storage of such construction-related hazardous materials is considered low because the use, storage, transport, and disposal of hazardous materials used in construction of the facility would be carried out in accordance with federal, state, and County regulations. These regulations include those set forth by the San Bernardino County Department Fire Protection District (SBCFPD) Hazardous Materials Division, California Division of Occupational Safety and Health (Cal/OSHA), the California Accidental Release Prevention (CalARP) Program, the California HSC, and the USEPA Hazardous Waste Control Act. Additionally, the Project would implement BMPs pursuant to the NPDES Construction General Permit. Safety Data Sheets (SDSs) for all applicable materials present on the Project Site would be made readily available to personnel as required by the SBCFPD Hazardous Materials Division. During construction, non-hazardous construction debris would be generated and disposed of in local landfills. Sanitary waste would be managed using portable toilets, with waste being disposed of at approved sites.

Underground electrical conductors would be installed in trenches at a depth in compliance with the National Electric Code. The conductors would be buried in either a polyvinylchloride (PVC) conduit or equivalent. This may include preparing a Business Emergency Contingency Plan and securing a Certified Unified Program Agency (CUPA) Permit for hazardous materials handling and/or hazardous waste generation, as required by the SBCFPD Hazardous Materials Division.

Operation of the Project would include limited chemical use such as lithium ion in the battery structures. The Project is designed to comply with the San Bernardino County Code of Ordinances and SBCFPD Hazardous Materials Division requirements, and all materials would be used in stable applications and contained in accordance with applicable regulatory requirements, which include the Hazardous Materials Transportation Act, International Fire Code, and California Code of Regulations Titles 22 and 27. Following compliance with the applicable regulations, impacts would be less than significant.

b. **Less Than Significant Impact.** According to the Phase I ESA, there are no recognized environmental conditions associated with the Project Site. Therefore, it is unlikely that development of the Project Site would result in the release of hazardous materials into the environment. Impacts would be less than significant.

c. **No Impact.** There are no existing or proposed schools within one-quarter mile of the Project Site. The nearest school is Twentynine Palms High School located approximately 4.3 miles southeast of the Project Site in the City of Twentynine Palms. Therefore, the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing proposed school. There would be no impact in this regard.

d. **No Impact.** According to the Phase I ESA, the Project Site is not located on a known site or in the vicinity of a known site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, the Project would result in no impacts associated with hazardous materials sites.

e. **No Impact.** The Project Site is not located within an airport land use plan, nor is the Project Site within a Noise Hazard Overlay District or Airport Safety Review Area identified in the County Land Use Plan.[24] The Project is not within two miles of a public airport or public use airport. The nearest airport is Twentynine Palms Airport located approximately 11 miles southeast of the Project Site. No impacts would occur in this regard.

f. **Less Than Significant Impact.** The County has adopted the Multi-Hazard Functional Plan (MHFP) to address the County's planned response to extraordinary emergency situations associated with natural disasters, technological incidents, and national security emergencies. No revisions would be required as a result of the Project.

SR 62 is identified as an evacuation route within the East Desert Region of the County.[25] The Project Site is approximately 7.2 miles north of SR 62. Project-related construction activities could temporarily impact street access and traffic flow due to roadway improvements and potential extension of construction activities into the rights-of-way for utility connections, resulting in temporary lane closures. However, Project construction would not require the complete closure of any public streets during construction. Furthermore, signage and flag crews would direct the flow of traffic with the lane closure. Temporary construction activities would not impede use of the streets for emergencies or access for emergency response vehicles. Further, the Project design and Project Site access would be reviewed by the SBFPCD and San Bernardino County Sheriff's Department (SBCSD) to ensure that emergency access would be maintained. Therefore, the Project would not conflict with the County's adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant.

g. **Less Than Significant Impact.** According to the State of California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Zone (FHSZ) Map, the Project Site is located in a Local Responsibility Area (LRA) and is not within a Very High FHSZ.[26,27] The Project Site is also not within a Fire Safety Overlay District designated by the County Land Use Plan.[28] Project design and Project Site access would adhere to SBCFPD regulations. Therefore, the Project would not expose people or structures, either directly or indirectly, to a significance risk of loss, injury, or death involving wildland fires, and impacts would be less than significant.

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[24] San Bernardino County, Land Use Plan General Plan Hazard Overlays, 2010, https://www.sbcounty.gov/Uploads/lus/HazMaps/FI23B_20100309.pdf. Accessed February 6, 2024.
[25] San Bernardino County, Countywide Plan, Policy Plan, Policy Map PP-2 Evacuation Routes; 2017; https://countywideplan.com/wp-content/uploads/sites/68/2021/02/PP-2-Evacuation-Routes-201027.pdf?x23421. Accessed February 6, 2024.
[26] California Department of Forestry and Fire Protection (CAL FIRE), State Responsibility Area Fire Hazard Severity Zones, 2023, https://osfm.fire.ca.gov/media/kicbi1gw/fhsz_county_sra_11x17_2022_sanbernardino_3.pdf. Accessed February 6, 2024.
[27] CAL FIRE. SE San Bernardino County Very High Fire Hazard Severity Zones in LRA, 2008, https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/osfm-website/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/fire-hazard-severity-zones-map/upload-5/fhszl_map63.pdf. Accessed February 6, 2024.
[28] San Bernardino County, Land Use Plan General Plan Hazard Overlays.

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*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 groundwater quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such 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-site or offsite?	☐	☐	☒	☐
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-site 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 polluted 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?	☐	☐	☒	☐

X. HYDROLOGY AND WATER QUALITY

SUBSTANTIATION: The discussion below regarding potential impacts on hydrology and water quality is based on the Preliminary Drainage Report (Drainage Report) prepared by Kimley-Horn (**Appendix L**).[29]

a. **Less Than Significant Impact.** The Project includes the construction and operation of a single-axis tracker ground-mounted PV community solar facility and BESS. Construction

[29] Kimley-Horn, Preliminary Drainage Report, July 2024. **Appendix L** of this IS/MND.

of the proposed Project would require grading and excavation of soils, which would loosen sediment, and then have the potential to mix with surface water runoff and degrade water quality. Additionally, construction would require the use of heavy equipment and construction-related chemicals, such as concrete, cement, asphalt, fuels, oils, antifreeze, transmission fluid, grease, solvents and paints. These potentially harmful materials could be accidentally spilled or improperly disposed of during construction and, if mixed with surface water runoff, could wash into and pollute receiving waters.

The Project would be required to obtain a NPDES General Permit for Discharges of Storm Water Associated with Construction and Land Disturbance Activities (Construction General Permit). Compliance with the Construction General Permit requires the development of a SWPPP by a qualified SWPPP developer, the elimination or reduction of non-stormwater discharge off-site into storm drainage systems or other water bodies, and the implementation of BMPs throughout the Project construction period. Stormwater BMPs would be required to limit erosion, minimize sedimentation, and control stormwater runoff water quality during Project construction activities. The SWPPP requires a description of the Project Site; identification of sources of sediment and other pollutants that may affect the quality of stormwater discharges; and a list of BMPs to provide sediment and erosion control, waste handling measures, and non-stormwater management. The specific BMPs that would be implemented with the Project would be identified during development of the SWPPP, which would occur concurrently with final Project design and be completed prior to construction. According to the Drainage Report prepared for the Project (**Appendix L**), temporary erosion and sediment control BMPs will generally be placed on the downstream limits of the Project Site and within and adjacent to areas of mass grading. BMPs that may be used on this Project are stabilized construction entrances, vehicle washouts, earthen dikes, fiber rolls, silt fence, and/or erosion control matting. BMPs would remain in place until construction is complete and until the Project Site is reseeded and stabilized in accordance with applicable code requirements. Compliance with the SWPPP would ensure that construction activities would not degrade the surface water quality of receiving waters to levels that would exceed the standards considered acceptable by the Lahontan RWQCB or other regulatory agencies.

According to the Drainage Report, under existing conditions, the Project Site has a peak runoff volume of approximately 13,694 cubic feet for the 85th percentile storm water quality event. Under proposed conditions, the Project would increase imperviousness of the Project Site by 0.5 percent, which would increase the peak runoff volume for the 85th percentile storm water quality event up to 15,021 cubic feet. Per the California Stormwater Quality Association (CASQA) Low Impact Development (LID) Manual and the Mojave River Watershed Region Stormwater Quality Best Management Practice Design Handbook for Low Impact Development, Project development must include sufficient water quality design to mimic the predevelopment hydrology to the maximum extent practicable. Additionally, per the Construction General Permit, post-development runoff must match the pre-development runoff for the 85th percentile, 24-hour storm water quality event. The water quality target runoff volume required to be mitigated by the Project Site is the difference between the runoff generated by the 85th percentile storm water quality event under pre- and post-development conditions. As such, the Project would be required to construct three detention basins capable of retaining 1,328 cubic feet of runoff to attenuate assumed increases to peak runoff volume. The Project would construct three

detention basins on the northwestern portion of the Project Site with a total volume of 1,399 cubic feet. As the total volume of the proposed basins is greater than the required treatment volume, the proposed detention basins would be able to accommodate the potential increase in stormwater under the 85th percentile storm event such that the development of the Project would not result in an increase of surface runoff under such conditions.

Additionally, once constructed, maintenance of the Project would include cleaning, inspections, drive motor repair, tracker repair, electrical connection repair, and panel replacement. Cleaning of the solar panels and inverters is expected to be conducted up to four times per year, and water used would not contain any cleaning agents or other additives. No on-site O&M buildings are proposed, and all facilities would be unmanned. Therefore, the Project would not violate any water quality standards or waste discharge requirements. Impacts would be less than significant.

b. **Less Than Significant Impact.** The Project would obtain construction and operational water by purchasing it from a local purveyor. The Project Site is located within the Twentynine Palms Valley Groundwater Basin, which is managed by Twentynine Palms Water District (TPWD). The total storage capacity is approximately 1.24 million AF. Natural recharge and depletion are estimated at 300 and 1,500 AF per year, respectively. The primary source of recharge to the groundwater basin is surface runoff resulting from rainfall in surrounding mountain ranges and subsurface groundwater flow from other groundwater basins adjacent to the Twentynine Palms Valley Groundwater Basin.[30] Water demand during construction would be temporary, which would be trucked in from a local purveyor and operational water use would be small, estimated at approximately 0.3 AF per year or less. The majority of the Project would consist of gravel infill and remain pervious to allow infiltration of precipitation. The incremental amount of impervious surface that would be introduced by the Project would be small. Therefore, the small amount of water to be used and the large amount of permeable surface within the Project Site would not deplete groundwater supplies or interfere substantially with groundwater recharge such that a net deficit in aquifer volume or a lowering of the local groundwater table level would result. Impacts would be less than significant.

c.i. **Less Than Significant Impact.** The Project Site does not include a stream, river, or creek, and the Project would not involve any substantial alteration to the drainage pattern of the area. According to the FEMA Flood Map Service Center, the Project is located within Zone D, or Area of Undetermined Flood Hazard. Zone D is defined as areas with possible but undetermined flood hazards. Zone D is defined as Area of Undetermined Flood Hazard. According to the Drainage Report, from the hydraulic model used to determine the extent of potential flood hazards of a 100-year, 24-hour storm event for the Project Site, it is unlikely that a flood hazard would occur within the Project Site. Additionally, the Project Site is not within a Flood Plain Safety Overlay District designated by the County Land Use Plan. As previously mentioned under Threshold X.a, the Project would not result in substantial erosion or siltation, as BMPs would be implemented during construction (e.g.,

[30] Twentynine Palms Water District. 2020 Urban Water Management Plan for Twentynine Palms Water District, page 4-2, 2021, https://29palmswater.com/wp-content/uploads/TPWD-2020-UWMP-Update-FINAL_Appendices-Included.pdf. Accessed February 6, 2024.

stabilized construction entrances, vehicle washouts, earthen dikes, fiber rolls, silt fence, and/or erosion control matting).in compliance with the SWPPP and the NPDES General Construction Permit issued for the Project, which would ensure that erosion and siltation do not result in any off-site water quality impacts. San Bernardino County Development Code Chapter 85.11 requires that the Project implement measures designed to control soil erosion pollution and regulate construction of proposed structures that are subject to flood hazards due to storm events within local flood hazard areas that are not within County-designated flood districts.

As substantiated above under Threshold X.a, the Project would increase the impervious area within the Project Site by 0.5 percent and thereby would increase peak surface runoff under the 85th percentile storm water quality event from 13,694 cubic feet to 15,021 cubic feet. The Project would construct three detention basins with a total volume of 1,399 cubic feet such that the difference between the runoff generated by the 85th percentile storm water quality event under pre- and post-development conditions would be accommodated. As such, while the imperviousness of the Project Site would increase, development of the Project would not result in an increase in surface runoff.

As such, the Project would not substantially alter the existing drainage pattern of the Project Site or substantially increase the rate or amount of surface runoff in a manner that would result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.

c.ii. **Less Than Significant Impact.** See response to Threshold X.c.i above.

c.iii. **Less Than Significant Impact.** See response to Threshold X.c.i, above.

c.iv. **Less Than Significant Impact.** According to the FEMA Flood Map Service Center, the Project is located within Zone D, or Area of Undetermined Flood Hazard. Zone D is defined as areas with possible but undetermined flood hazards. Zone D is defined as Area of Undetermined Flood Hazard. According to the Drainage Report, from the hydraulic model used to determine the extent of potential flood hazards of a 100-year, 24-hour storm event for the Project Site, it is unlikely that a flood hazard would occur within the Project Site. Additionally, the Project Site is not within a Flood Plain Safety Overlay District designated by the County Land Use Plan.[31] Nevertheless, all equipment skids and pads would be elevated at a minimum of 12 inches above the 100-year flood elevation to protect equipment from potential ponding or overland stormwater flow and so as not to add or decrease baseline stormwater on- or off-site. With implementation of these measures, the Project would not impede or redirect flood flows, and impacts would be less than significant.

d. **Less Than Significant Impact.** The Project Site is located approximately 100 miles northeast of the Pacific Ocean and therefore is not at risk of a tsunami. As stated above in Threshold X.c.iv, the Drainage Report concluded that it is unlikely that a flood hazard

[31] San Bernardino County, Land Use Plan General Plan Hazard Overlays.

will occur within the Project Site from a 100-year, 24-hour storm event. The Project Site is not within a Flood Plain Safety Overlay District designated by the County Land Use Plan. Furthermore, the Project Site is not within a dam breach inundation zone designated by the County Land Use Plan. No major water-retaining structures are located immediately up gradient from the Project Site, and flooding from seismically-induced seiche is considered unlikely. Therefore, impacts would be less than significant.

e. **Less Than Significant Impact.** The Project Site is located within the Twentynine Palms Valley Groundwater Basin, which is categorized by the Sustainable Groundwater Management Act (SGMA) as a very low priority basin.[32] The SGMA requires only medium- and high-priority basins to form groundwater sustainability agencies, develop groundwater sustainability plans, and manage groundwater for long-term sustainability. Therefore, the Twentynine Palms Valley Groundwater Basin does not require a sustainable groundwater management plan.

   Furthermore, as mentioned above in the Project Description, the Project would be unmanned during operations, with no habitable structures or restroom facilities. Any operational water that may be required for routine maintenance would be trucked in from off-site. The majority of the Project would consist of gravel infill and remain pervious to allow infiltration of precipitation. The incremental amount of impervious surface that would be introduced by the Project would be small and would not substantially interfere with groundwater recharge. As a result, the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Impacts would be less than significant.

[32] California Department of Water Resources, SGMA Data Viewer, https://sgma.water.ca.gov/webgis/?appid=SGMADataViewer#boundaries. Accessed June 20, 2024.

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*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?	☐	☐	☐	☒

XI. LAND USE AND PLANNING

SUBSTANTIATION:

a. **No Impact.** Existing development in the area includes rural access roads, solar facilities, and scattered rural residences. The Project Site is in an unincorporated part of the County, and the Project Site is primarily bordered by vacant land. Therefore, Project development would not divide an established community. No impact would occur.

b. **No Impact.** The Project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The current land use designation is RL and zoned RL. As described in other sections, the Project would be consistent and would not conflict with relevant policies of the County's General Plan. Pursuant to San Bernardino County Development Code Chapter 82.03 Table 82-4, renewable energy generation facilities is a permitted use within the RL zone with an approved CUP. Therefore, the Project would not conflict with the County General Plan or San Bernardino County Development Code, and no impacts would occur.

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

XII. MINERAL RESOURCES

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

a. **No Impact.** According to Map NR-4 of the General Plan, the Project Site and vicinity is not within a Mineral Resource Zone.[33] The Project Site is also not within a Mineral Resources (MR) Overlay pursuant to San Bernardino County Development Code Section 82.17.020. According to the California Department of Conservation Mines Online map, there are no mines within or near the Project Site. The closest active mine is the Twentynine Palms Pit (ID 91-36-0055), an open pit sand and gravel mine that is located approximately 9.8 miles southeast of the Project Site.[34] Furthermore, according to the California Department of Conservation Well Finder map, there are no active oil or gas wells on or around the Project Site.[35] The closest well is an idle geothermal well approximately five miles southeast of the Project Site. Additionally, the Project does not involve extensive grading or excavation that would preclude the extraction of any potential mineral resources in the future. Due to the relative distance from active mining or drilling sites, the Project would not result in the loss of availability of mineral resources that would be of value to the region and the residents of the State. No impacts to mineral resources would occur.

b. **No Impact.** See response to Threshold XII.a.

[33] San Bernardino County, Policy Map NR-4 Mineral Resources Zones, 2020, https://countywideplan.com/wp-content/uploads/sites/68/2021/02/NR-4-Mineral-Resources-Zones-201027.pdf?x23421. Accessed February 6, 2024.
[34] California Department of Conservation Division of Mine Reclamation, Mines Online, 2016, https://maps.conservation.ca.gov/mol/index.html. Accessed February 6, 2024.
[35] California Department of Conservation Geologic Energy Management Division, Well Finder, https://maps.conservation.ca.gov/doggr/wellfinder/. Accessed February 6, 2024.

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*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 a 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?	☐	☐	☐	☒

XIII. NOISE

SUBSTANTIATION: (Check ☐ if project is located in the Noise Hazard Overlay District or is subject to severe noise levels according to the General Plan Noise Element) The discussion below regarding noise is based in part on the Noise Technical Memorandum (see **Appendix M**) prepared by Kimley-Horn.[36]

Impact Analysis

a. **Less Than Significant Impact.**

Construction Noise

Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g., land clearing, grading, excavation). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. During construction, exterior noise levels could affect the nearest sensitive receptors in the vicinity of the construction site. The nearest sensitive receptor is a residential use located approximately 168 feet north of the Project Site. It is acknowledged that construction activities would occur throughout the Project Site and would not be concentrated at the point closest to the sensitive receptor.

Project construction is anticipated to be completed over a period of approximately nine months. The Project involves construction activities associated with site preparation, grading, and construction/installation. **Table 10: Typical Construction Noise Levels**,

[36] Kimley-Horn, Noise Technical Memorandum, October 30, 2024. **Appendix M** of this IS/MND.

reflects maximum sound levels (L_{max}) that could be expected from the equipment-types listed at a reference distance of 50 feet from the noise source, which are the highest individual sound occurring at an individual time period.

Table 10: Typical Construction Noise Levels

Equipment	Typical Noise Level (dBA) at 50 feet from Source
Air Compressor	80
Backhoe	80
Compactor	82
Concrete Mixer	85
Concrete Pump	82
Concrete Vibrator	76
Crane, Mobile	83
Dozer	85
Generator	82
Grader	85
Impact Wrench	85
Jack Hammer	88
Loader	80
Paver	80
Pneumatic Tool	85
Pump	77
Roller	85
Saw	76
Scraper	85
Shovel	82
Truck	84
Source: Federal Transit Administration. (2018). *Transit Noise and Vibration Impact Assessment Manual*.	

The Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM) was used to calculate the worst-case construction noise levels at the nearest sensitive receptor in the vicinity of the Project Site during construction. The modeled receptor location represents the closest existing receiving land use to Project construction activities. Noise levels at other sensitive receptors surrounding the Project Site would be located further away and would experience lower construction noise levels than the closest receptors modeled.

The FHWA Roadway Construction Noise Model (RCNM) was used to calculate the worst-case construction noise levels at the nearest sensitive receptor in the vicinity of the Project Site during construction. The modeled receptor location represents the closest existing receiving land use to Project construction activities.

The noise levels calculated in **Table 11: Project Construction Noise Levels** show estimated noise levels for the worst-case construction noise scenario without accounting

for attenuation from intervening barriers, structures, or topography. The nearest noise sensitive receptor (residential use) is located approximately 168 feet north of the Project Site. Following Federal Transit Administration (FTA) methodology, when calculating construction noise, all equipment is assumed to operate at the center of the Project because equipment would operate throughout the Project Site and not at a fixed location for extended periods of time. Therefore, the distance used in the RCNM model for the Project Site was 1,242 feet for the nearest sensitive receptor (i.e., residential use) north of the Project Site.

Noise levels at other receptors in the Project vicinity would be located further away and would experience lower construction noise levels than the closest receptor modeled. All construction equipment was assumed to operate simultaneously to represent a worst-case noise scenario as construction activities would routinely be spread throughout the construction site and would operate at different intervals.

Table 11: Project Construction Equipment Noise Levels

Construction Phase	Land Use	Receptor Location			Noise Threshold (dBA L_{eq})[2]	Exceeded?
		Direction	Distance (feet)[1]	Worst Case Modeled Exterior Noise Level (dBA L_{eq})		
Demolition	Resi-dential	North	1,242	58.5	80	No
Site Preparation	Resi-dential	North	1,242	54.1	80	No
Grading	Resi-dential	North	1,242	56.8	80	No
Construction/ Installation	Resi-dential	North	1,242	69.8	80	No
PV Panel Vendor Trips	Resi-dential	North	1,242	52.1	80	No
Paving	Resi-dential	North	1,242	45.1	80	No

Notes:
1. Per the methodology described in the FTA Transit Noise and Vibration Impact Assessment Manual (September 2018), distances are measured from the nearby sensitive receptor property line to the center of the Project construction site.
2. The County does not have a quantitative noise threshold for construction and only limits the hours of the construction activities. Therefore, the FTA's residential construction noise threshold is conservatively used in this analysis (FTA, Transit Noise and Vibration Impact Assessment Manual, September 2018).

Construction Phase	Land Use	Receptor Location			Noise Threshold (dBA L_{eq})[2]	Exceeded?
		Direction	Distance (feet)[1]	Worst Case Modeled Exterior Noise Level (dBA L_{eq})		
Source: Federal Highway Administration, Roadway Construction Noise Model, 2006. Refer to **Appendix M** for noise modeling results.						

San Bernardino County Code of Ordinances Section 83.01.080 of the San Bernardino Code of Ordinances exempts construction activities from the noise standard providing that such activities take place between the hours of 7:00 a.m. to 7:00 p.m. except Sundays and Federal holidays. Construction would primarily occur during daylight hours, Monday through Saturday, between 7:00 a.m. and 7:00 p.m., as required to meet the construction schedule. The San Bernardino County Code of Ordinances does not establish quantitative exterior construction noise standards. While the San Bernardino County Code of Ordinances does not establish quantitative construction noise standards, this analysis conservatively uses the FTA's threshold of 80 dBA (8-hour L_{eq}) for residential uses to evaluate construction noise impacts at the nearest sensitive receptor.

The closest sensitive receptor could be exposed to temporary and intermittent noise levels up to 69.8 dBA, which would not exceed the FTA's residential construction noise standard of 80 dBA L_{eq}. As previously noted, noise levels presented in Table 11 are conservative, as these noise levels assume the simultaneous operation of all construction equipment at the same precise location. More likely, construction equipment would be used throughout the Project Site and would not be concentrated at one location within the Project Site. Therefore, impacts would be less than significant.

Construction Traffic: Construction activities would also cause increased noise along access routes to and from the Project Site due to movement of equipment and workers, as well as hauling trips. On-site soils are expected to balance, and no import or export of soils is anticipated. It is anticipated that construction worker trips would be a maximum of 40 total daily roundtrips, water truck trips would consistent of a maximum of 11 daily roundtrips, water trips and vendor trips would consist of 2 daily roundtrips (PV Vendor Trips). As a result, mobile source noise would increase along access routes to and from the Project Site during construction. However, mobile traffic noise from construction trips would be temporary and would cease upon completion of Project construction. While the San Bernardino County Code of Ordinances does not establish quantitative construction noise standards, this analysis conservatively uses the FTA's threshold of 80 dBA (8-hour L_{eq}) for residential uses to evaluate off-site construction traffic noise impacts along roadways adjacent to the Project Site.[37] A heavy-duty truck passing by a receptor is

[37] Federal Transit Administration (FTA), Transit Noise and Vibration Impact Assessment Manual, Table 7-2, September 2018, page 179.

assumed to generate a noise level of 70 dBA at 50 feet.[38] Conservatively assuming that all 26 one-way truck trips would pass the same receptor within a 15-minute time period, noise levels along roadways would be approximately 64.7 dBA L_{eq}. This would not exceed the FTA's residential construction noise standard of 80 dBA L_{eq}. Further, the San Bernardino County Code of Ordinances Section 83.01.080 exempts construction activities from the noise standard providing that such activities take place between the hours of 7:00 a.m. to 7:00 p.m. except Sundays and Federal holidays. Therefore, upon compliance with the FTA noise standard and compliance with the County's allowable construction hours (San Bernardino County Code of Ordinances Section 83.01.080), short-term noise impacts from construction traffic would be less than significant.

Operations

sources associated with the solar PV systems, electrical collection lines, BESS, and maintenance activities.

Solar PV Systems: The solar PV arrays would include operation of single-axis tracking systems. Single-axis tracking systems employ a motor mechanism that would allow the arrays to track the path of the sun throughout the day. In the morning, the panels would face the east. Throughout the day, the panels would slowly move to the upright position at noon and on to the west at sundown. The panels would reset to the east in the evening or early morning to receive sunlight at sunrise. The Project would include solar modules which would operate simultaneously.

Noise from each tracker motor is approximately 40 dBA at 10 feet from the source. During daylight hours, the tracking system motors would operate for a short period of time (normally two seconds) and pause for a longer period of time (about five minutes) before operating again. After sunset and before sunrise the next day, the array must reset to face easterly; this reset motion occurs once daily and takes approximately three minutes. The nearest sensitive noise receptor to any tracker would be the residential use located approximately 168 feet north of the Project Site. At this distance, noise levels associated with solar PV array tracker would be inaudible. Impacts would be less than significant.

Inverters and Transformers: Additional permanent noise sources from the Project Site would include small-scale inverters, AC combiner boxes, medium voltage transformers, and or medium voltage switchgear, and BESS. Small-scale inverters typically generate 65 dBA at 1 meter (3.28 feet) and medium voltage transformers typically generate 63 dBA at 1 meter (3.28 feet). As the nearest sensitive receptor could be located approximately 168 feet north from the Project Site boundary line, small-scale inverter and medium voltage transformer noise levels would be inaudible at the nearest sensitive receptor.

Electrical Collection Lines: The Project includes installation of underground electric collection lines. Therefore, noise levels associated with electrical collection lines would be inaudible at the nearest sensitive receptor, located approximately 168 feet north of the Project Site. Impacts would be less than significant.

[38] University of Washington Department of Environmental and Occupational Health Sciences, Noise Navigator Sound Level Database, July 6, 2010.

Battery Energy Storage System (BESS): The primary noise source associated with BESS operations would be the use of heating, ventilation, and air conditioning units (the BESS does not generate noise itself). The Project includes a BESS, which would require approximately multiple heating, ventilation, and air conditioning units to operate simultaneously. Based on standard HVAC units for other energy storage projects, a reference level of 51 dBA at a distance of 50 feet during full operation has been assumed.[39,40] The BESS would be located in the southwest area of the Project Site. Therefore, a distance of 354 feet, measured from the southwest corner of the Project Site to the nearest sensitive receptor property line to the south, was used for the used for the calculated BESS HVAC noise levels. At this distance, noise levels from the BESS heating, ventilation, and air conditioning units are estimated at approximately 34.0 dBA. Therefore, the Project would not exceed County daytime or nighttime noise standards of 55 dBA L_{eq} and 45 dBA L_{eq}, respectively. Impacts would be less than significant and no mitigation is required.

Maintenance Activities: The Project would require panel washing up to four times per year. Panel washing activities would not require power washing equipment and would consist of hand washing. Noise related to the water trucks is discussed below. Therefore, negligible noise levels from panel washing would result. Impacts would be less than significant. The Project would generate periodic operational vehicle trips internal to the Project Site for required maintenance activities that would not increase personnel daily trips external to the site when compared to existing conditions. Project maintenance activities would be minimal, with an estimated 6 maintenance-related visits per year and up to 4 solar panel and inverter washing visits per year. Therefore, the Project is expected to generate a total of approximately 10 operational roundtrips per year (20 one-way trips). These activities are not expected to occur on a daily basis and would not generate a significant amount of traffic or crate a substantial increase of vehicular noise in the area. Any increase in traffic would be minimal and sporadic and only occur during daytime hours. On a worst-case day, one maintenance truck and one water truck would travel to the Project Site at the same time. Assuming that two passenger vehicles, one medium-duty truck, and one heavy-duty truck would visit the Project Site at the same time, a noise level of 36.6 dBA would be generated at approximately 100 feet. This noise level would not exceed the County's daytime threshold of 55 dBA; therefore, impacts from vehicular noise would be less than significant.

Decommissioning

When the Project is decommissioned, equipment operation and site restoration activities would result in a temporary increase in ambient noise levels in the Project vicinity. Given the fact that much of the construction equipment necessary to construct the Project would also be required for Project decommissioning, it is reasonable to assume that noise generated from decommissioning activities would be similar in nature to construction activities. Similar to the construction noise analysis above, Project decommissioning would potentially result in increased noise levels compared to existing conditions. It is assumed that decommissioning activities would be similar to construction activities. As

[39] Kern County Planning and Natural Resources Department, Acoustical Assessment for the AVEP Project, August 5, 2020.
[40] The reference noise level has been adjusted to account for four HVAC units. See **Appendix M**

discussed above, Project construction (and similarly, decommissioning) would not exceed the FTA's residential construction noise standard of 80 dBA L_{eq}. Further, San Bernardino County Code of Ordinances Section 83.01.080 exempts construction activities from the noise standard providing that such activities take place between the hours of 7:00 a.m. to 7:00 p.m. except Sundays and Federal holidays. Therefore, upon compliance with the FTA noise standard and upon compliance with the County's allowable construction hours (Code of Ordinances 83.01.080), short-term noise impacts from decommissioning activities would be less than significant.

b. **Less Than Significant Impact.**

Construction

Project construction would include demolition, site preparation, grading, construction/installation, PV vendor trips, and paving and would not require blasting. While these construction activities would result in groundborne vibration, such groundborne vibration would attenuate rapidly from the source and would not generally be perceptible beyond the boundaries of the Project Site.

Groundborne vibration generated during construction activities is exempt between the hours of 7:00 a.m. to 7:00 p.m. (except Sundays and Federal holidays) pursuant to San Bernardino County Code of Ordinances Section 83.01.090. However, the FTA has published standard vibration velocities for construction equipment operations. The types of construction vibration impact include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver. Caltrans and the FTA have identified various vibration damage criteria for different building classes. As the closest receptor is a residential use, this evaluation uses the FTA architectural damage criterion for continuous vibrations at non-engineered timber and masonry buildings of 0.2 in/sec PPV and the human annoyance criterion of 0.04 in/sec PPV. The vibration produced by construction equipment, is illustrated in **Table 12: Typical Construction Equipment Vibration Levels**.

Table 12: Typical Construction Equipment Vibration Levels

Equipment	Reference PPV at 25 feet (in/sec)	Approximate PPV at 168 feet (in/sec)[1]
Vibratory Compactor/Roller	0.210	0.012
Large Bulldozer	0.089	0.005
Loaded Trucks	0.076	0.004
Small Bulldozer	0.003	<0.001

Notes:
1. Calculated using the following formula:
   PPV equip = PPVref x $(25/D)^{1.5}$
   where: PPV (equip) = the peak particle velocity in inch-per-second of the equipment adjusted for the distance
   PPV (ref) = the reference vibration level in inch-per-second from Table 7-4 of the FTA Transit Noise and Vibration Impact Assessment Manual
   D = the distance from the equipment to the receiver

Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, September 2018.

Groundborne noise and vibration decreases rapidly with distance. As indicated in **Table 12**, based on the FTA data, vibration velocities from typical heavy construction equipment operations that would be used during Project construction range <0.001 to 0.012 inch/sec PPV at 168 feet (measured from the Project Site to the nearest structure) north of the Project Site. At this distance, vibration velocities would be imperceptible (i.e., up to 0.012 in/sec PPV for a vibratory roller at the Project Site). Therefore, the 0.2 in/sec PPV architectural damage significance threshold and the 0.04 in/sec PPV human annoyance criteria would not be exceeded as a result of Project construction activities. Thus, no sources of groundborne vibration or groundborne noise would be expected to affect sensitive receptors in the Project vicinity, and there would not be any potential for excessive exposure of persons to or generation of groundborne vibration levels. Impacts would be less than significant.

Operations

The Project would have operation and maintenance components, such as heating, ventilation, and air conditioning systems for the BESS, maintenance vehicles, backup generator, small-scale inverters, and medium voltage transformers, that would not generate noticeable groundborne vibration levels. Project operations would not involve any sources capable of generating perceptible levels of vibration in the surrounding area. There would be no permanent source or potential to change vibration levels, except during unscheduled maintenance or repair activities, which would be similar to construction activities. According to the FTA, regular maintenance trucks generate vibration velocities of up to 0.076 in/sec PPV a distance of 25 feet (refer to Table 12). Pursuant to the San Bernardino County Code of Ordinances Section 83.01.090, groundborne vibration shall not exceed 0.2 in/sec PPV at the nearest property line within a residential, commercial, and industrial land use zoning district. Land use zoning districts surrounding the Project Site include Resource Conservation (RC) and Rural Living (RL), which allow residential uses. Although residential land use zoning districts surround the Project Site, regular maintenance trucks would not generate groundborne vibration levels exceeding the County's 0.2 in/sec PPV vibration threshold at any structures located along roadways in the Project vicinity. As the nearest vibration-sensitive receptor is located approximately 168 feet north from the Project Site and approximately 138 feet from the nearest roadway, operational vibration levels at the nearest off-site receptors would be imperceptible. Thus, the County's 0.2 in/sec PPV vibration threshold would not be exceeded, and impacts would be less than significant.

Decommissioning

When the Project is decommissioned, equipment operation and site restoration activities could result in temporary vibration impacts at close distances. Given the fact that much of the construction equipment necessary to construct the Project would also be required for Project decommissioning, it is reasonable to assume that vibration generated from decommissioning activities would be similar in nature to construction activities. As with the construction activities described above, decommissioning activities would not be expected to generate groundborne noise that would affect sensitive receptors in the Project vicinity, and there would not be any potential for excessive exposure of persons to or generation of groundborne vibration levels. Impacts would be less than significant.

c. **No Impact.** The Project Site is not located within an airport land use plan, nor is the Project Site within a Noise Hazard Overlay District or Airport Safety Review Area identified in the County Land Use Plan. The Project is not within two miles of a public airport or public use airport. The nearest airport is Twentynine Palms Airport located approximately 11 miles southeast of the Project Site. Therefore, the Project Site is not located within the vicinity of a private airstrip or related facilities, and no impact would occur in this regard.

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

XIV. POPULATION AND HOUSING

SUBSTANTIATION:

a. **Less Than Significant Impact.** The Project would develop a solar energy facility with BESS and does not include residential uses. The Project would not induce substantial population growth in the area because the Project does not propose extension of new major infrastructure or uses that would induce substantial unplanned population growth.

   Project construction would temporarily increase the number of persons present at the Project Site. However, these workers would only be present at the Project Site during construction of the Project Site. Once operational, the Project Site would not require the same number of staff needed during construction. The Project Site would be unmanned and would only require minimal staff for 6 maintenance-related visits per year and would not introduce a significant amount of employment that would require additional permanent housing within the area. Impacts would be less than significant.

b. **Less Than Significant Impact.** The Project would not displace housing as the Project Site consists of undeveloped open space. The nearest residences are approximately 168 feet north of the Project Site. Impacts would be less than significant.

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
XV. PUBLIC SERVICES: Will 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:				
a) Fire protection?	☐	☐	☒	☐
b) Police protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☒
e) Other public facilities?	☐	☐	☐	☒

XV. PUBLIC SERVICES

SUBSTANTIATION:

a. **Less Than Significant Impact.** Fire protection services and prevention services are provided by SBCFPD. The nearest SBCFPD station is SBCFD Station No. 44, located approximately 5.7 miles southeast of the Project Site at 6560 Adobe Road in the City of Twentynine Palms. The SBCFPD is staffed with a total of 97 fire engines, 40 ambulances, 51 brush engines and patrols, and numerous other specialized apparatuses.

Construction

The Project would construct a solar PV facility and BESS on undeveloped land and would not involve the construction or physical alteration of a fire station. Construction activities associated with the Project may temporarily increase the demand for fire protection and emergency medical services, and may cause the occasional exposure of combustible materials, such as plastics, sawdust, covering and coatings, to heat sources including machinery and equipment sparking, exposed electrical lines, welding activities, and chemical reactions in combustible materials and coatings. However, in compliance with OSHA, all construction managers and personnel would be trained in fire prevention and emergency response. Furthermore, fire suppression equipment specific to construction would be maintained on the Project Site. As applicable, construction activities would be required to comply with Area Plan Policies PP-3.1 through PP-3.14, which require implementation of fire prevention measures; as well as the 2022 California Fire Code, 2021 National Fire Code, and 2021 International Fire Code, which implement state-of-the-art development and performance standards that ensure the safe installation, operations, and maintenance of BESS.

Project-related construction activities could temporarily impact street access and traffic flow due to roadway improvements, and potential extension of construction activities into the rights-of-way along Lear Avenue for utility connections and construction of the proposed access roads, resulting in the temporary closure of the lane closest to the Project Site. However, Project construction would not require the complete closure of any public streets during construction. Furthermore, signage and flag crews would direct the flow of traffic with the lane closure. Temporary construction activities would not impede use of the streets for emergencies or access for emergency vehicles. Further, the Project design and Project Site access would be reviewed by SBCFPD to ensure that emergency access would be maintained. During temporary partial street closure, emergency access and traffic detours would be established in coordination with the County.

Due to the limited duration of construction activities, maintenance of emergency access, and compliance with applicable codes, Project-related construction would not be expected to adversely impact firefighting and emergency services so as to necessitate a new or expanded fire station in order to maintain acceptable service ratios, response times, or other performance objectives of the SBCFPD. Therefore, construction impacts on fire protection and emergency medical services would be less than significant and no mitigation measures are required.

Operation

The Project would not create an increase demand for fire protection services. The Project would be a solar PV facility and BESS that would not induce significant or unplanned population growth such that there would be a need for new or physically altered fire protections services. Further, pursuant to Policy PP-3.4 of the General Plan, the Project would be required to comply with the California Fire Code. Equipment associated with the Project such as transformers, capacitors, electric transmission lines, substations, vehicles, and gas- or electric-powered small hand tools may be potential sources of ignition during construction and O&M. To combat potential fire risks, the Project will be required to comply with the latest version of the California Fire Code, National Fire Code, and International Fire Code. These regulations implement state-of-the-art development and performance standards that ensure the safe installation, operations, and maintenance of utility scale BESS. The Project would also implement fire and safety features. Furthermore, pursuant to San Bernardino County Development Code Section 84.29.040.d, the Project would be required to pay an annual public safety services impact fee to mitigate potential impacts on fire protection services and facilities.

With compliance to the California Fire Code and the General Plan, the Project would not result in substantial adverse physical impacts with the provision of new or physically altered fire facilities, and impacts would be less than significant.

Module Level: The first priority in fire safety is to prevent an event from ever occurring and limit the extent of that fire if it does occur. Pursuant to the National and International Fire Codes, the voltages, currents, and temperatures of battery modules would be required to be monitored and controlled 24/7 to ensure every cell remains within its safe operating parameters. These monitoring and control systems are required to transmit an alarm signal if potentially hazardous temperatures or other conditions such as short circuits, over voltage or under voltage, are detected. If a module-level system failure is detected, the system automatically controls and isolates individual modules from the rest of the system

preventing the conditions that could lead to an event. Furthermore, battery manufacturers must prove that battery modules, if they catch fire, will not cause a fire to propagate to other modules, racks, or other enclosures. As part of this process, manufacturers must show that their batteries can pass rigorous UL 1973 and UL 9540A testing and certification. This testing includes demonstration of adequate system controls and alarms, separations between equipment, protections such as fire-retardant barriers and coatings, fire suppression systems, and ventilation systems to limit failure to a single battery module.

Container Level: The National and International Fire Codes contain safety standards for construction of battery enclosures include: mounting, elevation of enclosures from the ground, materials, fire resistant barriers as well as requirements addressing insulation, wiring, switches, transformers, spacing and grounding; safety standards for performance, such as tests for temperature, volatility, impact, overload of switches, and an impact drop test; as well as standards for manufacturing, ratings, markings, and instruction manuals. In addition to the many individual standards referenced, a Failure Mode and Effects Analysis (FMEA) must be performed for each system enclosure and requires a test to ensure safe compatibility of the system's parts. The Project would also be equipped with integrated fire and safety systems, such as air cooling/conditioning systems, deflagration, gas-ventilation, gas, heat and smoke detection and alarms, and fire extinguishing and suppression systems within each container.

Site Plan Level: The Project Site layout is designed for operational safety pursuant to California Fire Code requirements, including fire access routes, setbacks, fire hydrants, and fire-resistant perimeter walls.

Operational Level: The Project would obtain an operational permit and would be operated in accordance with the California Fire Code's standards for commissioning, inspection, repair, and decommissioning. This will include the creation and implementation of an Emergency Response Plan that will govern coordination and response to a fire emergency at the Project Site.

Compliance with the 2022 California Fire Code, National Fire Code, and International Fire Code, as well as inclusion of the Project's fire and safety features, would reduce the potential for a fire event. Therefore, the Project would maintain acceptable service ratios, response times, and other performance objectives for fire protection services. Impacts to fire protection would be less than significant.

b. **Less Than Significant Impact.** The Project Site are served by the SBCSD. The nearest SBCSD station is in the census-designated place of Joshua Tree at 63665 Twentynine Palms Highway approximately 7.6 miles southwest of the Project Site.

Construction

Since the daytime population generated at the Project Site during construction (i.e., construction workers) would be temporary in nature, construction of the Project would not generate a permanent population on the Project Site that would substantially increase the demand for police services. However, construction sites can be sources of nuisances and hazards and invite theft and vandalism. When not properly secured, construction sites can contribute to a temporary increased demand for police protection services. As such, during

Project construction, the Project Site would be fenced or screened along the perimeter to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

Project-related construction activities could temporarily impact street access and traffic flow due to roadway improvements, and potential extension of construction activities into the rights-of-way along Lear Avenue for utility connections and construction of the proposed access roads, resulting in the temporary closure of the lane closest to the Project Site. However, Project construction would not require the complete closure of any public streets during construction. Furthermore, signage and flag crews would direct the flow of traffic with the lane closure. Temporary construction activities would not impede use of the streets for emergencies or access for police vehicles. Further, the Project design and Project Site access would be reviewed by the SBCSD to ensure that emergency access would be maintained. During temporary partial street closure, emergency access and traffic detours would be established in coordination with the County.

Given the visibility of the Project Site from adjacent roadways and surrounding properties, existing police presence in the County, maintained emergency access, and construction fencing, the Project's construction activities are not expected to increase demand on existing police services to an extent that a new police facility would be required. Therefore, construction of the Project would have a less than significant temporary impact on police protection.

Operation

During Project operations, the Project would be unmanned, remotely monitored, and fenced for security. As previously stated, the Project would not introduce additional permanent residences to the Project Site that would require increased demand for public services including police protection. Furthermore, the Project Site would be served by an on-site access road, which would be accessed by O&M staff and emergency responders in the event of an emergency. Therefore, the Project would not substantially impact service ratios, response times, or other performance objectives related to police protection. Nonetheless, pursuant to San Bernardino County Development Code Section 84.29.040.d, the Project would be required to pay an annual public safety services impact fee to mitigate potential impacts on police protection services and facilities. The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or 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 police protection services. Impacts would be less than significant.

c. **No Impact.** Project construction would introduce a temporary increase in workers, but they would not be anticipated to relocate to the area or bring their families for the construction, as the workers would be sourced from the County or surrounding counties and/or be active for only a few months. During operations, the Project Site would be unmanned and would only require minimum staff for inspection and maintenance on a bimonthly basis. Employees would be traveling from an existing area to the Project, and would not require expansion of public services, including expanding school services to the area to service new residences. The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental

facilities or 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 schools. As such, the Project would not result in an increase in population in the area that would necessitate additional schooling services. No impacts would result from the Project.

d. **No Impact.** Project construction would introduce a temporary increase in workers, but they would not be anticipated to relocate to the area or bring their families for the construction, as the workers would be active only for the duration of the construction phase. The Project Site would be unmanned and require minimum staff on a bimonthly basis for inspection and maintenance. Staff would be traveling from an existing area to the Project. As such, the Project would not result an increase in population into the area that would necessitate additional park services. The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or 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 parks. There would be no impact in this regard.

e. **No Impact.** Project construction would introduce a temporary increase in workers, but they would not be anticipated to relocate to the area. As such, the Project would not cause an increase in population in the area that would necessitate addition of other public facilities (such as libraries or hospitals). The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or 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 other public facilities. There would be no impact in this regard.

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*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 would 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?	☐	☐	☐	☒

XVI. RECREATION

SUBSTANTIATION:

a. **No Impact.** The Project involves construction of a solar energy facility in a highly desert area of unincorporated San Bernardino County. No public parks, recreational facilities, or County-designated major open space areas are in the vicinity of the Project Site.[41,42] The Project does not propose any residential uses that may increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity. The Project would include additional employment during construction. However, the employees would only be present during the construction phase. Once operational, the Project Site would not require the same number of staff needed during construction. The Project Site would be unmanned and would only require minimum staff for inspection and maintenance. Employees would be traveling from an existing area to the Project and therefore, would not require expansion of any parks or recreational facilities. Therefore, the construction or expansion of recreational facilities would not have an adverse physical effect on the environment. No impact would occur.

b. **No Impact.** See response to Threshold XVI.a above.

[41] San Bernardino County. Policy Map NR-2 Parks & Open Space Resources, 2020, https://countywideplan.com/wp-content/uploads/sites/68/2021/02/NR-2-Parks-Open-Space-Resources-201027.pdf?x23421. Accessed February 6, 2024.

[42] San Bernardino County, San Bernardino County Land Use Plan General Plan Open Space Element, https://www.sbcounty.gov/Uploads/lus/GeneralPlan/OpenSpaceCountywide.pdf. Accessed February 6, 2024.

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*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) 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?	☐	☐	☒	☐

XVII. TRANSPORTATION

SUBSTANTIATION:

a. **Less Than Significant Impact.**

Construction

Automobile and truck traffic volumes associated with Project-related construction activities would vary throughout the construction phases, as different activities occur. It is anticipated that construction worker trips would be a maximum of 40 total daily trips, water truck trips would be a maximum of 11 daily trips, and vendor trips would be a maximum of 2 daily trips (PV panel vendor trips). Construction workers, equipment delivery, and water trucks would access the Project Site from SR 62 and Lear Avenue.

Project-related construction activities could temporarily impact street access and traffic flow due to roadway improvements, and potential extension of construction activities into the rights-of-way along Lear Avenue for construction of the proposed access roads, resulting in the temporary closure of the lane closest to the Project Site. However, Project construction would not require the complete closure of any public streets during construction. Furthermore, signage and flag crews would direct the flow of traffic with the lane closure. Temporary construction activities would not impede use of the streets for emergencies or access for police vehicles. During temporary partial street closure, emergency access and traffic detours would be established in coordination with the County. Additionally, Project-related construction traffic would be temporary and cease upon construction completion. Construction traffic associated with the Project would have a less than significant impact.

The San Bernardino County General Plan's Transportation and Mobility Element discusses the County's goals to create a balanced transportation system that serves bicyclists and pedestrians as well as motor vehicles. Regional access to the Project Site is provided via SR 62 to the south of the Project Site. Lear Avenue is a two-lane roadway adjacent to and west of the Project Site. There are no existing pedestrian sidewalks or

bicycle facilities along Lear Avenue. The Project's trips during construction would not impact the generally free-flowing traffic that characterizes the SR 62 segments south of the Project Site. The Project does not propose any modifications to any pedestrian or bicycle facilities and would not interfere with any future plans as none are located in the Project vicinity.

Public transit service is provided by Basin Transit (BT).[43] The BT Twentynine Palms Marine Base, Twentynine Palms Neighborhood, and Yucca Valley-Twentynine Palms Routes go through the City of Twentynine Palms but does not travel near the Project Site. No public transit stations are located in close proximity to the Project Site. The nearest public bus transit stops are provided at the station on Mesa Avenue and Adobe Road, approximately 5 miles east of the Project Site. Project construction would be temporary in nature and would not result in any road closures and therefore would not affect public transit service operation. Therefore, construction of the Project would not conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Impacts would be less than significant.

Operations

Project maintenance activities would require 6 maintenance-related visits per year and up to 4 solar panel and inverter washing visits per year, resulting in approximately 10 operational roundtrips per year (20 one-way trips). These activities are not expected to occur on a daily basis and would not generate a significant amount of traffic in the area.

Similar to Project construction, the Project's trips during operation would not impact the generally free-flowing traffic that characterizes the SR 62 segments south of the Project Site. The Project does not propose any modifications to any pedestrian or bicycle facilities and would not interfere with any future plans as none are located in the Project vicinity. Additionally, as discussed above, no public transit stations are located in close proximity to the Project Site. Therefore, Project operation would not affect public transit operation. Therefore, the proposed Project would not conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Impacts would be less than significant.

Decommissioning

At the end of the life of the Project, the Project would be decommissioned and removed from the Project Site. The Project Site would then be converted to other uses in accordance with applicable land use regulations in effect at that time. Pursuant to San Bernardino County Development Code Section 84.29.070 (Decommissioning Requirements), following the operational life of the Project, the Project owner shall perform site closure activities to meet federal, State, and local requirements for the rehabilitation and revegetation of the Project Site after decommissioning. Impacts would be less than significant.

b. **Less Than Significant Impact.** The County's Transportation Impact Study Guidelines includes thresholds for determining CEQA impacts for VMT pursuant to SB 743. The

[43] Morongo Basin Transit Authority, Basin Transit, https://basin-transit.com/. Accessed February 6, 2024.

County's Transportation Impact Study Guidelines for VMT Analysis identify that projects that generate fewer than 110 daily vehicle trips are presumed to have a less than significant impact absent substantial evidence to the contrary.[44] As stated above in Threshold XVII.a, the Project would generate approximately 20 trips per year during Project operations. Therefore, as the Project would meet the screening criteria, it is presumed that the Project would have a less than significant VMT impact, and no further VMT analysis is required. Impacts would be less than significant.

c. **Less Than Significant Impact.** The Project would not substantially increase driving hazards, as the on-site access roads would be used only by O&M staff and emergency responders in the event of an emergency. Alterations to the immediate access roads and SR 62 are not proposed such that a geometric design feature or incompatible use would increase hazards. Project Site access would be provided via a new driveway constructed from Lear Avenue and new on-site access roads. Where necessary, the access roads would be upgraded using gravel and geotextile fabric and extended into the Project's fence line. The proposed access roads would encircle and cut cross the solar array to accommodate maintenance vehicles. The roads would be wide enough to accommodate emergency vehicles and designed in compliance with County building and fire department standards. Approximately 15 feet of space would be maintained between each row of solar modules for O&M access. The access roads would be placed such that no panel is more than 240 feet from a fire road and would connect directly to the BESS. Thus, the on-site access roads would accommodate large trucks and vehicles, including fire trucks, per County regulations and would provide a clear line of sight for merging into the adjacent roads. Therefore, the Project would not significantly increase hazards due to design features or incompatible uses, and impacts would be less than significant.

d. **Less Than Significant Impact.** As mentioned in Threshold IX.f, regional access to the Project Site would be provided via SR 62, which is identified as an evacuation route in the County. The proposed construction would be staged on-site and would have a temporary impact on circulation. The Project may require the closure of one lane on Lear Avenue closest to the Project Site for the construction of the proposed access roads. However, the Project would not result in the complete closure of existing roadways that might have an effect on emergency response or evacuation plans in the vicinity of the Project Site. Accordingly, construction of the Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

   The Project would not generate traffic volumes that would impede emergency access to the Project Site and would not result in a significant and permanent delay for emergency vehicles accessing Lear Avenue or SR 62. The Project would comply with emergency access requirements, per the California Fire Code, including turning radius and maneuverability of large emergency vehicles such as fire trucks and ambulances. Therefore, the Project would not result in inadequate emergency access, and impacts would be less than significant.

[44] San Bernardino County, Transportation Impact Study Guidelines, 2019, pages 18 to 19, https://www.sbcounty.gov/uploads/DPW/docs/Traffic-Study-Guidelines.pdf. Accessed February 6, 2024.

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
XVIII. TRIBAL CULTURAL RESOURCES: Would the project:				
a) Would the project cause a substantial change in the significance of tribal cultural resources, 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 the 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?	☐	☒	☐	☐

XVIII. TRIBAL CULTURAL RESOURCES

SUBSTANTIATION: The discussion below regarding potential impacts on tribal cultural resources is based in part on the CRTR (see **Appendix G**) prepared by Rincon and Tribal Cultural Resources Documentation (see **Appendix N**) for AB 52 tribal consultation initiated by the County.

a. **Less Than Significant Impact.** As concluded in Threshold V.a, the Project Site contains undeveloped land with no historical resources. There are no national, State, or locally-designated historic resources on the Project Site. The examination of numerous historic maps was also negative for older historic cultural resources. Therefore, the Project would have a less than significant impact.

b. **Less Than Significant Impact with Mitigation Incorporated**. Chapter 532 Statutes of 2014 (AB 52) requires that lead agencies evaluate a project's potential impact on "tribal cultural resources," which include "[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the CRHR or included in a local register of historical resources." AB 52 also gives lead agencies the discretion to determine, based on substantial evidence, whether a resource qualifies as a "tribal cultural resource." In compliance with PRC Section 21080.3.1(b), the City provided formal notification to California Native American tribal representatives identified by the California NAHC. Native American groups may have

knowledge about the area's cultural resources and may have concerns about a development's adverse effects on tribal cultural resources, as defined in PRC Section 21074. The County has contacted the tribal representatives of the tribe noted below. Correspondence to and from tribal representatives is included as **Appendix N**.

AB 52 Native American Groups Contacted:

- Kern Valley Indian Community
- Morongo Band of Mission Indians
- Quechan Tribe of the Fort Yuma Reservation
- San Fernando Band of Mission Indians
- San Manuel Band of Mission Indians
- Serrano Nation of Mission Indians
- Twenty-Nine Palms Band of Mission Indians

According to the CRTR, the Native American Heritage Commission's (NAHC) response to the Sacred Lands File (SLF) search request stated that the results of the SLF search were negative. A list was provided by NAHC of Native American tribes who may have knowledge of cultural resources in the area.

The County received a response from the Yuhaaviatam of San Manuel Nation (YSMN), formerly the San Manuel Band of Mission Indians, on April 29, 2024 and the Morongo Band of Mission Indians (MBMI) on June 7, 2024, both Tribes indicating they had an interest in the Project at the time. To date, no other responses from the Native American community have been received as part of the AB 52 tribal consultation effort.

The YSMN is a sovereign American Indian tribe of Serrano people in San Bernardino County, California. During consultation with the County, and after reviewing the CRTR, Geotechnical Report, and Conceptual Site Plans prepared for the Project, the YSMN noted that due to the nature and location of the Project, and given the YSMN's Cultural Resources Management Department's knowledge, the YSMN does not have any concerns with the Project's implementation, as planned, at this time. The YSMN requested preferred tribal mitigation measures be made part of the Project and be implemented during construction of the Project. These mitigation measures are discussed below and in **Section V: Cultural Resources**.

The Project would be located within the ancestral territory and traditional use area of the Cahuilla and Serrano people of the MBMI. During consultation with the County, the MBMI have requested the proposed Project design and grading maps, the CHRIS records search, CRTR, shapefiles of the Project area, and the Geotechnical Report. The MBMI requested, due to the sensitivity of the Project area within ancestral Tribal lands, for Tribal participation (e.g., monitoring) during all ground-disturbing activities.

Additionally, as discussed in the CRTR and in Threshold V.a above, the observed resources were recorded, evaluated, and recommended ineligible for listing in the NRHP and CRHR and do not qualify as a historical resource under CEQA. As discussed in Threshold V.b above, the historic-period archaeological resource was identified and was also ineligible for NRHP, CRHR, or local listing. Although the County's consultation efforts indicated that the area may be culturally sensitive, no known tribal cultural resources or tribal cultural places have been identified within the Project Site or immediate vicinity. The Project Site does not contain any existing structures or known tribal cultural resources with

the potential for inclusion on the NRHP, CRHR, or a local register. However, the potential exists that there may be undiscovered tribal cultural resources that could be unearthed during ground-disturbing activities during Project construction. Therefore, as there is potential for ground-disturbing activities to encounter buried or unknown tribal cultural resources, impacts would be considered potentially significant. The Project would be required to implement **MM TCR-1** and **MM TCR-2** to reduce potential impacts to tribal cultural resources to a less than significant level.

Mitigation Measures

Please also refer to mitigation measures provided in **Section V: Cultural Resources**.

MM TCR-1 A Tribal monitor from a Consulting Tribe, in addition to the archaeological monitor, shall be contacted, as detailed in **MM CUL-1**, of any pre-contact and/or historic-era 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, a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with the Consulting Tribe, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents the Consulting Tribe for the remainder of ground-disturbing activities for the Project, should the Consulting Tribe elect to place a monitor on-site.

MM TCR-2 Any and all archaeological/cultural documents created as 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 the Consulting Tribe. The Lead Agency and/or Applicant shall, in good faith, consult with the Consulting Tribe through the life of the Project.

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*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 stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

XIX. UTILITIES AND SERVICE SYSTEMS

SUBSTANTIATION:

a. **Less Than Significant Impact.** Regarding stormwater, see Threshold X.c.iii. Regarding electric power and natural gas, see Thresholds VI.a and VI.b.

Water

The Project Site is not currently served by any water utility structures or services. Water services to the Project Site would be provided by TPWD. According to TPWD's 2020 Urban Water Management Plan Update (2020 UWMP Update), TPWD is responsible for providing water services to its certificated water area, including the Project Site. According to the 2020 UWMP Update, the TPWD's water is provided solely from groundwater.[45] The

[45] Twentynine Palms Water District, 2020 Urban Water Management Plan for Twentynine Palms Water District, page 4-2.

Project would utilize water during construction for dust suppression and during operation for routine panel and inverter washing. Water would be trucked to the Project Site from an off-site source. Project construction and operation would not utilize water facilities, and no construction or relocation of water facilities would cause a significant environmental effect. Impacts would be less than significant.

Wastewater

Temporary sanitary facilities would be placed on-site during construction. As the Project would be unmanned during operation, no wastewater facilities would be required. Therefore, the Project is not anticipated to generate additional wastewater. Project construction and operation would not utilize wastewater facilities, and no construction or relocation of wastewater facilities would cause a significant environmental effect. Impacts would be less than significant.

Telecommunications

Telecommunication equipment, including underground and overhead fiber optics, microwave, and meteorological data collection systems or supervisory control and data acquisition would be installed on the Project Site to connect the Project to remote monitoring locations and ultimately to the SCE substation. Project construction would be coordinated with any telecommunications service providers prior to installation. Therefore, installation of telecommunications infrastructure would not cause significant environmental effects. Impacts would be less than significant.

b. **Less Than Significant Impact.** Water consumption for washing solar panels and inverters during Project O&M is anticipated to be approximately 0.3 AF per year. The small amount of water to be used would not be substantial such that there would be insufficient water supplies available to serve the Project. Therefore, the Project would have sufficient water supplies available to serve the Project, and impacts would be less than significant.

c. **Less Than Significant Impact.** As described in Threshold XIX.a, the Project would not require wastewater facilities and would not generate additional wastewater. As such, the Project would not interfere with any wastewater treatment provider's service capacity. Impacts would be less than significant.

d. **Less Than Significant Impact.** Project construction would result in the generation of various waste materials including soil, vegetation, and sanitation waste from portable toilets. Soil excavated for the Project Site would be balanced on-site. Sanitation waste (i.e., human-generated waste) would be disposed of according to sanitation waste management practices. The Project would be unmanned during Project operations, and minimal solid waste would be generated and sent to a publicly owned permitted landfill/disposal site. As the Project would generate minimal construction and operational waste, the Project would not 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. Impacts would be less than significant.

e. **Less Than Significant Impact.** Project construction would result in the generation of waste materials such as soil, vegetation, and sanitation waste. The Project would also be required to comply with AB 341 which requires a 75 percent diversion of construction materials. During operations, the Project would be unmanned and would generate minimal

solid waste. Therefore, the Project would comply with federal, State, and local management and reduction statutes and regulations related to solid waste. Impacts would be less than significant.

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*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 a wildfire or the uncontrolled spread of wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, 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?	☐	☐	☐	☒

XX. WILDFIRE

SUBSTANTIATION:

a. **No Impact.** As described in Threshold IX.g, the Project Site is located in a LRA and is not within a Very High FHSZ or a Fire Safety Overlay District designated by California Department of Forestry and Fire Protection or the County Land Use Plan, respectively. Therefore, the Project Site is not located within an area prone to wildfire. There would be no impact related to wildfires.

b. **No Impact.** See response to Threshold XX.a above.

c. **No Impact.** See response to Threshold XX.a above.

d. **No Impact.** See response to Threshold XX.a above.

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*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 will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

SUBSTANTIATION: The analysis in this Initial Study and the findings reached indicate that the proposed project can be implemented without causing any new project specific or cumulatively considerable unavoidable significant adverse environmental impacts. Mitigation is required to control potential environmental impacts of the proposed project to a less than significant impact level. The following findings are based on the detailed analysis of the Initial Study of all environmental topics and the implementation of the mitigation measures identified in the previous text and summarized in this section.

a. **Less Than Significant Impact with Mitigation Incorporated.** As discussed throughout this Initial Study, the Project does not have the potential to degrade the environment's quality or result in significant environmental impacts that cannot be reduced to less than significant following compliance with the established regulatory framework (i.e., local, State, and federal regulations) and the recommended mitigation measures.

   As concluded in **Section II: Air Quality**, following compliance with **MM AQ-1**, which addresses a Valley Fever Management Plan, the Project would not expose sensitive receptors to substantial pollutant concentrations.

As concluded in **Section IV: Biological Resources**, the Project would implement **MM BIO-1**, which requires retaining a Lead or Qualified Biologist; **MM BIO-2**, which requires construction personnel and employes responsible for Project O&M to attend a WEAP; **MM BIO-3**, which addresses BMPs related to special-status species; **MM BIO-4** and **MM BIO-5,** which address potential impacts to desert tortoise; **MM BIO-6**, which addresses potential impacts to nesting birds; **MM BIO-7, MM BIO-8, MM BIO-9,** and **MM BIO-10**, which addresses potential impacts to desert kit fox, burrowing owl, and American badger; and **MM BIO-11**, which addresses potential impacts to wetlands. With compliance with **MM BIO-1** through **MM BIO-11**, the Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.

As concluded in **Section V: Cultural Resources**, following compliance with **MM CUL-1** and **MM CUL-2**, the Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.

As concluded in **Section VII: Geology and Soils**, following compliance with **MM GEO-1**, the Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

As concluded in **Section XVIII: Tribal Cultural Resources**, following compliance with **MM TCR-1** and **MM TCR-2**, the Project could not cause an adverse change in the significance of a tribal cultural resource.

b. **Less Than Significant Impact.** CEQA Guidelines Section 15065(a)(3) defines "cumulatively considerable as times when "the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." The proposed Project would result in significant impacts unless mitigated for the following environmental issues: air quality, biological resources, cultural resources, geology and soils, and tribal cultural resources. The impacts associated with these resource areas are localized, thus, would not result in cumulative impacts. Mitigation measures have been prepared for each of these environmental issue areas to reduce impacts to a less than significant level.

   All other Project impacts were determined either to have no impact or to be less than significant following compliance with the established regulatory framework, without the need for mitigation. Cumulatively, the proposed Project would not result in any significant impacts that would substantially combine with impacts of other current or probable future impacts. Therefore, the proposed Project would not result in any cumulatively considerable significant impacts.

c. **Less Than Significant Impact.** A significant impact may occur if the Project has the potential to result in significant environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly. All potential impacts of the Project have been identified in the respective sections of this Initial Study, and mitigation measures have been prescribed, where applicable, to reduce all potential impacts to less than significant levels. As such, upon implementation of mitigation measures identified and compliance with existing regulations, the proposed Project would not have significant

environmental effects, and the Project would not have substantial adverse effects on human beings, directly or indirectly. Therefore, impacts would be less than significant.