



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

HEARING DATE: March 4, 2021

AGENDA ITEM #2

Project Description

Vicinity Map -

APN: 0572-071-10, -11, -14; 0572-091-08,-12, -13, -14, -15, -17, -19, -21, -22, -24, -25; 0572-101-11, -14, -17, -19, -20, -24, -25; 0573-091-21, -23, -25, and -27

Applicant: MP Mine Operations

Community: Mountain Pass/ 1ST Supervisorial District

Location: 67750 Bailey Road, Mountain Pass

Project No: PROJ-2020-00059/GPA/ZC

Staff: Steven Valdez

Rep: John F. Espinoza, Principal Advisor

Proposal: A Policy Plan Amendment to amend the Land Use Category from Resource Land Management (RLM) to General Industrial (GI) for 25 parcels on approximately 2,220 acres and a Zoning District Amendment to amend the zoning from Resource Conservation (RC) to Regional Industrial (IR) on 23 parcels on approximately 2,095 acres and from Special Development (SD) to IR on two parcels on approximately 125 acres.



8 Hearing Notices Sent on: February 19, 2021

Report Prepared By: Steven Valdez, Senior Planner

SITE INFORMATION:

Parcel Size: 2,220 acres

Terrain: Varies

Vegetation: Open Pit Mine, and blackbrush-juniper-Joshua tree woodland community

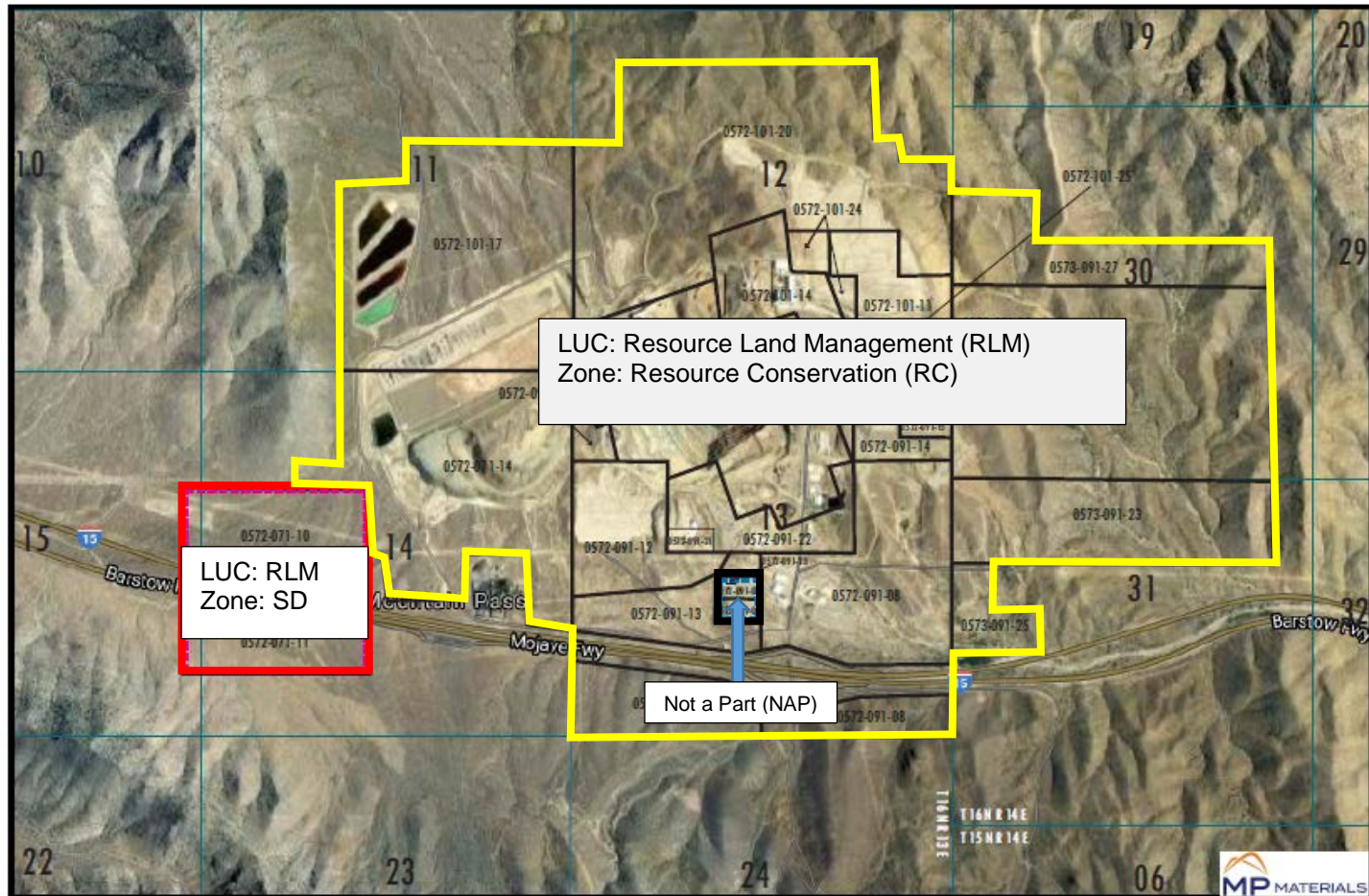
TABLE 1 – SITE AND SURROUNDING LAND USES, LAND USE CATEGORIES AND ZONING:

AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT / LAND USE CATEGORY
SITE	Existing Mining and Processing Operations	Resource Conservation (RC) / Resource Land Management (RLM)
North	Vacant	Resource Conservation (RC) / Resource Land Management (RLM)
South	Vacant	Resource Conservation (RC) / Resource Land Management (RLM)
East	Vacant	Resource Conservation (RC) / Resource Land Management (RLM)
West	Vacant	Special Development (SD) / Resource Conservation (RC) and Resource Land Management (RLM)

STAFF RECOMMENDATION: That the Planning Commission recommend that the Board of Supervisors **ADOPT** the Negative Declaration, **ADOPT** the recommended Findings, **APPROVE** the Policy Plan Amendment and Land Use Zoning District Amendment, and **DIRECT** the Clerk of the Board to file a Notice of Determination.¹

¹ In accordance with Section 86.08.010 of the Development Code, the Planning Commission action may be appealed to the Board of Supervisors

EXISTING LAND USE CATEGORY AND ZONING MAP:



LEGEND

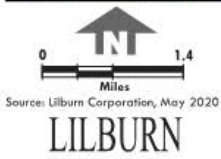
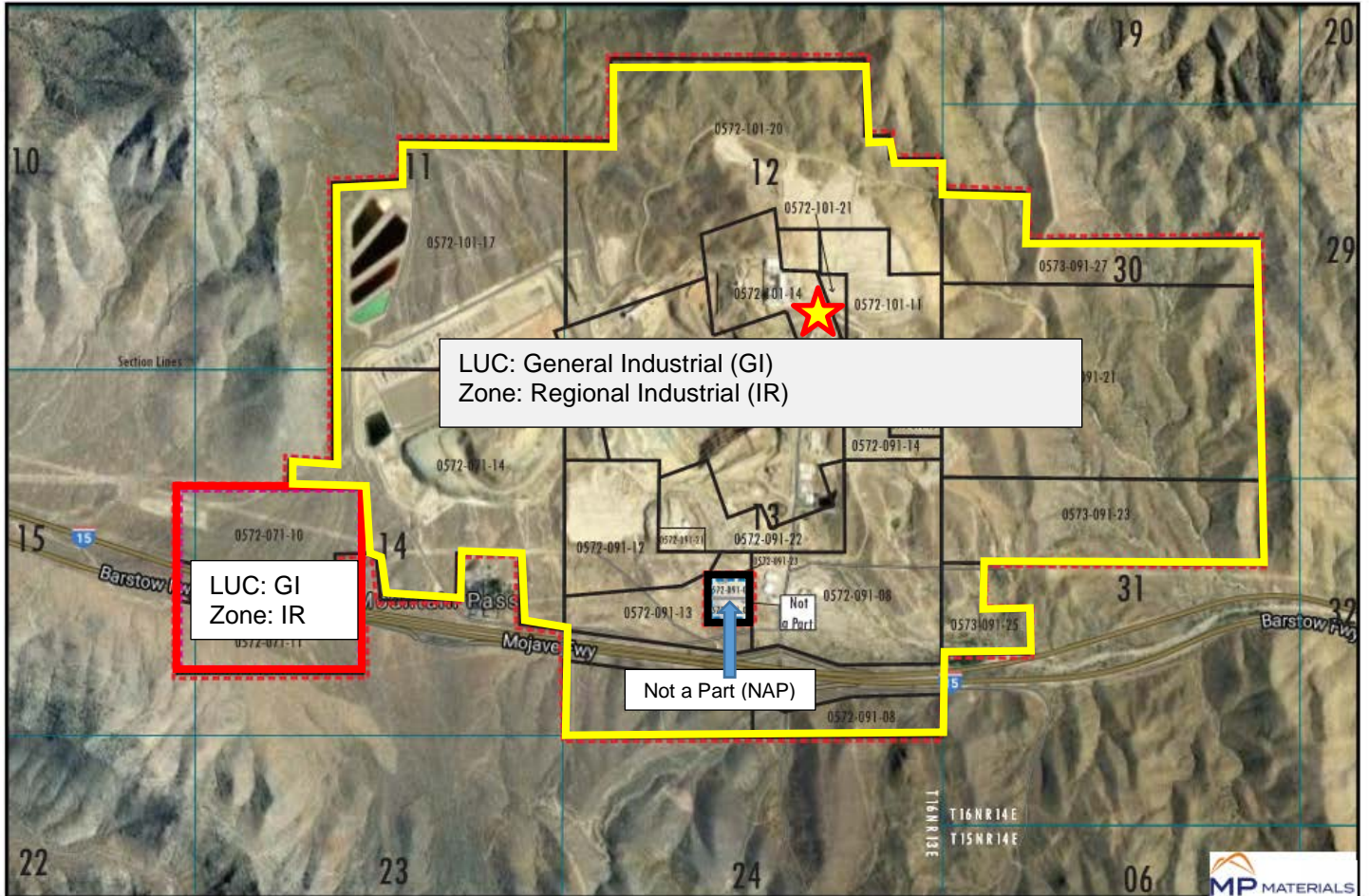
- Existing General Commercial (GC) Zone (Not a Part)
- Existing Special Development (SD) Zone
- Section Numbers

**Entire remaining area is Resource Conservation (RC) except as shown.
Source: Countywide Plan (2018) 2020

EXISTING ZONING DISTRICTS
Mountain Pass Mining Operations Parcels
Mountain Pass, California

FIGURE 5

PROPOSED LAND USE CATEGORY AND ZONING MAP:



LEGEND
Existing CG Zone (No Change - Not a Part)
Existing SD-RES Zone Change to IR
Proposed Regional Industrial (IR) Zone Change
Note: Entire surrounding area to remain RC.
12 - Section Numbers

PROPOSED LAND USE ZONING DESIGNATIONS

Mountain Pass Mining Operations Parcels
Mountain Pass, California

FIGURE 4

SITE PHOTOS





PROJECT DESCRIPTION:

The applicant, MP Mine Operations, LLC (MPMO), is requesting the following actions: (1) adoption of the Negative Declaration; (2) approval of a Policy Plan Amendment (PPA) to amend the Land Use Category (LUC) from Resource Land Management (RLM) to General Industrial (GI) for 25 parcels on approximately 2,220 acres; and (3) approval of a Zoning District Amendment (ZDA) to amend the zoning from Resource Conservation (RC) to Regional Industrial (IR) for 23 parcels on approximately 2,095 acres and from Special Development (SD) to IR for two parcels on approximately 125 acres (Project). The two parcels of approximately 125.6 acres are located to the southwest on both sides of I-15. All 2,220 acres within the Proposed Project area are owned by MPMO.

Background:

In 2004, the County Planning Commission certified the 2004 Final Environmental Impact Report (FEIR) and approved a Conditional Use Permit (2004 CUP) for the Northwest Tailings Storage Area and a revised Reclamation Plan (2004M-02) for ongoing mining, stockpiling, and mineral recovery operations in compliance with the California Surface Mining and Reclamation Act of 1975 ("SMARA", Public Resources Code Section 2710 et seq.). In 2010, the County approved a Minor Use Permit (2010 MUP) and Subsequent Mitigated Negative Declaration (MND) to improve the efficiency of the minerals recovery operations while minimizing project impacts through the relocation of the crusher plant and stockpiles; the addition of a Combined Heat and Power Plant (CHP) replacing plant equipment that operated on diesel fuel and propane with natural gas fired equipment; the installation of Salt Recovery Unit to manufacture reagents for onsite use, and water recycling facilities, including the modification of existing mineral recovery facilities. The Mine and Reclamation Plan was last revised in 2015 with an expiration date of 2042.

The Mountain Pass Mine site currently includes an open pit mine, crushing and milling facilities, processing plants, utility/mechanical and electrical maintenance and administrative buildings, product and supply warehouses, material and tailings stockpiles, site security guard house, and analytical labs. Power to the site is currently supplied by Southern California Edison (SCE). Future power to the site will be supplied via an existing natural gas-fired Combined Heat and Power CHP plant and natural gas pipeline. Other existing site facilities and conditions include a water treatment plant, stormwater runoff collection ponds, fresh water well fields and industrial wastewater evaporation ponds. The mine operation currently operates 24 hours/day, seven days/week and employs over 200 employees.

PROJECT ANALYSIS:

Site Planning: No development is included as part of, or is being approved pursuant to, the Proposed Project. Should the Project be approved, future development of the parcels for any use not associated with the 2004 CUP or 2010 MUP will require MMPO to comply with County development standards within the IR zoning district. Given that all future developments require approvals by the County and potentially other third-party agencies, no impact to the existing operation is foreseen by the proposed Policy Plan Amendment and Zoning District Amendment.

With approval of the Proposed Project, a subsequent application will be required to revise the Mine and Reclamation Plan to define those areas pursuant to SMARA requirements and existing permit conditions and then the processing/industrial facilities will be removed from the Reclamation Plan with County and State approval. SMARA (Section 2714(c)) does not apply to "operation of a plant site used for mineral processing, including associated onsite structures, equipment, machines, tools, or other materials, including the onsite stockpiling and onsite recovery of mined materials, subject to all of the following conditions:

- (1) The plant site is located on lands designated for industrial or commercial uses in the applicable county or city general plan.
- (2) The plant site is located on lands zoned as industrial or commercial or are contained within a zoning category intended exclusively for industrial activities by the applicable city or county.”

The existing processing/industrial facilities, proposed to be removed from the Mine and Reclamation Plan, will continue to operate and be managed by the County under the IR zoning restrictions. This proposal will be more representative of its current and future activities, rather than continue under a Mine and Reclamation Plan, which is more consistent with mineral extraction, primary crushing, and future reclamation. The current Mine and Reclamation Plan will remain in place in those areas in which mining, overburden stockpiling, and active tailings storage areas occur until final reclamation has been certified by the County and the Department of Conservation, Division of Mine Reclamation (DMR) pursuant to SMARA.

In addition to the current industrial processing activities onsite, MPMO plans to expand processing and manufacturing facilities in the near future and long-term, potentially past the life of mine. Under the IR zoning, industrial facilities can be developed and regulated more readily, and the proposed activity will be more consistent with development under IR zoning as defined in the San Bernardino County Development Code (as amended May 2, 2019) rather than within the current RC zoning and mining permits.

California Environmental Quality Act Compliance

An Initial Study (IS) has been completed in compliance with the California Environmental Quality Act (CEQA) (Exhibit A). The IS concludes that the Project will not have a significant effect on the environment, and a Negative Declaration (ND) was prepared (Exhibit A). A Notice of Availability/Notice of Intent (NOA/NOI) to adopt the Negative Declaration (ND) was advertised and distributed to initiate a 30-day public comment period, which concluded on January 14, 2021. No comment letters to the NOA/NOI were received.

The potential environmental impacts from the mine operations and processing facilities (2004 CUP and revised Mine Reclamation Plan) were assessed in the 2004 FEIR for the Mountain Pass Mine 30-Year Plan, June 2004 (SCH No. 1999121073). The FEIR was certified by the County Planning Commission on July 8, 2004.

In 2010, the County approved the 2010 MUP and the Subsequent MND to update and improve the efficiency of minerals recovery operations. The Mine and Reclamation Plan was last revised in 2015 and 2017 (ownership updated) with an expiration date of 2042. The 2017 Conditions of Approval incorporate mitigation measures from the 2004 and 2010 environmental documents that are already implemented by MPMO to protect and minimize environmental impacts.

Since no new developments are included as part of or are being approved under the Proposed Project, no impacts were found under the current environmental analysis, and no mitigation measures warranted. As mentioned previously, future development proposals for the parcels within the proposed IR zoning district not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning district and require either a Site Plan, Minor Use Permit and/or a Conditional Use Permit and will be reviewed for potential environmental impacts pursuant to CEQA.

Public Comments:

Project notices were sent to surrounding property owners within 300 feet of the Project site, as required by Development Code Section 85.03.080. The NOA for the Draft IS/ND was sent to surrounding property owners and responsible agencies, as part of the CEQA process. As noted above, no responses to the Project notices or NOA/NOI were received.

RECOMMENDATION:

That the Planning Commission recommend that the Board of Supervisors:

1. **ADOPT** the Negative Declaration (Exhibit A).
2. **ADOPT** the recommended Findings (Exhibit B).
3. **APPROVE** the Policy Plan Amendment amending the Land Use Category from Resource Land Management (RLM) to General Industrial (GI) for 25 parcels on approximately 2,220 acres.
4. **APPROVE** the Zoning District Amendment to amend the zoning from Resource Conservation (RC) to Regional Industrial (IR) for 23 parcels on approximately 2,095 acres and from Special Development (SD) to IR for two parcels on approximately 125 acres.
5. **DIRECT** the Clerk of the Board to file a Notice of Determination.

ATTACHMENTS:

EXHIBIT A: Initial Study/ Negative Declaration
EXHIBIT B: Findings
EXHIBIT C: Site Plan

EXHIBIT A

Initial Study/ Negative Declaration

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

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

PROJECT LABEL:

APNs	0572-071-10, -11, -14; 0572-091-08, -12, -13, -14, -15, -17, -19, -21, -22, -24, -25; 0572-101-11, -14, -17, -19, -20, -24, -25; 0573-091-21, -23, -25, -27	USGS Quad	Mescal Range 7.5
Applicant	MP Mine Operations LLC (MPMO)	T, R, Section	T16N, R14E, Sec. 30 and 31; T16N R13E Sec. 11,12,13, and 14
Location	67750 Bailey Road, Mountain Pass, CA 92366	Thomas Bros	Map G, San Bernardino and Riverside Counties (2013)
Project No	P202000059	Community Plan	None
Rep	John Espinoza – Principal Advisor (760) 856-6161 jespinoza@mpmaterials.com	LUC	Resource/Land Management (RLM)
Proposal	General Plan Amendment: 25 parcels (2,220 ac) from Resource/Land Management (RLM) to General Industrial (GI); and Zoning District Change from Resource Conservation (RC) (23 parcels - 2,095 ac) and Special Development (SD) (2 parcels - 125 ac) to Regional Industrial (IR). All private land owned by MPMO in Mountain Pass, California	Zoning District	Resource Conservation (RC) (2,095 ac) and Special Development (SD) (125 ac)
		Overlays	None

PROJECT CONTACT INFORMATION:

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

Contact person: Steven Valdez, Planner
Phone No: (909) 387-4421 **Fax No:** (909) 387-3223
E-mail: Steven.Valdez@lus.sbcounty.gov

PROJECT DESCRIPTION:

MP Mine Operations LLC (MPMO) has submitted an application for a General Plan Amendment (GPA) and Zoning District Change (CZ) to the County of San Bernardino Land Use Services (County). The proposed GPA/CZ (Proposed Project) includes amending the Land Use Category (LUC) of 25 parcels on approximately 2,220 acres from Resource Land Management (RLM) to General Industrial (GI); and changing Zoning Districts from Resource Conservation (RC) on

approximately 2,095 acres to Regional Industrial (IR) and from Special Development (SD) to IR on two parcels of approximately 125 acres. All 2,220 acres within the Proposed Project area are owned by MPMO.

The Project Site consists of a 1,092-acre rare earths mineral mine and production facility known as the Mountain Pass Mine, and approximately 1,128 acres of vacant, undeveloped land. Direct access to the Project Site is from the Bailey Road interchange with Interstate 15 (I-15). It is located in the northeast portion of the County in Township 16 North, Range 14 East, Sections 30 and 31, and Township 16 North, Range 13 East, Sections 11, 12, 13 and 14, SBBM. Refer to Figure 1 - Regional Map.

MPMO and its predecessors have mined rare earth minerals at Mountain Pass since the early 1950s. In 2004, the County Planning Commission certified the 2004 Final Environmental Impact Report (FEIR) and approved a Conditional Use Permit (CUP) for the Northwest Tailings Storage Area and a revised Reclamation Plan (2004M-02) for ongoing mining, stockpiling, and mineral recovery operations in compliance with the California Surface Mining and Reclamation Act of 1975 (SMARA, Public Resources Code, Sections 2710-2796). In 2010, the County approved a Minor Use Permit (2010 MUP) and the Subsequent Mitigated Negative Declaration (MND) to improve the efficiency of minerals recovery operations while minimizing project impacts through the relocation of the crusher plant and stockpiles; the addition of a Combined Heat and Power Plant (CHP) replacing plant equipment that operated on diesel fuel and propane with natural gas-fired equipment; the installation of Salt Recovery Unit to manufacture reagents for onsite use, and water recycling facilities; and modification of existing mineral recovery facilities. Most of these facilities are now constructed and operational and shown generally on Figure 2. The Mine and Reclamation Plan was last revised in 2015 with an expiration date of 2042.

The Mountain Pass Mine site currently includes an open pit mine, crushing and milling facilities, processing plants, utility/mechanical and electrical maintenance and administrative buildings, product and supply warehouses, material and tailings stockpiles, site security guard house, and analytical labs. Power to the site is currently supplied by Southern California Edison (SCE). Future power to the site will be supplied via a natural gas-fired CHP plant with direct gas pipeline access onsite. Existing mine site facilities and conditions also include a water treatment plant, stormwater runoff collection ponds, fresh water well fields and industrial wastewater evaporation ponds. The mine currently operates 24 hours/day, seven days/week and employs over 200 employees.

The proposed GPA/CZ includes the amendment of 25 parcels totaling approximately 2,220 acres of private land owned by MPMO from RLM to GI; and the Zoning District change of 23 parcels totaling approximately 2,095 acres from RC to IR and two parcels totaling approximately 125 acres changing from SD to IR. These two parcels of approximately 125.6 acres are located to the southwest on both sides of I-15.

The 25 parcels, their APNs, acreage, and existing and proposed changes are listed in Table 1. Figure 3 shows the Mountain Pass area with the existing land use categories of RLM for all the project parcels. Figure 4 shows the project parcels to be amended from RLM to GI.

Figure 5 shows the existing zoning districts which are all RC except for zoning of SD on the two southwestern parcels. Figure 6 shows the changes to the Zoning Districts of RC and SD to IR for all the project parcels. Note that two parcels to the northwest of Bailey Road and I-15 consisting of 10 acres are designated as General Commercial (CG). These two parcels are the site of a

former school and are owned by the Baker Valley Unified School District. These two parcels are not a part of the Proposed Project.

Table 1
MP Materials - Mountain Pass Parcels
Proposed GPA / CZ

Parcel Number	Parcel Location Description	Acres	Existing LUC	Existing Zoning	Proposed LUC	Proposed Zoning
0572-071-10	SW Corner of MP; N of I-15	76.4	RLM	SD	GI	IR
0572-071-11	SW Corner of MP; S of I-15	49.2	RLM	SD	GI	IR
0572-071-14	N of Cal Trans & Cal Highway Patrol – Area 51	228.6	RLM	RC	GI	IR
0572-091-08	S of Bailey Road & I-15	161.6	RLM	RC	GI	IR
0572-091-12	S of Turtle Hill/S Overburden Stockpile	63.7	RLM	RC	GI	IR
0572-091-13	S of Bailey Road & I-15	91.2	RLM	RC	GI	IR
0572-091-14	S Toe of Sep Pad	25	RLM	RC	GI	IR
0572-091-15	SE Toe of Sep Pad	5	RLM	RC	GI	IR
0572-091-17	Pit Area	196.4	RLM	RC	GI	IR
0572-091-19	W of Pit	10.3	RLM	RC	GI	IR
0572-091-21	Part of Turtle Hill/S Overburden Stockpile	4.9	RLM	RC	GI	IR
0572-091-22	New Mobile Shop Area	43.8	RLM	RC	GI	IR
0572-091-24	CHP near Chlor-Alkali	10	RLM	RC	GI	IR
0572-091-25	W of Salt Recovery Unit	8.5	RLM	RC	GI	IR
0572-101-11	SE of P-16	41.7	RLM	RC	GI	IR
0572-101-14	Utility Hill and Mill Pad	55.6	RLM	RC	GI	IR
0572-101-17	Evaporation Ponds, Area 51, and North of NWTDF	231.6	RLM	RC	GI	IR
0572-101-19	N of SX-D	5	RLM	RC	GI	IR
0572-101-20	N of Crusher & towards P-16	300.3	RLM	RC	GI	IR
0572-101-24	W Side of P-16	15	RLM	RC	GI	IR
0572-101-25	N of CHP	4.5	RLM	RC	GI	IR
0573-091-21	Mid Farmers Wash	280.7	RLM	RC	GI	IR
0573-091-23	Lower Farmers Wash	138.2	RLM	RC	GI	IR
0573-091-25	P-19 Area	29.7	RLM	RC	GI	IR
0573-091-27	Upper Farmers Wash	87.7	RLM	RC	GI	IR
---	Mountain Pass Parcels	2,220				

Sources: Parcel information (MPMO 2020); Existing and proposed LUCs and Zoning (San Bernardino Countywide Plan 2020 – County website)

Note that the parcel areas are based on MPMO Records of Survey and Grant Deeds and are not always consistent with the County APN maps.

LUC – Land Use Category

RLM – Resource/Land Management

GI – General Development

RC – Resource Conservation

SD – Special Development

IR – Regional Industrial

With approval of the Proposed Project, the Mine and Reclamation Plan will be revised to define those areas under its permit conditions and those facilities that will be removed from the Reclamation Plan with County approval. SMARA (Section 2714(c)) does not apply to “operation of a plant site used for mineral processing, including associated onsite structures, equipment, machines, tools, or other materials, including the onsite stockpiling and onsite recovery of mined materials, subject to all of the following conditions:

- (1) The plant site is located on lands designated for industrial or commercial uses in the applicable county or city general plan.
- (2) The plant site is located on lands zoned as industrial or commercial or are contained within a zoning category intended exclusively for industrial activities by the applicable city or county.”

Those existing industrial facilities removed from the Mine and Reclamation Plan would continue to operate and be managed by the County under the IR zoning more representative of its current activities rather than under a mine and reclamation plan which is more consistent with mineral extraction, primary crushing, and future reclamation. The current Mine and Reclamation Plan will remain in place in those areas in which mining, overburden stockpiling, and active tailings storage areas occur until final reclamation has been certified by the County of San Bernardino and the Department of Conservation, Division of Mine Reclamation (DOC – DMR) as outlined in the approved Reclamation Plan.

In addition to the current industrial processing onsite, MPMO’s plans to expand processing and manufacturing facilities in the near future and long-term, potentially past the life of mine. Under the IR zoning, industrial facilities can be developed and regulated more readily, and will be consistent with development under IR zoning as defined in the County of San Bernardino 2007 Development Code (as amended May 2, 2019) rather than within the current RC zoning and mining permits.

The Proposed Project is the GPA/CZ. No new developments are included as part of or are being approved under the Proposed Project. With approval, future development of the parcels within the LUC of GI and IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning requiring a Site Plan, MUP, or a CUP and be reviewed under CEQA. Future new developments may require additional approvals by outside agencies depending on the type of development and activities to be determined at the time of their submittal and review.

Surrounding Land Uses and Setting

The Project Site is located in the unincorporated area known as Mountain Pass, San Bernardino County. As shown on the 2020 Countywide Plan Land Use Map, the Project Site has a current LUC of RLM and zoning of RC and SD (refer to Figures 3 and 5). It is surrounded primarily by undeveloped desert and mountainous lands within the LUC of RLM and RC zoning on public land managed by the Bureau of Land Management (BLM). The Mojave National Preserve (MNP) is located approximately one to two miles to the southwest and southeast, south of I-15, and about two miles to the northwest. Adjacent to the site on the south along I-15 are the California Department of Transportation (Caltrans) maintenance yard and approximately eight residences for Caltrans and California Highway Patrol (CHP) personnel on land owned by the BLM (see Table 2- Existing Land Use and Land Use Categories and Zoning Districts). The LUC surrounding the sites will remain RLM with RC zoning.

**Table 2
 Existing Land Use and Land Use Categories and Zoning Districts
 Project Site and Surrounding Areas**

Location	Existing Land Use	Land Use Category (LUC)	Land Use Zoning District
Project Site	Mountain Pass Mine and processing facilities, I-15 and utilities corridor, undeveloped and vacant land.	Resource/Land Management (RLM) Conservation (RC) on entire site of approx. 2,220 acres	Resource Conservation (RC) on approx. 2,095 acres; Special Development (SD) on approx. 125 acres
North	Vacant open desert and undeveloped	Resource/Land Management (RLM)	Resource Conservation (RC)
South	Vacant open desert and mountains, I-15 transportation and utility corridor, Caltrans maintenance yard; and Caltrans and CHP residences	Resource/Land Management (RLM)	Resource Conservation (RC)
East	Vacant open desert and undeveloped	Resource/Land Management (RLM)	Resource Conservation (RC)
West	Vacant open desert and undeveloped	Resource/Land Management (RLM)	Resource Conservation (RC)

Project Site Location, Existing Site Land Uses and Conditions

The Project Site is located along and mainly north of I-15, a major transportation route from southern California to Las Vegas; approximately 15 miles southwest of the Nevada-California state line and 30 miles east of Baker. It consists of the Mountain Pass Mine and processing facilities on approximately 1,092 acres and mostly vacant, undeveloped land on 1,128 acres all owned by MPMO. The site and the surrounding area are within the historic Clark Mining District organized in 1865 primarily for silver mining. Between 1900 and 1950, many small mines were worked in the District. MPMO and its predecessors have mined rare earth minerals at Mountain Pass since the early 1950s and today Mountain Pass is the only integrated rare earth mining and processing site in North America.

The Mountain Pass Mine site currently includes an open pit mine, crushing and milling facilities, processing plants, utility/mechanical and electrical maintenance and administrative buildings, product and supply warehouses, material and tailings stockpiles, site security guard house, and analytical labs. Power to the site will be supplied via a natural gas-fired CHP plant with direct gas pipeline access. Commercial power from SCE is currently used. Existing mine site conditions also include a wastewater treatment plant, stormwater runoff collection ponds, fresh water well fields (off-site) and industrial wastewater evaporation ponds. The mine currently operates 24 hours/day, seven days/week and employs over 200 employees.

Previous Environmental Review

The potential environmental impacts from the mine operations and processing facilities (CUP and revised Mine Reclamation Plan) were assessed in the 2004 FEIR for the Mountain Pass Mine 30-Year Plan, June 2004 (SCH No. 1999121073). The FEIR was certified by the County Planning Commission on July 8, 2004.

In 2010, the County approved the 2010 MUP and the Subsequent MND to update and improve the efficiency of minerals recovery operations. The Mine and Reclamation Plan was last revised in 2015 and 2017 (ownership updated) with an expiration date of 2042. The 2017 Conditions of Approval incorporate mitigation measures from the 2004 and 2010 environmental documents that are implemented by MPMO to protect and minimize environmental impacts.

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES FOR THE PROPOSED PROJECT

Federal: None.

State of California: None.

County of San Bernardino: None

Regional: None

Local: None

No new developments are included as part of or are being approved under the Proposed Project. If approved, future development of the parcels within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning requiring a Site Plan, MUP, or a CUP and be reviewed for potential environmental impacts under California Environmental Quality Act (CEQA). Future new developments may require additional approvals by outside agencies depending on the type of development and activities to be determined at the time of their submittal and review.

CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

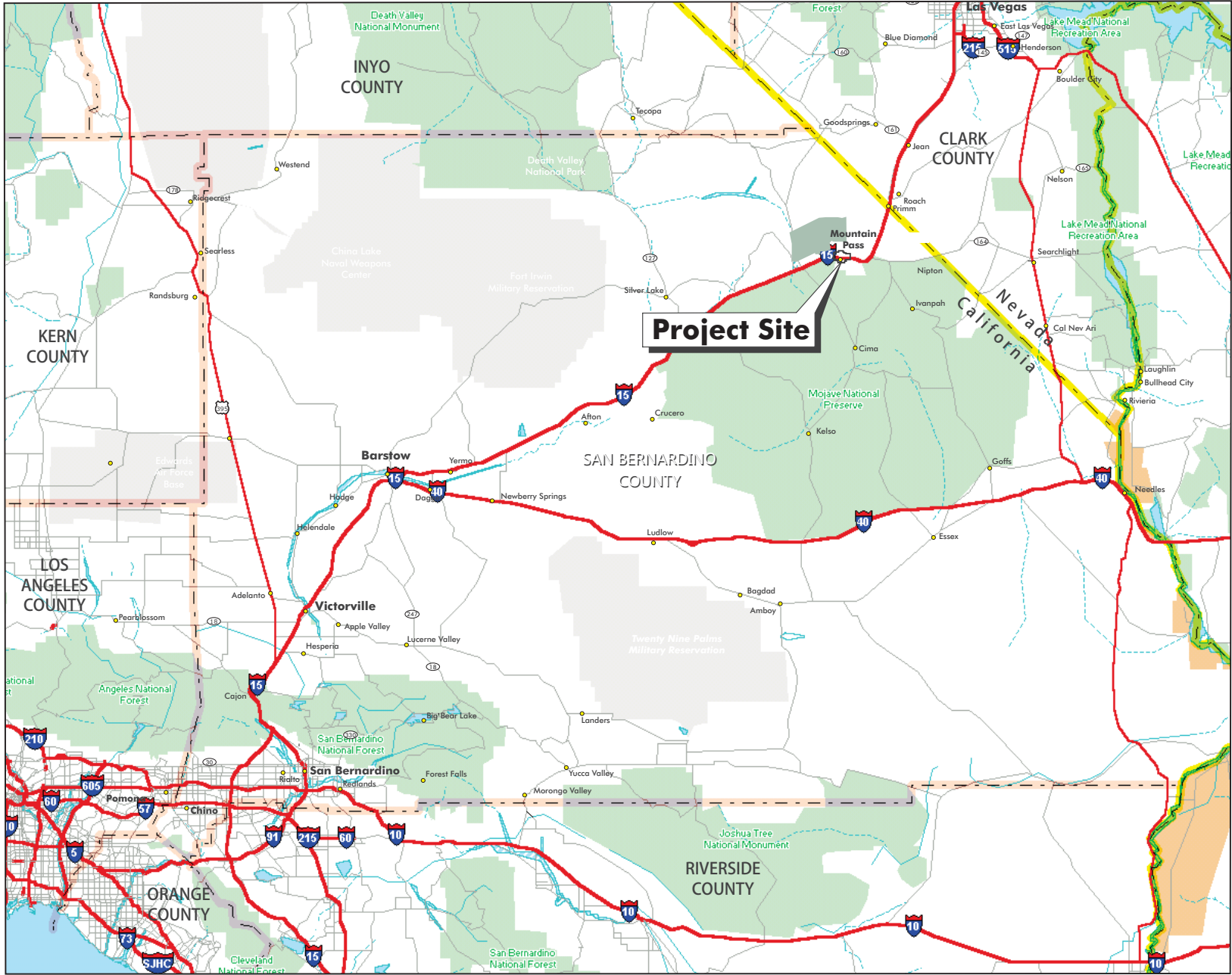
Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural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

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





In July 2020, the County of San Bernardino mailed notification pursuant to Senate Bill 18 (SB-18) to the Native American Heritage Commission (NAHC) and received a response letter dated July 23, 2020. On July 28, 2020, notification pursuant to Assembly Bill 52 (AB-52) was sent to the following six Tribes:

Twenty-Nine Palms Band of the Mission Indians	Fort Mohave Indian Tribe
Gabrielino Band of Mission Indians – Kizh Nation	Colorado River Indian Tribes
Morongo Band of Mission Indians	Soboba Band of Luiseno Indians

Requests for consultations were due to the County by August 28, 2020. The County has not received any requests for consultation or comments from any of the Tribes.



LEGEND

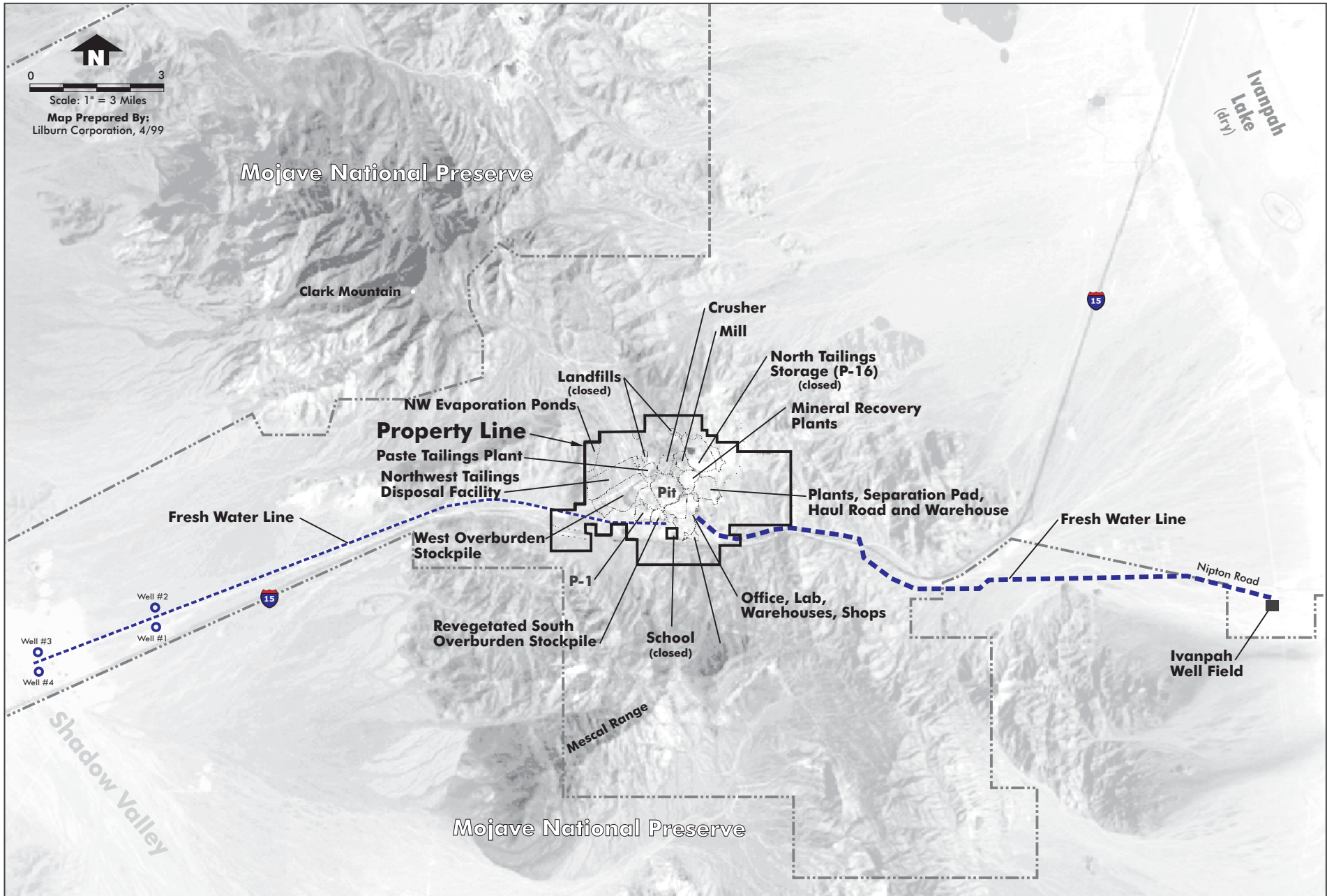
-  Roads and Highways
-  County Boundary
-  Military Reservations
-  National Parks and Monuments



REGIONAL MAP

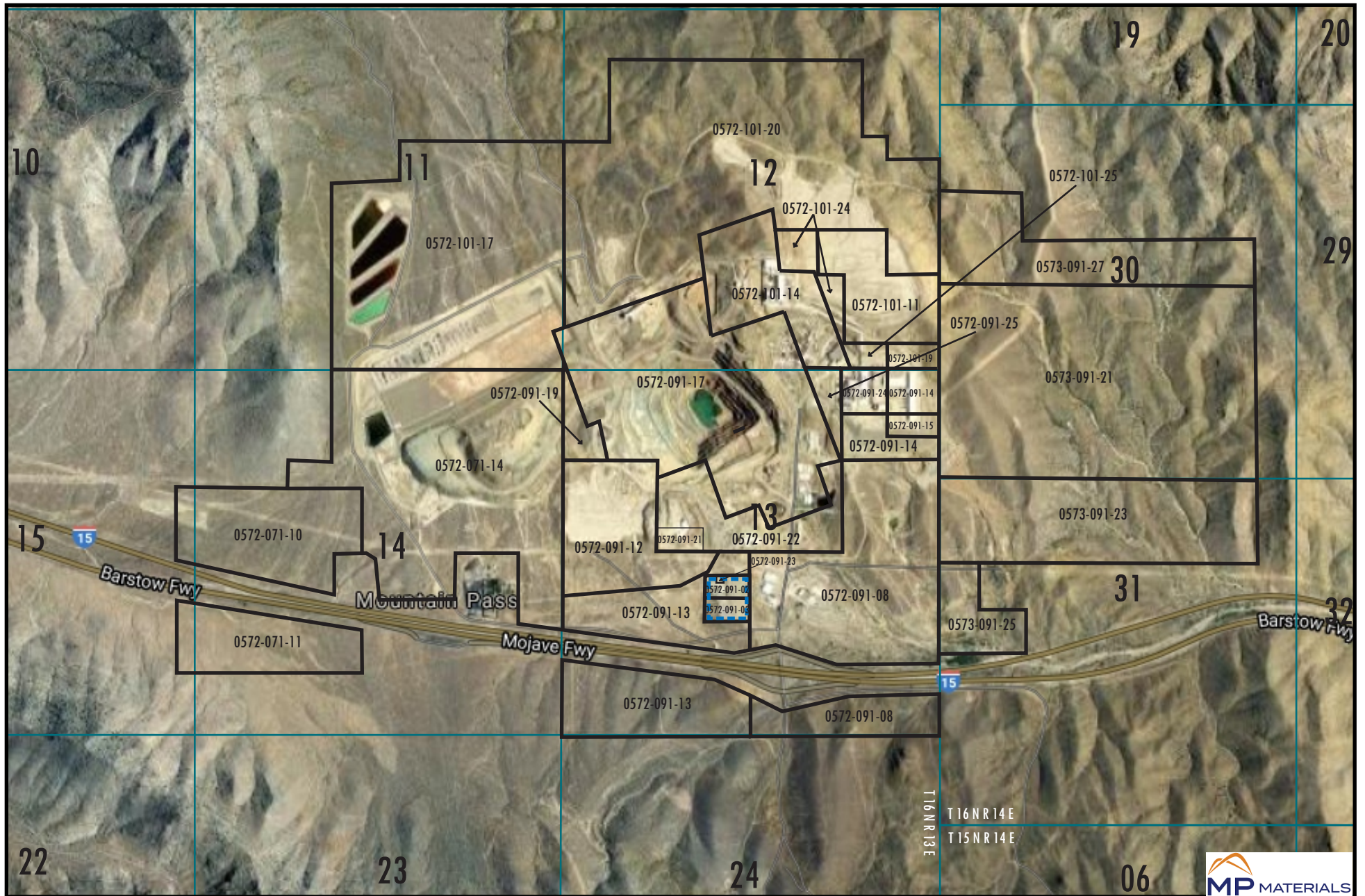
Mountain Pass Mine
San Bernardino County, California
17 of 86

Figure 1




GENERAL FACILITIES MAP

Mountain Pass Mine
 San Bernardino County, California
 18 of 86



LEGEND

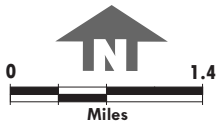
-  Existing Commercial (C) (Not a Part)
- 12 Section Numbers
- **Entire remaining area Resource/Land Management (RLM) except as shown
- Source: Countywide Plan (October 2020)

EXISTING LAND USE CATEGORIES

Mountain Pass Mining Operations Parcels

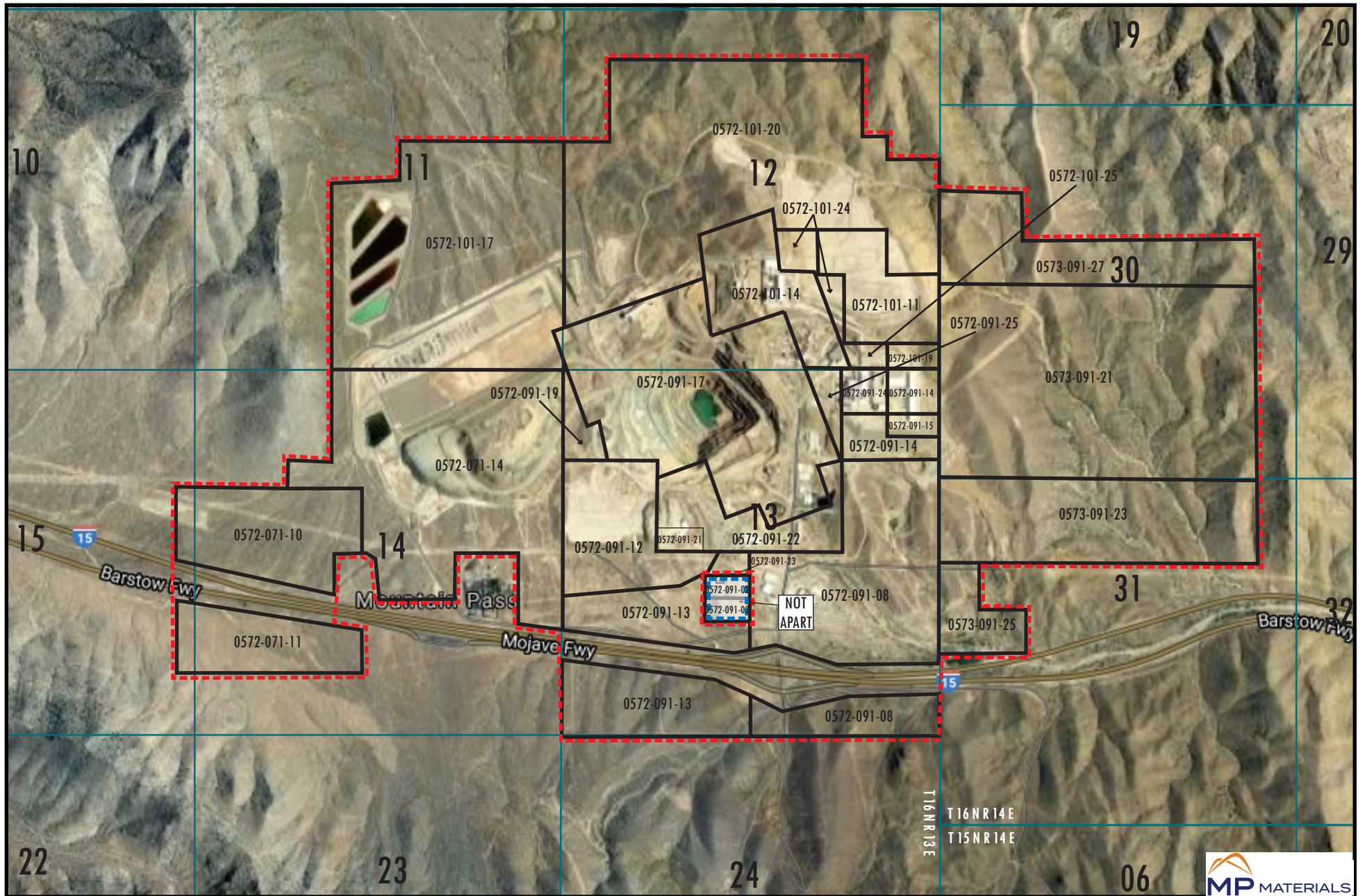
Mountain Pass, California

FIGURE 3



Source: Lilburn Corporation, May, 2020.





AMENDED LAND USE CATEGORIES

Mountain Pass Mining Operations Parcels

Mountain Pass, California

FIGURE 4

LEGEND

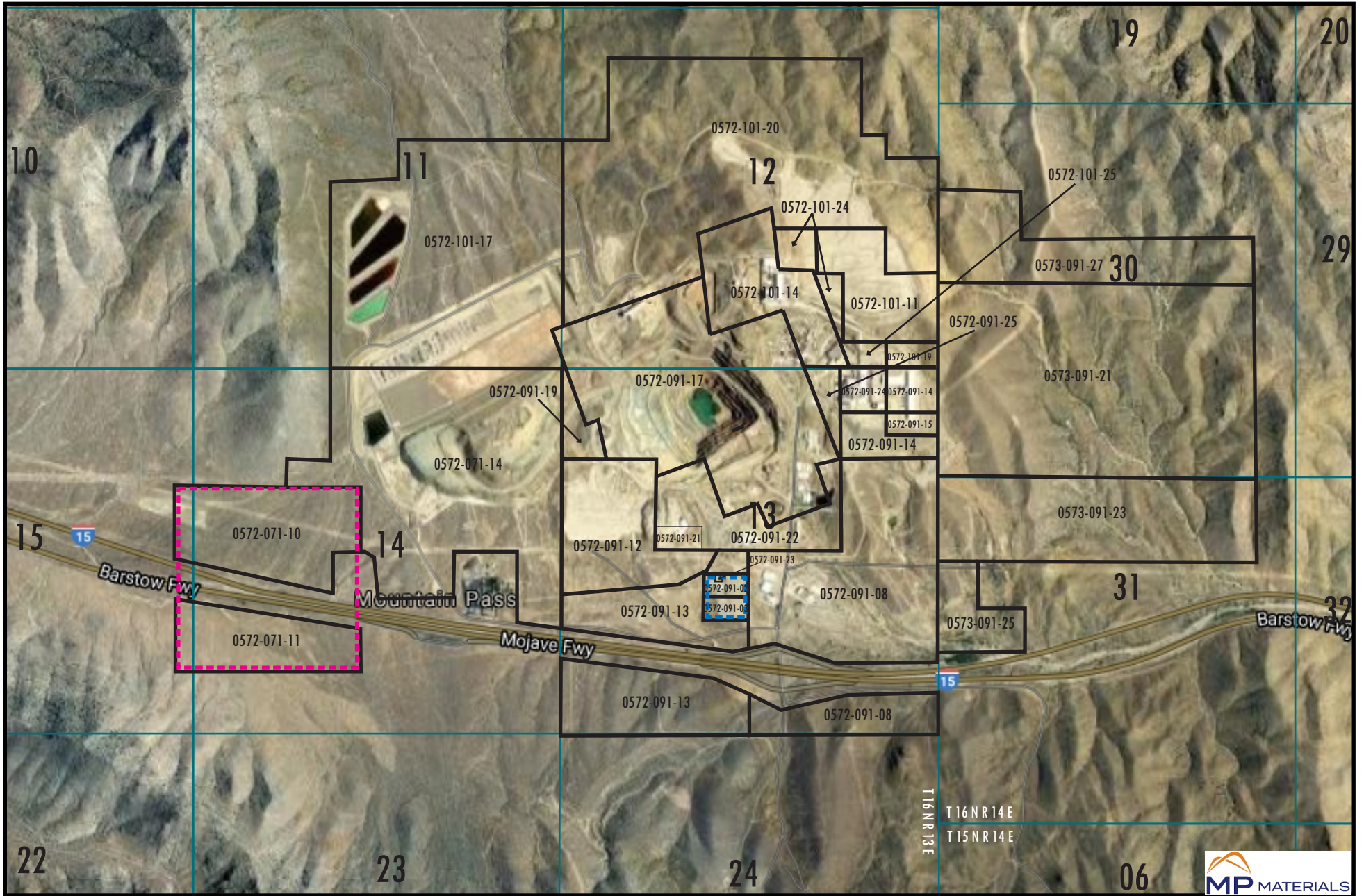
- Existing Commercial (C) (No Change - Not a Part)
- Proposed Land Use Category Change to General Industrial (GI)
- 12 Section Numbers

***Remaining area designated Resource Conservation (RC) except as shown.
Source: Countywide Plan (October 2020)



Source: Lilburn Corporation, May, 2020.



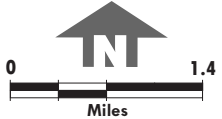


EXISTING ZONING DISTRICTS
Mountain Pass Mining Operations Parcels
 Mountain Pass, California

FIGURE 5

LEGEND

-  Existing General Commercial (GC) Zone (Not a Part)
 -  Existing Special Development (SD) Zone
 -  Section Numbers
 - **Entire remaining area Resource Conservation (RC) except as shown.
- Source: Countywide Plan (October 2020)



Source: Lilburn Corporation, May, 2020.



EVALUATION FORMAT

This Initial Study is prepared in compliance with the (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of an Initial Study is guided by Section 15063 of the State CEQA Guidelines. This format of the study is presented as follows. The project is evaluated based on its effect on 20 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant	No Impact
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Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

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

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


ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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


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

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

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


 Signature: (David Prusch, Supervising Planner)

December 10, 2020
 Date


 Signature: (Steve Valdez, Senior Planner)

December 9, 2020
 Date

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

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

San Bernardino Countywide Plan, 2020; 2004 FEIR; 2010 MND

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

MPMO currently operates mine and processing facilities on 1,092 acres of the 2,220-acre Project Site. The Project Site is surrounded by mostly public open desert and mountains managed by the BLM and slightly more distant lands are part of the MNP. The MNP is an area of approximately 1.5 million acres that was designated a national preserve for its special scenic qualities.

The Mountain Pass Mine’s aesthetic impacts were evaluated in the 2004 FEIR and determined to be significant. The Proposed Project is a GPA/CZ to amend the LUC on 2,220 acres from RLM to GI and to change zoning of RC on approximately 2,095 acres and SD on approximately 125 acres to IR. The Proposed Project does not include any additional development, uses or modifications to the existing mine operations and processing facilities on the Project site. There will be no increase to the height and size of the mine or structures under the Proposed Project. Furthermore, no development is

proposed for the 1,128 acres of vacant lands proposed to be rezoned to IR. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of the vacant parcels within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning typically requiring a Site Plan, MUP, or a CUP and be reviewed under a separate CEQA analysis including aesthetics.

No Impact

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

Under the Countywide Plan, I-15 within and south of the Project Site is considered a scenic highway. The 2004 FEIR determined aesthetic impacts from travelers on I-15 to be significant. The Proposed Project does not include any additional development, uses or modifications to the existing mine operations and processing facilities on the Project site. There will be no increase to the height and size of the mine features or structures under the Proposed Project. Furthermore, no development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of the parcels within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including aesthetics.

No Impact

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

The 2004 FEIR determined aesthetic impacts from the mine features to be significant. The Proposed Project does not include any additional development, uses or modifications to the existing mine operations and processing facilities on the Project site. There will be no increase to the height and size of the mine features or structures under the Proposed Project. Furthermore, no development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of the parcels within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including aesthetics.

No Impact

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

According to the most recent Mountain Pass Mine and Reclamation Plan (revised 2015), lighting (for existing mine and processing operations) shall be confined to the area of illumination to be within the site boundaries and minimize impacts to night sky views from surrounding properties. On-site lighting is fully shielded, diffused, or directed in a manner to avoid glare directed at adjacent properties, roadways as well as any light spill into any wildland areas surrounding the site. No light projects onto adjacent roadways in a manner that interferes with on-coming traffic. All lighting is limited to that necessary for maintenance activities, security and safety purposes. The Proposed Project does not include modifications to the existing conditions and there is no development proposed that would generate additional light sources. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including lighting.

No Impact

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

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
II.	AGRICULTURE AND FORESTRY RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

San Bernardino Countywide Plan, 2020; California Department of Conservation Farmland Mapping and Monitoring Program; 2004 Draft EIR; 2010 MND

- 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?

Impacts to agricultural resources from the Mountain Pass Mine operations were assessed in the 2004 FEIR and 2010 MND. It was determined that the project would not have any adverse impacts because no farmlands are located within the Project site. The Proposed Project is a GPA/CZ to amend the LUC on 2,220 acres from RLM to GI and to change zoning of RC on approximately 2,095 acres and SD on approximately 125 acres to IR. The Proposed Project does not include any additional development, uses or modifications to the existing mine operations/processing facilities on the Project site. Therefore, no impacts are identified or anticipated; no mitigation measures are required.

No Impact

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

According to the County's Interactive Agricultural Resources Map and Countywide Plan (2020), there is no existing agricultural zoning in the area and no properties have Williamson Act contracts.¹ The 2004 FEIR and 2010 MND determined that the project would not have any adverse agricultural impacts. The Proposed Project does not include any additional development, uses or modifications to the existing mine operations and

¹ <https://www.arcgis.com/apps/webappviewer/index.html?id=fcb9bc427d2a4c5a981f97547a0e3688>. Accessed July 24, 2020.

	<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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processing facilities on the Project site. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

According to the Countywide Plan, there is no existing zoning for forest land or timberland in the area. The 2004 FEIR and 2010 MND determined that the project would not have any adverse agricultural impacts. The Proposed Project does not include any additional development on the Project site. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The undeveloped areas of the Project site consist of a diverse, open scrub composed of Joshua Tree Woodland with an understory of Blackbrush Scrub. The Project site does not contain forest land (defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)). The Proposed Project does not include any additional development on the Project site. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Proposed Project does not include any additional development, uses or modifications to the existing mine operations and processing facilities on the Project site. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

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

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

San Bernardino Countywide Plan, 2020; 2004 Draft EIR; 2010 MND; 2015 Revised Mine and Reclamation Plan

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

The Project Site is located in the eastern San Bernardino County portion of the Mojave Desert Air Basin (MDAB). The Mojave Desert Air Quality Management District (MDAQMD) regulates air quality in this portion of San Bernardino County. Projects that are consistent with the General Plan are consistent with air quality related regional plans. The Proposed Project is a GPA/CZ to amend the LUC on 2,220 acres from RLM to GI and to change zoning of RC on approximately 2,095 acres and SD on approximately 125 acres to IR.

The Mountain Pass Mine's air quality impacts were evaluated in the 2004 FEIR and 2010 MND and determined to be significant for particulate matter less than 10 microns in diameter (PM₁₀) emissions. Based on the current approved mine reclamation plan and CUP conditions of approval and MDAQMD permits, operational limitations, air pollution control measures, and air monitoring are implemented onsite for mining and processing activities. These activities are part of the existing operating conditions and are required to maintain compliance with previously imposed environmental requirements and current air quality regulations.

The Proposed Project does not include any additional development, uses or modifications to the existing mine and processing facilities on the Project site. Therefore, no new impacts are identified or anticipated, and no mitigation measures are required.

Any future development of the parcels within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning typically requiring a Site Plan, MUP, or a CUP and be reviewed under a separate CEQA analysis including air quality impacts.

No Impact

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

The Mountain Pass Mine's air quality impacts were evaluated in the 2004 FEIR and 2010 MND and determined to be significant for PM₁₀ emissions. Based on the current approved mine reclamation plan and CUP conditions of approval, and MDAQMD permits, operational limitations, air pollution control measures, and air monitoring are implemented onsite for mining and processing activities. These activities are part of the existing operating conditions and are required to maintain compliance with previously imposed environmental requirements.

The Proposed Project does not include any additional development, uses or modifications to the existing mine operations and processing facilities on the Project site. Therefore, no new impacts are identified or anticipated, and no mitigation measures are required.

Any future development of the parcels within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis. In addition, future development will be required to comply with all air quality rules and regulations imposed by the Environmental Protection Agency (EPA), the California Air Control Board (CARB), and the MDAQMD as applicable.

No Impact

- c) *Expose sensitive receptors to substantial pollutant concentrations?*

The Mountain Pass Mine's air quality and health risk impacts were evaluated in the 2004 FEIR and 2010 MND and determined to be less than significant. Based on the current approved mine reclamation plan and CUP conditions of approval, and MDAQMD permits, operational limitations, air pollution control measures, and air monitoring are implemented onsite for mining and processing activities. These activities are part of the existing operating conditions and are required to maintain compliance with previously imposed environmental requirements.

The Proposed Project does not include any additional development, uses or modifications to the existing mine operations and processing facilities on the Project site. Therefore, no new impacts are identified or anticipated, and no mitigation measures are required.

Any future development of the parcels within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA

analysis. In addition, future development will be required to comply with all air quality rules and regulations imposed by the EPA, CARB, and the MDAQMD as applicable.

No Impact

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

The mine processing modifications evaluated in the 2010 MND included NOx emissions control at the CHP with the use of aqueous ammonia, which can have a strong odor. Ammonia emissions are limited by air quality permit conditions to levels below the odor threshold for ammonia of 20 ppm. The 2010 MND concluded that no significant odor impacts are expected from the 2010 revisions to the Mine and Reclamation Plan.

The Proposed Project does not include any additional development, uses or modifications to the existing mine operations and processing facilities on the Project site. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of the parcels within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis. In addition, future development will be required to comply with all air quality rules and regulations imposed by the EPA, CARB, and the MDAQMD as applicable.

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
IV. BIOLOGICAL RESOURCES - Would the project:				

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
Department of Fish and Wildlife or US Fish and Wildlife Service?				
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

San Bernardino Countywide Plan, 2020; 2004 FEIR; 2010 MND; 2015 Revised Mine and Reclamation Plan

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

Mountain Pass Mine’s potential biological impacts were evaluated in the 2004 FEIR and determined to be significant with respect to habitat loss and less than significant with mitigation for sensitive species. The undeveloped portions of the Project site are composed of a mixture of blackbrush-juniper-Joshua tree woodland community. To minimize these impacts, the operator implements twenty mitigation measures including a Revegetation Plan and regulations imposed by the U.S. Fish and Wildlife Service (FWS) and the California Department of Fish and Wildlife (CDFW) as applicable.

The mine modifications evaluated in the 2010 MND were expected to potentially impact additional habitat features. However, with implementation of the adopted mitigation

measures from the 2004 FEIR to offset and limit habitat losses and impacts to sensitive species, biological impacts were considered less than significant with mitigation.

The Proposed Project is a GPA/CZ to amend the LUC on 2,220 acres from RLM to GI and to change zoning of RC on approximately 2,095 acres and SD on approximately 125 acres to IR. The Proposed Project does not include any additional land development, uses or modifications to the existing mine operations and processing facilities on the Project site. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning typically requiring a Site Plan, MUP, or a CUP and be reviewed under a separate CEQA analysis. In addition, future development will be required to comply with rules and regulations imposed by the FWS and the CDFW as applicable.

No Impact

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

Mountain Pass Mine's potential impacts to riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations by the CDFW and FWS riparian were evaluated in the 2004 FEIR and 2010 MND and were determined to be less than significant with mitigation. The Proposed Project does not include any additional land uses or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. There would be no new ground disturbance and therefore, no impacts related to riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations by the CDFW and FWS. No impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis. In addition, future development will be required to comply with rules and regulations imposed by the Army Corps of Engineers (ACOE), FWS, CDFW, and Regional Water Quality Control Board (RWQCB) as applicable.

No Impact

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

The Proposed Project does not include any additional uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant parcels with RC zoning that would have a new zoning of IR. There would be no ground

disturbance and therefore, no impacts related to state or federally protected wetlands. No impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis. In addition, future development will be required to comply with rules and regulations imposed by the ACOE, FWS, CDFW, and the RWQCB as applicable.

No Impact

- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

Mountain Pass Mine's biological impacts were evaluated in the 2004 FEIR and 2010 MND and determined to be significant with respect to habitat loss and less than significant with mitigation for migratory wildlife corridors. Mine activities, transportation, and ranching have been undertaken in the area for many decades. The Project Site is surrounded by open mountains and desert that provides open areas for wildlife movement.

The Proposed Project does not include any additional land uses or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant parcels to be rezoned to IR. There would be no ground disturbance and therefore, no impacts related to wildlife corridors. No impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis. In addition, future development will be required to comply with rules and regulations imposed by the FWS, CDFW, and RWQCB as applicable.

No Impact

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

Mine site conditions of approval and mitigation measures require the implementation of a revegetation plan that includes the salvaging and transplanting of specific desert species protected by the Desert Native Plants Act as implemented under County Development Code Section 88.01.060 – Desert Native Plant Protection.

The Proposed Project does not include any additional land uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant parcels to be rezoned to IR. No impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning including compliance with the Desert Native Plant Protection.

No Impact

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

The Project Site is not located within a Habitat Conservation Plan or a Natural Community Conservation Plan. The Proposed Project does not include any additional land uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant parcels to be rezoned to IR. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

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

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

San Bernardino Countywide Plan, 2020; 2004 FEIR; 2010 MND

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

The impacts of the Mountain Pass mining operations to cultural resources have been evaluated in the 2004 FEIR and 2010 MND and were determined to be less than significant with mitigation.

The Proposed Project does not include any additional land uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant land to be rezoned to IR. There would be no ground disturbance and therefore, no impacts related to the significance of a historical resources pursuant to §15064.5. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including cultural resource review.

No Impact

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

The impacts of the Mountain Pass mining operations to cultural resources have been evaluated in the 2004 FEIR and 2010 MND and were determined to be less than significant with mitigation.

The Proposed Project does not include any additional land uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant parcels to be rezoned to IR. There would be no ground disturbance and therefore, no impacts related to the significance of an archaeological resource pursuant to §15064.5. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including cultural resource review.

No Impact

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

The impacts of the Mountain Pass mining operations to cultural resources have been evaluated in the 2004 FEIR and 2010 MND and were determined to be less than significant with mitigation. Any new ground-disturbing activities could potentially disturb human remains interred outside of a formal cemetery.

The Proposed Project does not include any additional land uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant parcels to be rezoned to IR. There would be no ground disturbance and therefore, no impacts related to the disturbance of any human remains, including those outside of formal cemeteries. No impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including cultural resource review.

No Impact

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

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

SUBSTANTIATION: 2010 MND; 2015 Revised Mine and Reclamation Plan; Submitted Project Materials

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

The Project Site will use a gas-fired CHP plant (as approved in the 2010 MUP) to provide power throughout the Project site. Commercial electric power from SCE currently is used onsite. As stated in the 2010 MND, the use of CHP plant production is considered a preferred onsite energy-efficient method of supplying electricity and steam to the Mountain Pass mineral recovery industrial facilities as offsite commercial electricity generation has not always been reliable or of sufficient quantity in the past. Kern River Gas Transmission Company maintains a gas receiving and metering station on-site that is connected to MPMO's gas receiving and distribution system.

The Proposed Project does not include any additional development, uses or modifications to the existing mine operations and processing facilities on the Project site. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of the parcels within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis energy efficiency.

No Impact

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

SB 100 mandates 100 percent clean electricity for California by 2045. As stated above, the Mountain Pass Mine’s use of CHP production is considered energy efficient. CHP is also a clean approach to generating electric power. The Proposed Project does not include any changes to the mine’s CHP production or increase the demand on energy resources. Therefore, project implementation would not conflict or obstruct a state or local plan for renewable energy or energy efficiency. No impacts are identified or anticipated, and no mitigation measures are required.

Any future development of the parcels within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including a review of energy needs and supply.

No Impact

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

	<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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?

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: (Check if project is located in the Geologic Hazards Overlay District):
San Bernardino Countywide Plan, 2020; Submitted Project Materials; Fault Activity Map of California, 2010; 2004 FEIR: 2010 MND; 2015 Revised Mine and Reclamation Plan

- a) i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

The Project Site does not occur within an Alquist-Priolo Earthquake Fault Zone as shown in the Department of Conservation Fault Activity Map of California (2010).² The nearest fault to the Project Site is the Pahrump Stateline Fault, which is approximately 11 miles east of the site.³ According to the 2010 MND, the Mountain Pass area is an area of low seismic activity. The Proposed Project does not include any additional uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant parcels to be rezoned to IR. Therefore, the Proposed Project is not anticipated to expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving the rupture of a known earthquake fault. No impacts are identified or anticipated, and no mitigation measures are required.

² <http://maps.conservation.ca.gov/cgs/fam/>. Accessed July 7, 2020.

³ <http://maps.conservation.ca.gov/cgs/fam/>. Accessed July 9, 2020.

Any future development of vacant lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including geological hazards review.

No Impact

ii) Strong seismic ground shaking?

As is the case for most areas of Southern California, ground shaking resulting from earthquakes associated with nearby and more distant faults may occur at the Project site. As stated above, the nearest fault to the Project Site is the Pahrump Stateline Fault, which is approximately 11 miles east of the site.⁴

As stated in the 2015 Revised Mine and Reclamation Plan, the maximum credible earthquake (MCE) for the Mountain Pass area is estimated to be magnitude 6.1. According to the probabilistic earthquake map of the United States this would result in ground motion of less than 7.5 of normal gravity acceleration (0.075g). A peak acceleration of 0.32 gravity was calculated for the mine site based on this earthquake and has been used to evaluate the stability of major structures at the site. There is a 90 percent probability this will not be exceeded in any given fifty-year period. The controlling fault for an MCE would be the Pahrump-Stateline Fault located approximately 11 miles east of the site. This fault is considered to be potentially active at present.

The Proposed Project does not include any additional development, uses or modifications to the existing mine operations and processing facilities on the Project site. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of the parcels within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including geological hazards review.

No Impact

iii) Seismic-related ground failure, including liquefaction?

Liquefaction is a process in which cohesion-less, saturated, fine-grained sand and silt soils lose shear strength due to ground shaking and behave as fluid. Ground failure associated with liquefaction can result in severe damage to structures. As shown on the San Bernardino County Land Use Plan: Geologic Hazard Overlays Map CJDJC, the Project Site is not located in an area at risk for liquefaction.⁵ Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

⁴ <http://maps.conservation.ca.gov/cgs/fam/>. Accessed July 9, 2020.

⁵ County of San Bernardino, Countywide Plan: San Bernardino County Land Use Plan, Geologic Hazard Overlays CJDJC. Accessed July 9, 2020.

No Impact

iv) Landslides?

Seismically induced landslides and other slope failures are common occurrences during or soon after earthquakes. As shown on the San Bernardino Countywide Plan Geologic Hazard Overlay map CJDJC, the Project Site is not located within an area susceptible to landslides.⁶ Slope stability of the mine pit and stockpiles are conditioned and mitigated through the approved Mine and Reclamation Plan. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

During operation of the mine, surface material that cannot be used immediately for revegetation are stockpiled separately and clearly identified. Stockpiles are planted with an erosion control cover or covered with larger sized material to inhibit wind and water erosion. Successful implementation of the Mine and Reclamation Plan during and after mine operations would minimize soil erosion caused by wind and water.

The Proposed Project does not include any additional uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

Any future development of vacant lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including geological and soils review.

No Impact

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

As shown on the San Bernardino Countywide Plan: Geologic Hazard Overlays Map CJDJC, the Project Site is not within an area susceptible to liquefaction or landslides.⁷ Moreover, impacts related to unstable earth conditions were analyzed in the 2004 FEIR and were concluded to be insignificant. The modifications analyzed in the 2010 MND were considered less than significant with adherence to the Uniform Building Code.

⁶ County of San Bernardino Countywide Plan: San Bernardino County Land Use Plan, Geologic Hazard Overlays CJDJC. Accessed July 9, 2020.

⁷ County of San Bernardino, General Plan: San Bernardino County Land Use Plan, Geologic Hazard Overlays CJDJC.

The Proposed Project does not include any additional land uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of vacant lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including geological hazards review.

No Impact

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

Expansive soils (shrink-swell) are fine-grained clay silts subject to swelling and contracting in relation to the amount of moisture present in the soil. Structures built on expansive soils may incur damage due to differential settlement of the soil as expansion and contraction takes place. The Proposed Project does not include any additional uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Compliance with the Uniform Building Code would ensure that impacts from expansive soils are kept to a minimum. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

Any future development of vacant lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including geological hazards review.

No Impact

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

The mine facilities currently have adequate wastewater disposal and septic systems permitted with the County to treat waste water production. The Proposed Project does not include any additional uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of vacant lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including soils review.

No Impact

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

The 2004 FEIR determined that development impacts to paleontological resources would be less than significant with mitigation. The modifications analyzed in the 2010 MND were concluded to result in less than significant impacts to paleontological resources.

The Proposed Project does not include any additional uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of vacant lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including paleontological review.

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

San Bernardino Countywide Plan, 2020; Submitted Project Materials; 2010 MND; 2015 Revised Mine and Reclamation Plan

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

San Bernardino County uses the South Coast Air Quality Management District's (SCAQMD) adopted greenhouse gas (GHG) significance thresholds for industrial facilities of 10,000 metric tons of carbon dioxide equivalent (MTCO_{2e}) per year. The modifications analyzed in the 2010 MND included the replacement of diesel and propane combustion with natural gas, except for emergency generators, the reduction

of reliance on the grid supplied by commercial electrical power by the installation of onsite CHP plant, reduction of delivery truck trips by installation of the Salt Recovery and Recycling Facilities, and decrease of employee commuting emissions. The GHG emissions from the 2010 modifications were determined to be significant and required mitigation in the form of GHG emission reduction credits.

The Proposed Project does not include any additional uses, facilities or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of vacant lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including GHG emissions review.

No Impact

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

Any project that does not exceed 10,000 MTCO₂e per year is considered to have a less than significant individual and cumulative impact for GHG emissions. The Proposed Project does not include any additional uses, facilities or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Any future changes to the undeveloped portion of the Project Site that would have a new land use zoning of IR would require a separate CEQA analysis. The Proposed Project is not anticipated to conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of vacant lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including GHG emissions review.

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

Submitted Project Materials; 2004 FEIR; 2010 MND; EnviroStor Database; San Bernardino County Geologic Hazard Overlays; 2015 Revised Mine and Reclamation Plan

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

The impacts of the transportation, use, or disposal of hazardous materials were evaluated in the 2004 FEIR and the 2010 MND. It was determined that the operation of

facilities would be designed to meet applicable standards to reduce the risk of an accidental release, operated in a manner to comply with safety standards and practices, maintained to provide a safe workplace for onsite personnel, and to prevent significant adverse offsite impacts to the public at large. All hazardous materials and wastes are managed according to applicable regulations. Management according to and compliance with various applicable Federal, state, and County codes and regulations and industry standards minimizes hazard impacts associated with the operation of the mining and processing facilities to a level on non-significance.

The Proposed Project does not include any additional uses, facilities, or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of vacant lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including hazards and hazardous material review.

No Impact

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

As stated above, all hazardous materials and wastes at the Mine site are managed according to applicable regulations. The Proposed Project does not include any additional uses, facilities, or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of vacant lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including hazards and hazardous material review.

No Impact

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

No schools are located within one-quarter mile of the Project Site. The abandoned school site located within the project site is owned by the Baker Unified School District and has been closed since 2003. Therefore, no impacts or anticipated and no mitigation measures are required.

No Impact

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

The Project Site was not found on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system.⁸ EnviroStor tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. No hazardous materials sites are located within or in the immediate vicinity of the Project Site. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

As shown on the San Bernardino Countywide Plan Hazard Overlay Map CJDJB, the Project Site is not within an airport safety review area. The Project Site is not located within the vicinity of a private or public airstrip. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

Mining operations, as concluded in the 2010 MND, would not interfere with an emergency response plan or emergency evacuation plan. MPMO has implemented emergency response plans at its facility. The Proposed Project does not include the construction of new facilities or plans to expand the mine site. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of vacant lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including possible interference with emergency plans.

No Impact

⁸<https://www.envirostor.dtsc.ca.gov/public/map/>. Accessed July 9, 2020.

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

As identified by the Countywide Plan – Hazard Overlay Map CJDJB (Cima), the Project Site is not located within a Fire Safety Area.⁹ As concluded in the 2004 FEIR and 2010 MND, the Mountain Pass Mine is heavily disturbed and lacks substantial vegetation for natural fuel sources. Moreover, the Proposed Project does not include any additional uses, facilities, or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of vacant lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including exposure to wildland fires.

No Impact

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

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

⁹ County of San Bernardino, General Plan: San Bernardino County Land Use Plan, Geologic Hazard Overlays CJDJB.

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
i.	result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii.	substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii.	create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv.	impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

San Bernardino Countywide Plan, 2020; Submitted Project Materials; 2004 FEIR; 2010 MND; 2015 Revised Mine and Reclamation Plan

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

Mountain Pass has established an extensive groundwater monitoring, extraction, and remediation system to control movement of contaminated groundwater to the east and west of the Project site. MPMO is subject to and implements requirements under several RWQCB Orders of Waste Discharge and Cleanup and Abatement Orders. MPMO continues to cleanup and abate contaminated groundwater from closed tailings ponds and product and waste storage areas; provides technical and monitoring reports; and maintains adequate financial assurances for monitoring and closure. In addition, the Salt Recovery and Recycling Facilities part of the 2010 MUP, reclaims and recycles wastewater, reducing the volume of wastewater generated onsite.

The State Water Resources Control Board has established a General Stormwater Permit which authorizes the discharge of stormwater from industrial facilities that have obtained an industrial stormwater permit. The Mountain Pass Mine is covered under the California general stormwater permit and operates under an approved Stormwater Pollution Prevention Program (SWPPP) (Industrial Plan 6B36I0210848 and Construction Plan 6B36C353601).

The Proposed Project does not include any additional land uses, facilities, or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, there will be no new impacts are identified or anticipated to any water quality standards or waste discharge or otherwise substantially degrade surface water or groundwater quality with implementation of the Proposed Project and no mitigation measures are required.

Any future development of vacant lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including potential impacts to water quality standards or surface or groundwater quality. In addition, future development will be required to comply with rules and regulations imposed by the RWQCB as applicable.

No Impact

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

The Project Site currently has fresh water supply provided by two existing well fields located 12 miles west in Shadow Valley and 8 miles east in Ivanpah Valley operated by MPMO. The fresh water from these well fields is not only used for industrial uses and dust control, but also supplies domestic water on-site and for two state facilities located to its south as discussed below. The Mountain Pass Facility has a current Domestic Water System Permit issued by San Bernardino County DEHS which is renewed annually. As a supplier of domestic water, MPMO must comply with the requirements of Title 22 of the California Code of Regulations. There are no recharge facilities in the vicinity.

The Proposed Project does not include any additional land uses, facilities or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Implementation of the Proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. No impacts are identified or anticipated, and no mitigation measures are required.

Any future development of vacant lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including potential impacts to groundwater supplies and recharge.

No Impact

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
- i) *Result in substantial erosion or siltation on- or off-site;*

Currently, drainage channels and stormwater ponds are monitored to ensure that local runoff continues to be handled effectively in accordance with the facility SWPPP(s). The

mine site is graded to drain sheet flow and normal runoff away from the plant facilities and buildings. Stormwater contained in plant sumps and containment areas is transferred to the facility water treatment systems. Surface runoff originating from areas outside the mineral recovery facilities is directed by open drainages along roads to natural drainage channels then to Jack Myers Pond (P-20A) and to the mill stormwater pond (P-29). Culverts and reinforced road crossing are used to route flow along and across haul roads and plant access roads.

The Proposed Project does not include any changes to the current operations or existing infrastructures. Therefore, implementation of the Proposed Project would not result in changes to the existing drainage pattern of the Project Site in a manner that would result in substantial erosion or siltation on- or off-site. No impacts are identified or anticipated, and no mitigation measures are required.

Any future development of vacant lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including potential erosion or sedimentation impacts.

No Impact

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

Currently, drainage channels and stormwater ponds are monitored to ensure that local runoff continues to be handled effectively in accordance with the facility SWPPP(s) as discussed above.

The Proposed Project does not include any additional land uses or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, the Proposed Project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite. No impacts are identified or anticipated, and no mitigation measures are required.

Any future development of vacant lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including impacts to runoff and flooding.

No Impact

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

As stated above, there are stormwater drainage systems in place to effectively handle runoff. The Proposed Project does not include any additional uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, the Proposed Project would not create or contribute runoff water which would exceed the capacity of existing or planned

stormwater drainage systems or provide substantial additional sources of runoff. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

- iv) *Impede or redirect flood flows?*

The Proposed Project does not include any additional uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant parcels with a zoning of RC that would have a new land use zoning of IR. The Proposed Project would not impede or redirect flood flows. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

Due to the inland distance from the Pacific Ocean and any other significant body of water, tsunamis and seiches are not potential hazards in the vicinity of the Project Site. Furthermore, as shown on the San Bernardino Countywide Plan Hazard Overlay Map CJDJB, the Project Site is neither located within a San Bernardino County Flood Plan Safety or Dam Inundation Overlay District.¹⁰ Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Mountain Pass Mine is covered under the California general stormwater permit and operates under an approved SWPPP. The Mountain Pass Mine has a current Domestic Water System Permit issued by San Bernardino County Division of Environmental Health Services, which is renewed annually. As a supplier of domestic water, MPMO must comply with the requirements of Title 22 of the California Code of Regulations. MPMO is subject to and implements requirements under several RWQCB Orders of Waste Discharge and Cleanup and Abatement Orders. MPMO continues to cleanup and abate contaminated groundwater from closed tailings ponds and product and waste storage areas; provides technical and monitoring reports; and maintains adequate financial assurances for monitoring and closure. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of vacant lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including potential impacts to water quality or groundwater plans. In

¹⁰ Geologic Hazard Overlays CJDJB. Accessed July 10, 2020.

addition, future development will be required to comply with rules and regulations imposed by the RWQCB as applicable.

No Impact

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

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

SUBSTANTIATION:

San Bernardino Countywide Plan, 2020; Submitted Project Materials

- a) *Physically divide an established community?*

The Project Site is located in the unincorporated area known as Mountain Pass, San Bernardino County. It consists of the Mountain Pass Mine and processing facilities on approximately 1,092 acres and mostly vacant, undeveloped land on 1,128 acres all owned by MPMO. The site and the surrounding area are within the historic Clark Mining District organized in 1865 primarily for silver mining. Between 1900 and 1950, many small mines were worked in the District. MPMO and its predecessors have mined rare earth minerals at Mountain Pass since the early 1950s and today Mountain Pass is the only integrated rare earth mining and processing site in North America.

In the past, mining and ranching were the dominant land uses in the area. Since establishment of the MNP, most livestock ranching in the area has been phased out. Currently and for the foreseeable future, the mining and development of rare earth minerals and products at Mountain Pass will be the primary use in the area. The Pass area also acts as a transportation and utility corridor for I-15, power lines, telecommunication lines and towers, and energy pipelines; many of which pass directly through MPMO properties. In the near future, the high-speed rail line from Las Vegas to Barstow may be aligned along I-15 through Mountain Pass.

The Proposed Project is a GPA/CZ to amend the LUC on 2,220 acres from RLM to GI and to change zoning of RC on approximately 2,095 acres and SD on approximately 125 acres to IR. The Proposed Project will allow mining and processing operations to continue under the IR zone under the approved Mine and Reclamation Plan. The Proposed Project does not include any additional uses, facilities or modifications to the existing mine and processing operations.

There are no established communities near the Project Site which could be physically divided. Therefore, the Proposed Project would neither physically divide an established community nor cause a significant environmental impact due to conflict with any land use plans or policies. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Proposed Project includes the rezoning of approximately 2,220 acres from RC on 2,095 acres and SD on 125 acres to IR. The Proposed Project will allow mining and processing operations to continue under the IR zone under the approved Mine and Reclamation Plan. The Proposed Project does not include any additional uses, facilities, or modifications to the existing mine operations.

For the MPMO project site, the increasing production of rare earth minerals and the use of said minerals in numerous applications to meet market demand and future technological products, provides a potential to develop important related manufacturing facilities that will utilize the mined rare earths resource. The current LOC of RLM and zoning of RC were established to facilitate the past ranching, mining, and natural resource protection for open areas in the desert region. With the ongoing extraction and processing of the valuable rare earth minerals where they are located and the potential to develop products and applications of these minerals adjacent to the mine, the Proposed GPA/CZ will facilitate the current and future development of the site consistent with the Countywide Plan's goals for industrial uses. The proposed GPA/CZ will be consistent with the following Countywide Plan purposes, goals, and policies (*in italics below*) for the LUC of GI and zoning of IR as follows:

Table LU-1 Land Use Categories for General Industrial – (Primary Purpose column)

- ***Provide suitable locations for general or heavy industrial activities where all or part of operations take place outside of enclosed structures, exterior storage is not fully screened from public view, or involve large equipment.***
- ***Provide areas for industrial activity that generates substantial odors, noise, vibration, or truck traffic.***

The area currently has established mineral processing, separations, a natural gas-fired power and heat plant with direct gas pipeline access, available commercial power, fresh water supply, and industrial wastewater treatment facilities in-place. A portion of the processing or industrial activities partially takes place outside enclosed structures and may include noise and truck traffic.

With the direct accessibility of the rare earth minerals from the on-site mine and processing facilities, the development of on-site manufacturing eliminates the need to transport the raw materials to a distant industrial site. The establishment of manufacturing of unique products to meet domestic and world markets will provide

employment opportunities to the upper desert. In addition, the site is able to provide its own water and power supplies. Direct access onto I-15 via an intersection at Bailey Road provides direct access to the interstate system; west to Southern California and its ports and east to Las Vegas with air cargo facilities and throughout the rest of the U.S. In addition, there is a potential to utilize local rail lines for rail transportation throughout the U.S.

Due to the long-term use of the site for mining and processing and its remote location, there are no residential or other sensitive uses in the immediate area that may be affected by industrial uses (see Table 3). The Mountain Pass property is surrounded by vacant desert/mountains public lands managed by the Bureau of Land Management (BLM). Due to the remoteness of the site, two regulatory service facilities are located adjacent to the site on the south along I-15. These include the California Department of Transportation (Caltrans) maintenance yard and up to eight residences for Caltrans and California Highway Patrol personnel. The facilities are on land owned by the BLM. There are no residential facilities within the planning area. The nearest residence is about $\frac{3}{4}$ of a mile south of the Mine property but is not in the project area. There are no changes to the community as a community does not exist in the planning area.

The LUC surrounding the sites will remain RLM with RC zoning. The surrounding areas are mostly Federally managed lands consisting of open desert spaces. Future development of any surrounding lands would be under the jurisdiction of mainly the BLM. It is highly unlikely that any sensitive land uses such as residential development would occur in the adjacent area.

Mountain Pass provides its own water, wastewater, and power supply. The site currently has an established gas-fired power and heat plant that provides power throughout the site. A dedicated gas pipeline operated by Kern River Gas Transmission Company provides natural gas to the site. Kern River maintains a gas receiving and metering station at the on-site pipeline terminus, that is connected to MPMO's gas receiving and distribution station. MPMO's station is connected to a natural gas pipeline distribution system on-site that delivers natural gas to the CHP and other thermal unit operations at the site. Commercial power is also available on-site as needed.

Fresh water is provided by two existing well fields located 12 miles west in Shadow Valley and 8 miles east in Ivanpah Valley operated by MPMO. The fresh water from these well fields is not only used for industrial uses and dust control, but also supplies domestic water on-site and for two state facilities located to its south as discussed below. The Mountain Pass Facility has a current Domestic Water System Permit issued by San Bernardino County DEHS which is renewed annually. As a supplier of domestic water, MPMO must comply with the requirements of Title 22 of the California Code of Regulations.

- ***Provide employment opportunities for residents in the surrounding area***

MPMO currently has 574,256 square feet of milling, processing and separations plants, power generation plant, and other related offices, warehouses, labs, and maintenance buildings. Currently, MPMO has over 200 employees. MPMO forecasts to construct up to 250,000 square feet of new industrial facilities that may employ up to 500 workers.

The establishment of manufacturing of unique products to meet domestic and world markets will provide employment opportunities to the upper desert. In addition, the site is able to provide its own water and power supplies and has direct access to I-15.

In addition, the Community of Baker is located about 30 miles west of the project site and is the nearest community to the project area. As part of the 2020 Countywide Plan, the Baker Community Action Guide is being developed to provide a framework to create the future character and independent identity based on community values and aspirations. These are mainly related to improving housing, workforce training and opportunities, commercial development, and improved community services.

With approval of the Proposed Project, the Mine and Reclamation Plan will be revised to define those areas under its permit conditions and those facilities that will be removed from the Reclamation Plan with County approval. Those existing operating industrial facilities removed from the Mine and Reclamation Plan would continue to operate and be managed by the County under the IR zoning more representative of its current activities rather than under a mine and reclamation plan which is more consistent with mineral extraction, primary crushing, and future reclamation. The current Mine and Reclamation Plan will remain in place in those areas in which mining, overburden stockpiling, tailings storage areas, and evaporation ponds occur until final reclamation has been certified by the County and DMR as outlined in the Reclamation Plan.

The Proposed Project does not include any additional uses or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning including a separate GEQA review and a consistency analysis of the development with the IR zoning.

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XII. MINERAL RESOURCES - Would the project:				
a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

delineated on a local general plan, specific plan
or other land use plan?

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

San Bernardino Countywide Plan, 2020; Submitted Project Materials; Mineral Land Classification; 2004 FEIR; 2010 MND

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

MPMO and its predecessors have mined rare earth minerals at Mountain Pass since the early 1950s. The 2,220-acre Project Site consists of an approved 1,092-acre rare earths mineral mine and production facility known as the Mountain Pass Mine, and approximately 1,128 acres of vacant, undeveloped land. The Mine and Reclamation Plan was last revised in 2015 with an expiration date of 2042.

The Mountain Pass Mine site currently includes an open pit mine, crushing and milling facilities, processing plants, utility/mechanical and electrical maintenance and administrative buildings, product and supply warehouses, material and tailings stockpiles, site security guard house, and analytical labs. Power to the site will be supplied via a natural gas-fired CHP plant with direct gas pipeline access. Commercial power is currently used onsite. Existing mine site conditions also include a water treatment plant, stormwater runoff collection ponds, fresh water well fields and industrial wastewater evaporation ponds. The mine currently operates 24 hours/day, seven days/week and employs over 200 employees.

With approval of the Proposed Project, the Mine and Reclamation Plan will be revised to define those areas under its permit conditions and those facilities that will be removed from the Reclamation Plan with County approval. Those existing operating industrial facilities removed from the Mine and Reclamation Plan would continue to operate and be managed by the County under the IR zoning more representative of its current activities rather than under a mine and reclamation plan which is more consistent with mineral extraction, primary crushing, and future reclamation. The current Mine and Reclamation Plan will remain in place in those areas in which mining, overburden stockpiling, tailings storage areas, and evaporation ponds occur until final reclamation has been certified by the County and DMR as outlined in the Reclamation Plan. Those known and potential mineral resource areas onsite will remain within the approved Mine and Reclamation Plan and would not be affected by an overlying zone of IR. These mineral resources will be available in the future.

The 2004 FEIR and 2010 MND concluded that the Mountain Pass Mine and Reclamation Plan and the 2010 Revision would not have any adverse impacts on mineral resources. The mining operation results in a beneficial effect regarding availability of mineral resources on both a State-wide, nationwide and international basis.

The Proposed Project does not include any additional land uses or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant parcels to be rezoned to IR. No impacts are identified or

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

Any future development of undeveloped lands within the Project site and the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including a review of potential impacts to mineral resources.

No Impact

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

The current LUC of RLM and zoning of RC were established to facilitate the past ranching, mining, and natural resource protection for open areas in the desert region. The current Mine and Reclamation Plan will continue to be in effect until certified final reclamation on those areas in which mining, overburden stockpiling and revegetation occur as outlined in the plan. The Proposed Project does not include any additional uses or modifications to the existing mine operations. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

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

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

2004 FEIR; 2010 MND; 2015 Revised Mine and Reclamation Plan

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

The Project Site is not within a Noise Hazard Overlay District.¹¹ Noise impacts from the planned operations during the Mountain Pass Mine and Reclamation Plan were assessed in the 2004 FEIR and 2010 MUP and concluded noise impacts would be less than significant. The Proposed Project does not include any additional uses, facilities, or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning including compliance with noise standards.

No Impact

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

The Proposed Project does not include any additional uses, facilities, or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, the Proposed Project is not anticipated to generate excessive groundborne vibration or groundborne noise levels. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

As shown on the San Bernardino Countywide Plan Hazard Overlay Map CJDJB, the Project Site is not within an airport safety review area. The Project Site is not located within the vicinity of a private or public airstrip. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

¹¹ San Bernardino Countywide Plan. Hazard Overlays CJDJB. Accessed July 13, 2020.

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

SUBSTANTIATION:
Submitted Project Material

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

The Proposed Project is a GPA/CZ to amend the LUC on 2,220 acres from RLM to GI and to change zoning of RC on approximately 2,095 acres and SD on approximately 125 acres to IR. No residential uses exist onsite and the IR zoning would not allow any residential uses and related population growth. Employees would likely live in Baker, Barstow, and Las Vegas areas. The Proposed Project does not include any additional land uses, facilities or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Implementation of the Proposed Project would not induce substantial population growth. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Mountain Pass area is an isolated mountain/desert region with a long history of mining for over 120 years. There is no onsite housing or existing population that could be displaced by future development. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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XV. PUBLIC SERVICES

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

Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

San Bernardino Countywide Plan, 2020; Submitted Project Materials

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

Fire Protection?

The Mountain Pass Mine is currently served by the San Bernardino County Fire Department for fire protection services. The Proposed Project does not include any additional uses or modifications to the existing mine and processing operations. It would not require additional employees or lead to population growth. Therefore, implementation of the Proposed Project would not require the need for additional fire protection services. No impacts are identified or anticipated, and no mitigation measures are required.

For all public services, any future development of vacant lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including potential impacts to public services.

No Impact

Police Protection?

The Mountain Pass Mine is currently served by the San Bernardino County Sheriff Department (SBCSD) for police protection. The Proposed Project does not include any additional land uses or modifications to the existing mine operations. Therefore,

implementation of the Proposed Project would not require the need for additional police protection services. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Schools?

The Proposed Project does not include any additional uses or modifications to the existing mine operations. The Proposed Project is a GPA/CZ and would not place new demands on schools. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Parks?

The Proposed Project does not include any additional uses or modifications to the existing mine operations. Implementation of the Proposed Project would not result in the need to construct new parks. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Other Public Facilities?

The Proposed Project is not anticipated to have a significant impact on public facilities/services because an increase in the local population would not occur. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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XVI. RECREATION

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Does the project include recreational facilities or require the construction or expansion of | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

recreational facilities which might have an adverse physical effect on the environment?

SUBSTANTIATION:
Submitted Project Materials

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

The Proposed Project is a GPA/CZ to amend the LUC on 2,220 acres from RLM to GI and to change zoning of RC on approximately 2,095 acres and SD on approximately 125 acres to IR. There would be no residential or recreational uses onsite. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

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

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:

San Bernardino Countywide Plan, 2020; Submitted Project Materials; Traffic Impact Analysis; 2004 FEIR; 2010 MND; 2015 Revised Mine and Reclamation Plan

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

Access to the Project Site is provided by the Bailey Road interchange directly onto I-15. Impacts to transportation for mining products were assessed in the 2004 FEIR and 2010 MND. Both documents concluded that no impacts to transportation were anticipated. The Project Site is located in a remote area with no transit, bicycle and pedestrian facilities.

The direct access to I-15 provides access onto the interstate system, west to southern California and east to Las Vegas and further east. Proposed regional industrial areas located with direct access to a freeway and where industrial traffic is not routed through residential areas are consistent with two of the Locational Criteria for the establishment of IR zones in the Countywide Plan (Section II.N.2).

The Proposed Project does not include any additional land uses, facilities, or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. No impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including a traffic assessment.

No Impact

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

Access to the Project Site is provided by the Bailey Road interchange directly onto I-15. Impacts to transportation for mining products were assessed in the 2004 FEIR and 2010 MND. Both documents concluded that no impacts to transportation were anticipated.

The Proposed Project does not include any additional land uses, facilities, or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, the Proposed Project is not anticipated to change vehicle miles traveled associated with mining operations. No impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including vehicle miles traveled.

No Impact

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

Access to the Project Site is provided by the Bailey Road interchange directly onto I-15. Impacts to transportation for mining products were assessed in the 2004 FEIR and 2010 MND. Both documents concluded that no impacts from traffic hazards would occur.

The Proposed Project does not include any additional uses, facilities, or modifications to the existing mine operations or infrastructure. There would be no changes to the existing traffic circulation patterns in the vicinity. Therefore, the Proposed Project is not expected to increase hazards due to a geometric design feature or incompatible uses. No impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including traffic circulation as applicable.

No Impact

- d) *Result in inadequate emergency access?*

The Proposed Project does not include any additional uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant parcels with RC zoning that would have a new zoning of IR. The Proposed Project does not involve any changes that would affect the Project Site's existing emergency access points. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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XVIII. TRIBAL CULTURAL RESOURCES

- a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

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

SUBSTANTIATION:
AB 52 Consultation

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

California Senate Bill 18 (SB-18) and California Assembly Bill (AB-52) related to Tribal Cultural Resources respectively require the Lead Agency to notify California Native American tribes of any proposed General Plan Amendments and/or to conduct consultation for all projects.

In July 2020, the County of San Bernardino mailed notification pursuant to SB-18 to the Native American Heritage Commission (NAHC) and received a response letter from the NAHC dated July 23, 2020 providing one local Native American representative of the Twney-Nine Palms Band of Mission Indians. On July 28, 2020, per the list provided by the NAHC and other known Tribes in the region, notification in compliance with AB-52 was sent to the following six Tribes:

- Twenty-Nine Palms Band of the Mission Indians
- Fort Mohave Indian Tribe
- Gabrielino Band of Mission Indians – Kizh Nation
- Colorado River Indian Tribes
- Morongo Band of Mission Indians
- Soboba Band of Luiseno Indians

Requests for AB-52 consultations were due to the County by August 28, 2020. As of the completion of this IS, the County did not receive any responses or comments from the above Tribes. If AB 52 consultation is not completed prior to completion of the IS, any mitigations requested by the tribe(s) and agreed to by the County may become project Conditions of Approval (COAs).

In addition, the impacts of the Mountain Pass mining operations to cultural resources have been evaluated in the 2004 FEIR and 2010 MND and were determined to be less than significant with mitigation. The Proposed Project does not include any additional land uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant land to be rezoned to IR. There would be no ground disturbance and therefore, no impacts to Tribal Cultural Resources are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including separate AB52 consultation.

No Impact

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?

The Native American Heritage Commission was contacted to request a search of the Sacred Lands File (SLF) and a contact list of Native Americans culturally affiliated with the project area. A response was received from the NAHC, stating the SLF search had been completed with “negative” results and providing one local tribal representative’s contact information. In July 2020, the County sent letters to six Native American contacts to request information on potential cultural resources in the project vicinity that may be impacted by project development and to notify them of opportunity to request consultation in compliance with AB-52. As of November 30, 2020, no responses have been received.

There would be no new ground disturbance associated with the Proposed Project and therefore, no impacts to Tribal Cultural Resources impacts are identified or anticipated, and no mitigation measures are required. Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including separate AB52 consultation. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

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

SUBSTANTIATION:

County of San Bernardino Countywide Plan 2020; Submitted Project Materials; 2004 FEIR; 2010 MND; 2015 Revised Mine and Reclamation Plan

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

Mountain Pass provides its own water, wastewater, and power supply for the mine and processing operations including services to the Caltrans and CHP facilities. The Proposed Project would not require additional services.

The Proposed Project does not include any additional uses or modifications to the existing mine and processing operations. No development is proposed for the

1,128 acres of vacant lands to be rezoned to IR. The existing water, wastewater treatment, storm water drainage, electric power, natural gas, and telecommunications facilities would continue to function as they do currently. The Proposed Project would not require or result in the relocation or construction of these facilities. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning including review of the need for new utilities.

No Impact

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

Fresh water is provided by two existing well fields located 12 miles west in Shadow Valley and 8 miles east in Ivanpah Valley operated by MPMO. The fresh water from these well fields is not only used for industrial uses and dust control, but also supplies domestic water on-site and for two state facilities located to its south as discussed below. The Mountain Pass Facility has a current Domestic Water System Permit issued by San Bernardino County DEHS which is renewed annually. As a supplier of domestic water, MPMO must comply with the requirements of Title 22 of the California Code of Regulations.

The impacts of the Mountain Pass mining operations on water supplies have been analyzed in the 2004 FEIR and 2010 MND. Impacts were concluded to be less than significant. The Proposed Project does not include any additional uses or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. The Proposed Project is not expected to increase water demand at the Project Site. Mining operations would continue as outlined in the most recent Mine and Reclamation Plan. Any future changes to the undeveloped portion of the Project Site that would have a new zoning of IR would require a separate CEQA analysis. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

No wastewater treatment provider serves the Project site. The Project Site currently has established wastewater treatment facilities in-place operated by MPMO. The Proposed Project does not include any additional uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, the Proposed Project is not expected to increase the amount of wastewater generated on the Project Site. Any future changes to the undeveloped portion of the Project Site that would have a new zoning of IR would require a separate

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

No Impact

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

Solid wastes generated on-site are sent either to the tailings recovery system or to an appropriate landfill as dictated by the permits regulating the disposal of those solids. The Salt Recovery and Recycling Facilities allows MPMO to use and recycle the salt waste onsite as opposed to transporting waste offsite for disposal.

The Proposed Project does not include any additional uses or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. The Proposed Project does not involve construction of new facilities or the expansion of the mine site. Therefore, the Proposed Project would not result in a significant increase of solid waste generation in comparison to the existing conditions. No impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning.

No Impact

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

The Proposed Project would comply with all federal, State, and local statutes and regulations related to solid waste. Solid waste produced during the mining operations is disposed of in accordance with all applicable statutes and regulations. The Proposed Project does not involve construction of new facilities or the expansion of the mine site. No impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning.

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

County of San Bernardino General Plan, 2020; Submitted Project Materials; CalFire VHFHSZ in LRA

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

The Proposed Project does not include any changes to the existing layout of the Mountain Pass Mine. The current operations would not interfere with an emergency response plan or emergency evacuation plan. The Proposed Project does not include any additional land uses, facilities, or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be re-zoned to IR.

According to CalFire’s “Draft Fire Hazard Severity Zones in LRA,” the Project Site is located in a local responsibility area with moderate fire hazard severity.¹² The Project Site does not contain any emergency facilities. The Project Site is adjacent to the I-15. According to the Countywide Plan, the I-15 in the desert region is designated as a potential evacuation route.¹³ The Proposed Project would not alter current operations and would not interfere with an emergency response plan involving the I-15 as an

¹² https://osfm.fire.ca.gov/media/6774/fhszl06_1_map65.pdf. Accessed July 15, 2020.

¹³ <http://www.sbcounty.gov/Uploads/lus/GeneralPlan/FINALGP.pdf>. Accessed July 15, 2020.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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evacuation route. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and be reviewed under a separate CEQA analysis including possible impacts to emergency plans.

No Impact

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

The Project Site and its vicinity are not located within a fire safety boundary, as shown on the Countywide Plan – Hazard Overlay Map CJDJB.¹⁴ Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Proposed Project does not include any additional uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. The Proposed Project does not include the installation or maintenance of associated infrastructure that would exacerbate fire risk. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

Surface drainage on or near the Project Site rarely occurs except during heavy showers. The Proposed Project does not include any additional uses or modifications to the existing mine operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. As shown on the San Bernardino Countywide Plan Geologic Hazard Overlay map CJDJC, the Project Site is not located within an area

¹⁴ <http://www.sbcounty.gov/Uploads/lus/HazMaps/CJDJB.pdf>. Accessed July 15, 2020.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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susceptible to landslides.¹⁵ Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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XXI. MANDATORY FINDINGS OF SIGNIFICANCE:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

¹⁵ County of San Bernardino, General Plan: San Bernardino County Land Use Plan, Geologic Hazard Overlays CJDJC. Accessed July 9, 2020.

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

The Proposed Project is a GPA/CZ to amend the LUC on 2,220 acres from RLM to GI and to change zoning of RC on approximately 2,095 acres and SD on approximately 125 acres to IR. The Proposed Project will allow mining and processing operations to continue under the IR zone under the approved Mine and Reclamation Plan reviewed by the 2004 FEIR and 2010 MND with mitigation required. The Proposed Project does not include any additional uses or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, the Proposed Project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. The County contacted local Native American tribal representatives and no information regarding tribal cultural resources was provided. No impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and a separate CEQA review including biological and cultural resources assessments.

No Impact

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

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

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

This Initial Study determined that there would be no impacts related to the Proposed Project. The Proposed Project is a GPA/CZ to amend the LUC on 2,220 acres from RLM to GI and to change zoning of RC on approximately 2,095 acres and SD on approximately 125 acres to IR. The Proposed Project will allow mining and processing operations to continue under the IR zone under the approved Mine and Reclamation Plan. The Proposed Project does not include any additional uses or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, the Proposed Project would not result in a cumulative considerable impact. No impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and a separate CEQA review including a cumulative impact assessment.

No Impact

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

The Proposed Project is a GPA/CZ to amend the LUC on 2,220 acres from RLM to GI and to change zoning of RC on approximately 2,095 acres and SD on approximately 125 acres to IR. The Proposed Project will allow mining and processing operations to continue under the IR zone under the approved Mine and Reclamation Plan. The Proposed Project does not include any additional uses or modifications to the existing mine and processing operations. No development is proposed for the 1,128 acres of vacant lands to be rezoned to IR. Therefore, the Proposed Project would not result in environmental effects which would cause substantial adverse effects on human beings either directly or indirectly. No impacts are identified or anticipated, and no mitigation measures are required.

Any future development of undeveloped lands within the IR zoning not specifically approved under the Mountain Pass Mine and Reclamation Plan will be required to comply with County development standards under the IR zoning and a separate CEQA review.

No Impact

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

GENERAL REFERENCES

California Department of Toxic Substances Control, EnviroStor Database. Accessed July 15, 2020.

CalFire. Very High Fire Hazard Severity Zones in LRA.
https://osfm.fire.ca.gov/media/6783/fhszl_map62.pdf. Accessed July 16, 2020.

County of San Bernardino, 2007 Development Code (as amended May 2, 2019)
County of San Bernardino, Countywide Plan (November 2020).

California Department of Conservation. Fault Activity Map of California (2010).
<http://maps.conservation.ca.gov/cgs/fam>. Accessed July 14, 2020.

Federal Emergency Management Agency, Flood Map. Accessed on July 13, 2020 from
<https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-117.08220168334944,33.85816731678714,-116.86693831665052,34.00059917947498>

PROJECT SPECIFIC REFERENCES

Molycorp Minerals, LLC (now MPMO) and Lilburn Corporation. Revised Mine and Reclamation Plan for the Mountain Pass Mines. November 2014. (including Conditions of Approval)

Environmental Audit, Inc. and County of San Bernardino Subsequent Mitigated Negative Declaration. July 2010.

ENSR International and County of San Bernardino. Final Environmental Impact Report for Mountain Pass Mine 30-Year Plan. June 2004.

EXHIBIT B

Findings

FINDINGS: POLICY PLAN AND ZONING AMENDMENT:

The applicant, MP Mine Operations, LLC (MPMO), is requesting (1) approval of a Policy Plan Amendment (PPA) to amend the Land Use Category from Resource Land Management (RLM) to General Industrial (GI) for 25 parcels on approximately 2,220 acres; and (2) approval of a Zoning District Amendment (ZDA) to amend the zoning from Resource Conservation (RC) to Regional Industrial (IR) for 23 parcels on approximately 2,095 acres and from Special Development (SD) to IR for two parcels on approximately 125 acres (Project). The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 86.12.060, and supporting facts for the PPA and ZDA:¹

1. THE PROPOSED AMENDMENT IS INTERNALLY CONSISTENT WITH ALL OTHER PROVISIONS OF THE RESPECTIVE PLAN, THE POLICY PLAN OR AN APPLICABLE SPECIFIC PLAN;

The PPA and ZDA is consistent with and will further the objectives, goals and policies of the County Policy Plan as indicated below and based on the evidence contained in the Project's supporting documents:

- **GOAL LU 2.1:** We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.

Consistency: The Project seeks an amendment to the Policy Plan from Resource Land Management (RLM) to General Industrial (GI). Industrial mining operations and related facilities and activities within the County are generally permitted in the Mineral Resources Zone (MRZ), however the General Industrial (GI) designation is appropriate and consistent with the existing operation and would be consistent with the uses currently in operation on the project site. Furthermore, the existing uses would be considered conforming to the proposed Regional Industrial (IR) zoning district.

- **Policy LU-6.4 - Industrial amendments near schools and parks.** We approve PPA's for new industrial development only if the proposed development is at least one-half mile from an existing or planned public primary or secondary school or public park. We may waive this requirement for obsolete school or park sites or for industrial amendments submitted through a specific plan.

Consistency: The Project site is located near a former school (Mountain Pass Elementary), owned by the Baker Valley Unified School District. However, the Mountain Pass Elementary School is no longer in operation. This policy can be waived because the school is now considered obsolete by the Baker Valley Unified School District.

2. THE PROPOSED AMENDMENT WOULD NOT BE DETRIMENTAL TO THE PUBLIC INTEREST, HEALTH, SAFETY, CONVENIENCE, OR WELFARE OF THE COUNTY;

Approval of the PPA and ZDA includes amending the Land Use Category from Resource Land Management (RLM) to General Industrial (GI); and changing Zoning Districts from Resource

¹ The findings required for a PPA and ZDA pursuant to the Development Code are identical given the County's prior one-map system. Therefore, the findings of fact in support of the PPA and ZDA are combined herein.

Conservation (RC) and SD to IR. The proposed Project will not include any development and will simply modify the Land Use Category and Zoning District on the property to better reflect the existing and future uses.

3. THE PROPOSED LAND USE CATEGORY AND ZONING DISTRICT CHANGE IS IN THE PUBLIC INTEREST, THERE WILL BE A COMMUNITY BENEFIT, AND OTHER EXISTING AND ALLOWED USES WILL NOT BE COMPROMISED;

The Project site is currently developed with industrial structures and has been extensively disturbed by mining activities. A variety of mining and industrial land uses exist near the Project site. Approval of the PPA and ZDA includes amending the Land Use Category from Resource Land Management (RLM) to General Industrial (GI) and amending the Zoning Districts from Resource Conservation (RC) and Special Development (SD) to Regional Industrial (IR). The Project does not include any development, and as mentioned above, will allow the existing operations to be more representative of its current and future activities. As such, the proposed Project will be a benefit to the community and region and will allow the industrial uses to operate beyond the mining operation, which will not compromise existing development in the area.

4. THE PROPOSED LAND USE CATEGORY AND ZONING DISTRICT CHANGE WILL PROVIDE A REASONABLE AND LOGICAL EXTENSION OF THE EXISTING LAND USE PATTERN IN THE SURROUNDING AREA;

The proposed PPA and ZDA will meet the minimum size requirements enumerated in the Development Code and will allow for existing industrial operation to be placed in a more representative zone.

5. THE PROPOSED LAND USE CATEGORY AND ZONING DISTRICT CHANGE DOES NOT CONFLICT WITH PROVISIONS OF THIS DEVELOPMENT CODE;

The change in the Land Use Category from Resource Land Management (RLM) to General Industrial (GI) and Land Use Zoning District from Resource Conservation (RC) and Special Development (SD) to Regional Industrial (IR) will not conflict with the Development Code. The Land Use Zoning District change will allow for the continued operations of all existing industrial operations. Since the Project area was previously approved and located adjacent to an open pit mine, the change in zone will not conflict with the provisions of the Development Code and will be in full compliance.

6. THE PROPOSED LAND USE CATEGORY AND ZONING DISTRICT CHANGE WILL NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON SURROUNDING PROPERTY; AND

Adequate public services and facilities are provided in accordance with provisions of previous entitlements. Conditions of Approval, and mitigation measures provided in the Final Environmental Impact Report for Mountain Pass Mine, approved in June of 2004 (SCH No. 1999121073)(2004 CUP) and the Subsequent Mitigated Negative Declaration (MND), approved in 2010. Approval of the proposed Project will not result in a reduction of said public services to properties in the vicinity, to the detriment of public health, safety and welfare.

7. THE AFFECTED SITE IS PHYSICALLY SUITABLE IN TERMS OF DESIGN, LOCATION, SHAPE, SIZE, OPERATING CHARACTERISTICS, AND THE PROVISION OF PUBLIC AND EMERGENCY VEHICLE (E.G., FIRE AND MEDICAL) ACCESS AND PUBLIC SERVICES AND UTILITIES (E.G., FIRE PROTECTION, POLICE PROTECTION, POTABLE WATER, SCHOOLS, SOLID WASTE COLLECTION AND DISPOSAL, STORM DRAINAGE,

WASTEWATER COLLECTION, TREATMENT, AND DISPOSAL, ETC.), TO ENSURE THAT THE PROPOSED OR ANTICIPATED USES AND/OR DEVELOPMENT WOULD NOT ENDANGER, JEOPARDIZE, OR OTHERWISE CONSTITUTE A HAZARD TO THE PROPERTY OR IMPROVEMENTS IN THE VICINITY IN WHICH THE PROPERTY IS LOCATED.

The proposed site is currently developed and operating under previously approved entitlements. The changes proposed to the Policy Plan and Zoning District will not jeopardize or constitute a hazard to property or improvement in the vicinity given that the Project utilizes existing roadways associated with operations located in the Mountain Pass. Therefore, no significant adverse impacts to law enforcement are identified or anticipated. The proposed Project will not have a substantial adverse effect on surrounding property or the permitted use thereof, and will be compatible with the existing and planned land use character of the surrounding area.

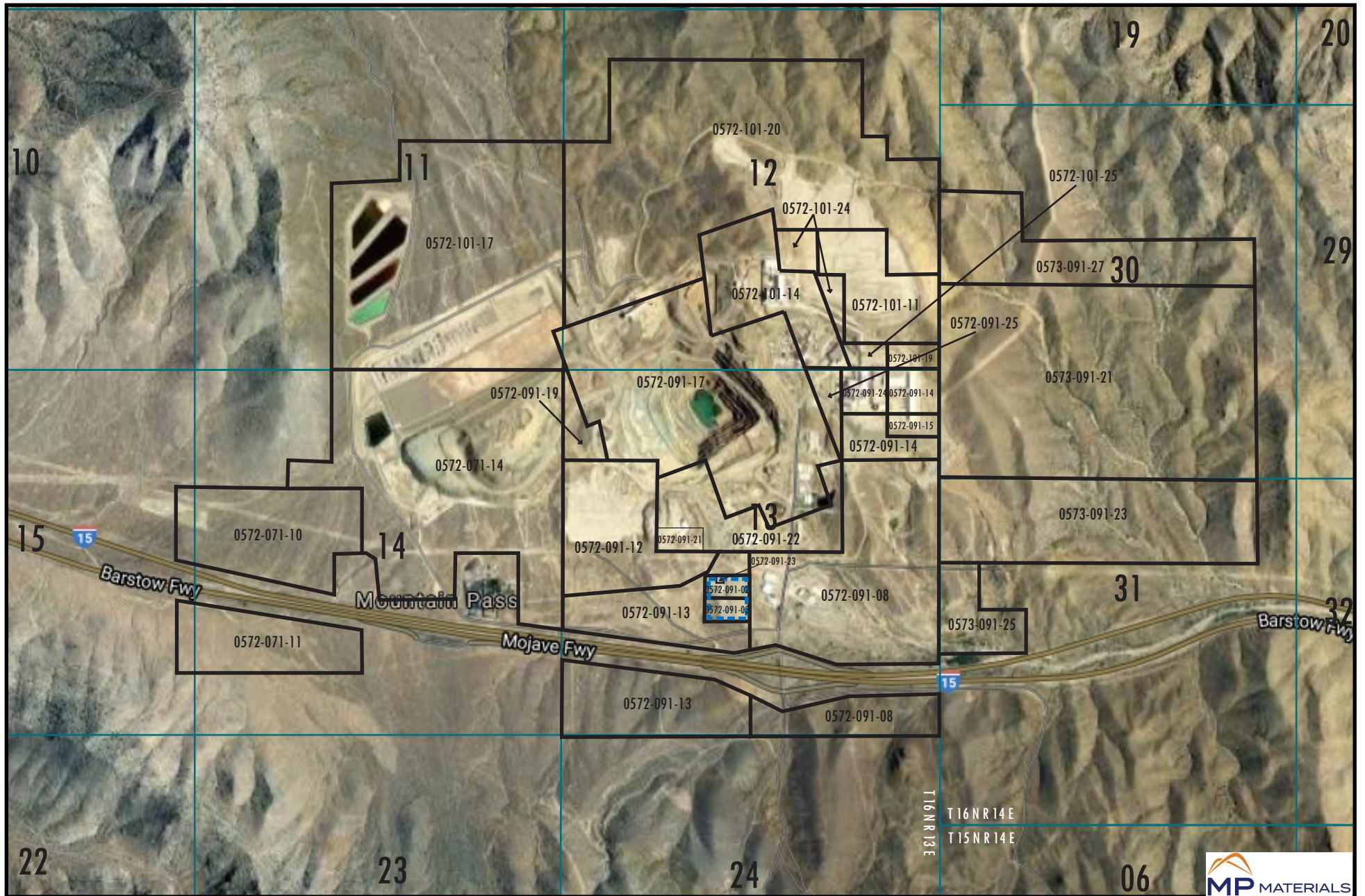
FINDINGS: ENVIRONMENTAL:

The environmental findings, in accordance with Chapter 85.03.040 of the San Bernardino County Development Code, are as follows:

Pursuant to provisions of the California Environmental Quality Act (CEQA) and the San Bernardino County Environmental Review guidelines, the above referenced project has been determined to not have a significant adverse impact on the environment. A Negative Declaration (ND) will be adopted, and a Notice of Determination (NOD) will be filed with the San Bernardino County Clerk's office. The IS/ND represents the independent judgment and analysis of the County acting as lead agency for the Project.

EXHIBIT C

Site Plan




EXISTING LAND USE CATEGORIES

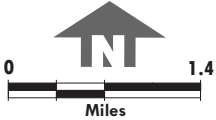
Mountain Pass Mining Operations Parcels

Mountain Pass, California

FIGURE 3

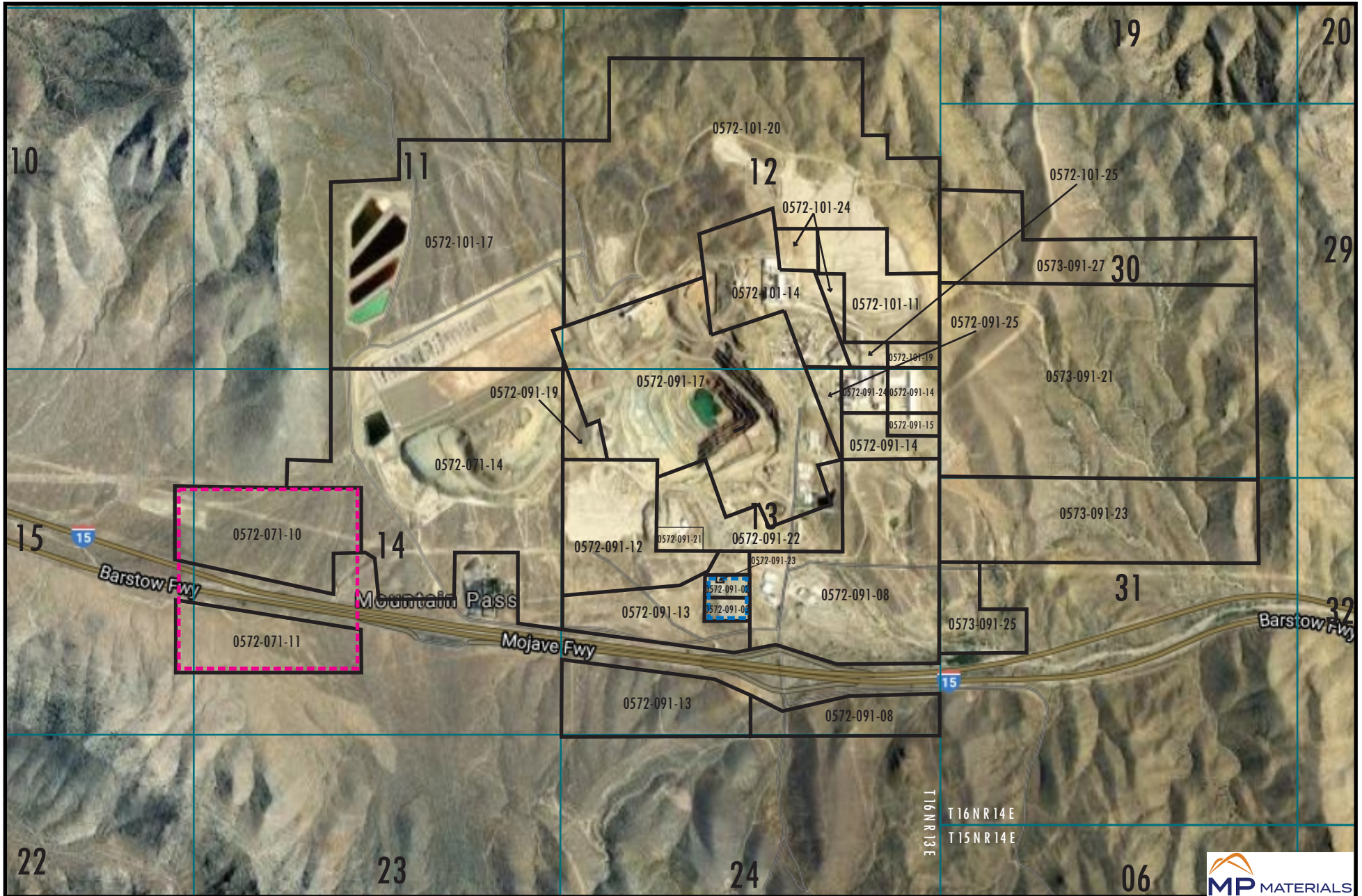
LEGEND

-  Existing Commercial (C) (Not a Part)
- 12 Section Numbers
- **Entire remaining area Resource/Land Management (RLM) except as shown
- Source: Countywide Plan (October 2020)



Source: Lilburn Corporation, May, 2020.





EXISTING ZONING DISTRICTS

Mountain Pass Mining Operations Parcels

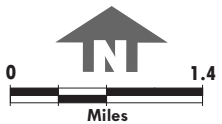
Mountain Pass, California

FIGURE 5

LEGEND

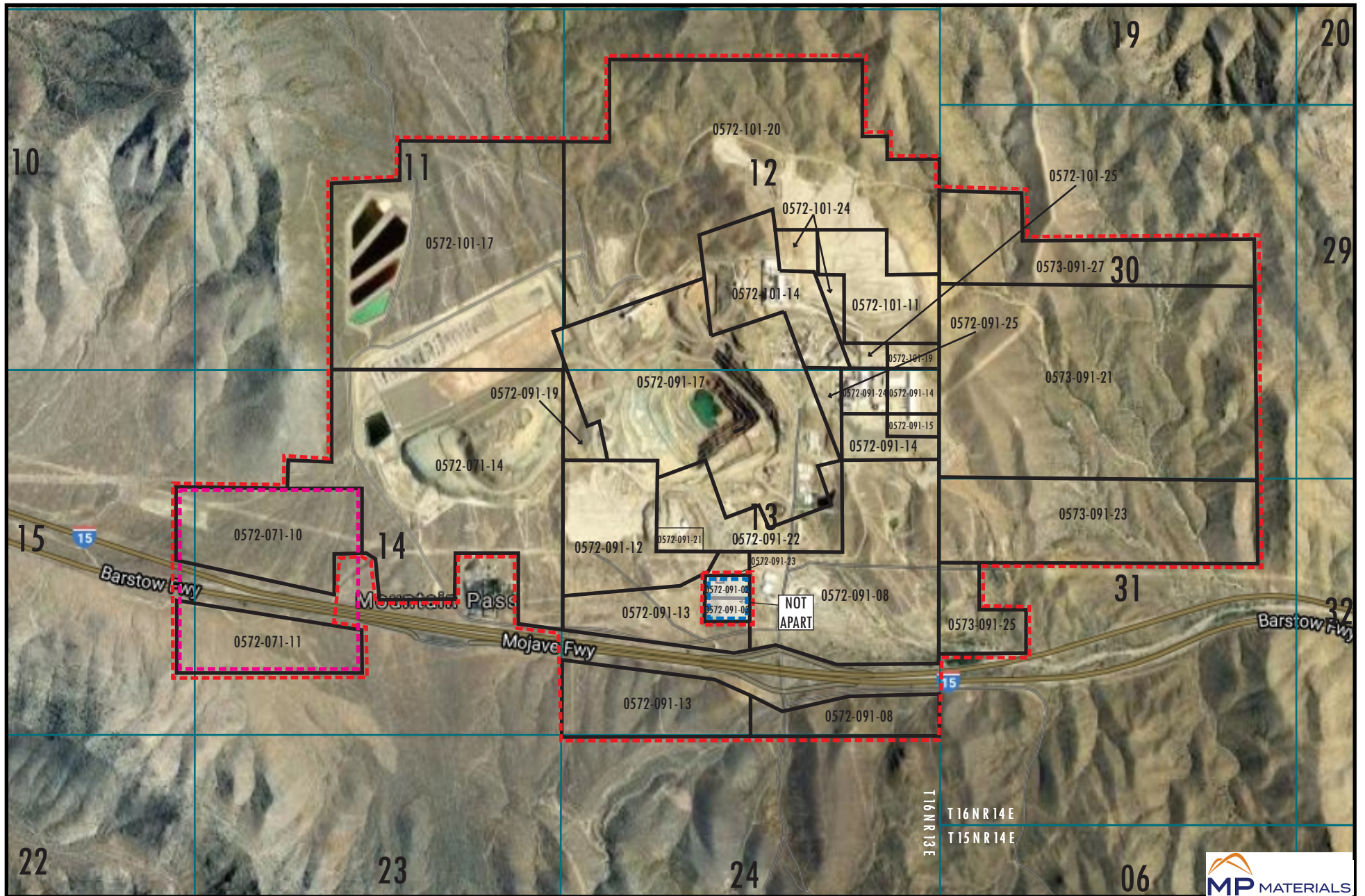
-  Existing General Commercial (GC) Zone (Not a Part)
-  Existing Special Development (SD) Zone
- 12 Section Numbers

**Entire remaining area Resource Conservation (RC) except as shown.
Source: Countywide Plan (October 2020)



Source: Lilburn Corporation, May, 2020.





LEGEND

-  Existing General Commercial (GC) Zone (Not a Part)
-  Existing Special Development (SD) Zone Change to Regional Industrial (IR)
-  Proposed IR Zone Change

12 Section Numbers

**Entire remaining area Resource Conservation (RC) except as shown
Source: Countywide Plan (October 2020)

PROPOSED CHANGE TO ZONING DISTRICTS

Mountain Pass Mining Operations Parcels

Mountain Pass, California

FIGURE 6



Source: Lilburn Corporation, May, 2020.

LILBURN
CORPORATION